BOARD OF YAKIMA COUNTY COMMISSIONERS

ORDINANCE 4-2021

IN THE MATTER OF A COMPREHENSIVE ORDINANCE ADOPTING BUILDING REGULATIONS, CODES AND STANDARDS, AND AMENDMENTS, AND AMENDING CHAPTER 13.25 *VIOLATIONS AND PENALTIES*

An Ordinance adopting by reference the International Building Code, 2018 Edition, and adopting certain amendments thereto; adopting by reference the International Residential Code, 2018 Edition, and adopting certain amendments thereto: adopting by reference the International Existing Building Code, 2018 Edition, and, adopting certain amendments thereto; adopting by reference the International Mechanical Code, 2018 Edition, and, adopting certain amendments thereto; adopting by reference the International Fuel Gas Code, 2018 Edition, and, adopting certain amendments thereto; adopting and by reference the International Fire Code, 2018 Edition, and adopting certain amendments thereto adopting by reference the Uniform Plumbing Code, 2018 Edition, and, adopting certain amendments thereto; adopting by reference the International Property Maintenance Code, 2018 Edition, and, adopting certain amendments thereto; adopting by reference the International Wildland Urban Interface Code, 2018 Edition, and, adopting certain amendments thereto; adopting by reference the ICC Performance Code for Buildings and Facilities, 2018 Edition, and, adopting certain amendments thereto; adopting by reference the International Swimming Pool and Spa Code 2018 Edition, and , adopting certain amendments thereto; adopting by reference the International Energy Conservation Code, 2018 edition, as adopted by Washington State in Chapter 51-11R WAC and Chapter 51-11C WAC, and certain amendments thereto; regulating the erection, construction, enlargement, alteration, repair, moving, removal, conversion, demolition, occupancy, equipment, use, height, area and maintenance of buildings or structures in the County of Yakima; establishing priorities among the various codes adopted by reference and between such codes and other ordinances and policies dealing with land use; providing for the administration and enforcement of this ordinance; providing for the issuance of permits; establishing fees for permits; providing for, and in some cases requiring, correlation with other ordinances and codes; providing installation standards for mobile homes; prescribing regulations for the safeguarding to a reasonable degree of life and property from the hazards of fire and explosion arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the use or occupancy of buildings or premises; defining the scope of the County's responsibilities under the International Fire

Code; defining the role of Fire Protection Districts; ratifying provisions of the International Fire Code pertaining to the authority of a fire department at the scene of a fire or other emergency; providing for civil remedies and criminal penalties for the violation thereof; and repealing Yakima County Code 13.01, 13.02, 13.04, 13.05, 13.06, 13.07, 13.08, 13.09, 13.10, 13.11, 13.12, 13.13, 13.14, 13.24 and 13.25 and enacting a new title with chapters and sections as set forth below, all of the Yakima County Code; and, amending certain chapters and sections of Ordinance10-2016

WHEREAS, RCW Chapters 19.27, 36.32, 36.43, 46.55, and 35.80 authorize counties within the State of Washington to; (1) adopt standard building codes; (2) provide for their administration and enforcement; (3) amend or limit the applicability of such codes as authorized by law; (4) set fees within the codes; (5) provide that any violation of the provisions of said codes as adopted shall constitute a misdemeanor or a civil violation subject to a monetary penalty; (6) provide that a county may by ordinance (a) prescribe minimum standards for the use and occupancy of dwellings throughout the county; (b) prescribe minimum standards for the use and occupancy of any building, structure or premises used for any other purpose, (c) prevent the use or occupancy of any dwelling, building or structure, or premises, that is injurious to the public health, safety, morals, or welfare; (d) prescribe punishment for the violation of any provision of such ordinance; **and,**

WHEREAS, the Board of Yakima County Commissioners has heretofore examined and understands the scope and purpose of the uniform codes and regulations adopted under this ordinance and the amendments and additions thereto, and finds that the amendments and additions to the codes enacted in RCW 19.27.031 do not diminish the performance standards and objectives of the State Building Code, the Board of Yakima County Commissioners deems it to be in the public interest and for the general health, safety and welfare of the citizens of the County that such codes and amendments and additions thereto be adopted as the law of the County of Yakima: **and,**

WHEREAS, pursuant to RCW 36.32.120 (7), a duly noticed public hearing was held regarding the adoption of this ordinance and that one (1) copy of each code and regulation adopted hereunder together with a copy of this ordinance specifying amendments and additions thereto were filed in the County Auditor's Office ten (10) days prior to the public hearing; and all persons desiring

to speak for and against the adoption of this ordinance and the amendments and supplements thereto have been heard as required by law; **now therefore,**

BE IT HEREBY ORDAINED by the Board of Yakima County Commissioners as follows:

SECTION I. Chapters 13.01, 13.02, 13.04, 13.05, 13.06, 13.07, 13.08, 13.09, 13.10, 13.11, 13.12, 13.13, 13.14, 13.24 and 13.25 of Ordinance —10-2016 are hereby repealed.

SECTION II. Title 13 of Yakima County Code and Chapters 13.01, 13.02, 13.04, 13.05, 13.06, 13.07, 13.08, 13.09, 13.10, 13.11, 13.12, 13.13, 13.14, 13.15, 13.16, 13.24 and 13.25, and certain sections thereunder are hereby enacted as set forth herein below:

TITLE 13

BUILDING AND CONSTRUCTION CHAPTERS

13.01 Title, Purpose and Authority

13.02 Adoption of Codes and Standards

13.04 Enforcement and Administration

13.05 Amendments to International Building Code

13.06 Amendments to International Residential Code

13.07 Amendments to International Mechanical Code and International Fuel Gas Code

13.08 Amendments to Uniform Plumbing Code

13.09 Mobile Homes and Manufactured Homes

13.10 Amendments to International Fire Code

13.11 Amendments to International Property Maintenance Code

13.12 Amendments to International Wildland-Urban Interface Code

13.13 Amendments to International Existing Building Code

13.14 Amendments to ICC Performance Code for Buildings and Facilities

13.15 Amendments to International Energy Conservation Code

13.16 Amendments to International Swimming Pool and Spa Code

13.24 Fees

13.25 Violation and Penalties

CHAPTER 13.01

TITLE, PURPOSE AND AUTHORITY

13.01.010 Title. The regulations contained within Chapters 13.01 through 13.25, inclusive, shall collectively be known as "Title 13 Building and Construction" and are referred to herein as "this Title". This Title may also be known and cited as the "Yakima County Building Code".

13.01.020 Purpose. The purpose of this title is to provide minimum standards to safeguard life or limb, health, property, and general public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and placement, repair and maintenance of all buildings and structures within Yakima County and of certain equipment specifically regulated herein and to safeguard to a reasonable degree life and property from the hazards of fire and explosion arising from the storage, handling, and use of hazardous substances, materials and devices, and from

conditions hazardous to life or property in the use or occupancy of buildings or premises. Enactment and enforcement of this Title is intended to only protect the general public welfare and not specific persons or property. Nothing in this Title or the various Codes adopted by reference herein shall be construed to impose any legal duty, directly or indirectly, upon Yakima County or its officials and employees to protect individual persons or property in individual circumstances.

13.01.030 Authority. The provisions of this Title are adopted pursuant to the authority granted in RCW Chapters 19.27, 36.32, 36.43, 46.55, and 35.80 which authorize counties within the State of Washington to: (1) adopt by reference uniform building codes and standards; (2) provide for their administration and enforcement; (3) amend or limit the applicability of such codes and standards; (4) set fees within such codes; (5) provide that any violation of the provisions of said code as adopted shall constitute a misdemeanor or a civil violation subject to a monetary penalty, and (6) provide that a county may by ordinance (a) prescribe minimum standards for the use and occupancy of dwellings throughout the county; (b) prescribe minimum standards for the use and occupancy of any building, structure or premises used for any other purpose, (c) prevent the use or occupancy of any dwelling, building or structure, or premises, that is injurious to the public health, safety, morals, or welfare; (d) prescribe punishment for the violation of any provision of such ordinance. These provisions are also authorized and adopted pursuant to general police power authority granted to counties under Article XI, Section XI of the Washington State Constitution.

13.01.040 Severability. Should any chapter, section, subsection, sentence, clause or other provision of this Title be held to be invalid or unconstitutional, the remaining portions of this Title shall continue in full force and effect and such decision shall not affect the validity of this title as a whole, or any part thereof other than the part so declared to be unconstitutional or invalid.

CHAPTER 13.02

ADOPTION OF UNIFORM CODES AND STANDARDS

13.02.010 Adoption of uniform Codes and Standards. Except as amended or modified by Chapters 13.01 through 13.25 of this Title, the following uniform codes and standards are adopted by reference as the regulations of Yakima County governing building and structures, and shall have the same force and effect as if they were set forth fully herein:

(1) The International Building Code, 2018 Edition, published by the International Code Council as adopted and amended by the State of Washington in Chapter 51-50 WAC;

(2) The International Residential Code, 2018 Edition, published by the International Code Council as adopted and amended by the State of Washington in Chapter 51-51 WAC;

(3) The International Existing Building Code, 2018 Edition, published by the International Code Council as adopted and amended by the State of Washington in Chapter 51-50 WAC;

(4) The International Mechanical Code, 2018 Edition and the International Fuel Gas Code, published by the International Code Council as adopted and amended by the State of Washington in Chapter 51-52 WAC;

(5) The International Fire Code, 2018 Edition, published by the International Code Council as adopted and amended by the State of Washington in Chapter 51-54A;

(6) The Uniform Plumbing Code, 2018 Edition, as published by International Association of Plumbing and Mechanical Officials as adopted and amended by the State of Washington in Chapter 51-56 WAC;

(7) The International Energy Conservation Code, 2018 Edition, as adopted and amended by the State of Washington in Chapters 51-11R and 51-11C WAC;

(8) The International Property Maintenance Code, 2018 Edition, as published by the International Code Council;

(9) The International Wildland-Urban Interface Code, 2018 Edition, as published by the International Code Council;

(10) The ICC Performance Code for Buildings and Facilities, 2018 Edition, as published by the International Code Council;

(11) The International Swimming Pool and Spa Code, 2018 Edition, as published by the International Code Council.

13.02.020 Terminology in Codes. All references in the Codes and standards adopted by Section 13.02.010 to the "City" or "chief administrative officer" shall be construed as the Chairman of the Board of County Commissioners; references to the "City Council" or "chief appointing authority" shall be construed as the Board of County Commissioners.

13.02.030 Priorities.

(1) In case of conflict among the uniform codes adopted by reference by Yakima County in this Title and elsewhere, the priorities specified in RCW 19.27.031 shall apply.

(2) Pursuant to RCW 19.27.090 certain zoning requirements, building setbacks, side and rear yard requirements, site development standards, property line requirements, subdivision requirements and general land requirements are contained and reserved in other enacted ordinances and policy documents of Yakima County. Enactment of this Title does not abrogate those requirements. In case of direct conflict between the provisions of this Title and such other ordinances, the most restrictive shall apply.

CHAPTER 13.04

ENFORCEMENT AND ADMINISTRATION

13.04.010 Authority Designated. The Manager of the Building and Fire Safety Division of the Yakima County Department of Public Services is hereby authorized and designated as the Official responsible for the enforcement and administration of this Title, and is appointed as the public officer, as defined in RCW 35.80.020, with the authority to exercise such powers of enforcement as are authorized in RCW 35.80 and YCC 13.11. The Manager may designate employees within his division to act on his behalf. The use of the terms "Building Official", "Administrative Authority", "Code Official", "Authority Having Jurisdiction" and similar such terms as contained in this Title and in the codes and standards adopted by reference under this Title shall be construed as referring to the Manager of the Building and Fire Safety Division of the Yakima County Department of Public Services and his designees.

13.04.020 Correlation with Zoning Ordinance. Prior to the issuance of any permit under this Title, the Building Official shall review the proposed work and use for compliance with Yakima County's Zoning Ordinances, YCC Title 19, as they now exist or as amended. Compliance with applicable zoning requirements shall be a condition precedent to the issuance of any permit subject to land use approval under this Title.

13.04.030 Coordination Required With Other Officials. The Building Official in the enforcement and administration of this Title is authorized to coordinate with any other appropriate regulatory agency to confirm that the proposed work conforms to the applicable laws or regulations of that agency prior to the issuance of any permit under this Title.

Nothing within this section shall otherwise interfere with or limit the discretionary authority of the building official to confer with other departments and jurisdictions prior to the issuance of any permit required under this Title pursuant to applicable sections of the International Building Code, International Residential Code, International Existing Buildings Code, International Mechanical Code, International Fuel Gas Code, International Fire Code, Uniform Plumbing Code, International Wildland-Urban Interface Code, International Property Maintenance Code, ICC Performance Code for Buildings and Facilities, and International Swimming Pool and Spa Code, and International Energy Conservation Code adopted by reference in this Title.

CHAPTER 13.05

AMENDMENTS TO INTERNATIONAL BUILDING CODE

13.05.010 Adoption of Appendices. Pursuant to Section 101.2.1 of the 2018 Edition of the International Building Code, the following appendices are specifically adopted;

Appendix Chapter C, Group U - Agricultural Buildings

Appendix Chapter E, Supplementary Accessibility Requirements

Appendix Chapter G, Flood Resistant Construction

Appendix Chapter I, Patio Covers

Appendix Chapter J, Grading

13.05.015 Amendment to Chapter 1, Section 101.4 Referenced Codes. Section 101.4 of the International Building Code, 2018 Edition, is hereby amended as follows:

101.4.6 Energy. The provisions of the *International Energy Conservation Code as adopted and amended in Chapters 51-11R and 51-11C WAC and YCC 13.15* shall apply to all matters governing the design and construction of buildings for energy efficiency.

13.05.020 Amendment to Chapter 1, Section 103 Department of building safety. Section 103 of the International Building Code, 2018 Edition, is hereby amended as follows:

Section 103, Creation of enforcement agency.

103.1 Creation of enforcement agency. The Building and Fire Safety Division of the Public Services Department is hereby established and the official in charge thereof shall be known as the building official.103.2 Deleted. See YCC 13.04.010

103.3. Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint a deputy building official, the related technical officers, inspectors, plans examiners and other employees. Such employees shall have powers as delegated by the building official. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the Building and Fire Safety Division. For the maintenance of existing properties, see the *International Property Maintenance Code.*

13.05.025 Amendment to Chapter 1, Section 104.1 General, and Section 104.8 Liability Section 104.1 and Section 104.8 of the International Building Code, 2018 Edition, are hereby amended as follows:

104.1 General. The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer. The building official shall have the authority to render interpretations of this code and to adopt and enforce rules, policies and procedures in order to clarify the application of its provisions. Such interpretations, rules, policies and procedures shall be in conformance with the intent and purpose of this code. Such rules, policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. Such rules, policies and procedures adopted by the building official as authorized in this code shall become part of Chapter 1, Administration, and shall be applied in conjunction with the provisions of Chapter 1.

104.8 Liability. The building official, or employee charged with the enforcement of this code, while in the discharge of their official duties, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required, or permitted, or in the scope of their official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the code enforcement agency, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

13.05.030 Amendment to Chapter 1, Section 105, Permits. Section 105.1 Required, and Section 105.2 Work exempt from permit, Building, of the International Building Code, 2018 Edition is hereby amended as follows:

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing

system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application with the building official and obtain the required permit.

Where a bridge or an elevated surface has been identified as part of a fire apparatus access road under Section 503.2.6 of the International Fire Code as adopted and amended by Yakima County in YCC 13, the owner or authorized agent shall first make application with the building official and obtain the required permit. Plans, calculations, and other documentation necessary to show that the bridge or elevated surface complies with the requirements of Section 503.2.6 of the International Fire Code shall be submitted and shall be prepared by a registered design professional.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. Non-habitable, one-story, no loft storage, detached, unheated residential accessory structures on the same lot with a Group R-3 occupancy (house) used as tool and storage sheds, playhouses, pump houses, or woodsheds, provided the building area, exterior wall measurement, , does not exceed 200 square feet (18.58 m^2), maximum 24" eave overhang, and maximum 10' wall height. In addition, in order to qualify as being exempt from permitting requirements of section 105, the structure must meet all of the following conditions:

- The structure shall not have a basement or crawl space that provides greater than 18 inches clearance below floor joists to the lowest part of the basement or crawlspace
- The structure shall not be located in an area designated as a "critical area" or "shoreline area" by state or local regulation
- The structure shall not be located in a flood plain or floodway mapped by FEMA.
- The structure is not located in a Moderate, High, or Extreme Wildland Urban Interface risk zone.

- The combined total number of residential accessory structures exempt from permitting requirements of section 105 on any one lot shall not exceed 2 structures- each 200 square foot maximum. There shall be a minimum of 6' spacing between the accessory structures. Additional residential accessory structures may be built by obtaining permits for them.
- The structure shall not be used, or intended to be used, for living, sleeping, or cooking
- The structure shall not be used as a carport or garage for the storage of automobiles, tractors, motor homes, recreational vehicles or similar motorized vehicles. Note: lawn mowers, garden tillers, and other small motorized lawn and garden care equipment may be stored
- The structure shall not be used for storage of agricultural products, farm equipment
- The structure may be used as a portable animal shelter (maximum size is 360 square feet)
- The structure is not used, or intended to be used, as a place of business
- The structure shall not be equipped with any plumbing system, (i.e. bathroom), may include plumbing equipment for use as a well pump house
- The structure shall not be equipped with any mechanical system
- The structure is not used for storage of hazardous materials in excess of the amounts listed in the Fire Code. (maximum allowable quantity per control area of hazardous materials posing a physical hazard, and maximum allowable quantity per control area of hazardous materials posing a health hazard).

Structures that do not meet the above parameters and conditions are not exempt from the permitting requirements of section 105 and it is required that permits must be obtained prior to commencing construction.

2. Fences not over 7 feet (1829 mm) high.

3. Oil derricks.

4. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.

5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18 925 L) and the ratio of height to diameter or width does not exceed 2 to 1.

6. Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.

7. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

8. Temporary motion picture, television and theater stage sets and scenery.

9. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18 925 L) and are installed entirely above ground.

10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.

11. Swings and other playground equipment accessory to detached one- and two-family dwellings.

12. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.

13. Nonfixed and movable fixtures, cases, racks, counters, and partitions not over 5 feet 9 inches (1753 mm) in height.

Unless otherwise exempted, separate plumbing, electrical and mechanical permits will be required for the above-exempted items.

Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

13.05.040 Amendment to Chapter 1, Section 107.3.1 Approval of construction documents. Section 107.3.1 of the International Building Code, 2018 Edition, is hereby amended as follows:

107.3.1 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Approved." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

13.05.045 Amendment to Chapter 1, Section 108 Temporary Structures and Uses of the International Building Code, 2018 Edition, is amended as follows:

108.1 General. The building official is authorized to issue a permit for temporary structures and uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

Exception: The building official may authorize unheated tents and yurts under 500 square feet in area accommodating an R-1 Occupancy for recreational use as a temporary structure and allow them to be used indefinitely. The building official may authorize unheated tents and yurts exceeding 500 square feet in area, but not greater than 750 square feet in area, accommodating an R-1 Occupancy for recreational use, and which are provided with not less than two (2) rescue and emergency egress openings with such openings located not less than one half the major diagonal dimension of the tent, or yurt, apart, as a temporary structure and allow them to be used indefinitely.

13.05.050 Amendments to Chapter 1, Section 109, Fees, Sections 109 of the International Building Code, 2018 Edition, is amended as follows:

109.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

109.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit shall be as set forth in Amended Table 1-A as established in YCC 13.24.020.

109.2.1 Plan Review Fees. When submittal documents are required to be submitted by Section 107, a plan review fee in addition to the permit fee shall be paid at the time of submitting submittal documents for plan review. Said plan review fee shall be SIXTY-FIVE (65) PERCENT of the building permit fee as shown in Amended Table 1-A.

The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 109.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review, or when the project involves phased approvals as defined in Section 107.3.3 or deferred submittal items as defined in Section 107.3.4.1, an additional plan review fee shall be charged at the rate shown in Amended Table 1-A.

109.3 Building permit valuations. The determination of value or valuation under any of the provisions of this code shall be made by the Building Official by reference to the "building valuation data" as published by the International Code Council. The value to be used in computing the building permit and building plan review fee shall be the total value of all construction work for which the permit is issued. The value or valuation to be used in calculating fees is calculated from the "building valuation data" published by the International Code Council by taking the value per square foot area for the occupancy group and construction type that matches the occupancy group and the construction type of the building for which a permit application has been submitted from the valuation table, and multiplying that value by the building area, as defined in IBC Section 202, to establish the valuation to be used in calculating the permit fee and the plan review fee as set forth in section 109.2 and 109.2.1.

109.4 Work Commencing Before Permit Issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. 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 cost of enforcement to the jurisdiction. The minimum investigation fee shall be the same as the permit fee set forth in Amended Table 1-A. 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.

109.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

109.6 Refunds. The building official is authorized to establish a refund policy.

13.05.060 Amendments to Chapter 1, Section 113, Board of Appeals

Section 113 of the International Building Code, 2018 Edition, is amended as follows:

113.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business.

113.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The board shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of this code.

113.3 Application. The application for appeal shall be filed on a form obtained from the code official within 20 days after the notice was served.

113.4 Membership of board. The board of appeals shall consist of persons appointed by the chief appointing authority as follows:

1. One for five years; one for four years; one for three years; one for two years; and one for one year.
2. Thereafter, each new member shall serve for five years or until a successor has been appointed.

The building official and fire marshal shall be ex-officio members of said board but shall have no vote on any matter before the board.

113.4.1 Alternate members. The chief appointing authority shall appoint two alternate members who shall be called by the board chairperson to hear appeals during the absence or

disqualification of a member. Alternate members shall possess the qualifications required for board membership and shall be appointed for five years, or until a successor has been appointed.

113. 4.2 Qualifications. The board of appeals shall consist of five individuals, one from each of the following professions or disciplines:

1. Registered design professional with architectural experience.
2. Registered design professional with structural engineering experience
3. Registered design professional with mechanical and plumbing engineering experience or a mechanical contractor with at least ten years' experience, five of which shall have been in responsible charge of work.
4. A builder or superintendent of building construction with at least ten years' experience, five of which shall have been in responsible charge of work.
5. Registered design professional with fire protection engineering experience or a fire protection contractor with at least ten years' experience, five of which shall have been in responsible charge of work.

113.4.3 Rules and procedures. The board is authorized to establish policies and procedures necessary to carry out its duties.

113.4.4 Chairperson. The board shall annually select one of its members to serve as chairperson.

113.4.5 Disqualification of member. A member shall not hear an appeal in which that member has a personal, professional or financial interest.

113.4.6 Secretary. The chief administrative officer shall designate a qualified clerk to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

113.4.7 Compensation of members. Compensation of members shall be determined by law.

113.4.8 Legal counsel. The jurisdiction shall make available legal counsel to the board to provide members with general legal advice concerning matters before them for consideration. Members shall be represented by legal counsel at the jurisdiction's expense in all matters arising from service within the scope of their duties.

113.5 Notice of meeting. The board shall meet upon notice from the chairperson, within 10 days of the filing of an appeal or at stated periodic meetings.

113.5.1 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard.

113.5.2 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

113.5.3 Postponed hearing. When five members are not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

113.6 Board decision. The board shall affirm, modify or reverse the decision of the code official by affirmative votes of the majority present, but not less than three affirmative votes shall be required to pass the motion for the decision.

113.6.1 Resolution. The decision of the board shall be by resolution. Certified copies shall be furnished to the appellant and to the code official.

113.6.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

13.05.065 Amendments to Chapter 1, Section 114 Violations Chapter 1 of the International Building Code, 2018 Edition is hereby amended as follows:

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

114.2 Notice of violation. The building official/code manager, is authorized to serve a notice of violation or order on the property owner and other person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the unlawful activity, action or condition and the abatement of the violation. Such notice and order shall be in accordance with the provisions of YCC 13.25.015

114.3 Prosecution of violation. If the notice of violation is not complied with within the time stipulated in the notice, the building official/code manager is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

Any person, firm or corporation failing to comply with a notice of a violation or order to comply served in accordance with Section 114.2 shall be subject to issuance of a misdemeanor citation and / or civil infraction as provided in YCC Chapter 13.25. If the notice of a violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. All costs to the County of any action taken by the County on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

114.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive or order of the building official/code manager, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law and as provided in YCC 13.25.015. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

13.05.070 Amendments to Chapter 4 Special Use and Occupancy. Chapter 4 of the International Building Code, 2018 Edition is amended by addition of Section 429 as follows:

Section 429.1 General

429.1.1 Purpose. The purpose of this section is to establish minimum standards of safety for the construction and use of controlled atmosphere storage buildings.

429.1.2 Scope. The provisions of Section 429 shall apply to buildings or structures defined herein as controlled atmosphere storage buildings and shall supersede other similar requirements in other chapters of the code.

429.1.3 Definitions. For the purpose of this chapter, certain terms are defined as follows:

CONTROLLED ATMOSPHERE STORAGE BUILDING is a building used solely for storage of agricultural products in refrigerated rooms where the room atmosphere is maintained at an oxygen content not exceeding 14% with the remainder being nitrogen, carbon dioxide or similar gas which will not support combustion.

429.1.4 Applicability of other provisions. Except as required by this chapter, controlled atmosphere storage buildings shall meet all provisions of this code applicable to buildings classified as Group S, Division 2 occupancies.

429.2 Automatic Fire-Extinguishing Systems

429.2.1 Automatic fire-extinguishing systems required by Section 903 need not be provided when the controlled atmosphere storage building complies with the allowable floor area provisions of Section 506 or Section 507.

429.3 Means of Egress

429.3.1 Maximum allowable occupant load for a controlled atmosphere storage building shall be 9.

429.3.2 The maximum distance of travel from any point within the controlled atmosphere building to an exterior exit door, horizontal exit, exit passageway, or an enclosed stairway shall not exceed 300 feet (91,500 mm) unless otherwise allowed by this section. The maximum travel distance may be increased in accordance with the following:

1. In a controlled atmosphere storage building equipped with an automatic sprinkler system throughout, the maximum travel distance may be 450 feet (137,250 mm).

429.3.3 Exit doors serving controlled atmosphere storage buildings and rooms and spaces within such buildings need not comply with the requirements of Section 1008 when building operations are conducted in accordance with the following:

1. When the building or portions of the building, are occupied and contain a normal outdoor atmosphere, doors giving access to the building or such portions of the building shall remain open.

