

SENATE BILL REPORT

SB 6109

As of February 3, 2018

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

Brief Description: Concerning the International Wildland Urban Interface Code.

Sponsors: Senators Van De Wege and Rolfes.

Brief History:

Committee Activity: State Government, Tribal Relations & Elections: 1/17/18; 1/31/18, 2/02/18 [DP-WM, w/oRec].
Ways & Means: 2/05/18.

Brief Summary of Bill

- Adds the International Wildland Urban Interface (WUI) Code to the State Building Code with certain exceptions.
- Requires the Department of Natural Resources (DNR) establish a program of technical assistance and administer a grant program to assist local governments in the development of findings of fact and maps establishing the WUI areas.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.
Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Saldaña.

Minority Report: That it be referred without recommendation.
Signed by Senators Miloscia, Ranking Member; Zeiger.

Staff: Melissa Van Gorkom (786-7491)

SENATE COMMITTEE ON WAYS & MEANS

Staff: Jed Herman (786-7346)

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.

Background: The State Building Code (Code). The Code establishes minimum performance standards and requirements for construction and construction materials in the state, consistent with accepted standards of engineering, fire, and life safety. The Code comprises a number of model codes and standards, developed and published by international and national organizations, 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 International Mechanical Code, the International Fire Code, and the 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. The Council regularly reviews updated editions of each model code and standard every three years.

The International WUI Code. The International WUI Code is a model code 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 WUI areas for the stated purpose of mitigating wildfire hazard. The International WUI Code applies to the construction, alteration, movement, repair, maintenance, and use of any building, structure, or premises within the WUI areas of a jurisdiction. WUI area is defined in the WUI Code as the geographical areas 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 Code, the Council adopted the International WUI Code with amendments in 2010 as an optional code that local jurisdictions may adopt and enforce.

DNR. DNR has the direct charge and responsibility over all matters pertaining to forest fire services in the state. The forest fire-related duties of the DNR include enforcing all forest fire-related laws, investigating the cause of forest fires, and directing fire suppression efforts.

Summary of Bill: The International WUI Code, published by the ICC, is added as one of the model codes adopted by reference in statute as part of the State Building Code, with the exception of the following provisions:

- requirements for the installations of automatic sprinkler systems;
- authority to require a permit for candles and open flames in certain areas;
- authority for applicants to require preparation of a fire protection plan based on site-specific wildlife risk assessments;
- retroactive provisions that apply to conditions in existence on the effective date of the act; and
- requirements related to the length of driveways with certain exceptions provided for turnarounds.

In adopting and maintaining the International WUI Code, the Code adopted by the Council may not result in a code that is more than the minimum performance standards and requirements contained in the published model code.

DNR must establish a program of technical assistance and administer a grant program to assist local governments in the development of findings of fact and maps establishing the WUI areas.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill takes effect on January 1, 2020.

Staff Summary of Public Testimony (State Government, Tribal Relations & Elections):

PRO: The state is spending more and more money as time goes on combatting wildfires and a lot of that money is used for protecting homes in WUI zones. This bill requires some basic things homeowners must do to help protect their home and prevent fire in their area. The WUI Code is designed to reduce the loss of life and property and while the full code should be adopted by the state and mandated, this bill is a good compromise solution. This is a statewide issue that impacts all who pay for wildfires through insurance. The bill will support preventing wildfires and help mitigate the damages when a wildfire occurs.

CON: By mandating these codes be adopted at a state level then all of the code will be applicable to those who are mapped out in the WUI area which would include all of Stevens County. Every year the WUI areas are reviewed with DNR to look at this at a local level to find the best options to protect homes and local jurisdictions and work with DNR to make changes where necessary. WUI is a land use code which is better done at a local level. This code is already available for adoption by local jurisdictions.

Persons Testifying (State Government, Tribal Relations & Elections): PRO: Senator Kevin Van De Wege, Prime Sponsor; Geoff Simpson, Washington State Council of Fire Fighters; Brian VanCamp, Washington State Fire Chiefs.

CON: Wes McCart, Commissioner, Stevens County; Steve Gano, Building Industry Association of Washington.

Persons Signed In To Testify But Not Testifying (State Government, Tribal Relations & Elections): No one.