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## Local Government Committee

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### HB 2932

**Brief Description:** Authorizing cities and counties to approve the use of alternatives to the state building code.

**Sponsors:** Representatives Blake, Rossetti and Condotta.

#### Brief Summary of Bill

- Modifies provisions of the State Building Code Act (Act): (1) to allow an amendment adopted by a county or city that affects single family or multifamily residential buildings to be effective without obtaining the approval of the State Building Code Council; and (2) to authorize counties and cities to limit application of any portion of the State Building Code (SBC) to exclude single family or multifamily residential buildings.
- Authorizes the legislative authority of a county or city to adopt by ordinance requirements for alternative materials, alternative nationally recognized standards, or innovative designs and methods of construction, and allow for the approval of such materials, standards, designs, and methods as recognized alternatives that comply with the requirements of the Act and the SBC.

**Hearing Date:** 2/3/16

**Staff:** Michaela Murdock (786-7289).

#### Background:

The State Building Code Act (Act) is designed to effectuate a variety of purposes, objectives, and standards specified in statute, including:

- to establish minimum performance standards and requirements for construction and construction materials in the state, consistent with accepted standards of engineering, fire, and life safety;
- to permit the use of modern technical methods, devices, and improvements; and

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- to eliminate restrictive, obsolete, conflicting, duplicating, and unnecessary regulations and requirements that could unnecessarily increase construction costs or retard the use of new materials and methods of installation or provide unwarranted preferential treatment to types or classes of materials, products, or methods of construction.

The State Building Code (SBC) comprises a number of model codes and standards, developed and published by international and national organizations, which are adopted by reference in the Act. Model codes and standards adopted in the Act include the International Building Code, the International Residential Code, and the Uniform Plumbing Code and Uniform Plumbing Code Standards.

The State Building Code Council (Council) is responsible for adopting, amending, and maintaining, as appropriate, the model codes and standards adopted by reference in the Act. Amendments to the model codes and standards adopted by the Council are codified in the Washington Administrative Code. Updated editions of each model code and standard are reviewed and adopted on a three-year cycle.

Counties and cities are required by the Act to enforce the SBC; however, the governing body of each county or city may amend the SBC as it applies within its respective jurisdiction. Additionally, the governing body of each county or city may limit the application of any portion of the SBC to exclude specified classes or types of buildings or structures, according to use, except for single family or multifamily residential buildings. Amendments adopted by a county or city may not result in a code that is less than the minimum performance standards and objectives contained in the SBC. Any amendment to a code in the SBC that affects single family or multifamily residential buildings is not effective unless approved by the Council.

### **Summary of Bill:**

Legislative intent is declared, including the Legislature's recognition that counties, cities, and towns wish to create a more flexible environment in which to comply with building code regulations, as well as to approve alternatives through equivalent performance methodologies for alternative materials, designs, and methods of constructions that meet the intent of the SBC's prescriptions.

The State Building Code Act is modified. First, certain provisions in the Act, concerning when amendments adopted by a county or city that affect single family or multifamily residential buildings are effective, are eliminated. As a result, such amendments are effective upon adoption by a county or city without having to obtain Council approval.

Second, provisions in the Act authorizing counties and cities to limit the application of any portion of the SBC to exclude specified classes or types of buildings or structures according to use are modified. Counties and cities are authorized to limit application of any portion of the SBC to exclude single family or multifamily residential buildings.

Finally, the legislative authority of a county or city is authorized: (1) to adopt by ordinance requirements for alternative materials, alternative nationally recognized standards, or innovative designs and methods of construction; and (2) to allow for the approval of such materials, standards, designs, and methods as recognized alternatives that comply with the requirements of

the Act and the SBC. An ordinance adopted by the county or city may not result in a code that does not meet the minimum performance standards and objectives of the Act, and it must be in accordance with the spirit and intent of the purposes, objectives, and standards of the Act. Additionally, the ordinance may not prohibit any material, design, or method not specifically prescribed in the ordinance. An alternative not specified in the ordinance may be proposed and approved if it can be shown to satisfactorily comply with the intent of the Act.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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