429.4 Smoke and Heat Removal

429.4.1 Controlled atmosphere storage buildings need not comply with the requirements of Section 910.

429.5 Standpipes

429.5.1 Controlled atmosphere storage buildings need not comply with the requirements of Section 905.

13.05.080 Amendment to Chapter 16, Section 1608, Snow Loads. Section 1608.2 of the International Building Code, 2018 Edition, is amended as follows:

1608.2 Ground snow loads. The ground snow loads to be used in determining the design snow loads for roofs shall be determined in accordance with ASCE 7 or Figure 1608.2 for the contiguous United States and Table 1608.2 for Alaska. Site-specific case studies shall be made in areas designated "CS" in Figure 1608.2. Ground snow loads for sites at elevations above the limits indicated in Figure 1608.2 and for all sites within the CS areas shall be approved by the building official. Ground snow load determination for such sites shall be based on an extreme value statistical analysis of data available in the vicinity of the site using a value with a 2-percent annual probability of being exceeded (50-year mean recurrence interval). The Structural Engineers Association of Washington has conducted and published a case study (CS) for Washington State. This case study, titled "Snow Load Analysis for Washington", may be used to establish the ground snow load in all areas of Yakima County in lieu of a site specific case study. Snow loads are zero for Hawaii, except in mountainous regions as approved by the building official.

13.05.090 Amendment to Chapter 16, Section 1612, Flood Loads. Section 1612 of the International Building Code, 2018 Edition, is amended as follows:

SECTION 1612

FLOOD LOADS

1612.1 General. Within flood hazard areas as established in Section 1612.3, all new construction of buildings, structures and portions of buildings and structures, including substantial improvements and restoration of substantial damage to buildings and structures, shall be designed and constructed to resist the effects of flood hazards and flood loads and shall be anchored to prevent floatation, collapse, or lateral movement of the structure. For buildings that are located in more than one flood hazard area, the provisions associated with the most restrictive flood hazard area shall apply.

All new construction and any improvements or additions to an existing floodproofed structure that would extend beyond the existing floodproofing located within 100 feet of a floodway or ordinary high water mark, if no floodway has been established, shall also meet the requirements of Yakima County Code 16C.05.28.010 and 020, and YCC 16D.05.28.010 and 020.

1612.2 Design and construction. The design and construction of buildings and structures located in flood hazard areas, including flood hazard areas subject to high velocity wave action, shall be in accordance with Chapter 5 of ASCE 7 and with ASCE 24.

1612.3 Establishment of flood hazard areas. To establish flood hazard areas, the governing body shall adopt a flood hazard map and supporting data. The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA), in a scientific and engineering report entitled "The Flood Insurance Study for Yakima County, Washington and Incorporated Areas" dated November 18, 2009, and any revisions thereto, with an accompanying flood insurance rate map (FIRM), and any revisions thereto, are hereby adopted by reference and declared to be a part of Chapters 13.05.010 through 13.05.170 and are established as flood hazard areas. The flood insurance study and maps are on file at the Yakima County Courthouse Building, Yakima, Washington. The best available information for flood hazard area identification as outlined in 16C.05.44.060 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under 16C.05.44.060.

1612.3.1 Design flood elevations.

Where design flood elevations are not included in the flood hazard areas established in Section 1612.3, or where floodways are not designated, the building official is authorized to require the applicant to:

1. Obtain and reasonably utilize any design flood elevation and floodway data available from a federal, state or other source; or

2. Determine the design flood elevation and/or floodway in accordance with accepted hydrologic and hydraulic engineering practices used to define special flood hazard areas. Determinations shall be undertaken by a registered design professional who shall document that the technical methods used reflect currently accepted engineering practice.

1612.3.2 Determination of impacts.

In riverine flood hazard areas where design flood elevations are specified but floodways have not been designated, the applicant shall provide a floodway analysis that demonstrates that the proposed work will not increase the design flood elevation more than 1 foot (305 mm) at any point within the jurisdiction of the applicable governing authority.

1612.4 Flood hazard documentation. The following documentation shall be prepared and sealed by a registered design professional and submitted to the building official:

1. For construction in flood hazard areas not subject to high-velocity wave action:

   1.1. The elevation of the lowest floor, including basement, as required by the lowest floor elevation inspection in Section 110.3.3 and for the final inspection in Section 110.3.11.1.

   1.2. For fully enclosed areas below the design flood elevation where provisions to allow for the automatic entry and exit of floodwaters do not meet the minimum requirements in Section 2.7.2.1 ASCE 24, construction documents shall include a statement that the design will provide for equalization of hydrostatic flood forces in accordance with Section 2.7.2.2, ASCE 24.

   1.3. For dry floodproofed nonresidential buildings, construction documents shall include a statement that the dry floodproofing is designed in accordance with ASCE 24.

2. For construction in flood hazard areas subject to high-velocity wave action:

   2.1. The elevation of the bottom of the lowest horizontal structural member as required by the lowest floor elevation inspection in Section 110.3.3 and for the final inspection in Section 110.3.11.1.

   2.2. Construction documents shall include a statement that the building is designed in accordance with ASCE 24, including that the pile or column foundation and building or structure to be attached thereto is designed to be anchored to resist flotation, collapse and lateral movement due to the effects of wind and flood loads acting simultaneously on all building components, and other load requirements of Chapter 16.

2.3. For breakaway walls designed to resist a nominal load of less than 10 psf (0.48 kN/m2) or more than 20 psf (0.96 kN/m2), construction documents shall include a statement that the breakaway wall is designed in accordance with ASCE 24.

1612.5 Definitions. The following terms are defined in Chapter 2:

BASE FLOOD.

BASE FLOOD ELEVATION. BASEMENT.

DESIGN FLOOD.

DESIGN FLOOD ELEVATION.

DRY FLOODPROOFING.

EXISTING CONSTRUCTION.

EXISTING STRUCTURE.

FLOOD or FLOODING.

FLOOD DAMAGE-RESISTANT MATERIALS.

FLOOD HAZARD AREA.

FLOOD HAZARD AREA SUBJECT TO HIGH VELOCITY WAVE ACTION.

FLOOD INSURANCE RATE MAP (FIRM).

FLOOD INSURANCE STUDY.

FLOODWAY.

LOWEST FLOOR.

SPECIAL FLOOD HAZARD AREA

START OF CONSTRUCTION.

1612.5.1 Definitions. The following words and terms shall, for the purposes of this section, have the meanings shown herein.

NEW CONSTRUCTION. The term "new construction" refers to structures for which the "start of construction" commenced on or after June 5, 1985, the effective date of Yakima County adoption of regulations governing development and construction in flood hazard areas.

STRUCTURE. Structure means, for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. Structure, for insurance purposes, means:

(1) A building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site;

(2) A manufactured home (``a manufactured home," also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or

(3) A travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community's floodplain management and building ordinances or laws.

For the latter purpose, ``structure" does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the assessed value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the assessed value of the structure either:

1. Before the improvement or repair is started; or

2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to assure safe living conditions.

2. Any alteration of a historic structure provided that the alteration will not preclude the structure's continued designation as a historic structure.

13.05.100 (Reserved)

13.05.110 (Reserved)

13.05.120 (Reserved)

13.05.130 (Reserved)

13.05.135 Amendment to Appendix Chapter G, Flood-Resistant Construction, Section G105.1 General. Section G105.1 of Appendix Chapter G of the International Building Code, 2018 Edition, is hereby amended as follows:

G105.1 General. The board of appeals established pursuant to Section 113 shall hear and decide requests for variances. The board of appeals shall base its determination on technical justifications, and has the right to attach such conditions to variances as it deems necessary to further the purposes and objectives of this appendix and Section 1612.

Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; that they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

13.05.140 Amendment to Appendix Chapter G, Flood-Resistant Construction, Section G104.2 Application for permit. Section G104.2 of Appendix Chapter G of the International Building Code, 2018 Edition, is hereby amended with the addition of subsections G104.2.1 and G104.2.2 as follows:

G104.2.1 Action on application.

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

G104.2.2 Time limitation of application.

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated.

13.05.150 Amendment to Appendix Chapter G, Flood-Resistant Construction, Section G501 Manufactured Homes. Section G 501 of Appendix Chapter G of the International Building Code, 2018 Edition, is hereby amended with the addition of subsection G501.6 as follows:

G501.6 Placement prohibited. The placement of new or replacement manufactured homes is prohibited in floodways under the provisions of RCW 86.16.041 and WAC 173-158-070. Repairs, reconstruction, replacement, or improvements to existing farmhouse structures located in floodways may be considered under the provisions of WAC 173-158-075. Repairs, reconstruction, replacement, or improvements to substantially damaged residential structures, other than farmhouses, located in floodways may be considered under the provisions of WAC 173-158-076.

13.05.155 Amendment to Appendix Chapter J, Grading, Section J101.2, Flood hazard Areas, and J102 Definitions. Section J101.2 and Section J102 of Appendix Chapter J of the International Building Code, 2018 Edition, are hereby amended as follows:

J101.2.1 Flood hazard areas. The intent of this section is to permit grading in a floodway only if it is demonstrated that this activity will not adversely affect surrounding areas by increasing the base flood elevation. No permits for grading, excavation and earthwork construction, including fills and embankments, in floodways within flood hazard areas established in Section 1612.3 or in flood hazard areas where floodways have not been designated, unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed work will not result in any increase in the level of the base flood, as required by Sections G103.5 and G401.1 of the International Building Code..

J102.1 Definitions. The following words, for the purposes of this appendix, have the meanings shown herein Refer to Chapter 2 of the International Building Code for general definitions.

BENCH. A relatively level step excavated into earth material on which fill is to be placed.

CHANNEL. An open conduit, either naturally or artificially created, which periodically or continuously contains moving water, or which forms a connecting link between two bodies of water.

COMPACTION. The densification of a fill by mechanical means.

CUT. See Excavation.

DOWN DRAIN. A device for collecting water from a swale or ditch located on or above a slope, and safely delivering it to an approved drainage facility.

EROSION. The wearing away of the ground surface as a result of the movement of wind, water or ice.

EXCAVATION. The removal of earth material by artificial means, also referred to as a cut.

FILL. Deposition of earth materials by artificial means.

GRADE. The vertical location of the ground surface.

GRADE, EXISTING. The grade prior to grading.

GRADE, FINISHED. The grade of the site at the conclusion of all grading efforts.

GRADING. An excavation or fill or combination thereof.

KEY. A compacted fill placed in a trench excavated in earth material beneath the toe of a slope.

SLOPE. An inclined surface, the inclination of which is expressed as a ratio of horizontal distance to vertical distance.

TERRACE. A relatively level step constructed in the face of a graded slope for drainage and maintenance purposes.

13.05.160 Amendment to Appendix Chapter J, Grading, Section J103.2 Exemptions. Section J103.2 of Appendix Chapter J of the International Building Code, 2018 Edition, is hereby amended as follows:

J103.2 Exemptions. A grading permit is not required for the following:

1. When approved by the building official, grading in an isolated, self-contained area. provided there is no danger to the public, and that such grading will not adversely affect adjoining properties.

2. An excavation below finished grade for basements and footings of a building, retaining wall or other structure permitted under this code. This shall not exempt any fill made with

the material from such excavation or exempt any excavation having an unsupported height greater than 5 feet (1524 mm) after the completion of such structure.

3. Cemetery graves

4. Refuse disposal sites permitted by other regulations

5. Excavations for wells, tunnels, or trenches for utilities

6. Mining, quarrying, excavating, processing, or stockpiling of rock, sand, gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support or increase the stresses in or pressure upon any adjacent property.

7. Exploratory excavations under the direction of a registered design professional.

8. An excavation which (1) is less than 3 feet (915 mm) in depth, or (2) which does not create a cut slope greater than 6 feet (1829 mm) in height and steeper than 1 unit vertical in 1 1/2 units horizontal (66.7% slope).

9. A fill less than 2 foot (610 mm) in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope), or less than 4 feet (1219 mm) in depth, not intended to support structures, which does not exceed 100 cubic yards (76.6 m^3) on any one lot and does not obstruct or divert a drainage channel.

10. Test holes done under the provisions of an on-site sewage disposal permit application.

11. Grading, including roads, bridges and municipal construction, which is designed to WSDOT, APWA or FHWA standards and specification where such grading is subject to review and approval of a local government agency or a state or federal agency.

12. When approved by the Building Official, temporary grading work necessary to protect property.

13. Grading work, which (1) is not intended to support structures, and (2) is subject to permitting requirements of other regulations.

Exemption from the permit requirements of this appendix shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

13.05.170 Amendment to Appendix Chapter J, Grading. Appendix Chapter J of the International Building Code, 2018 Edition, is hereby amended by the addition of Section J112 as follows:

Section J112 Hazards. Whenever the building official determines that any existing excavation or embankment or fill has become a hazard to life and limb, or endangers property, or adversely affects the safety, use or stability of a public way or drainage channel, or obstructs or diverts a drainage channel, the owner of the property upon which the excavation or fill is located, or other person or agent in control of said property, upon receipt of notice in writing from the building official, shall within the period_specified therein repair or eliminate such excavation or embankment so as to eliminate the hazard and be in conformance with the requirements of this code.

13.05.180 Amendment to Appendix Chapter J, Grading, Appendix Chapter J of the International Building Code, 2018 Edition, is hereby amended by the addition of Section J113 as follows:

Section J113 Grading Fees

J113.1 Plan Review Fees. When a plan or other data are required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be as set forth in amended Table A-33-A as established in YCC 13.24.030. Separate plan review fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. For excavation and fill on the same site, the fee shall be based on the volume of excavation or fill, whichever is greater.

J113.2 Grading Permit Fees. A fee for each grading permit shall be paid to the building official as set forth in amended Table A-33-B as established in 13.24.030. Separate permits and fees shall apply to retaining walls or major drainage structures as required elsewhere in this code. There shall be no separate charge for standard terrace drains and similar facilities.

Chapter 13.06

AMENDMENTS TO INTERNATIONAL RESIDENTIAL CODE

13.06.010 Chapter 11 and 25 through 43 Not Adopted and amendments made to other Chapters and portions. Pursuant to WAC 51-51-003, Chapters 11 and 25 through 43 of the 2018 Edition, of the International Residential Code are not adopted. The amendments, additions and deletions, and Appendices F, Radon Control Methods; Appendix Q, Tiny Homes; and Appendix U, Dwelling Unit Fire Sprinkler Systems contained in WAC 51-51 are hereby adopted and shall be part of this Title.

13.06.020 Adoption of appendices. Pursuant to Section R102.5 of the International Residential Code, 2018 Edition, Appendix H, Patio Covers; is adopted as part of the code and Appendix J, Existing Buildings and Structures is adopted as part of the code.

13.06.025 Amendments to Chapter 1, Section R103 Department of building safety, Section R104.1 General, Section R104.8 Liability, and Section R105.2 Work exempt from permit. Section R103, Section R104.1, Section R104.8, and Section R105.2 of the International Residential Code, 2018 Edition are hereby amended as follows:

Section R103, Creation of enforcement agency.

R103.1 Creation of enforcement agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official. The building and fire safety division of the public services department shall function as the enforcement agency.

R103.2 Deleted. See YCC 13.04.010.

R103. 3. Deputies. In accordance with prescribed procedures of the jurisdiction and with the approval of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plans examiners and other employees. Such employees shall have powers as delegated by the building official.

R104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer. The building official shall have the authority to render interpretations of this

code and to adopt and enforce rules, policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such interpretations, policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. Such interpretations, policies and procedures adopted by the building official as authorized in this code shall become part of Chapter 1, Administration, and shall be applied in conjunction with the provisions of Chapter 1.

R104.8 Liability. The building official, officer or employee charged with the enforcement of this code, while acting in the discharge of their official duties, shall not thereby be rendered liable personally and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required, or permitted, or in the scope of their official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the code enforcement agency, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. Non-habitable, one-story, no loft storage, detached, unheated residential accessory structures on the same lot with a Group R-3 occupancy (house) used as tool and storage sheds, playhouses, pump houses, or woodsheds, provided the building area, exterior wall measurement, , does not exceed 200 square feet (18.58 m^2), maximum 24" eave overhang, and maximum 10' wall height. In addition, in order to qualify as being

exempt from permitting requirements of section 105, the structure must meet all of the following conditions:

- The structure shall not have a basement or crawl space that provides greater than 18 inches clearance below floor joists to the lowest part of the basement or crawlspace
- The structure shall not be located in an area designated as a "critical area" or "shoreline area" by state or local regulation
- The structure shall not be located in a flood plain or floodway mapped by FEMA.
- The structure is not located in a Moderate, High, or Extreme Wildland Urban Interface risk zone.
- The combined total of residential accessory structures exempt from permitting requirements of section 105 on any one lot shall not exceed 2 structures- each 200 square foot maximum. There shall be a minimum 6' spacing between the accessory structures. Additional residential accessory structures may be built by obtaining permits for them.
- The structure shall not be used, or intended to be used, for living, sleeping, or cooking
- The structure shall not be used as a carport or garage for the storage of automobiles, tractors, motor homes, recreational vehicles or similar motorized vehicles. Note: lawn mowers, garden tillers, and other small motorized lawn and garden care equipment may be stored
- The structure shall not be used for storage of agricultural products, farm equipment
- The structure may be used as a portable animal shelter (maximum size is 360 square feet)The structure is not used, or intended to be used, as a place of business
- The structure shall not be equipped with any plumbing system (i.e. bathroom), may include plumbing equipment for use as a well pump house
- The structure shall not be equipped with any mechanical system

- The structure is not used for storage of hazardous materials in excess of the amounts listed in the Fire Code. (maximum allowable quantity per control area of hazardous materials posing a physical hazard, and maximum allowable quantity per control area of hazardous materials posing a health hazard).

Structures that do not meet the above parameters and conditions are not exempt from the permitting requirements of R105 and it is required that permits must be obtained prior to commencing construction.

2. Fences not over 7 feet (2134 mm) high.

3. Retaining walls that are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.

4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2 to 1.

5. Sidewalks, platforms, decks without roof covers- rafters only are permitted (i.e. pergola), ramps, and driveways not more than 30 inches (762mm) above adjacent grade at any point.

6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.

8. Swings and other playground equipment accessory to a one or two-family dwelling.

9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.

11. Replacement or repair of siding that is not required to be fire resistive, except for homes and multi-family housing located in wildfire hazard areas requiring a fire resistive roof.

12. Retrofitted insulation where no structural alterations are required.

13. Door and window replacement where no structural member is changed and the replacement does not involve an egress bedroom window.

14. Reroofing where replacement or repair of the roofing material conforms to the requirements of section R908, Reroofing, of this code, the roof is not required to be fire resistive, and the residence or multi-family structure is not located in a wildfire hazard zone requiring a fire resistive roof.

Electrical:

Repairs and maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation appliances.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration systems containing 10pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the re-placement or rearrangement of valves, pipes or fixtures.

13.06.030 Amendments to Chapter 1, Section R105.3.1.1 Substantially improved or substantially damaged existing buildings in areas prone to flooding.

Section R105.3.1.1 of the International Residential Code, 2018 Edition, is amended as follows:

R105.3.1.1 Substantially improved or substantially damaged existing buildings in areas prone to flooding. For applications for reconstruction, rehabilitation, addition, alteration, repair or other improvement of existing buildings or structures located in an area prone to flooding as established by Table R301.2(1), the building official shall examine or cause to be examined the construction documents and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its predamaged condition. If the building official finds that the value of proposed work equals or exceeds 50 percent of the assessed value of the building or structure before the damage has occurred or the improvement is started, the finding shall be provided to the board of appeals for a determination of substantial improvement or substantial damage. Applications determined by the board of appeals to constitute substantial improvement or substantial damage shall require all existing portions of the entire building or structure meet the requirements of Section R322.

For the purpose of this determination, a substantial improvement shall mean any repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the assessed value of the building or structure before the improvement or repair is started. Where the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include either of the following:

1. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of an historic building or structure provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:

2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or

2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or

2.3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

13.06.035 Amendments to Chapter 1, Section R105.5 Expiration.

Section R105.5 of the International Residential Code, 2018 Edition, is amended as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods of not more than 180 days each. The extension shall be requested in writing and provide justifiable cause, satisfactory to the building official, as to why the extension should be granted. All permits issued under this code shall expire 6 years after the date that the permit was issued if the work has not received an approved final inspection. In the instance where a permit expires 6 years after the issuance date due to not having an approved final inspection, an application for a new permit for the work shall be submitted, reviewed for compliance with applicable regulations then in effect, and when approved for issuance and all required fees have been paid, a new permit for the work will be issued.

13.06.040 Amendments to Chapter 1, Section R108, Fees, Section R108 of the International Residential Code, 2018 Edition, is amended as follows:

R108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

R108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit shall be as set forth in Amended Table 1-A as established in YCC 13.24.020.

R108.2.1 Plan Review Fees. When submittal documents are required to be submitted by Section R106, a plan review fee in addition to the permit fee shall be paid at the time of submitting submittal documents for plan review. Said plan review fee shall be SIXTY-FIVE (65) PERCENT of the building permit fee as shown in Amended Table 1-A.

The plan review fees specified in this subsection are separate fees from the permit fees specified in Section R108.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review, or when the project involves phased approvals as defined in Section R106.3.3, an additional plan review fee shall be charged at the rate shown in Amended Table 1-A.

R108.3 Building permit valuations. The determination of value or valuation under any of the provisions of this code shall be made by the Building Official by reference to the "building valuation data" as published by the International Code Council. The value to be used in computing the building permit and building plan review fee shall be the total value of all construction work for which the permit is issued. The value or valuation to be used in calculating fees is calculated from the "building valuation data" published by the International Code Council by taking the value per square foot area for the occupancy group and construction type that matches the occupancy group and the construction type of the building for which a permit application has been submitted from the valuation table, and multiplying that value by the building area, as defined in IBC Section 202, to establish the valuation to be used in calculating the permit fee and the plan review fee as set forth in section R108.2 and R108.2.1.

R108.4 Related fees. The payment of the fee for the construction, alteration, removal or demolition for work done in connection with or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

R108.5 Refunds. The building official is authorized to establish a refund policy.

R108.6 Work Commencing Before Permit Issuance. Any person who commences any work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system

before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. 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 cost of enforcement to the jurisdiction. The minimum investigation fee shall be the same as the permit fee set forth in Amended Table 1-A. 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.

13.06.050 Amendments to Chapter 1, Section R112.1, General, Section R112.1 of the International Residential Code, 2018 Edition, is amended as follows:

R112.1 General. The board of appeals created in Section 113 of the International Building Code as amended in YCC 13.05.060 shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. The building official shall be an ex-officio member of said board but shall have no vote on any matter before the board The board shall follow the rules of procedure for conducting its business set forth in Section 113 of the International Building Code as amended in YCC 13.05.060, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

13.06.060 Amendments to Chapter 1, Section R112.2, Limitations on authority. Section R112.2 of the International Residential Code, 2018 Edition, is amended by addition of the following:

R112.2.1 Determination of substantial improvement in areas prone to flooding. When the building official provides a finding required in Section R105.3.1.1, the board of appeals shall determine whether the value of the proposed work constitutes a substantial improvement. A substantial improvement means any repair, reconstruction, rehabilitation, addition, or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the assessed value of the building or structure before the improvement or repair is started. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:

1. Improvements of a building or structure required to correct existing health, sanitary or safety code violations identified by the building official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of an historic building or structure provided that the alteration will not preclude the continued designation as an historic building or structure. For the purpose of this exclusion, an historic building is:
    2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or
    2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or
    2.3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

13.06.065 Amendments to Chapter 1, Section R112.2., Limitations on authority, Section R112.2 of the International Residential Code, 2018 Edition, is amended by addition of the following:

R112.2.2 Criteria for issuance of a variance for areas prone to flooding. Variances are interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; that they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare. A variance shall be issued only upon:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration or topography of the site render the elevation standards in Section R322 inappropriate.
2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, nor create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.

5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that construction below the design flood elevation increases risks to life and property.

13.06.067 Amendments to Chapter 1, Section R113, Violations. Section R113 of the International Residential Code, 2018 Edition, is amended as follows:

R113.1 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 same to be done, in conflict with or in violation of any of the provisions of this code.

R113.2 Notice of violation. The building official, or his designee, is authorized to serve a notice of violation or order on the property owner and other person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the unlawful activity, action or condition and the abatement of the violation. Such notice and order shall be in accordance with the provisions of YCC 13 25 015.

R113.3 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

R113.3.1 Violation of a notice or order deemed a misdemeanor or infraction.. Any person, firm or corporation failing to comply with a notice of a violation or order to comply served in accordance with Section R113.2 shall be subject to issuance of a misdemeanor citation and / or civil infraction as provided in YCC Chapter 13.25. If the notice of a violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or

termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. All costs to the County of any action taken by the County on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

R113.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive or order of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law and as provided in YCC 13.25.015. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

13.06.070 Amendments to Chapter 2, Definitions.

Certain terms in Chapter 2, Definitions, Section R202 of the International Residential Code, 2018 Edition, are amended by the amendment of "Accessory structure" and the addition of "Detached structure" and "Residential storage structure" as follows:

ACCESSORY STRUCTURE. A structure not greater than 3,000 square feet (279 m2) in floor area, and not over two stories in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot. The term accessory structure shall not be taken to include structures meeting the definitions of "dwelling", "dwelling unit", "sleeping unit", "rooming unit", "habitable space", "housekeeping unit", or "intended to be occupied as a residence" as these terms are defined in the codes adopted in Yakima County Code Title 13.

DETACHED STRUCTURE Any structure that does not have a wall or roof in common with another structure and whose exterior walls are surrounded by yards extending from the exterior walls a distance of at least five feet.

RESIDENTIAL STORAGE STRUCTURE A structure that is intended solely for the storage of household goods, lawn and garden equipment, materials typically found in sufficient quantity for residential purposes, and other related goods and machinery intended solely for the use of the residents of the single-family property upon which it is located.

