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HOUSE BILL 1734

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State of Washington

58th Legislature

2003 Regular Session

By Representatives Romero, Hinkle, Moeller, Delvin, Grant, Jarrett and Flannigan; by request of Department of Community, Trade, and Economic Development

Read first time 02/06/2003. Referred to Committee on Local Government.

1 AN ACT Relating to state building codes; amending RCW 19.27.031,  
2 19.27.080, and 19.27.110; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1) The intent of the adoption of the  
5 International Building Code by the legislature is to remain consistent  
6 with state laws regulating construction, including electrical,  
7 plumbing, and energy codes established in chapters 19.27, 19.27A, and  
8 19.28 RCW. The International Building Code references the  
9 International Residential Code for provisions related to the  
10 construction of single and multiple-family dwellings. No portion of  
11 the International Residential Code shall supersede or take precedent  
12 over provisions in chapter 19.28 RCW, regulating the electrical code;  
13 nor provisions in RCW 19.27.031(4), regulating the plumbing code; nor  
14 provisions in chapter 19.27A RCW, regulating the energy code.

15 (2) It is in the state's interest and consistent with the state  
16 building code act to have in effect provisions regulating the  
17 construction of single and multiple-family residences. It is the  
18 legislative intent that the state building code council adopt the  
19 International Residential Code through rule making granted in RCW

1 19.27.074, consistent with state law regulating construction for  
2 electrical, plumbing, and energy codes, and other state and federal  
3 laws regulating single and multiple-family construction.

4 (3) In accordance with RCW 19.27.020, the state building code  
5 council shall promote fire and life safety in buildings consistent with  
6 accepted standards. In adopting the codes for the state of Washington,  
7 the state building code council shall consider provisions related to  
8 fire fighter and worker safety published by nationally recognized  
9 organizations. The state building code council shall review all  
10 nationally recognized codes and develop amendments as set forth in RCW  
11 19.27.074, to incorporate accepted minimum safety requirements.

12 **Sec. 2.** RCW 19.27.031 and 1995 c 343 s 1 are each amended to read  
13 as follows:

14 Except as otherwise provided in this chapter, there shall be in  
15 effect in all counties and cities the state building code which shall  
16 consist of the following codes which are hereby adopted by reference:

17 (1) ~~((Uniform))~~ (a) The International Building Code ~~((and Uniform~~  
18 ~~Building Code Standards))~~, published by the International ~~((Conference~~  
19 ~~of Building Officials))~~ Code Council Inc.;

20 (b) The International Residential Code, published by the  
21 International Code Council, Inc.;

22 (2) ~~((Uniform))~~ The International Mechanical Code, ~~((including~~  
23 ~~Chapter 13, Fuel Gas Piping, Appendix B,))~~ published by the  
24 International ~~((Conference of Building Officials))~~ Code Council Inc.;

25 (3) The ~~((Uniform))~~ International Fire Code ~~((and Uniform Fire Code~~  
26 ~~Standards))~~, published by the International ~~((Fire Code Institute))~~  
27 Code Council Inc.: PROVIDED, That, notwithstanding any wording in this  
28 code, participants in religious ceremonies shall not be precluded from  
29 carrying hand-held candles;

30 (4) Except as provided in RCW 19.27.170, the Uniform Plumbing Code  
31 and Uniform Plumbing Code Standards, published by the International  
32 Association of Plumbing and Mechanical Officials: PROVIDED, That  
33 ~~((chapters 11 and 12))~~ any provisions of such code affecting sewers or  
34 fuel gas piping are not adopted; and

35 (5) The rules ~~((and regulations))~~ adopted by the council  
36 establishing standards for making buildings and facilities accessible

1 to and usable by the physically (~~handicapped~~) disabled or elderly  
2 persons as provided in RCW 70.92.100 through 70.92.160.

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

6 The codes enumerated in this section shall be adopted by the  
7 council as provided in RCW 19.27.074. The council shall solicit input  
8 from first responders to ensure that worker safety issues are addressed  
9 during the code adoption process.

10 The council may issue opinions relating to the codes at the request  
11 of a local official charged with the duty to enforce the enumerated  
12 codes.

13 **Sec. 3.** RCW 19.27.080 and 1990 c 33 s 555 are each amended to read  
14 as follows:

15 Nothing in this chapter affects the provisions of chapters 19.27A,  
16 19.28, 43.22, 70.77, 70.79, 70.87, 48.48, 18.20, 18.46, 18.51, 28A.305,  
17 70.41, 70.62, 70.75, 70.108, 71.12, 74.15, 70.94, 76.04, 90.76 RCW, or  
18 RCW 28A.195.010, or grants rights to duplicate the authorities provided  
19 under chapters 70.94 or 76.04 RCW.

20 **Sec. 4.** RCW 19.27.110 and 1975-'76 2nd ex.s. c 37 s 1 are each  
21 amended to read as follows:

22 Each county government shall administer and enforce the (~~uniform~~)  
23 International Fire Code in the unincorporated areas of the county:  
24 PROVIDED, That any political subdivision or municipal corporation  
25 providing fire protection pursuant to RCW 14.08.120 shall, at its sole  
26 option, be responsible for administration and enforcement of the  
27 (~~uniform~~) International Fire Code on its facility. Any fire  
28 protection district or political subdivision may, pursuant to chapter  
29 39.34 RCW, the interlocal cooperation act, assume all or a portion of  
30 the administering responsibility and coordinate and cooperate with the  
31 county government in the enforcement of the (~~uniform~~) International  
32 Fire Code.

33 It is not the intent of RCW 19.27.110 and 19.27.111 to preclude or  
34 limit the authority of any city, town, county, fire protection  
35 district, state agency, or political subdivision from engaging in those  
36 fire prevention activities with which they are charged.

1       It is not the intent of the legislature by adopting the state  
2 building code or RCW 19.27.110 and 19.27.111 to grant counties any more  
3 power to suppress or extinguish fires than counties currently possess  
4 under the Constitution or other statutes.

5       Each county is authorized to impose fees sufficient to pay the cost  
6 of inspections, administration, and enforcement pursuant to RCW  
7 19.27.110 and 19.27.111.

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