

HOUSE BILL REPORT

ESSB 6109

As Reported by House Committee On:
Local Government
Appropriations

Title: An act relating to the International Wildland Urban Interface Code.

Brief Description: Concerning the International Wildland Urban Interface Code.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Van De Wege and Rolfes).

Brief History:

Committee Activity:

Local Government: 2/20/18, 2/21/18 [DP];

Appropriations: 2/26/18 [DP].

Brief Summary of Engrossed Substitute Bill

- Adds portions of the International Wildland Urban Interface Code to the State Building Code Act as it relates to roof coverings, exterior walls, and appendages and projections of habitable buildings.
- Requires the Department of Natural Resources (DNR) to provide technical assistance to local jurisdictions for determining and mapping wildland urban interface areas.
- Requires the DNR to develop a grant program, subject to funding, to provide financial assistance to local jurisdictions for developing maps establishing wildland urban interface areas.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

Majority Report: Do pass. Signed by 4 members: Representatives Appleton, Chair; McBride, Vice Chair; Gregerson and Peterson.

Minority Report: Do not pass. Signed by 1 member: Representative Taylor.

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.

Minority Report: Without recommendation. Signed by 1 member: Representative Griffey, Ranking Minority Member.

Staff: Yvonne Walker (786-7841).

Background:

The State Building Code.

The State Building Code (SBC) establishes minimum statewide performance standards and requirements for building construction and construction materials in the state, consistent with accepted standards of engineering, fire, and life safety. The SBC is comprised of a number of model codes and standards, which are adopted by reference in the State Building Code Act (Act). Model codes and standards adopted in the Act include the International Building Code, the International Residential Code, the Uniform Plumbing Code, and the Uniform Plumbing Code Standards.

The State Building Code Council (Council), consisting of local government officials as well as building industry and public representatives, 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. The Council regularly reviews and publishes updated editions of each model code and standard every three years.

The International Wildland-Urban Interface Code.

The International Wildland-Urban Interface Code (International WUI Code) is a model code, which supplements a jurisdiction's building and fire codes, developed and published by the International Code Council, Inc. (ICC). The ICC is a nonprofit organization that develops and publishes model codes for building, construction, and design standards. Updates to the codes are developed and published on a three-year cycle.

The International WUI Code establishes minimum regulations for land use and the built environment in designated wildland-urban interface areas for the stated purpose of mitigating wildfire hazards. The International WUI Code applies to the construction, alteration, movement, repair, maintenance, and use of any building, structure, or premises within the "wildland-urban interface areas" of a jurisdiction. "Wildland-urban interface area" is defined in the International WUI Code as the geographical area where structures and other human development meets or intermingles with wildland or vegetative fuels.

Although the International WUI Code is not currently one of the model codes comprising the SBC, the Council adopted the *2015 International Wildland-Urban Interface Code* as an optional code that local jurisdictions may adopt and enforce within their respective jurisdictions.

Department of Natural Resources.

The Department of Natural Resources (DNR) manages approximately 5.6 million acres of forest, range, agricultural, aquatic, and commercial lands in Washington for a number of different purposes. In addition, the DNR is generally responsible for the enforcement of the state's natural resources laws, monitoring recreational activities on the DNR land, and monitoring criminal activity as it relates to the DNR land.

Summary of Bill:

The State Building Code.

Portions of the 2018 International Wildland-Urban Interface Code (International WUI Code), published by the International Code Council, Inc., are added as the model codes adopted by reference in statute as part of the State Building Code.

Upon the completion of statewide mapping of wildland urban interface areas, the State Building Code Act must consist of the following provisions of the 2018 International WUI Code as it relates to:

- Roof covering – Roofs on new constructions or replacement roof coverings on buildings must be constructed or replaced with a roof covering that can preclude entry of flames or is made of ignition-resistant materials as specified in accordance with the International WUI Code.
- Exterior walls – Exterior walls of buildings or structures must be constructed with methods and materials as specified in the International WUI Code that includes using heavy timber or log wall construction or other noncombustible or fire retardant-treated wood.
- Appendages and projections – Unenclosed accessory structures attached to buildings with habitable spaces, such as decks, must be constructed with methods and fire-resistant materials in accordance with the International WUI Code.

When adopting and maintaining the International WUI Code, any amendment to the code adopted may not result in standards that are more than the minimum performance standards and requirements contained in the published model code of the State Building Code.

All counties, cities, and towns may adopt the entire International WUI Code or a portion of the it.

Department of Natural Resources.

The Department of Natural Resources (DNR), within existing resources, must provide technical assistance to counties, cities, and towns for the development of findings of fact and maps establishing wildland urban interface areas.

The DNR must also develop and administer a grant program, subject to funding authorized by the Legislature, to provide financial assistance to local jurisdictions for the development of findings of fact and maps establishing wildland urban interface areas. Counties, cities, and

towns must submit applications for grant funds in accordance with regulations adopted by the DNR.

Appropriation: None.

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) The discussion of the Wildland-Urban Interface Code has transpired over a number of years. This bill sets out the baseline minimum of what is needed, and it does not adopt the entire code. Instead, the bill adopts minimal portions of the Wildland-Urban Interface Code that are common step approaches to protecting homes from fire. In addition, the results of mapping under the bill would have to occur before this code can be applied, and the Department of Natural Resources would have to help with that mapping. The cost increases of this bill will be minimal.

Each year large amounts of money are spent responding to wildland fires. When the response becomes so large, it is time to look at preventative measures. This bill will save lives and property. The Building Industry Association is in support of this bill, as they do not want houses to burn down or firefighters to be trapped on land.

(Opposed) None.

Persons Testifying: Senator Van De Wege, prime sponsor; Jan Himebaugh, Building Industry Association of Washington; Kraig Stephenson, International Code Council; and Wayne Senter, Washington Fire Chiefs.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 18 members: Representatives Ormsby, Chair; Robinson, Vice Chair; Bergquist, Cody, Fitzgibbon, Hansen, Hudgins, Jinkins, Kagi, Lytton, Pettigrew, Pollet, Sawyer, Senn, Springer, Stanford, Sullivan and Tharinger.

Minority Report: Do not pass. Signed by 13 members: Representatives Chandler, Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Buys, Caldier, Condotta, Graves, Haler, Manweller, Schmick, Taylor, Vick, Volz and Wilcox.

Minority Report: Without recommendation. Signed by 2 members: Representatives Stokesbary, Assistant Ranking Minority Member; Harris.

Staff: Dan Jones (786-7118).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Local Government:

No new changes were recommended.

Appropriation: None.

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) Adopting portions of the International Wildland Urban Interface Code would provide preventive wildfire measures in wildland areas concerning roofing, decks, driveways, and other parts of the home. The bill would maintain local control and allow local governments to create more robust housing codes.

(Opposed) None.

Persons Testifying: Dylan Doty, Washington Fire Chiefs.

Persons Signed In To Testify But Not Testifying: None.