13.06.075 Amendments to Chapter 3, Table R301.2(1), Climatic and Geographic Design Criteria Table R301.2(1), Climatic and Geographic Design Criteria of the International Residential Code, 2018 Edition, is amended as follows:

TABLE R301.2(1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD [k]	WIND SPEED[d] (mph)	SEISMIC DESIGN CATEGORY[f]	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP[e]	ICE SHIELD UNDER-LAYMENT REQUIRED[h]	FLOOD HAZARDS[g]	AIR FREEZING INDEX[i]	MEAN ANNUAL TEMP[j]
			Weathering[a]	Frost line depth[b]	Termite[c]					
Case Study	110 ULT 85 ASD	C, D0 and D1 are present	SEVERE	24 "	Slight to Moderate	2° F	YES	See g (a) and (b)	1,000 – 2,000	50°F

For SI: 1 pound per square foot = 0.0479 kN/m2, 1 mile per hour = 1.609 km/h.

a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., "negligible", "moderate" or "severe")

for concrete as determined from the Weathering Probability Map [Figure R301.2(3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

b. The frost line depth may require deeper footings than indicated in Figure R 403.1(1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.

d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [FigureR301.2(4)A].Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

e. The outdoor design dry-bulb temperature shall be selected from the columns of 971/2-percent values for winter. Deviations from the temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official.

f. The jurisdiction shall fill in this part of the table with the Seismic Design Category determined from Section R301.2.2.1.

g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the currently effective FIRM and FBFM, or other flood hazard map adopted by the community, as may be amended.

(a) 1985

(b) The special flood hazard areas identified by the Federal Emergency Management Agency (FEMA), in a scientific and engineering report entitled "The Flood Insurance Study for Yakima County, Washington and Incorporated Areas" dated November 18, 2009, and any revisions thereto, with an accompanying flood insurance rate map (FIRM), and any revisions thereto, are hereby adopted by reference and declared to be a part of Chapters 13.05.010 through 13.05.170 and are established as flood hazard areas. The flood insurance study and maps are on file at the Yakima County Courthouse Building, Yakima, Washington. The best available information for flood hazard area identification as outlined in 16C.05.44.060 shall be the basis for regulation until a new FIRM is issued that incorporates data utilized under 16C.05.44.060.

h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, for areas where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES". Otherwise, the jurisdiction shall fill in this part of the table with "NO".

i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32° Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.

k. The Structural Engineers Association of Washington has conducted a case study (CS) for Washington State. This case study, titled "Snow Load Analysis for Washington", may be used to establish the ground snowload in all areas of Yakima County in lieu of a site specific case study.

13.06.080 Amendments to Chapter 3, Subsection R322.1.7, Protection of water supply and sanitary sewage systems, Subsection R322.1.7 of the International Residential Code, 2018 Edition, is amended as follows:

R322.1.7 Protection of water supply and sanitary sewage systems.

New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems in accordance with the plumbing provisions of this code as amended by Chapter 51-51 WAC. New and replacement sanitary sewage systems shall be designed in accordance with the provisions of Chapter 8, ASCE 24 to minimize or eliminate infiltration of floodwaters into systems and discharges from systems into floodwaters.

13.06.085 Amendment to Chapter 3, Subsection R322.2.2.1, Installation of openings. Subsection R322.2.2.1 of the International Residential Code, 2018 Edition, is amended as follows:

R322.2.2.1.2 Enclosed area below design flood elevation and below grade on all sides.

The building official is authorized to approve the construction of enclosed areas, including crawl spaces for new construction and substantial improvements, that are below the design flood elevation, and that are below grade on all sides when it has been demonstrated to the building official's satisfaction that the following criteria will be met:

1. The velocity of floodwaters at the site do not exceed 5 feet per second during the 100 year flood event.
2. The interior grade of the enclosed space below the design flood elevation is not more than 2 feet below the lowest adjacent exterior grade.
3. The height of the below grade enclosed space, measured from the lowest interior grade of the enclosed space to the highest point of the top of the foundation wall is not more than 4 feet.
4. There are provisions for a drainage system that will remove floodwaters from the interior of the enclosed space within a reasonable time after a flood event. Such provisions may be accomplished by natural drainage through porous, well drained soils, gravity flow drainage systems, mechanical drainage systems, or other system approved by the building official. Soils reports, design calculations, or other information

adequate to substantiate the adequacy of the proposed drainage system shall be submitted to the building official for his review.

5. The enclosed space meets all of the requirements of R322.2.2.
6. The enclosed space meets the requirements of FEMA/FIA TB 11-1.

13.06.090 Reserved.

13.06.100 Amendments to Chapter 3, Subsection R322.2.3. Foundation design and construction. Subsection R322.2.3 of the International Residential Code, 2018 Edition, is amended by the addition of Subsection R322.2.3.1 as follows:

R322.2.3.1 Residential construction within 100 feet of a floodway or ordinary high water mark.

Residential construction within 100 feet of a floodway or ordinary high water mark, if no floodway has been established, shall also meet the requirements of Yakima County Code 16C.05.28.010 and 020 as applicable ,or 16D.05.28.010 and 020 as applicable.

13.06.110 Amendments to Chapter 4, Subsection R408.7, Flood resistance. Subsection R408.7 of the International Residential Code, 2018 Edition, is amended as follows:

R408.7 Flood resistance.

For buildings located in flood hazard areas as established in Table R301.2(1):

1. Walls enclosing the under-floor space shall be provided with flood openings in accordance with Section R322.2.2.

2. The finished ground level of the under-floor space shall be equal to or higher than the outside finished ground level on at least one side.

Exception: Under-floor spaces that meet the requirements of FEMA/FIA TB 11-1 and R322.2.2.1 as amended in YCC13.06.085.

CHAPTER 13.07
AMENDMENTS TO INTERNATIONAL MECHANICAL CODE AND INTERNATIONAL FUEL GAS CODE

13.07.010 Amendment to Chapter 1, Section 103 Department of Mechanical Inspection. Section 103 of the International Mechanical Code, 2018 Edition, is hereby amended as follows:

Section 103, Creation of enforcement agency.

103.1 Creation of enforcement agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official. The building and fire safety division of the public services department shall function as the enforcement agency.

103.2 Deleted. See YCC 13.04.010

103.3. Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the building official may appoint such technical officers, inspectors and other employees as shall be authorized from time to time. Such employees shall have powers as delegated by the building official. The building official may deputize such inspectors or employees as may be necessary to carry out the functions of the code enforcement agency.

103.4 Liability. The code building official, officer or employee charged with the enforcement of this code, in the discharge of their official duties, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required, or permitted in the scope of their official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the code enforcement agency, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

13.07.020 (Reserved)

13.07.030 Amendment to Chapter 1, Section 106.5.2 Fee schedule. Section 106.5.2 of the International Mechanical Code, 2018 Edition, is hereby amended as follows:

106.5.2 Fee schedule. The fees for mechanical work shall be as indicated in YCC 13.24.040 Mechanical Code Table 1-A.

13.07.040 Amendment to Chapter 1, Section 106.5.3 Fee refunds. Section 106.5.3 of the International Mechanical Code, 2018, Edition, is hereby deleted and amended by replacement as follows:

106.5.3 Fee refunds. The building official is authorized to establish a refund policy.

13.07.045 Amendment to Chapter 1, Section 108.1, Unlawful acts, Section 108.2 Notice of violation, Section 108.3 Prosecution of violation, and Section 108.4 violation penalties. Sections 108.1, 108.2, 108.3, and 108.4 of the International Mechanical Code, 2018, Edition, are hereby amended as follows:

108.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or utilize a mechanical system or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

108.2 Notice of violation. The building official, or his designee, shall is authorized to serve a notice of violation or order on the property owner and other person responsible for the erection, construction, alteration, extension, repair, moving, removal, or demolition mechanical work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the unlawful activity, action or condition and the abatement of the violation. Such notice and order shall be in accordance with the provisions of YCC 13.25.015

108.3 Prosecution of violation. Any person, firm or corporation failing to comply with a notice of a violation or order to comply served in accordance with Section 108.2 shall be subject to issuance of a misdemeanor citation and / or civil infraction as provided in YCC Chapter 13.25. If the notice of a violation is not complied with, the code official shall institute the appropriate

proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. All costs to the County of any action taken by the County on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

108.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who shall erect, install, alter or repair mechanical work in violation of the approved construction documents or directive or order of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law and as provided in YCC 13.25.015. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

13.07.050 Amendment to Chapter 1, Section 109 Means of Appeal. Section 109 of the International Mechanical Code, 2018 Edition, is hereby amended by deletion of sections 109.1 through 109.7 and insertion of text as follows:

Section 109 Means of appeal. The board of appeals created in Section 113 of the International Building Code as amended in YCC 13.05.060 shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. The building official shall be an ex-officio member of said board but shall have no vote on any matter before the board The board shall follow the rules of procedure for conducting its business set forth in Section 113 of the International Building Code as amended in YCC 13.05.060, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

CHAPTER 13.08

AMENDMENTS TO UNIFORM PLUMBING CODE

13.08.010 Chapter 12 and 14 Not Adopted and amendments made to other Chapters and portions. Pursuant to RCW 19.27.031(4) and WAC 51-56-003, Chapters 12 and 14 of the 2018 Edition, of the Uniform Plumbing Code are not adopted and those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted nor shall they be part of this Title. Pursuant to WAC 51-56 various amendments, additions and deletions are made to the 2018 Edition of the Uniform Plumbing Code including the adoption of Appendices A, B, and I. The amendments, additions and deletions contained in WAC 51-56 are hereby adopted and shall be part of this Title.

13.08.015 (RESERVED)

13.08.020 Chapter 1, Administration, Chapter 1 of the Uniform Plumbing Code, 2018 Edition, as amended by WAC 51-56, is hereby amended by amendment of Section 104.5 Fees, the replacement of Section 106.2 Notice of Correction or Violation, by the replacement of Section 106.3 Penalties, the addition of Section 106.7 Prosecution of violation, and the replacement of Section 107.0 Board of appeals, 107.1, General and 107.2 Limitations of authority as follows:

104.5 Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the fee schedule contained in YCC 13.24.050.

Where a plan or other data is required to be submitted by Section 103.2.1, a plan review fee shall be paid at the time of submitting the plans and specifications for review.

The plan review fees for plumbing work shall be 65 percent of the permit fees shown in YCC 13.24.050.

The plan review fees specified in the subsection are separate fees from the permit fees specified in this section and are in addition to the permit fees.

Where plans are incomplete or changed so as to require additional review, a fee shall be charged at the rate shown in YCC 13.24.050.

106.2 Notice of Correction or Violation. The building official, or his designee, is authorized to serve a notice of violation or order on the property owner and other person responsible for the erection, construction, alteration, extension, repair, moving, improvement, removal, conversion, demolition, equipping, use, or maintenance of any plumbing in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the unlawful activity, action or condition and the abatement of the violation. Such notice and order shall be in accordance with the provisions of YCC 13.25.015

106.3 Penalties. Any person, firm, or corporation who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs any plumbing in violation of the approved construction documents or directive or order of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law and as provided in YCC 13.25.015. Each separate day that a violation of this code occurs or continues after due notice has been served shall be deemed a separate offense.

106.7 Prosecution of violation. Any person, firm or corporation failing to comply with a notice of a violation or order to comply served in accordance with Section 102.3.2 shall be subject to issuance of a misdemeanor citation and / or civil infraction as provided in YCC Chapter 13.25. If the notice of a violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. All costs to the County of any action taken by the County on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

107.0 Board of Appeals The board of appeals created in Section 113 of the International Building Code as amended in YCC 13.05.060 shall hear and decide appeals of orders, decisions or determinations made by the building official, as the Authority Having Jurisdiction, relative to the application and interpretation of this code. The building official shall be an ex-officio member of said

board but shall have no vote on any matter before the board. The board shall follow the rules of procedure for conducting its business set forth in Section 113 of the international building Code as amended in YCC 13.05.060, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

13.08.030 Chapter 3 of the Uniform Plumbing Code, 2018 Edition, as amended by WAC 51-56, is hereby amended by amendment of Section 301.3, Alternative Materials and Methods of Construction Equivalency as follows:

301.3, Alternative Materials and Methods of Construction Equivalency. Nothing in this code is intended to prevent the use of systems, methods, or devices of equivalent or superior quality, strength, fire resistance, effectiveness, durability, and safety over those prescribed by this code. Technical documentation shall be submitted to the Authority Having Jurisdiction to demonstrate equivalency. The Authority Having Jurisdiction shall have the authority to approve or disapprove the system, method, or device for the intended purpose. Where the alternative material, design, or method of construction is not approved, the code official shall respond in writing, stating the reasons why the alternative is not approved.

However, the exercise of this discretionary approval by the Authority Having Jurisdiction shall have no effect beyond the jurisdictional boundaries of said Authority Having Jurisdiction. An alternate material or method of construction so approved shall not be considered as in accordance with the requirements, intent, or both of this code for a purpose other than that granted by the Authority Having Jurisdiction where submitted data does not prove equivalency.

301.3.1 Testing. The Authority Having Jurisdiction shall have the authority to require tests, as proof of equivalency.

301.3.1.1 Tests. Tests shall be made in accordance with approved or applicable standards, by an approved testing agency at the expense of the applicant. In the absence of such standards, the Authority Having Jurisdiction shall have the authority to specify the test procedure.

301.3.1.2 Request by the Authority Having Jurisdiction. The Authority Having Jurisdiction shall have the authority to require tests to be made or repeated where there is reason to believe that a material or device no longer is in accordance with the requirements on which its approval was based.

301.3.2 Approved Alternative Materials and Methods of Construction. The International Plumbing Code, 2018 edition, promulgated and published by the International Code Council, is approved for use as an approved alternative method of construction equivalent in quality, strength, fire resistance, effectiveness, durability, and safety to those prescribed by the Uniform Plumbing Code, 2018 edition. All provisions of Chapter 1, Administration, of the Uniform Plumbing Code as adopted and amended by Washington State and by Yakima County, shall apply to the use of the International Plumbing Code as an alternative method of compliance.

CHAPTER 13.09

MOBILE HOMES AND MANUFACTURED HOMES

13.09.010 General Installation Requirements.

(1) All mobile homes and manufactured homes shall be installed in compliance with Chapters 296-150 I and 296-150 M WAC which are incorporated into this ordinance by this reference.

(2) All mobile homes and manufactured homes shall have permanent landings with permanent steps or inclined planes provided at all entrances and shall have the tow tongue removed except that in identified flood plain areas it may be camouflaged to the extent that it is unrecognizable.

(3) In those areas that are recognized as flood plain by the Federal Emergency Management Agency, all manufactured homes must be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to; use of over-the-top or frame ties to ground anchors (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques). All manufactured homes shall have the lowest floor elevated to or above the base flood elevation and shall be securely anchored to an adequately anchored foundation system. In those areas that are recognized as hazardous because of the probability of earthquakes, the building official may set requirements that are necessary to lessen the hazard or may require that the installation be designed by an engineer or architect licensed in the State of Washington.

13.09.020 Installation Permits. Any person who installs a manufactured home must obtain an installation permit from the Yakima County Permit Services Division before they install a manufactured home that will be used as a residence on a building site. A dealer may not deliver a manufactured home to its site without verifying that an installation permit for the manufactured home has been obtained.

(1) The applicant must provide the following information on the application for the permit:

(a) The names, address, and telephone number of the owner.

(b) The manufacturer and dealer of the manufactured home to be installed.

(c) The title to the manufactured home showing manufacturer, serial number and date of manufacture of the mobile home.

(d) The names, address, and telephone number of the certified installer, and the certified installer's certification number.

(e) The address or location of the proposed building site, including the parcel number if the manufactured home is going to be installed on private property and not in a mobile home park.

(f) Mobile homes which do not meet the applicable H.U.D. manufactured housing standards of June 15, 1976 must pass a Fire Safety Inspection performed by the Washington State Department of Labor and Industries Mobile Home Division before an installation permit will be issued.

(2) If the manufactured home will be installed on private property, and not in a mobile home park, the application must provide a detailed site plan drawn to scale showing the relationship of the manufactured home to property lines, right-of-way, access and/or utility easements, other structures, and utilities.

13.09.030 Permit Fees. Permit fees shall be as established in YCC 13.24.020. Any person who installs a manufactured home or mobile home, or delivers a manufactured home or mobile home to the installation site before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. 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 cost of enforcement to the jurisdiction. The minimum investigation fee shall be the same as the permit fee set forth in Amended Table 1-A. 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.

13.09.040 Inspections

(1) The installer shall request inspections at each stage of the installation as required by the building official.

(2) The Building & Fire Safety Division shall approve the installation of a manufactured home, and allow the manufactured home to be occupied if the installation complies with the installation requirements of this Chapter and the conditions of the installation permit.

(3) If the installation does not comply with the installation requirements of this chapter and the conditions of the installation permit, the Building & Fire Safety Division shall provide the installer with a list of corrections that the installer must make. The list of corrections shall state a date by which the corrections must be completed. The Building & Fire Safety Division shall reinspect the installation after the corrections are completed. If the items that require correction do not endanger the health or safety of the occupants, or substantially affect the habitability of the manufactured home, the Building & Fire Safety Division may permit the owner of the manufactured home to occupy it.

13.09.050 Building Site Preparation. A manufactured home may not be installed at a building site unless the ground at the site has adequate load-bearing ability to meet the support requirements of Section 13.09.060. A manufactured home site must be prepared per the manufacturer's installation manual or per NFPA 225, 2005 Edition, Chapter 5. The installer or, if the building site is in a mobile home park, the park owner must ensure that the ground on which the manufactured home is to be installed has been improved as necessary to provide a proper base for the manufactured home and that the area beneath the manufactured home has adequate drainage. To provide adequate drainage, the installer may need to slope the finish grade or install drain tile.

13.09.060 Foundation System Footings. Foundation system footings shall comply with the requirements of Chapter 6, Foundations, of NFPA 225, 2005 Edition.

13.09.070 Foundation Skirting. A manufactured home shall have approved foundation skirting around its entire perimeter. The skirting shall be installed per the manufacturer's installation or if the manufacturer is not specific, to the standards of this section. The skirting must be vented and allow access to the under floor area per the manufacturer's installation instructions or per the standards in this section.

Skirting must be of materials suitable for ground contact. Metal fasteners must be galvanized, stainless steel or other corrosion resistant material. Ferrous metal members in contact with the earth,

other than those that are galvanized or stainless steel, must be coated with an asphaltic emulsion. Skirting must not be attached in such a manner that can cause water to be trapped between the skirting and the siding or trim. The skirting must be recessed behind the siding or trim.

The skirting must be vented as follows except for manufactured homes sited in a flood hazard area. Skirting must be vented by openings protected from the entrance of rodents by being covered with corrosion-resistant wire mesh with openings of ¼ inch in dimension. Such openings must have a net free area of not less than one square foot for each one hundred fifty square feet of under floor area. Ventilation openings must be located as close to corners and as high as practical. Openings must be located to provide cross-ventilation on at least two opposite sides.

13.09.075 Violations and penalties

The building official or his designee shall have the authority to take such enforcement actions in dealing with violations as provided in YCC 13.25.015.

Chapter 13.10

AMENDMENTS TO INTERNATIONAL FIRE CODE

13.10.010 Appendices adopted. Pursuant to Section 101.2.1 of the International Fire Code, 2018Edition, the following appendices are specifically adopted:

Appendix B. Fire-Flow Requirements for Buildings

Appendix C. Fire Hydrant Locations and Distribution

Appendix D. Fire Apparatus Access Roads

Appendix E. Hazard Categories

Appendix F. Hazard Ranking

Appendix G. Cryogenic Fluids – Weight and Volume Equivalents.

Appendix H. Hazardous Materials Management Plan (HMMP) and Haz-Mat Inventory Statement (HMIS) Instructions (Adopted as Reference Only)

Appendix I. Fire Protection Systems – Non-Compliant Conditions

13.10.020 Terminology--Amended definitions

Notwithstanding the definitions contained in the International Fire Code adopted by reference in this chapter and except as otherwise provided in this chapter, all references in the provisions of such code to the "jurisdiction" shall be construed as Yakima County, references to the "administrator" shall be construed as the Board of Yakima County Commissioners, references to the "fire department" shall mean the Fire Marshal's Office of the Building and Fire Safety Division of the Yakima County Department of Public Services, references to the "chief or fire code official" shall be construed as the fire marshal for the Building and Fire Safety Division of the Yakima County Department of Public Services, references to the "Fire Marshal's Office" shall be construed as the Building and Fire Safety Division, that Division of the Yakima County Department of Public Services which is actively assigned duties of administering and enforcing the provisions of the International Fire Code adopted by this chapter.

For purposes of the enforcement by the County and its personnel of Section 104.11 of the International Fire Code, 2018 Edition, the term "fire department" shall also mean the fire protection district with jurisdiction, and the word "chief" shall also mean the appropriate official of such district.

13.10.030 Administrative Provisions

Sections 103.1 General, 103.2 Appointment, and 104.1 General of the International Fire Code are hereby amended, and Section 104.2 Frequency of inspection is hereby added to the International Fire Code as follows:

103.1 General. The department of fire prevention, to be known as the Fire Marshal's Office, is established within the Building and Fire Safety Division of the Yakima County Department of Public Services under the direction of the Fire Marshal. The function of the Fire Marshal's Office shall be the implementation, administration and enforcement of the provisions of this code.

103.2 Appointment The manager of the Building and Fire Safety Division of the Yakima County Department of Public Services is appointed and designated as the official responsible for the administration and enforcement of YCC Title 13 in YCC 13.04.010. The Manager may designate employees within his division to act on his behalf. The employee holding the position of Fire Marshal is designated as the official responsible for the implementation, administration, and enforcement of this code.

104.1 General. The fire code official is hereby authorized to enforce the provisions of this code. The fire code official shall have the authority to render interpretations of this code, and to adopt policies, procedures, rules and regulations in order to clarify the application of its provisions. Such interpretations, policies, procedures, rules and regulations shall be in compliance with the intent and purpose of this code. Such policies, procedures, rules and regulations shall not have the effect of waiving requirements specifically provided for in this code, and shall have the effect of law.

RCW 19.27.110 provides that the adoption of any International Fire Code is not intended to grant counties any more authority to suppress or extinguish fires than that which is currently possessed. It is, therefore, the declared intent of Yakima County, its functions and duties in administering and enforcing the provisions of the International Fire Code, 2018 Edition, do not include responsibility of the suppression and extinguishment of dangerous or hazardous fires.

Exclusive enforcement and administration of the provisions of the International Fire Code adopted by this chapter is vested in Yakima County and its personnel except as provided in Section 8.46, YCC Title 8.

104.2.1 Frequency of inspections. The Fire Marshal's Office shall inspect ANNUALLY, or as often as necessary, buildings and premises, including such other hazards or appliances designated by the fire marshal for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety.

13.10.040 Authority at fires or other emergencies.

Sections 104.11, 104.11.1, 104.11.2, and 104.11.3 of the International Fire Code, 2018 Edition pertaining to authority at the scene of any hazardous fire or other emergency involving the protection of life and property are hereby ratified and adopted as general fire safety provisions to safeguard the general public health, safety and welfare. For purposes of the application and enforcement of the above referenced provisions, the term "fire department" shall refer to the fire protection districts with jurisdiction, the terms "chief" or "officer of the fire department" shall be construed as referring to the appropriate official of such fire protection district.

13.10.050 Amendments to Section 105--Permits

Sections 105.1, 105.3.1, 105.6, 105.7, and 105.7.25 of the International Fire Code, 2018 Edition and are hereby amended; and Sections 105.4.1.2, 105.6.51 105.7.27 and 107.5 of the International Fire Code, 2018 Edition, are hereby added as follows:

105.1 General. Permits shall be in accordance with Sections 105.1.1 through 105.725. A permit constitutes permission to maintain or use structures regulated by this code, to maintain, store, use or handle materials; to conduct processes which produce conditions hazardous to life or property; or to install equipment used in connection with such activities. Such permission shall not be construed as authority to violate, cancel or set aside any of the provisions of this code. Such permit shall not take the place of any license required by law.

105.3.1 Expiration. An operational permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit. Operational permits shall remain in effect for no more than 1 year from the date of issuance. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days

after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee to recommence work, if any, shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original construction documents for such work, and provided further that such suspension or abandonment has not exceeded one year. Permits are not transferable and any change in occupancy, operation, tenancy or ownership shall require that a new permit be issued. Permits issued under Section 105.6.1-105.6.51 shall expire one year from the date of either the certificate of inspection or annual certificate of inspection.

105.4.1.2 Deferred submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of application and that are to be submitted to the fire code official within a specified period.

Deferral of any submittal items shall have prior approval of the fire code official. The architect or engineer of record shall list the deferred submittals on the plans and shall submit the deferred submittal documents for review by the fire marshal.

Submittal documents for deferred submittal items shall be submitted to the architect or engineer of record who shall review them and forward them to the fire marshal with a notation indicating that the deferred submittal documents have been reviewed and that they have been found to be in general conformance with the design of the building. The deferred submittal items shall not be installed until their design and submittal documents have been approved by the fire marshal.

105.6 Required operational permits. The fire code official is authorized to issue operational permits set forth in 105.6.1 through 105.6.51.

105.6.27 LP-gas. An operational permit is required for:

1. Storage and use of LP-gas.

Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3 or when used for seasonal weather protection in agricultural operations.

105.6.30 Mobile food preparation vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease – laden vapors. This includes itinerant food vendors.

105.6.47 Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 400 square feet (37 m^2).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides which comply with all of the following:
   2.1. Individual tents having a maximum size of 700 square feet (65 m2).
   2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m^2) total.
   2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

105.6.51. Uses or structures. An operational permit is required for any existing structure or portion thereof used or maintained as an occupancy regulated by the provisions of this code.

Exception: Group R, Division 3 and Group U Occupancies and Agricultural Buildings as defined by the International Building Code.

105.7 Required Construction permits. The fire code official is authorized to issue construction permits for work as set forth in sections 105.7.1 through 105.7.25.

105.7.16LP-gas. A construction permit is required for installation of or modification to an LP-gas system.

Exception: A permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), when used for seasonal weather protection in agricultural operations.

Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

105.7.18 Temporary membrane structures and tents. A construction permit is required to operate an air-supported temporary membrane structure, a temporary stage canopy or a tent having an area in excess of 400 square feet (37 m^2).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains or extensions attached thereto, when used for funeral services.
3. Tents open on all sides which comply with all of the following:
   - 3.1. Individual tents having a maximum size of 700 square feet (65 m2).
   - 3.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed 700 square feet (65 m^2) total.
   - 3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

105.7. 26 Uses or structures. A construction permit is required for any new structure or portion thereof used or maintained as an occupancy regulated by the provisions of this code.

Exception: Group R, Division 3 and Group U Occupancies and Agricultural Buildings as defined by the International Building Code.

