

HOUSE BILL REPORT

HB 2383

As Reported by House Committee On:
Local Government & Housing

Title: An act relating to the international wildland urban interface code.

Brief Description: Adopting the international wildland urban interface code.

Sponsors: Representatives Simpson and Van De Wege.

Brief History:

Committee Activity:

Local Government & Housing: 1/21/10, 2/1/10 [DP].

Brief Summary of Bill

- Adds the International Wildland Urban Interface Code to the State Building Code.

HOUSE COMMITTEE ON LOCAL GOVERNMENT & HOUSING

Majority Report: Do pass. Signed by 7 members: Representatives Simpson, Chair; Nelson, Vice Chair; Miloscia, Springer, Upthegrove, White and Williams.

Minority Report: Do not pass. Signed by 3 members: Representatives Angel, Ranking Minority Member; Fagan and Short.

Staff: Becca Kenna-Schenk (786-7291) and Ethan Moreno (786-7386).

Background:

State Building Code.

The State Building Code (SBC) consists of a set of international and national model codes and standards that regulate the construction and remodeling of residential, commercial, industrial, and institutional structures. The SBC establishes the minimum construction requirements in the state. The State Building Code Council (Council) is responsible for the adoption and maintenance of the model codes that constitute the SBC. The Council is required to regularly review updated versions of the model codes and to adopt or amend the

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

codes as appropriate. Local governments may amend the SBC to provide additional standards.

The SBC includes the International Building, Residential, Mechanical, and Fire Codes, published by the International Code Council, as well as the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials. The SBC also includes adopted regulations to make buildings more energy efficient according to the State Energy Code and to make buildings more accessible for disabled and elderly people.

International Wildland Urban Interface Code.

The International Code Council (ICC) is a membership association that was established for the purpose of developing a single set of national model construction codes. The ICC has developed the model building codes that are currently used in most states, including Washington. The International Wildland Urban Interface Code (IWUIC) is published by the ICC. According to the U.S. Fire Administration, wildland-urban interface refers to areas where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels. The term generally includes communities where the risk of wildland fire is high. The IWUIC establishes a minimum standard for home construction and maintenance in natural areas that are rated as a moderate or higher hazard for wildfire. The IWUIC contains provisions addressing fire spread, accessibility, and water supply for buildings constructed near wildland areas. The IWUIC is based on data collected from fire incidents, technical reports, and mitigation strategies from around the world, and is compatible with the other codes in the International Codes Series.

Forest Fire Prevention and Protection Work Group.

In 2007 the Legislature created the Forest Fire Prevention and Protection Work Group (Work Group) to examine strategies and practices for the prevention and suppression of forest fires in Washington. The Work Group recommended that the IWUIC be proposed for adoption through the Council code adoption process. Subsequently, the Council adopted the IWUIC as an appendix to the International Fire Code. As a result of this adoption, the IWUIC will be available to local governments for voluntary adoption by ordinance on July 1, 2010.

Summary of Bill:

The International Wildland Urban Interface Code, published by the International Code Council, is added to the State Building Code.

Appropriation: None.

Fiscal Note: Preliminary fiscal note available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) It is well known that construction of residences and other structures in fire-prone ecosystems poses one of the greatest challenges to firefighting in Washington. In recent years there has been a significant increase in the number of houses being built in the state, while forest health conditions are declining. These trends are likely to continue, which makes adoption of the International Wildland Urban Interface Code (IWUIC) very important. The Forest Fire Prevention and Protection Work Group was able to reach consensus on the recommendation to adopt the IWUIC despite being comprised of a diverse group of stakeholders. Adoption of the IWUIC will improve public safety, as well as the safety of firefighters, because it will ensure that structures are built to withstand fires. In addition, by taking this proactive approach, fire suppression costs will decrease. Current law includes protections against other natural disasters, such as floods and earthquakes. This bill takes similar preventative measures with regard to wildfire prevention. The Legislature must authorize the State Building Code Council to adopt the IWUIC as part of the state building code. If the Legislature doesn't approve adoption of the IWUIC during this legislative session, the earliest IWUIC could go into effect would be July 1, 2012.

If adopted, the IWUIC would only apply to areas identified by local governments as wildland-urban interface areas. Therefore, the IWUIC would only be applicable in areas where locals have identified a potential threat of wildfire. Provisions related to water supply have been omitted from the IWUIC to allow for further local discretion. Provisions of the IWUIC pertaining to existing structures would only be enforced if the owner is applying for a building permit. The IWUIC compliments other International Code Council codes, which prevents duplication or contradictions in the state building code. Currently, Clark, Kittitas, and Yakima Counties have provisions of the IWUIC within their local building codes.

(In support with concerns) The intent of the bill is good. There is no question that there is a need to address wildland-urban interfaces in Washington. Counties are concerned over the implementation of the bill without access to necessary resources. Counties are extremely financially stretched right now. This bill would require a significant amount of additional work on the part of the counties, such as the identification of wildland-urban interface areas. Some of these costs could be passed on to building permit applicants through increased fees.

(Opposed) The IWUIC should be available for voluntary adoption for local governments. Many local governments are already handling the issue of wildland-urban interface areas on their own, and provisions are already in place to address the issues brought forth in the bill. We need to maintain local flexibility, especially when restricting people's access to their private property.

Persons Testifying: (In support) Joe Shramek, Department of Natural Resources; Jerald Moravec, Washington State Association of Firefighters; Jon Napier, Washington State Association of Fire Marshals; Kraig Stevens-Evenson, International Code Council; and Dylan Doty, Washington Fire Chiefs Association.

(In support with concerns) Josh Weiss, Washington State Association of Counties.

(Opposed) Eric Lohnes, Building Industry Association of Washington.

Persons Signed In To Testify But Not Testifying: None.