

SENATE BILL REPORT

SB 6609

As Reported By Senate Committee On:
Government Operations & Elections, February 05, 2008

Title: An act relating to specialty agricultural structures.

Brief Description: Exempting specialty agricultural structures from building code requirements.

Sponsors: Senators Fairley, Rasmussen, Haugen, Jacobsen, Marr, Shin and Roach.

Brief History:

Committee Activity: Government Operations & Elections: 2/04/08, 2/05/08 [DPS].

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 6609 be substituted therefor, and the substitute bill do pass.

Signed by Senators Fairley, Chair; Oemig, Vice Chair; Roach, Ranking Minority Member; Kline, McDermott and Pridemore.

Staff: Sharon Swanson (786-7447)

Background: The State Building Code Council (Council) was created by statute in 1974 to provide analysis and advice to the Legislature and the Governor's Office on state building code issues. The Council establishes the minimum building, mechanical, fire, plumbing, and emergency code requirements in Washington by reviewing, developing, and adopting the state building code. The State Building Code Act (Act) sets forth requirements through the provision of building codes to promote the health, safety, and welfare of the occupants or users of buildings and structures throughout the state.

The Act consists of regulations adopted by reference from the International Building Code (IBC), the International Residential Code (IRC), the International Mechanical Code (IMC), the National Fuel Gas Code, the International Fire Code (IFC), and the Uniform Plumbing Code and Uniform Plumbing Code Standards. In maintaining the Act, the Council must regularly review updated versions of the codes and other pertinent information and amend the Act as deemed appropriate by the Council. The Council may also issue opinions relating to the codes at the request of a local official charged with the duty to enforce the Act.

Summary of Bill: The bill as referred to committee was not considered.

SUMMARY OF BILL (Recommended Substitute): Specialty agricultural buildings constructed on a commercial agricultural operation require a permit and are subject to setback

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requirements established by local jurisdiction and utility easements. The dollar amount of a permit fee for a specialty agricultural building cannot exceed \$75.

Specialty agricultural structures are structures that are designed and constructed to house farm equipment, hay, grain, poultry, livestock, and other horticultural products.

Commercial agricultural operation is defined as an operation that generates an average of at least \$10,000 gross income per year from the sale of agricultural products.

Human habitation, public use, and employment where agricultural products are processed, treated, or packaged are not permitted uses of a specialty agricultural building.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Substitute Bill: PRO: It is difficult for farmers to pay exorbitant fees charged for permits for agriculture buildings. For example, the same building permit in Oregon can cost \$50 that costs \$8000 for a permit fee for a chicken barn in Thurston County. In Lewis County the current permit fee for a chicken barn is \$2400. A flat fee will help bring unanimity to the fees throughout the state. The proposed substitute addresses the fee inequities throughout our state. There is a disparity between counties and states. This bill addresses the disparities throughout the counties in Washington.

Persons Testifying: PRO: Chris Cheney, Washington Fryer Commission; Jack Field, Washington Cattlemen's Association; James Burnett, National Frame Builders Association; Jay Gordon, Executive Director of the Dairy Federation.