13.10.070 Amendment to Chapter 1, Administration Section 106. Section 106 of the International Fire Code, 2018 Edition, is amended by the addition of Section 106.3.1 Investigation, the addition of Section 106.3.2. Fee. And the amendment of Section 106.5. Refunds as follows:

106.3.1 Investigation. 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.

106.3.2 Fee. 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 jurisdiction's cost of enforcement. The minimum investigation fee shall be the same as the

permit fee set forth in Yakima County Code Chapter 13.24. 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.

106.5 Refunds. The fire marshal is authorized to establish a refund policy.

Section 107.5 Certificate of Inspection

107.5.1. Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the fire code official has issued a certificate of inspection therefore as provided herein.

EXCEPTION: Group R, Division 3 and Group U Occupancies and Agricultural Buildings as defined by the International Building Code.

Issuance of a certificate of inspection shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates of inspection presuming to give authority to violate the provisions of this code or other ordinances of the jurisdiction shall not be valid.

107.5.2. Expiration. A certificate of inspection shall expire one year from the date of issuance.

107.5.3. Annual Fire and Life Safety Inspection. An annual fire and life safety inspection shall be required for all structures, facilities, and operations required to be permitted in Section 105.6.1-105.7.26.

107.5.4. Certificate of Inspection issued. After the fire code official inspects the building, facility, structure, or operation and finds no violations of the provisions of this code or other laws that are enforced by the code enforcement agency, and all fees owing have been paid, the fire official shall issue either a certificate of inspection or annual fire and life safety inspection.

13.10.060 Amendments to Chapter 1, Section 109.1, General, Section 109.1 of the International Fire Code, 2018 Edition, is deleted and replaced as follows:

109.1 General. The board of appeals created in Section 113 of the International Building Code as amended in YCC 13.05.060 shall hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of this code. The fire code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board shall follow the rules of procedure for conducting its

business set forth in Section 113 of the International Building Code as amended in YCC 13.05.060, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the fire code official.

13.10.065 Chapter 1, Section 110 Violations, of the International Fire Code, 2018 Edition, is amended as follows:

110.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or utilize any building, structure, occupancy, premises, system or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

110.2 Owner/occupant responsibility. Correction and abatement of violations of this code shall be the responsibility of the owner, or owner's authorized agent. Where an occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions.

110.3 Notice of violation. When the fire code official finds a building, structure, occupancy, premises, vehicle, storage facility or outdoor area to be in violation of this code, or in violation of a permit or certificate issued under the provisions of this code, the fire code official is authorized to issue a written notice of violation and order to correct to the responsible party describing the conditions deemed to be in violation Such order shall direct the discontinuance of the unlawful activity or condition and the abatement of the violation. Such notice and order shall be in accordance with the provisions of YCC 13.25.015. When compliance is not immediate, a time for re-inspection may be specified.

110.3.3 Prosecution of violation. . Any person, firm or corporation failing to comply with a notice of a violation or order to comply served in accordance with Section 109.2 shall be subject to issuance of a misdemeanor citation and / or civil infraction as provided in YCC Chapter 13.25. If the notice of violation is not complied with promptly, the fire code official is authorized to request the legal counsel of the jurisdiction to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. All costs to the County of any action taken by the County shall

be charged against the real estate upon which the violation is located and shall be a lien upon such real estate.

110.3.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the fire code official shall not be mutilated, destroyed or tampered with, or removed, without authorization from the fire code official.

110.4 Violation penalties. Any person who shall violate a provision of this code or fail to comply with any of the requirements thereof or who shall erect, install, construct, alter or repair a building or structure or do work in violation of the approved construction documents or directive or order of the fire code official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law and as provided in YCC 13.25.015.. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

110.4.1 Abatement of violation. In addition to the imposition of penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

13.10.072 Amendment to Chapter 2, Definitions, Section 202. Section 202 of the International Fire Code, 2018 Edition, is amended by the addition of definitions for the terms Repeat Offense and Repeat Offender as follows:

REPEAT OFFENDER: Any person, persons, firm or corporation which engages in a repeat offense.

REPEAT OFFENSE: A fire code violation that occurs more than one time on the same property within a 24-month period.

Mobile Food Preparation Vehicles: Vehicles that contain cooking equipment that produce smoke or grease-laden vapors for the purpose of preparing and serving food to the public, including Itinerant food vendors. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

13.10.074 Amendment to Section 307.1.1 Prohibited open burning. Section 307.1.1 of the International Fire Code 2018 Edition is hereby amended as follows:

307.1.1 Prohibited open burning. Open burning shall be prohibited when the fire code official has determined atmospheric conditions or local circumstances make such fires hazardous. The fire code official is authorized to declare a burn ban prohibiting all open burning.

Exception: 1. Prescribed burning for the purpose of reducing the impact of wildland fire when authorized by the fire code official.

2. Use of listed outdoor cooking appliances in accordance with the manufacturers' operating instructions and provisions of Section 308 of this code.

13.10.075 Amendment to Section 315.4 Outside storage. Section 315.4 of the International Fire Code, 2018 Edition is hereby amended by the addition of Sections 315.4.3 through 315.4.3.4 as follows:

315.4.3 Storage of combustible fruit and vegetable containers. Storage of combustible fruit and vegetable containers shall comply with Section 315.4.3.1 through 315.4.3.4.

315.4.3.1 Distance from structures and property Lines. All stacks of combustible material shall be at least fifty (50) feet from any building, loading dock or other wood frame structure, provided however, that distance may be reduced to no less than thirty (30) feet from a structure of masonry construction where no building exits face the stacking area and a minimum of ten (10) feet from a property line is maintained.

315.4.3.2 Access widths.

1. A minimum five (5) foot access way surrounding the stack of combustible material shall be maintained where the stack of material fronts on a public street, alley, or railroad spur. A five (5) foot horizontal clearance shall also be maintained when stacking near any electrical and telephone poles and utility wires.

2. The minimum access way which shall surround the stack of combustible material and be maintained around the entire stack where not fronting on a public right-of-way, street, alley, or railroad spur is as follows:

a. Fifteen (15) foot access where the stack of combustible material does not exceed 1,000 apple bins or 2,000 cherry bins.

b. Twenty (20) foot access where the stack of combustible material does not exceed 1,500 apple bins or 3,000 cherry bins.

c. Twenty-five (25) foot access where the stack of combustible material does not exceed 2,000 apple bins or 4,000 cherry bins.

d. Thirty (30) foot access where the stack of combustible material exceeds 2,000 apple or 4,000 cherry bins.

3. A minimum fifteen (15) foot clearance shall be maintained between any fire hydrant and a stack of combustible material.

4. The storage of liquid propane gas tanks shall comply with the International Fire Code. The minimum distance between a combustible material stack and a tank that will hold five hundred (500) water gallons is ten (10) feet. Protective barriers shall protect such tanks subject to damage from forklift trucks or other vehicles.

5. Any access way shall be kept free of any obstruction or other combustible material at all times.

315.4.3.3 Dimensions of combustible material stacks.

1. A stack of combustible material shall not exceed twenty-five (25) feet in height

2. A stack of combustible material shall not exceed seventy (70) feet in length without access ways described above.

315.4.3.4 Exemptions.

Combustible material piled as a result of daily operational use shall not be subject to the standards set forth above; provided, stacks shall not exceed seventeen (17) feet in height and/or create an immediate and distinct fire hazard as determined by the Fire Code Official. An approved hydrant and/or hose system suitable for the fire hazard involved shall be provided

13.10.077 Amendments to Chapter 4, Section 403.12.3 Crowd managers for crowds exceeding 1,000 people, and 403.12.3.1 Number of crowd managers, of the International Fire Code, 2018 Edition as amended in WAC 51-54A – 0403 Emergency preparedness requirements.

Section 403.12.3 Crowd managers for crowds exceeding 1,000 people, and 403.12.3.1 Number of crowd managers, of the International Fire Code, 2018 Edition, as amended by WAC 51-54A, is hereby amended, as authorized by RCW 19.27.060 (b) (5) is hereby amended as follows:

Section 403.12.3 Crowd managers for crowds exceeding 99 people.

Where facilities or events involve a gathering of more than 99 people, or as required by the fire code official, crowd managers shall be provided in accordance with Sections 403.12.3.1 through 403.12.3.3.

Section 403.12.3.1. Number of crowd managers.

The minimum number of crowd managers shall be established as follows:

1. One crowd manager for 100 to 249 persons.
2. Two crowd managers for 250 to 499 persons.
3. Three crowd managers for 500 to 749 persons.
4. Four crowd managers for 750 to 999 persons.
5. For gatherings of 1,000 or more persons, four crowd managers plus an additional crowd manager for each additional 250 persons.

13.10.080 Amendments to Chapter 5 Fire Service Features, Section 501.4 – Timing of installation, and Section 502—Definitions, of the International Fire Code, 2018 Edition.

Section 501.4 of the International Fire Code, 2018 Edition, as amended by WAC 51-54A, is hereby amended, as authorized by RCW 19.27.060 (b) (5), and Section 502 of the International Fire Code, 2018 Edition, as amended by WAC 51-54A, are hereby amended as follows:

Section 501.4. Timing of installation. When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction.

Exception: When allowed by the fire code official, such protection may be installed and made serviceable prior to occupancy of any structure.

502 Definitions.

ALL WEATHER ROAD SURFACE. An all-weather road surface shall be any surface material acceptable to the fire code official that would normally allow the passage of emergency service vehicles typically used to respond to that location within the jurisdiction.

APPROVED DRIVEWAY. A driveway that provides a minimum unobstructed width of 12 feet and a minimum unobstructed height of 13 feet 6 inches. Driveways in excess of 150 feet

in length shall be provided with an approved turnaround. Driveways in excess of 200 feet in length and less than 20 feet in width shall be provided with approved turnouts, not to exceed 300 foot spacing, in addition to approved turnarounds.

APPROVED DRIVEWAY TURNAROUND. A driveway turnaround with an inside turning radii of not less than 30 feet and outside turning radii of not less than 45 feet. Driveways that connect with a road or roads at more than one point may be considered as having a turnaround if all changes of direction meet the radii requirements for driveway turnarounds. Driveway turnarounds must be within 150 feet of the structure.

APPROVED TURN OUT. A turn out that is adjacent to and adjoins the driveway or access road , with an all-weather surface at least 10 feet wide and 30 feet long, and 13 feet 6 inches of vertical clearance.

GROUP OF COMBUSTIBLE CONTAINERS. A storage amount exceeding 2500 cubic feet of containers capable of igniting and burning including, but not limited to, pallets and bins.

PRIVATE ROAD. Any road, access way or easement that provides access to two or more addressable structures or units that is not included in the County Road Network.

13.10.085 Amendment to Section 503 Fire Apparatus Access Roads, of the International Fire Code, 2018 Edition, as amended by WAC 51-54A

Section 503.1 through 503.4 of the International Fire Code, 2018 Edition, as amended by WAC 51-54A, is hereby amended, as authorized by RCW 19.27.060 (b) (5), as follows:

503.1. Where required. Fire apparatus access roads shall be provided and maintained in accordance with locally adopted street, road, and access standards. Sections 503.1.1 through 503.6 of the 2018 edition of the International Fire Code shall serve as the locally adopted street, road, and access standards for Yakima County with regard to fire apparatus access.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within

the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45 720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45 720 mm) or allow an approved driveway or private road in lieu of a fire apparatus access road where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.
3. There are not more than four Group R-3 or Group U occupancies.
4. There is no land use action.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45 720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the fire code official. Permitting shall be in accordance with the International Building Code as amended by Yakima County.

503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

503.3 Marking. Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.4.1 Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the fire code official.

503.5 Required gates or barricades. The fire code official is authorized to require the installation and maintenance of gates or other approved barricades across fire apparatus access roads, trails or other accessways, not including public streets, alleys or highways. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

503.5.1 Secured gates and barricades. When required, gates and barricades shall be secured in an approved manner. Roads, trails and other accessways that have been closed and obstructed in the manner prescribed by Section 503.5 shall not be trespassed on or used unless authorized by the owner and the fire code official.

Exception: The restriction on use shall not apply to public officers acting within the scope of duty.

503.6 Security gates. The installation of security gates across a fire apparatus access road shall be approved by the fire chief. Where security gates are installed, they shall have an approved means of emergency operation. The security gates and the emergency operation shall be maintained operational at all times. Electric gate operators, where provided, shall be listed in accordance with UL 325. Gates intended for automatic operation shall be designed, constructed and installed to comply with the requirements of ASTM F 2200.

13.10.090. Amendments to Sections 507.1, 507.2, 507.3, and 507.5.2-Fire Protection Water Supplies. Section 507.1, 507.2, and 507.5.2 of the International Fire Code, 2018 Edition, are hereby amended as follows:

507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, outdoor storage of combustible containers, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. PROVIDED, this section shall not apply where Group R, Division 3 or U occupancies with a building area less than 3,600 square feet, as defined and regulated in the International Building Code, 2018 Edition, are located (1) on properties where no land use action is required; or (2) in RURAL AREAS: lots greater than 1/3 acre up to 8 lots maximum or no more than 4 lots are created; or (3) URBAN AREAS: no more than 2 lots are created.

507.2 Type of water supply. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems as approved by the fire code official, capable of providing the required fire flow; PROVIDED, properties located within the Urban Growth Area boundaries of a city or town shall be connected to an approved water system when such a system is available within 1,000 feet of nearest property line. Water from lakes, ponds, swimming pools, or other unimproved natural depressions shall not be approved for water supply.

In setting the requirements for fire flow, the fire code official may be guided by the provision in Appendix B; PROVIDED, Fire flow duration shall be one-hour for 1,000 gallons per minute or less, and two-hours for fire flow greater than 1,000 gallons per minute.

Section 507.3 Fire Flow Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method. For structures divided into approved fire areas as specified in Table 506.2 (nonsprinklered) and fire walls as specified in Section 706 of the 2018 edition of the International Building Code, fire flow calculations may be determined by the requirement of the largest fire area within that structure. PROVIDED:

1. Fire hydrants shall be connected to an approved pressurized system.
   Exception: A nonpressurized system may be allowed when recommended by the local fire protection district.

2. Fire hydrants shall be located within 250' of fire department connections for automatic fire-extinguishing systems. Whenever practical, a fire department connection shall be located remote from the building and adjacent to the nearest fire hydrant.

3. Fire hydrants shall be equipped with 5-inch storz couplings on the 4-1/2-inch steamer port. Existing fire hydrants shall be upgraded to a 5-inch storz fitting on the steamer port when a building is constructed or moved into.

4. Fire flow requirements may be waived for structures classified as agricultural buildings by the International Building Code which are open on two sides or provided with openings recommended by the fire protection district.

5. When approved by the Fire Code Official, an approved automatic fire –extinguishing system or monitored fire alarm system may be installed throughout the structure in lieu of fire flow when the entire structure is less than 6,000 square feet, or does not exceed 10,000 square feet in Rural Areas.

6. Minimum on-site water for fire flow may be reduced to 60,000 gallons, delivered at a rate of 1,000 gpm, or as required by NFPA 1142, in Rural Areas; whichever is less when recommended by the fire protection district, and approved by the Fire Code Official.

7. For structures in excess of 6,000 square feet, fire flow requirements may be modified up to 50% if a monitored fire alarm system or automatic fire-extinguishing system is installed, when approved by the Fire Code Official.

8. Private fire flow systems shall be recommended by the local fire protection district and approved by the Fire Code Official.

9. -Fire alarm systems installed solely for mitigation of fire flow shall be approved by the Fire Code Official and shall be tested annually with records submitted to the Fire Code Official.

Section 507.5.2. Inspection, testing and maintenance. Fire hydrant systems and required water supply systems for fire protection shall be subject to such periodic tests as required by the fire code official. Fire hydrant systems and required water supply systems for fire protection shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall be in accordance with approved standards.

13.10.100. Amendments to Appendix B, Fire Flow Requirements for Buildings; Sections B102.1, Definitions, B105.1, One-and two –family dwellings, B105.2.2, Buildings other than one- and two –family dwellings, and Table B105.1 of Appendix B of the International Fire Code, 2018 Edition, is hereby amended as follows and further amended by the addition of Table B105.3, as follows:

B102.1 Definitions. For the purpose of this appendix, certain terms defined as follows:

FIRE-FLOW.
The flow rate of a water supply, measured at 20 pounds per square inch (psi) (138 kPa) residual pressure, that is available for firefighting.

FIRE-FLOW CALCULATION AREA.
The gross floor area in square feet used to determine the require fire flow. Buildings on the same lot that do not meet the setback tp property line requirements of International Building Code chapter 6, table 602, shall be considered a single fire area.

LIMITED WATER SUPPLY SPRINKLER SYSTEM
An integrated system of piping and listed fire protection devices. Limited water supply sprinkler system components shall be installed in accordance with NFPA 13, NFPA 13R or NFPA 13D as applicable to the occupancy type for the most remote four (4) sprinkler heads.

B105.1 One- and two-family dwellings.

Fire flow is not required for Group R, Division 3 occupancies with a building area less than 3,600 square feet in compliance with section 507.1.

B105.2 Buildings other than one- and two-family dwellings. The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1.

Exception:

1. Buildings which require fire-flow of five hundred (500) gallons per minute or less after applying the required modifications are exempt from fire-flow requirements.

2. Buildings protected with an approved automatic fire sprinkler system installed in accordance with nationally recognized standards need only provide the required water supply for the system design, provided such systems is not required by other sections of the code.

B105.2.1 Modifications.

1. A reduction in required fire flow of up to fifty percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the International Fire Code, when approved by the Fire Code Official.

2. Where the mitigated fire flow is less than one thousand gpm and the occupancy is not an H or an I occupancy a limited supply sprinkler system may be used.

The fire-flow requirement shall be adjusted based on the occupancy classification as specified in Table B105.3.

B105.3.2 Duration. Water supplies shall be capable of providing the required flow for at least one hour for flows of one thousand gallons per minute or less, for two hours for flows greater than one thousand gallons per minute.

Exception: Buildings that do not exceed the square footage at the five hundred gpm requirement do not need to adjust the fire flow based on the occupancy.

The fire-flow requirement for buildings protected throughout with an approved automatic fire detection system that includes a central station monitoring installed in accordance with the provisions of NFPA72, may be reduced an additional two hundred fifty gallons per minute.

TABLE B105.1
MINIMUM REQUIRED FIRE-FLOW

	CONSTRUCTION TYPE				
FIRE FLOW (GALLONS PER MINUTE)	**I A&B**	**II-A III A**	**IV-H.T. V-A**	**II - B III-B**	**V-B**

	TOTAL FIRE AREA IN SQUARE FEET				
500	5,500	3,700	2,600	2,100	1,600
750	7,800	5,000	3,500	2,700	2,000
1,000	11,100	6,800	4,700	3,500	2,400
1,250	15,900	9,300	6,200	4,500	2,900
1,500	22,750	12,700	8,200	5,900	3,600
1,750	30,200	17,000	10,900	7,900	4,800
2,000	38,700	21,800	12,900	9,800	6,200
2,250	48,300	24,200	17,400	12,600	7,700
2,500	59,000	33,200	21,300	15,400	9,400
2,750	70,900	39,700	25,500	18,400	11,300
3,000	83,700	47,100	31,100	21,800	13,400
3,250	97,700	54,900	35,200	25,900	15,600
3,500	112,700	63,400	40,600	29,300	18,000
3,750	128,700	72,400	46,400	33,500	20,600
4,000	145,900	82,100	52,500	37,900	23,300
4,250	164,200	92,400	59,100	42,700	26,300
4,500	183,400	103,100	66,000	47,700	29,300
4,700	203,700	114,600	73,300	53,000	32,600
5,000	225,200	126,700	81,100	58,600	36,000
5,250	247,700	139,400	89,200	65,400	39,600
5,500	271,200	152,600	97,700	70,600	43,400
5,750	295,900	166,500	106,500	77,000	47,400
6,000	UNLIMITED	UNLIMITED	115,800	83,700	51,500
6,200	UNLIMITED	UNLIMITED	125,500	90,600	55,700
6,500	UNLIMITED	UNLIMITED	135,500	97,900	60,200
6,750	UNLIMITED	UNLIMITED	145,800	106,800	64,800
7,000	UNLIMITED	UNLIMITED	156,700	113,200	69,600
7,250	UNLIMITED	UNLIMITED	167,900	121,300	74,600
7,500	UNLIMITED	UNLIMITED	179,400	129,600	79,800
7,750	UNLIMITED	UNLIMITED	191,400	138,300	85,100
8,000	UNLIMITED	UNLIMITED	UNLIMITED	UNLIMITED	UNLIMITED

TABLE B105.3 **OCCUPANCY FIRE FLOW MODIFIERS**	
PERCENTAGE OF BASE FIRE FLOW CREDITS:	**OCCUPANCY GROUPS**
-25%	S-2, I-1, I-2, I-3, R-1, R-2
-20%	E-Daycare, A-1, A-2, A-3, A-4
-15%	E, I-4
-10%	A-2, A-5, B, R-4
SURCHARGES:	
10%	S-1, M-FUEL DISPENSING

15%	H-4, S-1 AIRCRAFT REPAIR, VEHICLE REPAIR
20%	H-3
25%	H-1, H-2, H-5

13.10.110 (Reserved)

13.10.115 (Reserved)

13.10.120 Permit requirements and fees

There shall be a fee as established in Section 13.24.060, 13.24.070, 13.24.080, and 13.24.090, for all permits required by Section 105.6 and 105.7 of this code

13.10.130 (Reserved)

13.10.140 (Reserved)

CHAPTER 13.11
AMENDMENTS INTERNATIONAL PROPERTY MAINTENANCE CODE

13.11.005 Declaration of Purpose. The Board of Yakima County Commissioners find that conditions of the character described in RCW 35.80.010 exist within unincorporated Yakima County and adopt and the International Property Maintenance Code in order to (a) prescribe minimum standards for the use and occupancy of dwellings throughout the county; (b) prescribe minimum standards for the use and occupancy of any building, structure or premises used for any other purpose, (c) prevent the use or occupancy of any dwelling, building or structure, or premises, that is injurious to the public health, safety, morals, or welfare; and (d) prescribe punishment for the violation of any provision of such ordinance; all as authorized in RCW 35.80. The Board of Yakima County Commissioners also finds that there exist other conditions of structures, property, and usages of structures and property within unincorporated Yakima County that constitute public nuisances and adopt the International Property Maintenance Code in order to define such public nuisances, provide for effective enforcement in abating such public nuisances, and to prescribe punishment for the creation or maintenance of such public nuisances.

13.11.010 Terminology-Amended Definitions. Wherever a reference is made to the "County Recorder" in the code adopted by this chapter, such reference shall mean the Yakima County Auditor, and references to the "Clerk of this Jurisdiction" shall mean the Clerk of the Board of Yakima County Commissioners.

13.11.020 Amendments to Chapters 1 and 2 of the International Property Maintenance Code, 2018 Edition

Chapters 1 and 2 of the International Property Maintenance Code, 2018 Edition, are amended as follows including the addition of Section 109 Public Nuisances and the re-numbering of Sections 109 Emergency Measures, 110 Demolition, 111 Means of Appeal, and 112 Stop Work Order, to of Sections 110 Emergency Measures, 111 Demolition, 112 Means of Appeal, and 113 Stop Work Order; and the addition of Chapter 2 Repair, Removal and Demolition Fund and the re-numbering of Chapter 2 Definitions to Chapter 3 Definitions:

CHAPTER 1 ADMINISTRATION

Section 101 - General

101.1 Title. These regulations shall be known as the *Property Maintenance Code* of Yakima County, Washington, herein after referred to as "this code".

101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

Section 102 Applicability.

102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, owner's authorized agent, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for

such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures and premises.

102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the *International Building Code, International Energy Conservation Code, International Fire Code, International Residential Code, International Existing Building Code, International Fuel Gas Code, International Mechanical Code, Uniform Plumbing Code, and NFPA 70.* Nothing in this code shall be construed to cancel, modify, or set aside any provision of the Yakima County land use and development regulations, including YCC Title 19.

102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

102.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions.

102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and not contrary to the public interest of health, safety and welfare. The provisions of the International Existing Building Code apply to the repair, alteration, change of occupancy, addition to, relocation of, and correction of unsafe or dangerous conditions in historic buildings in conjunction with the provisions of this code.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 9 and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official.

102.9 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.10 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

Section 103 Creation of enforcement agency.

103.1 General. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the code manager. The code enforcement division of the public services department shall function as the enforcement agency.

103.2 RESERVED

103.3 Deputies. In accordance with prescribed procedures and with the concurrence of the appointing authority, the code official may appoint such technical officers, inspectors and other employees as shall be authorized from time to time. Such employees shall have the powers as delegated by the code official.

103.4 Liability. The code official, officer or employee charged with the enforcement of this code, while acting in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the code enforcement agency, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

103.4.1 RESERVED

103.5 Fees. The fees for activities and services performed by the agency in carrying out its responsibilities under this code shall be as indicated in YCC13.24.

Section 104 Duties And Powers Of The Code Official

104.1 General. The code official is hereby authorized and directed to enforce the provisions of this code. For such purposes, the code enforcement manager shall have the powers of a law enforcement officer. The code official shall have the authority to render interpretations of this code and to adopt and enforce rules, policies and procedures to clarify the application of its provisions. Such interpretations, rules, policies and procedures shall be in conformance with the intent and purpose of this code. Such rules, policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. Such rules, policies and procedures adopted by the code enforcement manager as authorized in this code shall become part of Chapter 1, Administration, and shall be applied in conjunction with the provisions of Chapter 1.

104.1.1 Powers and authority related to dwellings, buildings, structures, and premises. The code official shall have the power and authority to determine which dwellings are unfit for human habitation; to determine which buildings, structures, or premises are unfit for other use; and to administer oaths and affirmations, examine witnesses, and receive evidence. The code official shall have the power and authority to investigate a dwelling, building, structure, or premises and other property conditions and to enter upon premises for the purpose of making examinations when the code official has reasonable ground for believing that the dwelling, building, structure, or premises is unfit for human habitation, or for other use.

104.2 Inspections. The code official shall make, or cause to be made, all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

104.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the code official has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the code official is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this

code, provided that if such structure or premises is occupied the code official shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the code official shall first make a reasonable effort to locate the owner, owner's authorized agent, or other person having charge or control of the structure or premises and request entry. If entry is denied or resisted, the code official is authorized to obtain an order for the purpose of entry and inspection of the structure and/or premises after submitting evidence in support of an application which is adequate to justify such an order from a court of competent jurisdiction as authorized in RCW 35.080.030 (3).

104.4 Identification. The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.5 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

104.6 Department records. The code official shall keep official records of all business and activities of the agency specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

Section 105 Approval

105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases upon application of the owner or owner 's authorized agent, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of

that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the code official shall respond in writing, stating the reasons the alternative was not approved.

105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency.

105.3.2 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

105.4 Used Material and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the code official.

105.5 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

105.6 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

Section 106 Violations

106.1 Unlawful acts. It shall be unlawful for a 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 same to be done, in conflict with or in violation of any of the provisions of this code.

106.2 Notice of violation. The code manager, or his designee, is authorized to serve a notice of violation or order to the property owner and other person responsible for actions or conditions found to be in violation of the provisions of this code, or in violation of a permit or certificate issued

under the provisions of this code. Such order shall direct the discontinuance of the unlawful activity, action or condition and the abatement of the violation. Such notice and order shall be in accordance with the provisions of YCC Title 21 Chapter 21.03.020

106.3 Prosecution of violation. **See YCC Title 21 Chapter 21.04.010** Any person, firm or corporation engaged in construction activities without having a valid permit or causing same to be done, or failing to comply with a notice of a violation or order to comply served in accordance with Section 107 shall be subject to issuance of a misdemeanor citation and / or civil infraction as provided in YCC Title 21 Chapter 21.04.030 and the violation shall be deemed a strict liability offense.. If the notice of a violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. All costs to the County of any action taken by County on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

106.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof, or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive or order of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law and as provided in YCC Title 21 Chapter 21.04.030. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

Section 107 Notices And Orders

107.1 Notice to person responsible. Whenever the code official or his designee determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections YCC Title 21 Chapter 21.03.060 to the person responsible for the violation as specified in this code. Notices issued when a dwelling,

building, structure, equipment, or premises has been found to be unsafe or unfit for human habitation or other use shall also comply with Section 108.3.

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with YCC Title 21 Chapter 21.03.020, See also Title 21.01.040.

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is served as provided in YCC Title 21 Chapter 21.03.020

107.4 Compliance with notices and orders.

Orders of the code official shall become final if no appeal is filed in a timely manner. After any order of the code official made pursuant to this code shall have become final, no person to whom any such order is directed shall fail, neglect or refuse to obey any such order. Any such person who fails to comply with any such order is in violation of this code and any of the actions provided for in YCC Title 21 Chapters 21.4-1, 21.04-2 may be taken. The code official is authorized to take action as provided in Title 21 Code Enforcement.

107.5 RESERVED

107.6 RESERVED

Section 108 Unsafe Structures And Equipment

108.1 General. When a building, structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be declared to be unsafe pursuant to the provisions of this code. Where conflicts occur between the provisions of this code and referenced codes and standards, the provisions of this code shall apply.

108.1.1 Unsafe buildings and structures. An unsafe building or structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such

equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rodent infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.

108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

108.1.5 - Unsafe dwellings, buildings, structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered unsafe for human habitation or other use:

1. Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged as to provide safe and adequate means of exit in case of fire or panic.

2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.

3. Whenever any portion thereof has been damaged by fire, earthquake, wind, flood deterioration, neglect, abandonment, vandalism or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code for new buildings of similar structure, purpose or location.

4. Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one half of that specified in the Building Code for new buildings of similar structure, purpose or location without exceeding the working stresses permitted in the Building Code for such buildings.

5. Whenever the building or structure, or any portion thereof, because of (i) dilapidation, deterioration or decay; (ii) faulty construction; (iii) the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) the deterioration, decay or inadequacy of its foundation or underpinning of the building; or (v) any other cause, is likely to partially or completely collapse.

6. Whenever, for any reason, the building or structure, or any portion thereof, is clearly unsafe for the purpose for which it is being used.

7. The building or structure is neglected , damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

8. Whenever any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation , mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.

11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

12. Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one half times the working stress or stresses allowed in the Building Code for new buildings of similar structure, purpose or location.

13. Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.

14. Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

15. Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one third of the base.

16. Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.

17. Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any nonsupporting part, member or portion less than 50 percent, or in any supporting part, member or portion less than 66 percent of the (i) strength, (ii) fire-resisting qualities or characteristics, or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height and occupancy in the same location.

18. Whenever any building, structure or premises is in such a condition as to constitute a public nuisance as defined in this chapter.

108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a notice that the building or structure has been declared to be unsafe on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner or the owner's authorized agent to close up the premises within the time specified in the order, the code official shall cause the premises to be closed and secured through any available public agency or by

contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.

108.2.1 Authority to disconnect service utilities. The code official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The code official shall notify the serving utility and, whenever possible, the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the owner or occupant of the building structure or service system shall be notified in writing as soon as practical thereafter.

108.3 Notice. Whenever the code official has determined that a dwelling, building, structure, premises, or equipment to be unsafe or unfit for human habitation or other use under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the owner's authorized agent, all persons having any interest in the dwelling, building, structure, premises, or equipment as shown by the auditor's records, or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the equipment declared to be unsafe. The notice shall be in the form prescribed in Section 107.2 and shall contain a notification that a hearing will be held before the code enforcement official, at a place therein fixed, as provided in Section 108.3.1.

108.3.1 Review of Notice. A hearing to review the notice and the conditions found in the investigation of the unsafe conditions will be done by the code enforcement official within 30 days of the issuance of the notice but not less than 10 days after issuance of the notice. The review will take into account any changed circumstances since the investigation and issuance of the notice and any response from the parties of interest served with the notice. Response may be written or verbal. Parties of interest may be in attendance at the review session and may present information for consideration in the review of the notice and the conditions found in the investigation of the violation. The code enforcement official may determine that the notice has been satisfied; issue a

modification to the notice with regard to the specifics of the violation, the parties of interest to be notified, or the time given for action to correct the violation; or determine that the notice will be withdrawn. Such determinations will be based on the information available at the time of review, including any written or verbal information received from the parties of interest prior to or at the review session. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the code enforcement official.

If, after the hearing has been completed, the code enforcement official determines that the dwelling is unfit for human habitation, or the building structure, or premises is unfit for other use, the code enforcement official shall state in writing his findings of fact in support of such determination, and shall issue and cause to be served upon the owner or party of interest thereof, as provided in YCC Title 21 Chapter 21.03.020, an order that (i) requires the owner or party in interest, within the time specified in the order, to repair, alter, or improve such dwelling, building, structure, or premises to render it fit for human habitation, or for other use, or to vacate and close the dwelling, building, structure, or premises, if such course of action is deemed proper on the basis of the standards set forth in Section 108.6.1 of this code; or (ii) requires the owner or party in interest, within the time specified in the order, to remove or demolish such dwelling, building, structure, or premises, if this course of action is deemed proper on the basis of those standards. If no appeal is filed under the provisions of Section 112.1 of this code, a copy of such order shall be filed with the Yakima County Auditor.

108.4 Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Unsafe" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

108.4.1 Placard removal. The code official shall remove the placard declaring the building, structure or equipment to be unsafe whenever the defect or defects upon which the declaration and placarding action were based have been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by YCC Title 21 Chapter 21.03.020.

108.5 Prohibited occupancy. Any occupied building or structure declared to be unsafe and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by YCC Title 21 Chapter 21.03.020.

108.6 Abatement methods. The owner, owner's authorized agent, operator or occupant of a building, premises or equipment deemed unsafe by the code official shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition, vacation and closure, or other approved corrective action.

108.6.1 Standards for demolition, repair or vacation and closure. Whenever the code enforcement official determines, that all or any portion of a building and/or premises is unfit for human habitation or other use, the code enforcement official shall order that the unfit building and/or premises or portion thereof be:

1. Repaired, or demolished and removed, if the estimated cost of repairing the conditions causing the building or structure to be unsafe or unfit for human habitation or other use exceeds fifty percent (50%) of the assessed value of the building or structure, or repaired or demolished if the estimated cost of repairing the conditions causing the building or structure to be unsafe or unfit for human habitation or other use does not exceed fifty percent (50%) of the assessed value of the building or structure when the degree of structural deterioration is as described in Section 108.1.5. or Section 404, 405, or 406.

2. Repaired, and/or vacated and closed pursuant to Section 108.2 of this Code, if the estimated cost of repairing the conditions causing the building or structure to be unsafe or unfit for human habitation or other use does not exceed fifty percent (50%) of the assessed value of the building or structure and the building or structure is not in danger of structural collapse; or

3. Corrected or improved as specified in the Order of the code enforcement official as to the conditions that caused the premises other than buildings and structures to be unfit.

4. Where dwellings, buildings, structures, or equipment is determined to be unsafe by the code enforcement official is restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such

repairs, alterations, additions and change of occupancy shall comply with the requirements of Section 105.2.2 of the International Building Code and the International Existing Building Code.

Nothing in this section shall limit the authority of the County to condemn and resell property pursuant to RCW 35.80A.

108.6.1.1 Estimation of cost of repairs. In estimating the cost of repairs, the building official shall use the most recent ICC Building Valuation Data published by the International Code Council, or a cost estimating publication that the building official deems comparable. In estimating the cost of repairs, the building official shall apply the following standards:

1. Only the conditions causing the building, structure or portion thereof to be unfit for human habitation or other use shall be included in the cost estimate;

2. Repair estimates shall assume that all work will comply with the requirements of the current Building, Mechanical, Electrical, Plumbing, Energy, and Fire Codes in effect in Yakima County;

3. If the extent of damage to a portion of a building or structure cannot be ascertained from visual inspection, the building official shall assume that the relative extent of damage or deterioration identified in the observable portion of the building exists in the unobserved portions; and

4. Cost estimates for repairing the building, structure or portion thereof shall include the same type and quality of materials as originally used in the structure. If the building or structure is so damaged that the original materials cannot be determined, repair costs shall be estimated using the materials corresponding with the construction type of the lowest valuation that complies with the requirements of the applicable construction regulations.

108.6.2 Failure to comply with final order. When the code enforcement official's order has become final as provided in Sections 112.1.2 and 107.4, the owner or party in interest, following exhaustion of his or her rights of appeal, fails to comply with the final order to repair, alter, improve, vacate, close, remove, or demolish the dwelling, building, structure, or premises, the building official may direct or cause such dwelling, building, structure, or premises to be repaired, altered, improved, vacated, closed, removed, or demolished.

108.6.3 Recovery of costs. When the code enforcement official must take action to cause the dwelling, building, structure, or premises to be repaired, altered, improved, vacated, closed, removed, or demolished, the amount of the cost of such repairs, alterations or improvements; or

vacating and closing; or removal or demolition by the code enforcement official, shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. For purposes of this section, the cost of vacating and closing shall include (i) the amount of relocation assistance payments that a property owner has not repaid to a municipality or other local government entity that has advanced relocation assistance payments to tenants under RCW 59.18.085 and (ii) all penalties and interest that accrue as a result of the failure of the property owner to timely repay the amount of these relocation assistance payments under RCW 59.18.085. Upon certification to him or her by the code enforcement official of the assessment amount being due and owing, the county treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW 84.56.020 for delinquent taxes, and when collected to be deposited to the credit of the general fund of the county. If the dwelling, building, structure, or premises is removed or demolished by the code enforcement official, the code enforcement official shall, if possible, sell the materials of such dwelling, building, structure, or premises in accordance with procedures set forth in the ordinance, and shall credit the proceeds of such sale against the cost of the removal or demolition and if there be any balance remaining, it shall be paid to the parties entitled thereto, as determined by the board or officer, after deducting the costs incident thereto.

The assessment shall constitute a lien against the property which shall be of equal rank with state, county and municipal taxes. See YCC Title 21 Chapter 21.050.40 Liens

108.7 Record. The code official shall cause a report to be filed on an unsafe condition. The report shall state the occupancy of the structure and the nature of the unsafe condition.

Section 109 Public Nuisances

109.1 Purpose. This section provides for the abatement of conditions which constitute a public nuisance as defined in Section 302 of this code with the exception of dwellings unfit for human habitation and unsafe buildings and structures.

109.2. Definitions. See Section 302.1.

109.3 Voluntary correction.

109.3.1 Issuance. When the code enforcement official determines that a violation has occurred or is occurring, he or she shall attempt to secure voluntary correction by contacting the person responsible for the alleged violation and, where possible, explaining the violation and requesting correction.

109.3.2 Voluntary Correction Agreement. The person responsible for the alleged violation may enter into a voluntary correction agreement with the county, acting through the code enforcement official.

109.3.2.1 Content. The voluntary correction agreement is a contract between the county and the person responsible for the violation in which such person agrees to abate the alleged violation within a specified time and according to specified conditions. The voluntary correction agreement shall include the following:

1. The name and address of the person responsible for the alleged violation;
2. The street address or other description sufficient for identification of the building, structure, premises, or land upon or within which the alleged violation has occurred or is occurring;
3. A description of the alleged violation and a reference to the regulation which has been violated;
4. The necessary corrective action to be taken, and a date or time by which correction must be completed;
5. An agreement by the person responsible for the alleged violation that the county may enter the property and inspect the premises as may be necessary to determine compliance with the voluntary correction agreement;
6. An agreement by the person responsible for the alleged violation that the county may abate the violation and recover its costs and expenses (including personnel, administrative, hearing, and removal or repair costs) and/or a monetary penalty $_____per day continuing from the date of the breach of the agreement until the date that the violation has been abated from the person responsible for the alleged violation if the terms of the voluntary correction agreement are not satisfied; and
7. An agreement that by entering into the voluntary correction agreement, the person responsible for the alleged violation waives the right to a hearing before the board of

appeals under this code or otherwise, regarding the matter of the alleged violation and/or the required corrective action.

109.3.2.2 Right to a Hearing Waived. By entering into a voluntary correction agreement, the person responsible for the alleged violation waives the right to a hearing before the building code board of appeals under this code or otherwise, regarding the matter of the violation and/or the required corrective action.

109.3.2.3 Extension and Modification. The code official may grant an extension of the time limit for correction or a modification of the required corrective action if the person responsible for the alleged violation has shown due diligence and/or substantial progress in correcting the violation, but unforeseen circumstances have delayed correction under the original conditions.

109.3.2.4 Abatement by the County. The county may abate the alleged violation in accordance with Section 109.7 if all terms of the voluntary correction agreement are not met.

109.3.2.5 Collection of Costs. If all terms of the voluntary correction agreement are not met, the person responsible for the violation shall be assessed for the monetary penalty set forth in Section 109.3.2.1, and all enforcement costs incurred by the county and expenses of abatement, as set forth in Section 109.7.4 and allowed by RCW 35.80.030.

109.4 Prerequisite to abatement. Absent conditions which pose an immediate threat to the public health, safety or welfare of the environment, the procedures for abatement of conditions constituting a nuisance pursuant to this code should be utilized by the county only after correction of such conditions has been attempted through use of the voluntary correction agreement process, as specified in Section 109.3. Once it has been determined by the county that correction of such conditions has not been adequately achieved through use of the voluntary correction agreement process, then the county shall proceed with abatement of such conditions pursuant to the provisions of this section.

109.5 Notice of abatement

109.5.1 Issuance. When the code official determines that a violation has occurred or is occurring, and is unable to secure voluntary correction pursuant to Section 109.3, he or she may issue a notice of abatement to the person responsible for the alleged violation. Under any of the following circumstances the code official may issue a notice of abatement without having attempted to secure voluntary correction as provided in Section 109.3:

1 When an emergency exists; or

2. When a repeat violation occurs; or
3. When the violation creates a situation or condition which cannot be corrected; or
4. When the person responsible for the violation knew or reasonably should have known that the action was in violation of a county regulation; or
5. When the person responsible for the violation cannot be contacted when attempts to contact the person have failed, or the person refuses to communicate or cooperate with the county in correcting the alleged violation.

109.5.2 Content. The notice of abatement shall include the following:

1. The name and address of the person responsible for the alleged violation;
2. The street address or description sufficient for identification of the building, structure, premises, or land upon or within which the alleged violation has occurred or is occurring;
3. A description of the violation and a reference to the provision(s) of the county regulation(s) which has been allegedly violated;
4. The required corrective action and a date and time by which the correction must be completed and, after which, the county may abate the unlawful condition in accordance with Section 109.7;
5. When the nuisance conditions include vehicles, or vehicle parts, in a condition defined as a public nuisance, the notice of abatement shall include the following:
   (a) Notice shall be given to the last registered owner of record and the property owner of record that a hearing may be requested and that if no hearing is requested, the vehicle will be removed. (RCW 46.55.240 (3) (a))
   (b) If a request for a hearing is received, a notice giving the time, location and date of the hearing on the question of abatement and removal of the vehicle(s) or part(s) thereof as a public nuisance shall be mailed, by certified mail, with a five-day return receipt requested, to the owner of the land as shown on the last equalized assessment roll and to the last registered owner of record unless the vehicle is in such condition that identification numbers are not available to determine ownership. (RCW 46.55.240 (3) (b))
   (c) The owner of the land on which the vehicle(s) or vehicle part(s) is located may appear in person at the hearing or present a written statement in time for

consideration at the hearing, and deny responsibility for the presence of the vehicle(s) or vehicle part(s) on the land, with his or her reasons for the denial. If it is determined at the hearing that the vehicle(s) or vehicle part(s) were place on the land without the consent of the landowner and that he or she has not subsequently acquiesced in its presence, the land owner will not be assessed costs of administration or removal of the vehicle(s) or vehicle part(s) against the property upon which the vehicle(s) or vehicle part(s) is located or otherwise attempt to collect the cost from the land owner. (RCW 46.55.240 (3) (d))

(d) After notice has been given of the intent of the county to dispose of the vehicle(s) or vehicle part(s), and after a hearing, if requested, has been held, the vehicle(s) or part(s) thereof shall be removed at the request of a law enforcement officer with notice given to the Washington state patrol and the department of licensing that the vehicle has been wrecked. (RCW 46.55.240 (3) (e))

6. A statement that the costs and expenses of abatement incurred by the county pursuant to Section 109.7.4.

109.5.3 Service of Notice. The code official shall serve the notice of abatement upon the person responsible for the violation, either personally or by mailing a copy of the notice by certified and registered mail, with a five-day return receipt requested, to such person at their last known address. If the person responsible for the violation cannot be personally served within Yakima County, and if an address for mailed service cannot be ascertained, notice shall be served by posting a copy of the notice of abatement conspicuously on the affected property or structure. Proof of service shall be made by a written declaration under penalty of perjury executed by the person effecting the service, declaring the time and date of service, the manner by which the service was made and, if by posting, the facts showing the attempts to serve the person personally or by mail. If the person responsible for the alleged violation is a tenant, a copy of the notice of abatement shall also be mailed to the landlord or owner of the property where the alleged violation is occurring. If the alleged violation involves a junk motor vehicle, notice shall be provided to the last registered and legal owner of record of said vehicle (unless the vehicle is in such condition that identification numbers are not available to determine ownership), as well as to the property owner of record, as shown on the last equalized assessment roll.

109.5.4 Extension. Extensions of the time specified in the notice of abatement for correction of the alleged violation may be granted at the discretion of the code official.

Section 109.6 (RESERVED).

109.7 Abatement by county

109.7.1 General. The county may abate a condition which constitutes a nuisance under this code when:

1. The terms of the voluntary correction agreement pursuant to Section 109.3 of this code have not been met; or
2. The owner or party in interest, following the exhaustion of his or her rights to appeal, fails to comply with the final order to repair, alter, improve, vacate, close, remove, or demolish the building, structure or premises; or
3. The condition is subject to summary abatement as provided for in subsection 109.7.2 of this section.

109.7.2 Summary Abatement. Whenever any nuisance causes a condition, the continued existence of which constitutes an immediate threat to the public health, safety or welfare or to the environment, the county may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for it, shall be given to the person responsible for the violation as soon as reasonably possible after the abatement. If the person responsible for the violation is a tenant, notice of such abatement shall also be given to the landlord or owner of the property where the violation is occurring. No right of action shall lie against the county or its agents, officers, or employees for actions reasonably taken to prevent or cure any such immediate threats, but neither shall the county be entitled to recover any costs incurred for summary abatement, prior to the time that actual notice of same is provided to the person responsible for the violation.

109.7.3 Authorized Action by the County. Using any lawful means, the county may enter upon the subject property and may remove or correct the condition that is subject to abatement. The county may seek such judicial process as it deems necessary to effect the removal or correction of such condition.

109.7.3.1 Removal of Junk or Inoperable Motor Vehicles, Vehicle Hulk or Parts Thereof. If the owner or person found responsible for a nuisance involving a junk or inoperable motor vehicle, vehicle hulk or any parts thereof fails to correct his/her nuisance within the date specified in the order or notice of summary abatement, the county, upon notification from the code official,

may enter the subject property to inspect and certify that a vehicle meets the criteria of a junk or inoperable motor vehicle as defined in this section. The law enforcement officer or county agent making the certification shall record the make and vehicle identification number or license number of the vehicle if available and/or legible, and shall also document in detail the damage or missing equipment to verify whether the approximate value of the vehicle is equivalent only to the approximate value of the scrap in it (only if that is one of the definitional criteria that was alleged in the notice of abatement issued by the county). The vehicle shall then be removed from the property and disposed of by a licensed vehicle wrecker, hulk hauler, or scrap processor with notice to the Washington State Patrol and the Washington State Department of Licensing that the vehicle has been wrecked. The vehicle shall only be disposed of as scrap.

109.7.3.2. Demolition of building or structures. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the building or structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

109.7.3.2.1 Salvage materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

109.7.3.3 Abatement of nuisance conditions other than junk or inoperable vehicles, or buildings and structures. If the owner of a premises fails to comply with an abatement order within the time prescribed, the code official shall cause the nuisance condition to be abated, either through an available public agency or by contract or arrangement with private persons, and the cost of such abatement shall be charged against the real estate upon which the nuisance condition is located and shall be a lien upon such real estate. See also Title 21 Chapter 21.04.060 Abatement

109.7.4 Recovery of Costs and Expenses. The costs of correcting a condition which constitutes a nuisance under this code, including all incidental expenses, shall be billed to the person responsible for the nuisance and/or the owner, lessor, tenant or any other person entitled to

control the subject property, and shall become due and payable to the county within fifteen calendar days of the date of mailing the billing for abatement. The costs of removal of junk vehicles, inoperable vehicles or parts thereof may be assessed against the registered owner of the vehicle if the identity of the owner can be determined, unless the owner in the transfer of ownership of the vehicle has complied with RCW 46.12.650, or the costs may be assessed against the owner of the property on which the vehicle is stored. The term "incidental expenses" includes, but is not limited to, administrative costs, personnel costs, both direct and indirect and including attorney's fees; costs incurred in documenting the violation; towing/hauling, storage and removal/disposal expenses; and actual expenses and costs of the county in preparing notices, specifications and contracts associated with the abatement, and in accomplishing and/or contracting and inspecting the work; and the costs of any required printing and mailing. All such costs and expenses shall constitute a lien against the affected property, as set forth in subsection 109.7.6 of this section.

109.7.5 Interference. Any person who knowingly hinders, delays or obstructs any county employee acting on direction of the code official in the discharge of the county employee's official powers or duties in abating a nuisance under this code, shall be guilty of a misdemeanor punishable by imprisonment not exceeding ninety days and/or a fine not exceeding $1,000.00.

109.7.6 Lien - Authorized. Title 21 Chapter21.05 Liens The county shall have a lien for the cost of any abatement proceedings under this code, and all other related costs. The lien shall run with the land, but shall be subordinate to all previously existing special assessment liens imposed on the same property and shall be superior to all other liens, except for state and county taxes, with which it shall be on a parity. The lien shall continue until the assessment and all interest due and payable thereon are paid. All such assessments remaining unpaid after 30 days from the date of recording on the assessment roll shall become delinquent and shall bear interest at the registered warrant rate as established by the Yakima County Treasurer.

109.7.6.1 The code official shall cause a claim for lien to be filed for record within ninety days from the later of the date that the work is completed, or the nuisance abated.

109.7.6.2 The claim of lien shall contain sufficient information regarding the notice of abatement, as determined by the code official, a description of the property to be charged with the lien and the owner of record, and the total amount of the lien.

109.7.6.3 Any such claim of lien shall be verified by the code official, and may be amended to reflect changed conditions.

109.7.6.4 - Report to Assessor and Treasurer: Addition of assessment to tax statement After verification of the claim of lien, certified copies of the assessment shall be given to the Yakima County Treasurer who shall add the amount of the total assessment or the authorized annual installment of the next regular tax statement levied against the parcel.

109.7.6.5, Filing of Report with County Auditor. Title 21 Chapter 21.03.070 A certified copy of the assessment shall be filed with the County Auditor. The descriptions of the parcels reported shall be those used for the same parcels on the County Assessor's map books for the current year.

109.7.6.6. Repayment of Repair, Removal And Demolition Fund. All money recovered by payment of the charge or assessment or from the sale of the property at foreclosure sale shall be paid to the treasurer of this jurisdiction, who shall credit the same to the repair, removal and demolition fund.

109.8 Additional enforcement procedures. The provisions of this section are not exclusive, and may be used in addition to other enforcement provisions authorized by this code.

109.9 Removal of personal property and/or solid waste placed onto public access.

Once personal property and/or solid waste belonging to an evicted tenant has been placed onto public right-of-way pursuant to a court-ordered eviction per Title 59 RCW, the evicted tenant/owner of the personal property and/or solid waste or his/her designee shall have twenty-four hours to remove said personal property and/or solid waste from the public right-of-way. Notice of such removal after twenty-four hours shall be given to the evicted tenant/owner of the personal property and/or solid waste or his/her designee. If, after twenty-four hours, the evicted tenant/owner or his/her designee has not removed the personal property and/or solid waste from the public right-of-way, the property shall be deemed a nuisance, and the landlord/property owner or his/her designee shall remove the personal property and/or solid waste for proper disposal within forty-eight hours or the county shall seek to abate the nuisance, pursuant to Section 109.7, to be billed to the landlord/property owner or his/her designee.

109.10 Conflicts. In the event of a conflict between this code and any other provision of the Yakima County Code or other county ordinance providing for a civil penalty, this code shall control.

109.11 Representation by attorney. A person subject to proceedings under this code may appear on his or her own behalf or be represented by counsel.

The prosecuting attorney representing the county may, but need not, appear in any proceedings under this code.

Section 110 Emergency Measures

110.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life or the health or the safety of occupants, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

110.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

110.3 Closing streets. When necessary for public safety, the code official shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

110.4 Emergency repairs. For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

110.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises or the owner's authorized agent where the unsafe structure is or was located for the recovery of such costs.

110.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.

SECTION 111 Demolition

111.1 General. The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's judgment after review, is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary, or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the building official.

111.2 Notices and orders. All notices and orders shall comply with Section 107.

111.3 Failure to comply. If the owner or the owner's authorized agent of a premises fails to comply with a demolition order within the time prescribed, the code official shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

111.4 (RESERVED)

Section 112 Means of appeal for notices other than notice of abatement

112.1 Application for appeal. **Title 21 Chapter 21.06**

Sections 112.2.1 through 112.8 are RESERVED

Section 113 RESERVED

Chapter 2 Repair Removal and Demolition Fund.

Section 201 - Repair Removal and Demolition Fund

201.1 General. The legislative body of this jurisdiction shall establish a special revolving fund to be designated as the repair, removal and demolition fund. Payments shall be made out of said fund upon the demand of the director of public services to defray the costs and expenses which may be incurred by this jurisdiction in doing or causing to be done the necessary work of repair, removal or demolition of dangerous buildings.

201.2 Maintenance of Fund. The Board of Yakima County Commissioners may at any time transfer to the repair, removal and demolition fund, out of any money in the general fund of Yakima County, such sums as it may deem necessary in order to expedite the performance of the work of repair, removal or demolition, and any sum so transferred shall be deemed a loan to the repair, removal and demolition fund and shall be repaid out of the proceeds of the collections hereinafter provided for. All funds collected under the proceedings hereinafter provided for shall be paid to the treasurer of Yakima County who shall credit the same to the repair, removal and demolition fund.

Chapter 3 Definitions

Section 301 General.

301.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

301.2 Interchangeability. Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

301.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code*, *International Residential Code, International Fire Code, Uniform Plumbing Code*, *International Mechanical Code*, *International Existing Building Code* or the *Electrical Code*, such terms shall have the meanings ascribed to them as in those codes.

301.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

301.5 Parts. Whenever the words "dwelling unit," "dwelling," "premises", "building," "rooming house," "rooming unit," "housekeeping unit", or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

Section 302 General Definitions

ABANDONED. In addition to those definitions provided by state codes, local ordinances and case law, the term "abandoned" means and refers to any item which has ceased to be used for its designed and intended purpose. The following factors, among others, will be considered in determining whether or not an item has been abandoned:

1. Present operability and functional utility;
2. The date of last effective use;
3. The condition of disrepair;
4. The last time an effort was made to repair or rehabilitate the item;
5. The status of registration or licensing of the item;
6. The age and degree of obsolescence;
7. The cost of rehabilitation or repair of the item versus its market value; and,
8. The nature of the area and location of the item.

ABATE means to repair, replace, remove, destroy or otherwise remedy the condition in question by such means and in such a manner and to such an extent as the building official or fire marshal in his/her judgment shall determine is necessary in the interest of the general health, safety and welfare of the community.

ACT means doing or performing something.

ANCHORED. Secured in a manner that provides positive connection.

APPROVED. Approved by the code official.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes in either a dwelling or sleeping unit.

BUILDING means any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING CODE is the International Building Code as adopted by this jurisdiction.

BUILDING OFFICIAL means the official designated in YCC 13.04.010 as the official authorized and designated as responsible for the enforcement and administration of YCC Title 13.

CODE OFFICIAL. The official who is charged with the administration and enforcement of this code, or any duly authorized representative. See also "Building Official" and "Public Officer"

COST OF SUCH DEMOLITION OR EMERGENCY REPAIRS. The costs shall include the actual costs of the demolition or repair of the structure less revenues obtained if salvage is conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts, retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a code official, the governing body or the board of appeals.

DANGEROUS BUILDING OR UNSAFE BUILDING OR STRUCTURE is any building or structure deemed to be dangerous or unsafe under the provisions of Section 108 of this code.

DETACHED. When a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.

DETERIORATION. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.

DEVELOPMENT means the erection, alteration, enlargement, demolition, maintenance or use of any structure or the alteration or use of any land above, at or below ground or water level, and all acts authorized by a county regulation.

DISMANTLED means that from which essential equipment, parts or contents have been removed or stripped and the outward appearance verifies the removal.

[B] DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EMERGENCY means a situation which, in the opinion of the building official, requires immediate action to prevent or eliminate an immediate threat to the health or safety of persons or property.

ENFORCEMENT OFFICER means the building official or his designee.

EQUIPMENT SUPPORT. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

HEALTH OFFICER means that local health official appointed as provided in RCW 70.05.050 or his or her properly authorized designee.

HISTORIC BUILDING. Any building or structure that is one or more of the following:

1. Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places
2. Designated as historic under an applicable state or local law.
3. Certified as a contributing resource within a National Register state or locally designated historic district.

HOUSEKEEPING UNIT. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

HULK HAULER means any person who deals in vehicles for the sole purpose of transporting and/or selling them to a licensed motor vehicle wrecker or scrap processor in substantially the same form in which they are obtained. A hulk hauler may not sell second-hand vehicle parts to anyone other than a licensed vehicle wrecker or scrap processor, except for those parts specifically enumerated in RCW 46.79.020(2), which may be sold to a licensed motor vehicle wrecker or disposed of at a public facility for waste disposal.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rodents, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

INOPERATIVE means incapable of functioning or producing activity for mechanical or other reasons.

JUNK MOTOR VEHICLE means a motor vehicle meeting at least three of the following requirements:

(a) Is three years old or older;

(b) Is extensively damaged, such damage including, but not limited to, any of the following: a buildup of debris that obstructs use, broken window or windshield; missing wheels, tires, tail/headlights, or bumpers; missing or nonfunctional motor or transmission; or body damage;

(c) Is apparently inoperable; or

(d) Has an approximate fair market value equal only to the approximate value of the scrap in it.

LABELED. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

LIENHOLDER means any person, as defined in this Chapter, who has a recorded interest in real property, including mortgagee, beneficiary under a deed of trust, or holder or other recorded liens or claims of interest in real property.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

NEGLECT. The lack of proper maintenance for a building or structure.

NUISANCE, VIOLATION or **NUISANCE VIOLATION** means:

(a) Doing an act, omitting to perform any act or duty, or permitting or allowing any act or omission, which significantly affects, injures, or endangers the comfort, repose, health or safety of others, is unreasonably offensive to the senses, or obstructs or interferes with the free use of property so as to interfere with or disrupt the free use of that property by any lawful owner or occupant; or

(b) The existence of any of the following conditions:

(i) Premises containing accumulations of trash, junk, litter, boxes, lumber (excluding lumber for a construction project on the property with a valid permit);

(ii) Premises containing accumulations of salvage materials, including but not limited to auto parts, scrap metals, tires, other materials stored on premises in excess of seventy-two (72) hours;

(iii) Premises containing accumulations of ashes, concrete, crates, empty barrels, dead animals or animal waste, mattresses or bedding, white goods, packing cases or material, plaster, plastic, rags, , yard waste or debris, discarded putrescibles, garbage, rubbish, refuse, oil, grease, paint, other petroleum products, hazardous materials, volatile chemicals, pesticides, herbicides, fungicides or waste (solid, liquid or gaseous) or other similar materials, except that kept in garbage cans or containers maintained for regular collection. Nothing in this subsection shall prevent the temporary retention of waste in approved, covered receptacles;

(iv) Premises containing accumulations of bottles, boxes, building materials which are not properly stored or neatly piled, cans, glass, tires, numerous pieces of

broken or discarded furniture and furnishings, old appliances or equipment or any parts thereof, iron or other scrap metal, wire, salvage materials, or other recyclable items which have not been recycled within thirty (30) days of being deposited on the property,

(v) Dangerous buildings or structures as provided in Section 108.1.5.

(vi) Any junk motor vehicle including, but not limited to, any junk motor vehicle, vehicle hulk or any part thereof which is wrecked, inoperable or abandoned, or any disassembled trailer, house trailer, or part thereof.

Exceptions.

1. A vehicle or part thereof that is completely enclosed within a building permitted and approved in a lawful manner for the storage of vehicles or vehicle parts so that it is not visible from the street or other public or private property; or

2. A vehicle or part thereof that is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to RCW 46.80.130.

(vii) Vehicle lots without approved land use;

(viii) Attractive Nuisances. Any nuisance defined in this subsection which is detrimental to children, whether in or on a building, on the premises of a building, or upon an unoccupied lot, which is left in any place exposed or accessible to children including, but not limited to, unused or abandoned, dismantled, wrecked, inoperable, unlicensed, and discarded objects, equipment or appliances such as, but not limited to vehicles, boats, water heaters, refrigerators, furniture which is not designed for outdoor use, household fixtures, machinery, equipment, freezers, or other large appliances or equipment or any parts thereof; abandoned motor vehicles, hulk motor vehicles as defined in YCC Chapter 8.04; unfenced swimming pools with water depth more than two feet, any structurally unsound or unsafe fence or edifice; any unsecured or abandoned excavation, pit, well, cistern, storage tank or shaft; and any lumber, trash, debris or vegetation which may prove a hazard for minors;

(ix) Obstructions to the public right-of-way including, but not limited to, use of property abutting a public street or sidewalk or use of a public street or sidewalk which causes any obstruction to traffic or to open access to the streets or sidewalks. This subsection shall not apply to events, parades, or the use of the streets or public rights-of-way when authorized by the county. This section includes the existence of drainage onto or over any sidewalk, street or public right-of-way, and the existence of any debris or plant growth on sidewalks adjacent to any property, and any personal property and/or solid waste that has been placed onto a public right-of-way pursuant to a court-ordered eviction per Title 59 RCW which has not been removed after twenty-four hours;

(x) Illegal dumping including, but not limited to, dumping of any type by any person on public or private property not designated as a legal dump site; and

(xi) Dumping in waterways including, but not limited to, dumping, depositing, placing or leaving of any garbage, ashes, debris, gravel, earth, rock, stone or other material upon the banks, channels, beds or bars of any navigable water, or the felling of any tree or trees, so that the same shall in whole or in part project within the high water bank of any navigable watercourse, or the casting, placing, depositing or leaving of any logs, roots, snags, stumps or brush upon the banks or in the bed or channel of any navigable watercourse, unless otherwise approved by the appropriate governmental agency.

(xii) Any building or portion thereof, device, apparatus, equipment, combustible waste or vegetation except for those items governed by Section 304 of the International Fire Code, which, in the opinion of the Fire Marshal or his Deputy, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause.

(xiii) Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborage, stagnant water, combustible materials and similar materials or conditions constitute fire, health or safety hazards except for those items governed by Section 304 of the International Fire Code,.

(xiv) Whatever is dangerous to human life or is detrimental to health, as determined by the Health Officer.

(xv) Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the Health Officer.

(xvi) Public nuisances as enumerated in RCW 7.48.140.

(xvii) Any camping or recreational vehicle, as defined in YCC 19.010.70, which is occupied and for which a temporary use permit, as provided for in YCC 19.18.480, has not been issued.

(xviii) Any item or activity determined to constitute a nuisance under any ordinance adopted by Yakima County.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OMISSION means a failure to act.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court, renter(s), lessor(s) and other occupants residing permanently or temporarily on property.

PARK MODEL HOME. See **RECREATIONAL PARK TRAILER**

PERSON. An individual, corporation, partnership, joint venture, association, social club, fraternal organization, trust, estate, receiver, or any other entity, public or private, or any other group acting as a unit.

PERSON RESPONSIBLE FOR THE VIOLATION means any person who has an interest in or resides on the property where the alleged violation is occurring, whether as owner, tenant, occupant, or otherwise.

PEST ELIMINATION. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.

PREMISES. Any building, lot, plot or parcel, real estate, or land or portion of land, easement or public way, whether improved or unimproved, occupied or unoccupied, including any structures thereon, adjacent streets, sidewalks, parkways and parking strips.

PROPERTY means any real property including but not limited to land, lot, or parcel of land, or any hereditament held by any owner, and shall include any alley, sidewalk, parkway or unimproved public easement abutting such real property, lot or parcel of land.

PUBLIC NUISANCE See Nuisance

PUBLIC OFFICER. means any officer who is in charge of any department or branch of the government of the county relating to health, fire, building regulation, or other activities concerning dwellings, buildings, structures, or premises in the county. The official designated in YCC 13.04.010 as the official authorized and designated as responsible for the enforcement and administration of YCC Title 13 shall have the authority to exercise such powers of enforcement as are authorized in RCW 35.80 and YCC 13.11. See also "Building Official" and "Code Official"

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

RECREATIONAL PARK TRAILER. Per Chapter 296-150P WAC, a "recreational park trailer" is a trailer-type unit that is primarily designed to provide temporary living quarters for recreational, camping or seasonal use, that meets the following criteria:

1. Built on a single chassis, mounted on wheels;
2. Having a gross trailer area not exceeding 400 square feet (37.15 square meters) in the set-up mode; and
3. Certified by the manufacturer as complying with ANSI A119.5

RECREATIONAL VEHICLE Per Chapter 296-150R WAC, a "recreational vehicle" is a vehicular type unit primarily designed as temporary living quarters for recreational camping, travel, or seasonal use that either has its own motive power or is mounted on, or

towed by, another vehicle. Recreational vehicles include: Camping trailers, fifth-wheel trailers, motor homes, travel trailers, and truck campers.

REPEAT VIOLATION means a violation of the same regulation in any location by the same person, for which voluntary compliance previously has been sought or a notice of abatement has been issued, within the immediately preceding twelve consecutive month period.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

SCRAP means any manufactured metal or vehicle parts useful only as material for reprocessing.

SCRAP PROCESSOR means a licensed establishment that maintains a hydraulic baler and shears, or a shredder for recycling salvage.

SCREENED means not visible from any portion or elevation of any neighboring or adjacent public or private property, easement or right-of-way.

SHALL is defined to have the following meanings:

1. With respect to the functions and powers of the building official, any agents, officers or employees of Yakima County and Board authorized hereunder, a direction and authorization to act in the exercise of sound discretion and in good faith;
2. With respect to the obligations upon owners and occupants of premises and their agents, a mandatory requirement to act in compliance with this code at the risk of civil and criminal liability upon failure to so act.

[B] SLEEPING UNIT A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

STRICT LIABILITY OFFENSE. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

STRUCTURE. Structure means anything constructed, built or planted upon, any edifice or building of any kind, or any piece of work artificially built up or compiled of parts joined together in some definite manner, which structure requires location on the ground or is attached to something having a location on the ground, including fences, gates, garages, carports, swimming and wading pools, patios, outdoor areas, paved areas, walks, tennis courts and similar recreation areas.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

ULTIMATE DEFORMATION. The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.

VEHICLE means and includes every device capable of being moved upon a public highway and in, upon, or by which any persons or property is or may be transported or drawn upon a public highway, excepting devices moved by human or animal power or used exclusively upon stationary rails or tracks.

Motorcycles shall be considered vehicles for the purposes of this code. Mopeds and bicycles shall not be considered vehicles for the purposes of this code.

VEHICLE DEALER means any person, firm, association, corporation, or trust, not excluded by RCW 46.70.011, Definitions, subsection (18), engaged in the business of buying, selling, listing, exchanging, offering, brokering, leasing with an option to purchase, auctioning, soliciting, or advertising the sale of new or used vehicles, or arranging or offering or attempting to solicit or negotiate on behalf of others, a sale, purchase, or exchange of an interest in new or used motor vehicles, irrespective of whether the motor vehicles are owned by that person. Vehicle dealers shall be classified as provided in RCW 46.70.011 (17) (a), (b), (c), and (d).

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

WRECKED means that which has outward manifestation or appearance of damage to parts and contents which are essential to operation.

YARD. An open space on the same lot with a structure.

13.11.030 Amendments to Chapters 3 through 8 of the International Property Maintenance Code, 2018 Edition

Chapters 3 through 8 of the International Property Maintenance Code, 2018 Edition, are amended by renumbering the chapters and chapter sections as Chapters 4 through 9, and further amended as follows:

Chapter 4 General Requirements

Section 401 General

401.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

401.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

401.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

Section 402 Exterior Property Areas

402.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

402.2 Grading and drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

402.3 (Reserved)

402.4 (Reserved)

402.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

402.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.

402.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

402.8 Motor vehicles. Except as provided for in other regulations, including but not limited to RCW 46.55.240, YCC 19, no inoperative or unlicensed motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

402.9 (Reserved

Section 403 Swimming Pools, Spas and Hot Tubs

403.1 Swimming pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

403.2 Enclosures. Private swimming pools containing water more than 24 inches (610 mm) in depth shall comply with the provisions of Section 305 of the International Swimming Pool and Spa Code as adopted and amended in YCC Title 13. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier as provided by YCC Title 13.

Section 404 Exterior Structure

404.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

404.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;
3. Structures or components thereof that have reached their limit state;
4. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;
5. Structural members that have evidence of deterioration or that are not capable of safely supporting all nominal loads and load effects;
6. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;
7. Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not

properly anchored or are not capable of supporting all nominal loads and resisting all load effects;

8. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration , fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
9. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;
10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
11. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;
12. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guard s and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects; or
13. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. When substantiated otherwise by an approved method.
2. Demolition of unsafe conditions shall be permitted when approved by the building official.

404.2 (Reserved)

404.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or

alphabet letters. Numbers shall be a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

404.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

404.5 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

404.6 Exterior walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof.

404.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof water shall not be discharged in a manner that creates a public nuisance.

404.8 (Reserved)

404.9 (Reserved)

404.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

404.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair.

404.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

404.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

403.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

403.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

404.14 (Reserved)

404.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 802.3.

404.16 (Reserved)

404.17 (Reserved)

404.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

404.18.1 Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall have a throw of not less than 1 inch (25 mm). Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

404.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.

404.18.3 Basement hatchways. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

Section 405 Interior Structure

405.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

405.1.1 Unsafe conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;

2. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations is not capable of resisting all nominal loads or load effects;

3. Structures or components thereof that have reached their limit state;

4. Structural members are incapable of supporting nominal loads and load effects;

5. Stairs, landings, balconies and all similar walking surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects;

6. Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

1. When substantiated otherwise by an approved method.

2. Demolition of unsafe conditions shall be permitted when approved by the building official.

405.2 Structural members. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

405.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

405.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

405.5 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

405.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

Section 406 Component Serviceability

406.1 General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

406.1.1 Unsafe conditions. Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and

shall be repaired or replaced to comply with the International Building Code as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:

1.1. Collapse of footing or foundation system;

1.2. Damage to footing, foundation, concrete or other structural element due to soil expansion;

1.3. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;

1.4. Inadequate soil as determined by a geotechnical investigation;

1.5. Where the allowable bearing capacity of the soil is in doubt; or

1.6. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.

2. Concrete that has been subjected to any of the following conditions:

2.1. Deterioration;

2.2. Ultimate deformation;

2.3. Fractures;

2.4. Fissures;

2.5. Spalling;

2.6. Exposed reinforcement; or

2.7. Detached, dislodged or failing connections.

3. Aluminum that has been subjected to any of the following conditions:

3.1. Deterioration;

3.2. Corrosion;

3.3. Elastic deformation;

3.4. Ultimate deformation;

3.5. Stress or strain cracks;

3.6. Joint fatigue; or

3.7. Detached, dislodged or failing connections.

4. Masonry that has been subjected to any of the following conditions:

4.1. Deterioration;

4.2. Ultimate deformation;

4.3. Fractures in masonry or mortar joints;

4.4. Fissures in masonry or mortar joints;

4.5. Spalling;

4.6. Exposed reinforcement; or

4.7. Detached, dislodged or failing connections.

5. Steel that has been subjected to any of the following conditions:

5.1. Deterioration;

5.2. Elastic deformation;

5.3. Ultimate deformation;

5.4. Metal fatigue; or

5.5. Detached, dislodged or failing connections.

6. Wood that has been subjected to any of the following conditions:

6.1. Ultimate deformation;

6.2. Deterioration;

6.3. Damage from insects, rodents and other vermin;

6.4. Fire damage beyond charring;

6.5. Significant splits and checks;

6.6. Horizontal shear cracks;

6.7. Vertical shear cracks;

6.8. Inadequate support;

6.9. Detached, dislodged or failing connections; or

6.10. Excessive cutting and notching.

Exceptions:

1. When substantiated otherwise by an approved method.

2. Demolition of unsafe conditions shall be permitted when approved by the building official.

Section 407 Handrails And Guardrails

407.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more

than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code.

Section 408 Rubbish And Garbage

408.1 Accumulation of rubbish or garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

408.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

408.2.1 Rubbish storage facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

408.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.

408.3 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.

408.3.1 Garbage facilities. The owner of every dwelling shall supply one of the following: an approved mechanical food waste grinder in each dwelling unit; an approved incinerator unit in the structure available to the occupants in each dwelling unit; or an approved leak proof, covered, outside garbage container.

408.3.2 Containers. The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

Section 409 Pest Elimination

409.1 Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved

processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

409.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

409.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

409.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

409.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination.

Chapter 5 Light, Ventilation And Occupancy Limitations

Section 501 General

501.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

501.2 Responsibility. The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this chapter.

501.3 Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the *International Building Code* shall be permitted.

Section 502 Light

502.1 Habitable spaces. Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable

space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m2). The exterior glazing area shall be based on the total floor area being served.

502.2 Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one- and two family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m2) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 footcandle (11 lux) at floors, landings and treads.

502.3 Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

Section 503 Ventilation

503.1 Habitable spaces. Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 502.1.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m2). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

503.2 Bathrooms and toilet rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 503.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

503.3 Cooking facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

Exception:

1. Where specifically approved in writing by the building official.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

503.4 Process ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

503.5 Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the structure in accordance with the manufacturer's instructions.

Exception: Listed and labeled condensing (ductless) clothes dryers.

Section 504 Occupancy Limitations

504.1 Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

504.2 Minimum room widths. A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counter fronts and appliances or counter fronts and walls.

504.3 Minimum ceiling heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm).

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.

2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts and similar obstructions.

3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

504.4 Bedroom and living room requirements. Every bedroom and living room shall comply with the requirements of Sections 504.4.1 through 504.4.5.

504.4.1 Room area. Every living room shall contain at least 120 square feet (11.2 m^2) and every bedroom shall contain at least 70 square feet (6.5 m^2).

504.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

Exception: Units that contain fewer than two bedrooms.

504.4.3 Water closet accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

504.4.4 Prohibited occupancy. Kitchens and non-habitable spaces shall not be used for sleeping purposes.

504.4.5 Other requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities requirements of Chapter 6; the heating facilities and electrical receptacle requirements of Chapter 7; and the smoke detector and emergency escape requirements of Chapter 8.

504.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 504.5

Table 504.5

MINIMUM AREA REQUIREMENTS

SPACE	MINIMUM AREA IN SQUARE FEET		
	1-2 occupants	3-5 occupants	6 or more occupants
Living room [a, b]	120	120	150
Dining room [a, b]	No Requirement	80	100
Bedrooms	Shall comply with Section 504.4.1		

a. See Section 504.5.2 for combined living room/dining room spaces.

b. See Section 504.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

504.5.1 Sleeping area. The minimum occupancy area required by Table 504.5 shall not be included in as a sleeping area in determining the minimum occupancy area for sleeping purposes. Sleeping areas shall comply with Section 504.4.

504.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 504.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

504.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m^2). A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m2). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m2). These required areas shall be exclusive of the areas required by Items 2 and 3.

2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.

3. The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.

4. The maximum number of occupants shall be three.

504.7 Food preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.

Chapter 6 Plumbing Facilities And Fixture Requirements

Section 601 General

601.1 Scope. The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

601.2 Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter.

Section 602 Required Facilities

602.1 Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

602.2 Rooming houses. At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

602.3 Hotels. Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.

602.4 Employees' facilities. A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

602.4.1 Drinking facilities. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

602.5 (RESERVED)

Section 603 Toilet Rooms

603.1 Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

603.2 Location. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or housekeeping units, shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

603.3 Location of employee toilet facilities. Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

603.4 Floor surface. In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

Section 604 Plumbing Systems And Fixtures

604.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

604.2 Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

604.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back-siphonage, improper installation, deterioration or damage or for

similar reasons, the building official shall require the defects to be corrected to eliminate the hazard.

Section 605 Water System

605.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *Uniform Plumbing Code*.

605.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

605.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

605.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

Section 606 Sanitary Drainage System

606.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

606.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

606.3 (RESERVED)

Section 607 Storm Drainage

607.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

Chapter 7 Mechanical And Electrical Requirements

Section 701 General

701.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

701.2 Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.

Section 702 Heating Facilities

702.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

702.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in TABLE R301.2 (1) of the *International Residential Code*. Cooking appliances shall not be used, nor shall potable unvented fuel-burning space heaters be used, as a means to provide required space heating.

Exception: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

702.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory, sleeping unit or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required

provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in TABLE R301.2 (1) of the *International Residential Code*.

2. In areas where the average monthly temperature is above 30°F (-1°C) a minimum temperature of 65°F (18°C) shall be maintained.

702.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activities.

702.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

Section 703 Mechanical Equipment

703.1 Mechanical appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

703.2 Removal of combustion products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

703.3 Clearances. All required clearances to combustible materials shall be maintained.

703.4 Safety controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

703.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

703.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent

piping there from, shall not be installed unless labeled for such purpose and the installation is specifically approved.

Section 704 Electrical Facilities

704.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 705.

704.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the *Electrical Code*. Dwelling units shall be served by a three-wire, 120/240 volt, single phase electrical service having a minimum rating of 60 amperes.

704.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the building official shall require the defects to be corrected to eliminate the hazard.

704.3.1 (Reserved)

704.3.1.1 (Reserved)

704.3.2 (Reserved)

704.3.2.1 (Reserved)

Section 705 Electrical Equipment

705.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

705.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

705.3 Luminaires. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire. Pool and spa luminaires over 15 V shall have ground fault circuit interrupter protection.

705.4 Wiring. Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within floors, walls, or ceilings.

Section 706 Elevators, Escalators And Dumbwaiters

706.1 General. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certification of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the building operator, or be posted in a publically conspicuous location approved by the building official. The inspection and tests shall be performed at not less than the periodical intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.

706.2 Elevators. In buildings equipped with passenger elevators, not less than one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

Section 707 Duct Systems

707.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

Chapter 8 Fire Safety Requirements

Section 801 General

801.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

801.2 Responsibility. The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that do not comply with the requirements of this chapter.

Section 802 Means Of Egress

[F] 802.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code.*

[F] 802.2 Aisles. The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

[F] 802.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *International Building Code*.

[F] 802.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

Section 803 Fire-Resistance Ratings

[F] 803.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

[F] 803.2 Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smoke-stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

Section 804 Fire Protection Systems

[F] 804.1 General. Systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

[F] 804.1.1 Automatic sprinkler systems. Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

[F] 804.1.2 Fire department connection. Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such signs shall have the letters "FDC" not less than 6 inches (152 mm) high and words in letters not less than 2 inches (51 mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire marshal.

[F] 804.2 Single – and multiple-station Smoke alarms. Single- and multiple-station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 804.2.2 and 804.2.3.

[F] 804.2.1 Where required. Existing Group I-1 and R occupancies shall be provided with single-station smoke alarms in accordance with Sections 804.2.1.1 through 804.2.1.4. Interconnection and power sources shall be in accordance with Sections 804.2.2 and 804.2.3.

Exceptions:

1. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided that the existing smoke alarms comply with requirements that were in effect at the time of installation.
3. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

[F] 804.2.1.1 Group R-1. Single- and multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

1. In sleeping areas.
2. In every room in the path of the means of egress from the sleeping area to the door leading from the sleeping unit.
3. In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[F] 804.2.1.2 Groups R-2, R-3, R-4 and I-1. Single- and multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4, and I-1 regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basement but not crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

[F] 804.2.1.3 Installation near cooking appliances. Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 804.2.1.1 or 804.2.1.2.

1. Ionization smoke alarms shall not be installed less than 20 feet (6096 mm) horizontally from a permanently installed cooking appliance.
2. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.
3. Photoelectric smoke alarms shall not be installed less than 6 feet (1829 mm) horizontally from a permanently installed cooking appliance.

[F] 804.2.1.4 Installation near bathrooms. Smoke alarms shall be installed not less than 3 feet (914 mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 804.2.1.1 or 804.2.1.2.

[F] 804.2.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling or sleeping unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound on activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.
2. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.

[F] 804.3 Power source. Single-station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for over-current protection.

Exceptions:

1. Smoke alarms are permitted to be solely battery operated in existing buildings where no construction is taking place.
2. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
3. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for building wiring without the removal of interior finishes.

[F] 804.2.4 Smoke detection system. Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

1. The fire alarm system shall comply with all applicable requirements in Section 907 of the International Fire Code.
2. Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the dwelling or sleeping unit in accordance with Section 907.5.3 of the International Fire Code.

3. Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the dwelling or sleeping unit, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.5 of the International Fire Code.

Chapter 9 Referenced Standards

This chapter lists the standards that are referenced in various sections of this code. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and the title and section or sections of this code that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

ASME American Society of Mechanical Engineers
Three Park Avenue
New York, NY 10016-5990

Standard Reference Number	Title	Referenced in Code Section Number
A17.1 /CSA B44-	2013 Safety Code for Elevators and Escalators	706.1

ASTM ASTM International
100 Barr Harbor Drive
West Conshohocken, PA 19428-2959

Standard Reference Number	Title	Referenced in Code Section Number
F1346 – 91 (2010)	Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs	403.2

ICC International Code Council
500 New Jersey Avenue, NW
6th Floor
Washington, D.C. 20001

Standard Reference Number	Title	Referenced in Code Section Number
IBC – 18	International Building Code®	102.3, 301.3, 404.1.1, 406.1.1, 501.3, 802.3
IFC – 18	International Fire Code®	102.3, 301.3, 704.3.1.1, 704.3.2.1, 802.1, 802.2, 804.1, 804.2
IEBC - 18	International Existing Building Code®	102.3, 405.1.1, 406.1.1
IFGC – 18	International Fuel Gas Code®	102.3
IMC – 18	International Mechanical Code®	102.3, 301.3
IPC-18	International Plumbing Code®	102.3, 301.3, 605.1, 702.2, 702.3
IZC-18	International Zoning Code®	102.3, 301.3

NFPA National Fire Protection Association
1 Batterymarch Park
Quincy, MA 02269

Standard Reference Number	Title	Referenced in Code Section Number
25-14	Inspection, Testing and Maintenance of Water-based Fire Protection Systems	804.1.1
70-14	National Electrical Code	102.4, 301.3, 704.2

Chapter 13.12
INTERNATIONAL WILDLAND-URBAN INTERFACE CODE

13.12.010 Adoption of Appendices.

Appendix –A Is Adopted

Appendix -C Is Adopted.

13.12.020 Amendments to Chapter 1, Section 101.1 Scope and General Requirements, Section 104. Authority of the Code Official and Section 104.1 General. Section 104.1, 104.3, and Section 106.1 of the International Wildland-Urban Interface Code, 2018 Edition, are amended as follows:

101.1 Title. These regulations shall be known the Wildland-Urban Interface Code of Yakima County, hereinafter referred to as "this code".

104.1 Powers and duties of the code official. The building official and fire marshal are hereby authorized to administer and enforce this code, or designated sections thereof, and all ordinances of Yakima County pertaining to designated wildland-urban interface areas. For such purposes, the code building official and fire marshal shall have the powers of a law enforcement officer.

104.2 Interpretations rules and regulations. The building official and fire marshal jointly shall have the power to render interpretations of this code and to adopt and enforce rules and supplemental regulations to clarify the application of its provisions. Such interpretations, rules and regulations shall be in conformance to the intent and purpose of this code and shall have the effect of law.

A copy of such rules and regulations shall be filed with the clerk of the jurisdiction and shall be in effect immediately thereafter. Additional copies shall be available for distribution to the public

104.3 Liability. The code building official, fire marshal, officer or employee charged with the enforcement of this code, while in the discharge of their official duties, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damages that may accrue accruing to persons or property as a result of an act required, or permitted, or omission in the scope of their official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official, fire marshal or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of

this code; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

106.1 General. The board of appeals created in Section 113 of the International Building Code as amended in YCC 13.05.060 shall hear and decide appeals of orders, decisions or determinations made by the code official relative to the application and interpretation of this code. The code official shall be an ex-officio member of said board but shall have no vote on any matter before the board. The board shall follow the rules of procedure for conducting its business set forth in Section 113 of the International Building Code as amended in YCC 13.05.060, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

13.12.030 Amendments to Chapter 1, Section 107, Permits

Section 107.3, Work exempt from permits, of the International Wildland-Urban Interface Code, 2018 Edition, is hereby amended as follows:

107.3 Work exempt from permits

Unless otherwise provided in the requirements of the International Building Code or International Fire Code, a permit shall not be required for the following:

1. One story detached accessory structures used as tool and storage sheds, play houses and similar uses, provided the horizontal projected roof area does not exceed 200 square feet, and the structure is located more than 50 feet from the nearest adjacent structure.

13.12.040 Amendment to Chapter 2, Section 202, Definitions.

Section 202 of the International Wildland-Urban Interface Code is hereby amended by the addition of the following:

SUBDIVISION is the division or re-division of land into five or more lots, tracts, parcels, sites or divisions for the purpose of sale, lease, or transfer of ownership.

13.12.050 Amendment to Chapter 3, Section 302, Wildland-Urban Interface Area Designations.

Subsection 302.1 of the International Wildland-Urban Interface Code is hereby amended as follows:

302.1 Declaration. Specific boundaries of natural or man-made features of Wildland - Urban interface areas shall be as shown on the Wildland-Urban interface area map. These areas shall include all areas of Yakima County as identified by risk factor classification according to Appendix C Risk factor classifications are identified as follows:

Non-Rated or Low* - Slope less than 8%, light fuels

Moderate Hazard* - Slope greater than 8%, but less than 20%, medium fuels

High Hazard* - Slope greater than 20%, but less than30%, heavy fuels

Extreme Hazard* - Slope greater than 30%, heavy fuels

* Risk factor classifications are not absolute.

13.12.060 Amendments to Chapter 4, Section 404.5, Adequate Water Supply.

Section 404.5, Adequate Water Supply, of the International Wildland-Urban Interface Code, 2018 Edition, is hereby deleted and replaced as follows:

404.5 Adequate Water Supply. Adequate water supply shall be determined for purposes of initial attack and flame front control as in accordance with YCC 13.10.090.

13.12.070 Amendments to Chapter 5, Section 501 General.

Section 501.1 is amended as follows:

501.1 Scope. Buildings and structures shall be constructed in accordance with the International Building Code and this code.

Exceptions:

1. Accessory structures not exceeding 200 square feet in area, including such structures as communication towers, utility substations, and wind power generation machines, when located at least 50 feet (15 240 mm) from buildings containing habitable spaces.

2. Agricultural buildings at least 50 feet (15 240 mm) from buildings containing habitable spaces.

13.12.080 RESERVED

13.12.090 Amendments to Appendix A General Requirements

Subsection A101.1 Scope, of the International Wildland-Urban Interface Code, 2018 Edition, is hereby amended as follows:

A101.1 Scope The provisions of this appendix establish general requirements applicable to new and existing properties located within wildland/urban interface areas.

Exception: Existing Group R-3 and U occupancies

Subsection A104.6 Fireworks, of the International Wildland-Urban Interface Code, 2018 Edition, is hereby amended as follows:

A104.6 Fireworks. Fireworks shall not be used or possessed in Wildland-Urban interface areas.

Exception: Fireworks allowed by the fire marshal under permit in accordance with the Yakima County Code Title 8.46 or other designated regulatory provisions.

13.12.100 Amendments to Appendix A General Requirements

Subsection A104.7.1 General, of the International Wildland-Urban Interface Code, 2018 Edition, is hereby amended as follows:

A104.7.1 General. No person shall build, ignite or maintain any outdoor fire of any kind for any purpose in or on any Wildland-Urban interface area, except by the authority of a written permit from a regulatory agency having jurisdictional authority.

Exceptions:

1. Outdoor fires within inhabited premises or designated campsites where such fires are in a permanent barbecue, portable barbecue, outdoor fireplace, incinerator or grill and are a minimum of 30 feet (9 144 mm) from any combustible material or non-fire-resistive vegetation.
2. Outdoor fires as permitted on state and federal lands.

13.12.110 Amendments to Appendix A General Requirements

Subsection A104.7.2 Permits, of the International Wildland-Urban Interface Code, 2018 Edition, is hereby amended as follows:

A104.7.2 Permits. Permits shall incorporate such terms and conditions that will reasonably safeguard public safety and property. Outdoor fires shall not be built, ignited or maintained in or on hazardous fire areas under the following conditions:

1. When winds are in excess of five miles per hour.
2. When a person 18years old or over is not present at all times to watch and tend such fire, or
3. When a public announcement is made that open burning is prohibited.

Nothing in this code shall relieve the responsibility to obtain permits from any other regulatory agency when required.

13.12.120 Amendments to Appendix A General Requirements

Subsection A107.4 Trees, of the International Wildland-Urban Interface Code, 2018 Edition, is hereby amended as follows:

A107.4 Trees. When required by the fire marshal, portions of trees that extend to within 30 feet (9 144 mm) of combustible portions of water storage and pumping facilities shall be removed.

13.12.130 Amendments to Appendix A General Requirements

Subsection A108.1 General, of the International Wildland-Urban Interface Code, 2018 Edition, is hereby amended as follows:

A108.1 General. Temporary fairs, carnivals, public exhibitions and similar uses must comply with all other provisions of this code, and all associated county regulations, in addition to enhanced ingress and egress requirements.

13.12.140 (Reserved.)

13.12.150 Conflicting codes and ordinances

Where existing codes and ordinances, or parts thereof, are in conflict or inconsistent with the provisions of this chapter and the International Wildland-Urban Interface Code, the most restrictive provisions shall apply.

13.13

Amendments to International Existing Building Code

13.13.010 Amendment to Chapter 1, Section 103, Department of building safety and Section 104, Duties and powers of the building official Section 103, Department of building safety and Section 104, Duties and powers of the building official of the International Existing Building Code, 2018 Edition, is hereby amended as follows:

Section 103 Creation of enforcement agency.

103.1 Creation of enforcement agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official. The building and fire safety division of the public services department shall function as the enforcement agency.

103.2 Deleted. See YCC 13.04.010

103.3. Deputies. In accordance with prescribed procedures and with the approval of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plans examiners and other employees. Such employees shall have powers as delegated by the building official.

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer. The building official shall have the authority to render interpretations of this code and to adopt and enforce rules, policies and procedures in order to clarify the application of its provisions. Such interpretations, rules, policies and procedures shall be in conformance with the intent and purpose of this code. Such rules, policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. Such rules, policies and procedures adopted by the building official as authorized in this code shall become part of Chapter 1, Administration, and shall be applied in conjunction with the provisions of Chapter 1.

104.8 Liability. The building official, , or employee charged with the enforcement of this code, while in the discharge of their official duties shall not thereby be rendered liable personally and is hereby relieved from all personal liability for any damage accruing to persons or property

as a result of an act required, or permitted, or in the scope of their official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the code enforcement agency, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

13.13.020 Amendments to Chapter 1, Section 108, Fees, Section 108 of the International Existing Building Code, 2018 Edition, is amended as follows:

108.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

108.2 Schedule of permit fees. On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fee for each permit shall be as set forth in Amended Table 1-A as established in YCC 13.24.020.

108.2.1 Plan Review Fees. When submittal documents are required to be submitted by Section 105, a plan review fee in addition to the permit fee shall be paid at the time of submitting submittal documents for plan review. Said plan review fee shall be SIXTY-FIVE (65) PERCENT of the building permit fee as shown in Amended Table 1-A.

The plan review fees specified in this subsection are separate fees from the permit fees specified in Section 108.2 and are in addition to the permit fees.

When submittal documents are incomplete or changed so as to require additional plan review, or when the project involves phased approvals or deferred submittal items as defined in Sections 106.3.3 and 106.3.4, an additional plan review fee shall be charged at the rate shown in Amended Table 1-A.

108.3 Building permit valuations.

The determination of value or valuation under any of the provisions of this code shall be made by the Building Official by reference to the "building valuation data" as published by the International Code Council. The value to be used in computing the building permit and building plan review fee shall be the total value of all construction work for which the permit is issued. The value or valuation to be used in calculating fees is calculated from the "building valuation data" published by the International Code Council by taking the value per square foot area for the occupancy group and construction type that matches the occupancy group and the construction type of the building for which a permit application has been submitted from the valuation table, and multiplying that value by the building area, as defined in IBC Section 202, to establish the valuation to be used in calculating the permit fee and the plan review fee as set forth in section 108.2 and 108.2.1.

108.4 Work Commencing Before Permit Issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an additional fee established by the building official that shall be in addition to the required permit fees. 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 cost of enforcement to the jurisdiction. The minimum investigation fee shall be the same as the permit fee set forth in Amended Table 1-A. 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.

108.5 Related fees. The payment of the fee for the construction, alteration, removal or demolition of work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

108.6 Refunds. The building official is authorized to establish a refund policy.

13.13.030 Amendments to Chapter 1, Section 112. Section 112 of the International Existing Building Code, 2018 Edition, is amended as follows:

112.1 General. The board of appeals created in Section 113 of the International Building Code as amended in YCC 13.05.060 shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. The building official shall be an ex-officio member of said board but shall have no vote on

any matter before the board The board shall follow the rules of procedure for conducting its business set forth in Section 113 of the International Building Code as amended in YCC 13.05.060, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

112.2 Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements of this code.

13.14

Amendments to International Code Council Performance Code

13.14.010 Amendment to Chapter 1, Section 102 Administrative Provisions. Section 102 of the International Performance Code, 2018 Edition, is hereby amended as follows:

102.1.1 General. The building official is hereby authorized and directed to enforce all the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer. The building official shall have the authority to render interpretations of this code and to adopt and enforce rules, policies and procedures to clarify the application of its provisions. Such interpretations, rules, policies and procedures shall be in conformance with the intent and purpose of this code. Such rules, policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. Such rules, policies and procedures adopted by the building official as authorized in this code shall become part of Chapter 1, Administration, and shall be applied in conjunction with the provisions of Chapter 1.

102.1.2 Liability. The building official, officer or employee charged with the enforcement of this code, while in the discharge of their official duties, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required, or permitted, or in the scope of their official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

13.14.020 Amendments to Chapter 1, Section 102.2.9, Supplemental Enforcement, Section 102.2.9 of the International Code Council Performance Code, 2018 Edition, is amended as follows:

102.2.9 Supplemental enforcement. Administrative provisions of the International Building Code, as amended in YCC 13.05, The International Residential Code, as amended in YCC 13.06, The International Mechanical Code and International Fuel Gas Code, as amended in YCC 13.07, the

Uniform Plumbing Code, as amended in YCC 13.08, the International Fire Code, as amended in YCC 13.10, the International Wildland/Urban Interface Code, as amended in YCC 13.12, the International Existing Building Code, as amended in YCC 13.13, and the International Energy Conservation Code, as amended in YCC 13.15, regarding plan review, permit issue, inspection and enforcement shall supplement these provisions.

13.15 International Energy Conservation Code

Amendments to International Energy Conservation Code

13.15.010 Amendments to Chapter 1, Section R107.2, Schedule of permit fees. Section R107.2 and Section R107.3 of the International Energy Conservation Code, 2018 Edition, are amended as follows:

R107.2 Schedule of permit fees. A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fees for each permit shall be as established in YCC 13.24.080.

R107.3 Work commencing before permit issuance. Any person who commences work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. 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 cost of enforcement to the jurisdiction. The minimum investigation fee shall be the same as the permit fee set forth in YCC 13.24.080. 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.

13.15.020 Amendments to Chapter 1, Section R109, Board of Appeals. Section R109.1, General, of the International Energy Conservation Code, 2018 Edition, is amended as follows:

R109.1 General. The board of appeals created in Section 113 of the International Building Code as amended in YCC 13.05.060 shall hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code. The *code official* shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall follow the rules of procedure for conducting its business set forth in Section 113 of the International Building Code as amended in YCC 13.05.060, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

13.15.030 Amendments to Chapter 1, Section R110, Violations. Section R110 of the International Energy Conservation Code, 2018 Edition, is amended as follows:

Section R110 Violations. It shall be unlawful for any person, firm, or corporation to erect or construct any building, or remodel or rehabilitate any existing building or structure in the state, or allow the same to be done, contrary to or in violation of any of the provisions of this code.

R110.1 Notice of violation. The building official, or his designee, is authorized to serve a notice of violation or order on the property owner and other person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the unlawful activity, action or condition and the abatement of the violation. Such notice and order shall be in accordance with the provisions of YCC 13 25 015.

R110.2 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

R110.2.1 Violation of a notice or order deemed a misdemeanor or infraction. Any person, firm or corporation failing to comply with a notice of a violation or order to comply served in accordance with Section R110.2 shall be subject to issuance of a misdemeanor citation and / or civil infraction as provided in YCC Chapter 13.25. If the notice of a violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. All costs to the County of any action taken by the County on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

R110.3 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive or order of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to

penalties as prescribed by law and as provided in YCC 13.25.015. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

13.15.040 Amendments to Chapter 1, Section C107.2, Schedule of permit fees. Section C107.2 and Section C107.3 of the International Energy Conservation Code, 2018 Edition, are amended as follows:

C107.2 Schedule of permit fees. A fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The fees for each permit shall be as established in YCC 13.24.080.

C107.3 Work commencing before permit issuance. Any person who commences work on a building, structure, electrical, gas, mechanical, or plumbing system before obtaining the necessary permits shall be subject to a fee established by the code official, that shall be in addition to the required permit fees. 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 jurisdiction's cost of enforcement. The minimum investigation fee shall be the same as the permit fee set forth in YCC 13.24.080. 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.

13.15.050 Amendments to Chapter 1, Section C109, Board of Appeals. Section C109.1, General, of the International Energy Conservation Code, 2018 Edition, are amended as follows:

C109.1 General. The board of appeals created in Section 113 of the International Building Code as amended in YCC 13.05.060 shall hear and decide appeals of orders, decisions or determinations made by the *code official* relative to the application and interpretation of this code. The *code official* shall be an ex officio member of said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall follow the rules of procedure for conducting its business set forth in Section 113 of the International Building Code as amended in YCC 13.05.060, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the *code official*.

13.15.060 Amendments to Chapter 1, Section C110, Violations. Section C110 of the International Energy Conservation Code, 2018 Edition, is amended as follows:

Section C110 Violations. It shall be unlawful for any person, firm, or corporation to erect or construct any building, or remodel or rehabilitate any existing building or structure in the state, or allow the same to be done, contrary to or in violation of any of the provisions of this code.

C110. 1 Notice of violation. The building official, or his designee, is authorized to serve a notice of violation or order on the property owner and other person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a detail statement or a plan approved thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the unlawful activity, action or condition and the abatement of the violation. Such notice and order shall be in accordance with the provisions of YCC 13 25 015.

C110.2 Prosecution of violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

C110.2.1 Violation of a notice or order deemed a misdemeanor or infraction. Any person, firm or corporation failing to comply with a notice of a violation or order to comply served in accordance with Section C110.2 shall be subject to issuance of a misdemeanor citation and / or civil infraction as provided in YCC Chapter 13.25. If the notice of a violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. All costs to the County of any action taken by the County on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

C110.3 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive or order of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to

penalties as prescribed by law and as provided in YCC 13.25.015. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

13.16 International Swimming Pool and Spa Code

Amendments to International Swimming Pool and Spa Code

13.16.020 Amendments to Chapter 1, Section 103 Department of building safety, Section 103.1, 103.2, 103.3, 103.4, and Section 104 Duties and Powers of Code Official, Section 104.1 General. Sections 103.1, 103.2, 103.3, 103.4, and Section 104.1, of the International Swimming Pool and Spa Code, 2018 Edition are hereby amended as follows:

Section 103, Creation of enforcement agency.

103.1 Creation of enforcement agency. There is hereby established in this jurisdiction a code enforcement agency which shall be under the administrative and operational control of the building official. The building and fire safety division of the public services department shall function as the enforcement agency.

103.2 Deleted. See YCC 13.04.010

103.3. Deputies. In accordance with prescribed procedures of the jurisdiction and with the approval of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plans examiners and other employees. Such employees shall have powers as delegated by the building official.

103.4 Liability. The building official, officer or employee charged with the enforcement of this code, while acting in the discharge of their official duties, shall not thereby be rendered liable personally and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required, or permitted, or in the scope of their official duties. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the code enforcement agency, acting in good faith and without malice, shall be free from liability for acts performed

under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. For such purposes, the building official shall have the powers of a law enforcement officer. The building official shall have the authority to render interpretations of this code and to adopt and enforce rules, policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in conformance with the intent and purpose of this code. Such interpretations, policies and procedures shall not have the effect of waiving requirements specifically provided for in this code. Such interpretations, policies and procedures adopted by the building official as authorized in this code shall become part of Chapter 1, Administration, and shall be applied in conjunction with the provisions of Chapter 1.

13.16.030 Amendments to Chapter 1, Section 105, Fees, Sections 105.6.1, 105.6.2, and 105.6.3 of the International Swimming Pool and Spa Code, 2018 Edition, is amended as follows:

105.6.1 Work Commencing Before Permit Issuance. Any person who commences any work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. 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 cost of enforcement to the jurisdiction. The minimum investigation fee shall be the same as the permit fee set forth in Amended Table 1-A. 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.

105.6.2 Fee Schedule. The fee for each permit shall be as set forth in Amended Table 1-A as established in YCC 13.24.020.

105.6.3 Refunds. The building official is authorized to establish a refund policy.

13.16.040 Amendments to Section 106 Inspections, of the International Swimming Pool and Spa Code

13.16.050 Amendments to Section 107 Violations, Sections 107.4 and 107.5, of the International Swimming Pool and Spa Code. Sections 107.4 and 107.5 of the International Swimming Pool and Spa Code, 2018 Edition, are amended as follows:

107.4 Violation penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erect, install, alter or repair a pool or spa in violation of the approved construction documents or directive or order of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law and as provided in YCC 13.25.015. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

107.5 Stop work orders. Upon notice from the code official, work on any system that is being performed contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to prosecution and penalties as provided in YCC 13.25.015. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

13.16.060 Amendments to Chapter 1, Section 108 Means of Appeal, Section 108 of the International Swimming Pool and Spa Code, 2018 Edition, is amended as follows:

108.1 General. The board of appeals created in Section 113 of the International Building Code as amended in YCC 13.05.060 shall hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. The building official shall be an ex-officio member of said board but shall have no vote on any matter before the board The board shall follow the rules of procedure for conducting its business set forth in Section 113 of the International Building Code as amended in YCC 13.05.060, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official.

13.24

FEES

13.24.010 Amended Fee Tables and Fee Schedules. The fee tables and fee schedules contained in the various codes and regulations adopted in this title shall be amended as established herein.

***PLAN REVIEW fee is based on 65% of the established "PERMIT FEE" as calculated in Table 1-A & 1-1 and is in addition to the permit fee. Valuation calculated based on Supplement fee per square footage table.**

13.24.020 Building Code Table 1-A

AMENDED TABLE NO.1-A-BUILDING PERMIT FEES

TOTAL VALUATION	FEE
$1.00 to $500.00	**$26.15**
$501.00 to $2,000.00	**$26.15** for the first $500.00 plus **$3.70** for each additional $100.00 or fraction thereof, to and including $2,000.00
$2,001.00 to $25,000.00	**$81.65** for the first $2,000.00 plus **$15.75** for each additional $1,000.00 or fraction thereof, to and including $25,000.00
$25,001.00 to $50,000.00	**$443.90** for the first $25,000.00 plus **$11.60** for each additional $1,000.00 or fraction thereof, to and including $50,000.00
$50,001.00 to $100,000.00	**$733.90** for the first $50,000.00 plus **$7.90** for each additional $1,000.00 or fraction thereof, to and including $100,000.00
$100,001.00 to $500,000.00	**$1,128.90** for the first $100,000.00 plus **$6.30** for each additional $1,000.00 or fraction thereof to and including $500,000.00
$500,001.00 to $1,000,000.00	**$3,648.90** for the first $500,000.00 plus **$5.40** for each additional $1,000.00 or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	**$6,348.90** for the first $1,000,000.00 plus **$3.70** for each additional $1,000.00 or fraction thereof

OTHER INSPECTIONS AND FEES

1. Inspections outside of normal business hours (minimum charge two hours)	**$86.75** per hour*
2. Reinspection fees	**$86.75** per hour*
3. Inspections for which no fee is specifically indicated	**$86.75** per hour*
4. Additional plan review required by changes, additions or revisions to approved plans (minimum charge 1/2 hour)	**$86.75** per hour*
5. For use of outside consultants for plan checking, inspections, or both	**Actual costs****
6. Re-Roofing (Non-Residential) roofs up to 10,000 square feet **$173.50** plus **$86.75** additional for each 10,000 square feet or fraction thereof for roofs exceeding 10,000 square feet in area	**$173.50** minimum
7. Swimming Pools	**$129.80**
8. Mobile/Modular Homes — Single Wide	**$338.30**
Double Wide	**$399.65**
Triple Wide	**$460.90**
9. Commercial Coach — Single Wide	**$338.30**
Double Wide	**$399.65**
Triple Wide	**$460.90**
10. Relocations — Ag/Storage/Garage/Shed	**$86.75 per hour***
Residential	**$173.50**
11. Residence re-roof where roof sheathing is removed and replaced	**$86.75**
12. Home Occupation (Urban area only)	**$86.75**
13. Demolitions	**$86.75**
14.Bridges or elevated surfaces – Plan Review and Permit Fee	**$347.00** (4 hours)
15.Flood Hazard Determinations	**$105.40**
16. Flood Plain Development Permits	**$189.65**
17. Prefab – Open Carport/Storage Shed/Livestock Shelter	**$173.50**
18. Sign	**$86.75**
19. Change of Use	**$86.75**
21. Temporary Use	**$86.75**
22. Title Elimination Research	**$86.75**

* Or the total hourly cost to the jurisdiction, whichever is greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.

13.24.030 Building Code Tables A-33 A & B

AMENDED TABLE A-33-A--GRADING PLAN REVIEW FEES

50 cubic yards (38.2 M^3) or less	**No fee**
51 to 100 cubic yards (40 m^3 to 764.5 m^3)	**$25.25**
101 to 1,000 cubic yards (77.2 m^3 to 764.6 m^3)	**$37.90**
1,001 to 10,000 cubic yards (765.3 m^3 to 7645.5 m^3)	**$50.40**

10,001 to 100,000 cubic yards (7646.3 m^3 to 76,455 m^3)--**$50.40** for the first 10,000 cubic yards plus **$24.65** for each additional 10,000 yards (7645.5 m^3) or fraction thereof.

100,001 to 200,000 cubic yards (76,456 m^3 to 152,911 m^3)--**$272.25** for the first 100,000 cubic yards (76,455 m^3), plus **$14.90** for each additional 10,000 cubic yards (7645.5 m^3) or fraction thereof.

200,001 cubic yards (152,912 m^3) or more--**$421.25** for the first 200,000 cubic yards (152,911 m^3), plus **$7.55** for each additional 10,000 cubic yards (7645.5 m^3) or fraction thereof.

Other Fees:

Additional plan review required by changes, additions or revisions to approved plans (minimum charge--one-half hour) **$86.75** per hour*

*Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

AMENDED TABLE A-33-B--GRADING PERMIT FEES[1]

50 cubic yards (38.2 m^3) or less	**$25.25**
51 to 100 cubic yards (40 m^3 to 76.5 m^3)	**$37.90**

101 to 1,000 cubic yards (77.2 m^3 to 764.6 m^3)--**$37.90** for the first 100 cubic yards (76.5 m^3) plus **$17.30** for each additional 100 cubic yards (76.5 m^3) or fraction thereof.

1,001 to 10,000 cubic yards (765.3 m^3 to 7645.5 m^3)--**$193.60** for the first 1,000 cubic yards (764.6 m^3), plus **$14.90** for each additional 1,000 cubic yards (764.6 m^3) or fraction thereof.

10,001 to 100,000 cubic yards (7646.3 m^3 to 76,455 m^3)--**$327.70** for the first 10,000 cubic yards (7645.5 m^3), plus **$66.00** for each additional 10,000 cubic yards (7645.5 m^3) or fraction thereof.

100,001 cubic yards 76,456 m^3) or more--**$921.70** for the first 100,000 cubic yards (76,455 m^3), plus **$36.90** for each additional 10,000 cubic yards (7645.5 m^3) or fraction thereof.

Other Inspections and Fees:

1. Inspections outside of normal business hours (minimum charge--two hours) **$86.75** per hour[2]

2. Reinspection fees **$86.75** per hour[2]

3. Inspections for which no fee is specifically indicated. (minimum charge--one-half hour) **86.75** per hour[2]

[1] The fee for a grading permit authorizing additional work to that under a valid permit shall be the difference between the fee paid for the original permit and the fee shown for the entire project.

[2] Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

13.24.040 Mechanical Code Table 1-A

TABLE NO. 1-A--MECHANICAL PERMIT FEES

Permit Issuance	
(1) For the issuance of each permit	**$26.45**
(2) For issuing each supplemental permit	**$8.00**
Unit Fee Schedule (**Note**: The following does not include permit issuance fee)	
FURNACES	
(1) For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h	**$19.15**
(2) For the installation or relocation or each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h	**$22.75**
(3) For the installation or relocation of each floor furnace, including vent	**$15.80**
(4) For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	**$15.80**
APPLIANCE VENTS	
(5) For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	**$11.50**
REPAIRS OR ADDITIONS	
(6) For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls regulated by this code.	**$21.35**
BOILERS, COMPRESSORS AND ABSORPTION SYSTEMS	
(7) For the installation or relocation of each boiler or compressor to and including three horsepower, or each absorption system to and including 100,000 Btu/h	**$19.20**
(8) For the installation or relocation of each boiler or compressor over three horsepower to and including 15 horsepower (or 3.1 to 15 tons cooling), or each absorption system over 100,000 Btu/h and including 500,000 Btu/h	**$32.05**
(9) For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower (or 15.1 to 50 tons cooling), or each absorption system over 500,000 Btu/h to and including 1,000,000 Btu/h	**$43.65**
(10) For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower (or 30.1 to 50 tons cooling), for each absorption system over 1,000,000 Btu/h to and including 1,750,000 Btu/h	**$58.00**
(11) For the installation or relocation of each boiler or refrigeration compressor over 50 horsepower, (or 50.1 tons cooling or more) or each absorption system over 1,750,000 Btu/h	**$96.75**
AIR HANDLERS	
(12) For each air-handling unit to and including 10,000 cubic feet per minute, including ducts attached thereto	**$14.95**
Note: This fee shall not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in this code.	
(13) For each air-handling unit over 10,000 cfm	**$20.20**

EVAPORATIVE COOLERS	
(14)For each evaporative cooler other than portable type	**$14.95**
VENTILATION AND EXHAUST	
(15) For each ventilation fan connected to a single duct	**$11.50**
(16) For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit	**$11.50**
(17) For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood	**$15.80**
INCINERATORS	
(18) For the installation or relocation of each domestic-type incinerator	**$28.30**
(19) For the installation or relocation of each commercial or industrial-type incinerator	**$113.45**
MISCELLANEOUS	
(20) For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code	**$11.50**
(21) When IFGC is applicable (see Section 103), permit fees for fuel-gas piping shall be as follows:	
For each gas-piping system of one to four outlets	**$8.90**
For each gas-piping system of five or more outlets, per outlet	**$3.70**
(22) When IMC is applicable (see Section 103), permit fees for process piping shall be as follows:	
For each hazardous process piping system (HPP) of one to four outlets	**$3.70**
For each piping system of five or more outlets, per outlet	**$ 2.10**
For each nonhazardous process piping system(NPP) of one to four outlet	**$3.70**
For each piping system of five or more outlets, per outlet	**$1.20**
(23) Heating Appliance-Fire Place, Wood/Pellet Stove, Gas Log. "Insert or Freestanding"	**$40.45**
(24) Gas Range/Cooktop	**$11.50**
(25) HVAC (Ducting) Extend/repair/replace ducting serviced by an existing HVAC system.	**$21.35**
Other Inspections and Fees: (Fee is per hour)	
(1) Inspections outside of normal business hours	* **$86.75**
(2) Reinspection fees	* **$86.75**
(3) Inspections for which no fee is specifically indicated (minimum charge--one-half hour)	* **$86.75**
(4) Additional plan review required by changes, additions or revisions to approved plans (minimum charge--one-half hour)	* **$86.75**
* Or the total hourly cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	

13.24.050 Plumbing Code Table 1-1

TABLE NO. 1-1--PLUMBING PERMIT FEES

Permit Issuance	
(1) For issuing each permit	**$34.70**
(2) For issuing each supplemental permit	**$17.50**
Unit Fee Schedule (in addition to Items 1 and 2 above)	
(1)For each plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection therefor)	**$12.40**
(2) For each building sewer and each trailer park sewer	**A**
(3) Rainwater systems - per drain (inside building)	**$12.40**
(4) For each cesspool (where permitted)	**B**
(5) For each private sewage disposal system	**B**
(6) For each water heater and/or vent	**$12.40**
(7) For each industrial waste pretreatment interceptor including its trap and vent, excepting kitchen-type grease interceptors functioning as fixture traps	**$20.85**
(8) For each installation, alteration or repair of water piping and/or water treating equipment, each	**$12.40**
(9) For each repair or alteration of drainage or vent piping, each fixture	**$12.40**
(10) For each lawn sprinkler system on any one meter including backflow protection devices therefor	**$10.60**
(11) For atmospheric-type vacuum breakers not included in item 12:	
1-5	**$9.00**
over 5, each	**$2.50**
(12) For each backflow protective device other than atmospheric type vacuum breakers:	
2 inch diameter and smaller	**$12.40**
over 2 inch diameter	**$26.65**
Other Inspections and Fees	
(1) Inspections outside of normal business hours	* **$86.75**
(2) Reinspection fee	* **$86.75**
(3) Inspections for which no fee is specifically indicated	* **$86.75**
(4) Additional plan review required by changes, additions or revisions to approved plans, charge per Hour (minimum charge-one-half hour)	* **$86.75**
* Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of all the employees involved.	
(A) Obtain permit from Sewer Utility Operator.	
(B) Obtain permit from Yakima County Health District.	

13.24.060 Fire Code Operational Permits

Fees for operational permits as required in Section 105.6, other than those required in Section 105.6.51, in new structures and facilities shall be as established as follows:

Sec 105.6.1	Aerosol Products	$89.00
Sec 105.6.2	Amusement Buildings	$216.20
Sec 105.6.3	Aviation Facilities	$89.00
Sec 105.6.4	Carnivals, Circuses, and Fairs	$270.25
Sec 105.6.5	Cellulose Nitrate Film	$89.00
Sec 105.6.6	Combustible Dust-producing Operations	$89.00
Sec 105.6.7	Combustible Fibers	$89.00
Sec 105.6.8	Compressed Gases	$89.00
Sec 105.6.9	Covered & Open Mall Buildings	$89.00
Sec 105.6.10	Cryogenic Fluids	$89.00
Sec 105.6.11	Cutting and Welding	$89.00
Sec 105.6.12	Dry Cleaning	$89.00
Sec 105.6.13	Exhibits & Trade Shows	$270.25
Sec 105.6.14	Explosives	$89.00

Sec 105.6.24	Industrial Ovens	$89.00
Sec 105.6.25	Lumber yards & Woodworking Plants	$89.00
Sec 105.6.26	Liquid or gas-fueled Vehicles or Equipment in Assembly Buildings	$89.00
Sec 105.6.27	LP Gas, Indoor Use	$162.15
Sec 105.6.28	Magnesium	$89.00
Sec 105.6.29	Miscellaneous Combustible Storage	$89.00
Sec 105.6.30	Mobile Food Preparation Vehicle/Itinerate Food Vendor	$178.00
Sec 105.6.31	Motor fuel-dispensing facilities	$89.00
Sec 105.6.32	Open Burning	$89.00
Sec 105.6.33	Open Flames & Torches	$89.00
Sec 105.6.34	Open Flames & Candles	$89.00
Sec 105.6.35	Organic Coatings	$89.00
Sec 105.6.36	Outdoor Assembly Events	$216.20
Sec 105.6.37	Places of Assembly (Event Permits)	$216.20
Sec 105.6.38	Plant Extraction Systems	$89.00
Sec 105.6.39	Private Fire Hydrants	$89.00
Sec 105.6.40	Pyrotechnic Special Effects material,	$324.25

Sec 105.6.15	Fire Hydrants & Valves	$89.00
Sec 105.6.16	Flammable & Combustible Liquids	$89.00
Sec 105.6.17	Floor Finishing	$89.00
Sec 105.6.18	Fruit & Crop Ripening	$89.00
Sec 105.6.19	Fumigation & Insecticidal Fogging	$89.00
Sec 105.6.20	Hazardous materials	$89.00
Sec 105.6.21	HPM Facilities	$89.00
Sec 105.6.22	High-piled Storage	$89.00
Sec 105.6.23	Hot Work Operations	$89.00

	Indoor Outdoor	$216.20
Sec 105.6.41	Pyroxylin Plastics	$89.00
Sec 105.6.42	Refrigeration Equipment	$89.00
Sec 105.6.43	Repair Garages & Motor Fuel-Dispensing Facilities	$89.00
Sec 105.6.44	Rooftop Heliports	$89.00
Sec 105.6.45	Spraying or Dipping	$89.00
Sec 105.6.46	Storage of Scrap Tires& Tire Byproducts	$89.00
Sec 105.6.47	Temporary Membrane Structures & Tents	$44.80
Sec 105.6.48	Tire-Rebuilding Plants	$89.00
Sec 105.6.49	Waste Handling	$89.00
Sec 105.6.50	Wood Products	$89.00

Operational permits required by Sections 105.1.1 and 105.6.51 shall be referred to as "Fire and Life Safety Permits." Fees for Fire and Life Safety permits shall be as established as follows:

FIRE AND LIFE SAFETY PERMIT FEE SCHEDULE

B, R, U OCCUPANCY	
Area in Square Feet	Fee
Under 1,000	**$58.50**
1,000 - 2,500	**$80.60**
2,501 - 5,000	**$116.65**
5,001 - 7,500	**$172.90**
7,501 - 10,000	**$230.90**
10,001 - 12,500	**$290.00**
12,501 - 15,000	**$347.20**
15,001 - 17,500	**$347.20**
17,501 - 20,000	**$461.70**
Over 20,000	**$519.75**

A, E, M OCCUPANCY	
Area in Square Feet	Fee
Under 1,000	**$77.10**
1,000 - 2,500	**$108.05**
2,501 - 5,000	**$153.95**
5,001 - 7,500	**$231.15**
7,501 - 10,000	**$307.80**
10,001 - 12,500	**$384.80**
12,501 - 15,000	**$461.70**
15,001 - 17,500	**$538.65**
17,501 - 20,000	**$615.85**
Over 20,000	**$692.55**

F, H, I, S, R-2 OCCUPANCY	
Area in Square Feet	Fee
Under 1,000	**$95.95**
1,000 - 2,500	**$135.30**
2,501 - 5,000	**$193.35**
5,001 - 7,500	**$289.05**
7,501 - 10,000	**$384.80**
10,001 - 12,500	**$480.45**
12,501 - 15,000	**$577.95**
15,001 - 17,500	**$673.65**
17,501 - 20,000	**$769.25**
Over 20,000	**$865.10**

Note: Where a business site has more than one building or facility on the business premises, the total fee shall be based on the fee for the largest facility present and a fee for each additional building or facility of the rate for 1 hour. Where a recreational campsite has multiple recreational cabins, they may be combined for the rate of one hour.

♦ **EXTERIOR SITE INSPECTION - FLS**	
Agricultural, Cold Storage, Controlled Atmosphere, or multiple Self-Storage units	**$89.00 per hour** (a minimum charge of 1 hour)
♦ **OTHER INSPECTIONS AND FEES - FLS**	
1. Inspections outside of normal business hours (minimum charge – two hours)	***$178.00**
2. Re-inspection fee	***$89.00**
3. Inspections for which no fee is specifically indicated	***$89.00**
4. Additional plan review required by changes, additions or revisions to approved plans, charge per Hour (minimum charge - one hour)	***$89.00**
* Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of all the employees involved.	

13.24.070 Fire Code Construction Permits

Fees for construction permits required in Section 105.7.1-105.7.25 for new structures, facilities, and premises shall be as follows:

Fees for construction permits for new structures and facilities

B, R, U OCCUPANCY[1,2]	
Area in Square Feet	Fee
Under 1,000	**$58.50**
1,000 - 2,500	**$$80.60**
2,501 - 5,000	**$116.65**
5,001 - 7,500	**$172.90**
7,501 - 10,000	**$230.90**
10,001 - 12,500	**$290.00**

A, E, M OCCUPANCY[1,2]	
Area in Square Feet	Fee
Under 1,000	**$77.10**
1,000 - 2,500	**$108.05**
2,501 - 5,000	**$153.95**
5,001 - 7,500	**$231.15**
7,501 - 10,000	**$307.80**
10,001 - 12,500	**$384.80**

12,501 - 15,000	**$347.20**
15,001 - 17,500	**$403.60**
17,501 - 20,000	**$461.70**
Over 20,000	**$519.75**
plus $57.85 for each additional 2500 square feet or fraction thereof	

12,501 - 15,000	**$461.70**
15,001 - 17,500	**$538.65**
17,501 - 20,000	**$615.85**
Over 20,000	**$692.55**
plus $76.75 for each additional 2500 square feet or fraction thereof	

F, H, I, S, R-2 OCCUPANCY[1,2]	
Area in Square Feet	Fee
Under 1,000	**$95.95**
1,000 - 2,500	**$135.30**
2,501 - 5,000	**$193.35**
5,001 - 7,500	**$289.05**
7,501 - 10,000	**$384.80**
10,001 - 12,500	**$480.45**
12,501 - 15,000	**$577.95**
15,001 - 17,500	**$673.65**
17,501 - 20,000	**$769.25**
Over 20,000	**$865.10**
plus $95.95 for each additional 2500 square feet or fraction thereof	

(See Footnotes 1 & 2 below)

[1]Occupancy groups shall be as defined in Section 202 of the International Fire Code. General examples of occupancies include, but are not limited to:

A- Drinking & Dining Facilities, Theatres and Stadiums
B - Offices, Professional Services
E - Schools, Day Care
F - Factories, Packing Rooms
H - Warehouses for Flammable Liquids, Explosives & Hazardous Materials; Repair Garages.
I - Nurseries, Hospitals, Health Care Centers
M - Retail Stores, Markets, Shopping Centers
R - Motels, Apartments
R-2 - Care Facilities licensed by the state, Boarding Homes, Residential Treatment Facilities, Alcoholism Detoxification Service
S - General Storage & Cold Storage Buildings, Controlled Atmosphere Warehouse
U - Agricultural Building

[2]When a plan or other data is required to be submitted, a plan review fee shall be paid at the time of submitting plans and specifications for review. Said plan review fee shall be **65%** of the permit fee as noted in the tables above.

The plan review fees specified in this subsection are separate fees from the permit fees and are in addition to those fees. Where plans are incomplete or changed so as to require additional plan review, an additional plan review fee shall be charged at a rate of **$89.00** per hour (a minimum charge of one hour).

Other Inspections and Fees	
(1) Inspections outside of normal business hours (minimum charge – two hours)	* **$178.00**
(2) Reinspection fee	* **$89.00**
(3) Inspections for which no fee is specifically indicated	* **$89.00**
(4) Additional plan review required by changes, additions or revisions to approved plans, charge per Hour (minimum charge-one hour)	* **$89.00**
* Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of all the employees involved.	

Fees for construction permits required by Section 105.7.1-105.7.25 shall be as follows:

		Basic Fee[2]
Sec 105.7.1	Building Fire Extinguishing System	**$178.00 + $1.20**/head
Sec 105.7.1,	Spray Finishing Fire Extinguishing System	**$89.00 + $1.20**/head
Sec 105.7.1	Hood and Duct Fire Extinguishing System	**$44.60 + $1.20**/head
Sec 105.7.7	Fire Alarm System	**$178.00 + $1.20**/device
Sec 105.7.8	Fire pump and related equipment	**$178.00**
Sec 105.7.19, 105.7.24	Fire Flow Systems	**$89.00 + $16.70**/ hydrant or standpipe

Sec 105.7.2	Battery Systems	* **$89.00**
Sec 105.7.6	Emergency Responder Radio Coverage Systems	* **$89.00**
Sec 105.7.15	Industrial Ovens	* **$89.00**
Sec 105.7.21	Solar Photovoltaic Power Systems	* **$89.00**
Sec 105.7.23	Spraying and dipping	* **$89.00**

* Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of all the employees involved.

The following fee schedule shall be applicable for permits issued for the installation of flammable liquid storage tanks, LP gas tanks, or other containers as indicated in Sections 105.7.2 105.7.4, 105.7.5, 105.7.9, 105.7.12, and 105.7.15:

Tank Size (In Gallons)[2]	Fee
1 to 300	**$79.65**
301 to 600	**$95.50**
601 to 1,000	**$111.50**
1,001 to 5,000	**$127.45**

5,001 to 10,000	**$143.30**
10.001 to 20,000	**$159.30**
Over 20,000	**$177.90**

Tank Removal Permit Fees	
Tank Size	Fee
N/A	**$44.80** per tank

Permit fee for tents/canopies as required by Section 105.7.25 **$44.80**

13.24.080 International Energy Conservation Code permit fee schedules

Residential structures and uses within the scope of R101.2 and R101.4 through R101.4.6

Fees for examination of documents as required by R103.3.

1. Examination of documents (Sec R103.3) (1 1/2 Hr min)	**$86.75** per hour*
2. Additional examination due to incomplete submittal documents	**$86.75** per hour*
3. Additional examination required by changes, additions or revisions to approved documents (1/2 Hr min)	**$86.75** per hour*
4. For use of outside consultants for examination of documents.	**Actual costs****
* Or the total hourly cost to the jurisdiction, whichever is greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative and overhead costs.	

Fees for inspections of work as required by R104.

1. Inspection of work (Sec R104) (1/2 Hr min)	**$86.75** per hour*
2. Re-inspection of work (2 Hr min)	**$86.75** per hour*
3. Inspections outside of normal business hours (2 Hr min)	**$86.75** per hour*
4. For use of outside consultants for inspection of work.	**Actual costs****
* Or the total hourly cost to the jurisdiction, whichever is greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative and overhead costs.	

Commercial structures and uses within the scope of C101.2 and C101.4 through C101.4.6

Fees for examination of documents as required by C103.3.

1. Examination of documents (Sec C103.3) 4 hr min	**$86.75** per hour*
2. Additional examination due to incomplete submittal documents	**$86.75** per hour*
3. Additional examination required by changes, additions or revisions to approved documents (1/2 Hr min)	**$86.75** per hour*
4. For use of outside consultants for examination of documents.	**Actual costs****
* Or the total hourly cost to the jurisdiction, whichever is greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative and overhead costs.	

Fees for inspections of work as required by C104.

1. Inspection of work (Sec C104) (1/2 Hr min)	**$86.75** per hour*
2. Re-inspection of work (2 Hr min)	**$86.75** per hour*
3. Inspections outside of normal business hours (2 Hr min)	**$86.75** per hour*
4. For use of outside consultants for inspection of work..	**Actual costs****
* Or the total hourly cost to the jurisdiction, whichever is greatest. The cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.	
**Actual costs include administrative and overhead costs.	

13.24.090 RESERVED

13.24.100 International Property Maintenance Code Filing Fee for Appeals to the Abatement Board of Appeals

Filing Fee **$0.00**

13.24.110 Automatic Fee, Fee Table, and Fee Schedule Adjustment

The fees, fee tables, and fee schedules contained in Chapter 13.24 shall be adjusted annually as provided in BOCC Resolution No. 679-1995.

CHAPTER 13.25

VIOLATIONS AND PENALTIES

13.25.010 Violations. Any person, firm, or corporation violating any of the provisions of this Title, including the provisions of the various Codes adopted by reference therein, or failing to comply therewith, or violating or failing to comply with any order issued or made pursuant to its provisions shall severally and for each and every violation and non-compliance respectively, be deemed responsible for committing the violation or act and is subject to any penalty provided by law and/or as provided for under YCC Title 21 - Code Enforcement.

13.25.015 Notice of Violation. The code enforcement official, building official, or his designee, and the fire marshal, or his designee, are authorized to serve a notice of violation or order on the property owner and other person responsible for committing or causing to be committed an unlawful act in violation of the provisions of the codes adopted in this title, or in violation of a permit or certificate issued under the provisions of the codes adopted in this title. The notice shall follow the noticing requirements as listed in YCC Title 21, Chapter 21.03 – Notices.

Failure to Commence Work. Whenever the required repair, removal, or demolition is not commenced within 30 days after any final notice and order issued under this code becomes effective:

1. The building official may cause the building described in such notice and order to be vacated by posting at each entrance thereto a notice and order reading:

UNSAFE BUILDING

DO NOT OCCUPY

It is a misdemeanor to occupy this building, or to remove or deface this notice.

Building Official

____ of ____

2. No person shall occupy any building which has been posted as specified in this subsection. No person shall remove or deface any such notice so posted until the repairs, demolition or removal ordered by the building official have been completed and a Certificate of Occupancy issued pursuant to the provisions of the Building Code.

3. The building official may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building unfit for human habitation, unsafe, or dangerous as set forth in the notice and order; or, if the property has been declared a public nuisance, to cause the nuisance to be removed to render the property in compliance with this code. Any such repair, removal or demolition work shall be accomplished and the cost thereof paid and recovered in the manner hereinafter provided in this code. Any surplus realized from the sale of any such building, or from the demolition thereof, over and above the cost of demolition and of cleaning the lot, shall be paid over to the person or persons lawfully entitled thereto.

13.25.020 Penalties. Any person who violates a provision of the codes adopted by this title or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive or order of the building official, or of a permit or certificate issued under the provisions of the codes adopted by this title, or a notice of a violation or order to comply served in accordance with YCC Title 21 shall be subject to penalties outlined in YCC Title 21, Chapter 21.04 - Penalties.

13.25.025 Codes Preserved. Except as otherwise inconsistent with this Chapter, the provisions of the Codes adopted by reference in this Title pertaining to violations shall remain in full force and effect.

SECTION III EFFECTIVE DATE. This ordinance shall be effective immediately.

BOARD OF YAKIMA COUNTY COMMISSIONERS

DONE MAY 0 4 2021

Ron Anderson, Chairman

Attest:

Julie Lawrence, Clerk of the Board
Linda Kay O'Hara, Deputy Clerk of the Board

Amanda McKinney, Commissioner

LaDon Linde, Commissioner
Constituting the Board of County Commissioners for Yakima County, Washington

Approved as to Form:

Deputy Prosecuting Attorney

SEAL OF THE BOARD OF YAKIMA COUNTY COMMISSIONERS STATE OF WASHINGTON