

ORDINANCE NO. 2023- 01

AN ORDINANCE OF THE CITY OF REPUBLIC, WASHINGTON, AMENDING CHAPTERS 15.04, 15.08, 15.12 AND 15.20 OF THE REPUBLIC MUNICIPAL CODE TO CLARIFY AND ESTABLISH BUILDING CODES PURSUANT TO RCW 19.27, THE WASHINGTON STATE BUILDING CODE, AMENDING SECTIONS RELATING TO THE NORTHWEST ENERGY CODE AND UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS, AND ADOPTING PROVISIONS FOR CONSULTANT FEES AND PENALTIES FOR VIOLATIONS THEREOF.

WHEREAS, the City Council of the City of Republic, Washington, has determined that it is necessary or advisable to amend Chapters 15.04, 15.08, 15.12 and 15.20 of the Republic Municipal Code to clarify and establish building codes and construction standards and abatement procedures within the City of Republic, and providing provisions for consultant fees and penalties for violations thereof.

NOW, THEREFORE, the City Council of the City of Republic, do ordain as follows:

SECTION 1 – AMENDMENT.

Chapters 15.04, 15.08, 15.12 and 15.20 of the Republic Municipal Code which read as follows:

“Chapter 15.04- BUILDING CONSTRUCTION STANDARDS

15.04.005 - State Building Code Act—Incorporated by reference.

Chapter 96, Laws of 1974, 1st Ex. Sess., known as the State Building Code Act, the same being originally codified as RCW 19.27 and recodified in 1985 as RCW 19.27A, and incorporating the Uniform Building Code, the Uniform Mechanical Code, the Uniform Plumbing Code and the Uniform Fire Code, together with all subsequent additions to or amendments of said laws is hereby adopted, there being three copies of the State Building Code Act on file with the city clerk of the city. All codes, laws and regulations incorporated by reference in the State Building Code Act are hereby made a part of this chapter as though fully set forth in this chapter, and all subsequent amendments to said codes, laws and regulations shall be considered as amendments to the State Building Code Act and to this chapter without the necessity of further adoption of such amendments by the city.

15.04.010 - Fire wall—Additional requirements.

All buildings within the commercial zone of the city, as defined in Chapter 17.12, shall be subject to the following additional regulations:

- A. All walls located within ten (10) feet of other buildings or fences shall be at least eight inches thick and shall be constructed of solid masonry, concrete or stone.
- B. All support posts for awnings, balconies or porches shall be securely anchored through the ground and shall be sealed to prevent ground moisture from entering the support posts.
- C. There shall be a minimum of eighteen (18) inches of masonry or masonry-like material between the ground and all support posts.
- D. All supporting posts of overhangs erected in front of business on Clark Avenue shall be located four feet from the curb of the sidewalk.

Chapter 15.08- NORTHWEST ENERGY CODE ADOPTED

15.08.010 - Model Energy Code.

The Model Conservation Standards Equivalent Code Amendments to the Model Energy Code's July 1986 Version, and the Model Conservation Standards Equivalent Code Technical Appendix, July 1986 version, and all technical corrections are adopted by this reference for application with respect to new residential construction using electrical space heating and new commercial construction using electrical space conditioning and electric lighting; except that commercial buildings which are not electrically space conditioned shall only be required with Section 505, the lighting provisions.

15.08.020 - Northwest Conservation and Electric Power Plan.

Appendix L of the Northwest Conservation and Electric Power Plan, as adopted by the Northwest Power Planning Council on April 27, 1983, is adopted by this reference for application to existing buildings undergoing conversion to space heating or conditioning.

15.08.030 - Adopts Northwest Energy Code—Renewal grant.

- A. Beginning April 1, 1989, the Current Early Adopter program for the Model Conservation Standards was renewed and modified to

the Northwest Energy Code Program according terms and conditions contained in the referenced Notice of Financial Assistance Reward and accompanying Award/Agreement.

- B. Adopting the June, 1987 edition of the Northwest Energy Code, comprised of amendments to the Model Energy Code, 1986 edition, as well as amending certain provisions of this chapter specifying building codes for the town known as the most current version Uniform Building Code (U.B.C.) all more particularly set forth here and incorporated herein by reference, is adopted.
- C. The Northwest Energy Code shall only apply to those new and applicable residential buildings where either the Bonneville Power Administration or other utilities provide a standard uniform payment to the builder or consumer to offset the additional costs of meeting these standards.
- D. Should reimbursement funds furnished by the Bonneville Power Administration and Public Utilities, as described above be discontinued or otherwise determined to be inadequate to cover those incremental costs or maintain economic feasibility for the homeowner with implementation of the Northwest Energy Code, the adoption and application of the code shall become null and void and the Washington State Energy Code, as promulgated according to statute by the State Building Code Council, and as amended to include and apply Section 502.1.7.2 of the Northwest Energy Code to all low-rise R-1 and R-3 occupancies, regardless of fuel source, shall become effective immediately.
- E. The town has been awarded a renewal grant from the Bonneville Power Administration for the Northwest Energy Code Program formerly known as the Early Adopter Program in the amount of one hundred ninety-six thousand nine hundred seventy-five dollars (\$196,975.00). The project period is July 20, 1987 to June 30, 1992. This program is for all electrically heated buildings as was adopted by Chapter 15.08. The town council has given permission for Mayor James M. Hall to sign all pertinent documents for this grant.

15.08.040 - Violation—Penalty.

Any person, firm, or corporation violating any of the provisions of this chapter, in addition to any penalties imposed by state law, shall be guilty of a civil infraction, and upon conviction shall be assessed a monetary penalty of not more than two hundred fifty dollars (\$250.00).

15.08.050 - Conflict.

In case of conflict between this chapter and the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, and the Uniform Fire Code, this chapter shall be subordinate.

Chapter 15.12 - ABATEMENT OF DANGEROUS BUILDINGS

15.12.010 - Uniform Code for the Abatement of Dangerous Buildings.

The following uniform code is adopted:

Uniform Code for the Abatement of Dangerous Buildings, and future revisions as published by the National Conference of Building Officials.

Chapter 15.20 - INTERNATIONAL BUILDING CODE

15.20.010 - Adopted.

A certain document, of which is on file in the office of the city of Republic City Hall, being marked and designated as the International Building Code, 2012 edition (see International Building Code Section 101.2.1, 2012 edition), as published by the International Code Council, be and is hereby adopted as the building code of the city of Republic in the state of Washington for regulating and governing the conditions and maintenance of all property, buildings and structures; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said building code on file in the office of the city of Republic City Hall are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation.

Be and hereby is amended to read as follows:

“Chapter 15.04 – Building Codes.

15.04.010 Adopted.

Pursuant to RCW 19.27, the City of Republic hereby adopts the following Codes, as adopted and amended by the Washington State Code Council (Chapter 51- 50 WAC) for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties:

1. The current International Building Code ("IBC"), published by the International Code Council, Inc., including all referenced standards and appendices, as amended.
2. The current International Residential Building Code ("IRC"), published by the International Code Council, Inc., including all referenced standards and appendices, as amended.
3. The current International Mechanical Code ("IMC"), published by the International Code Council, Inc., except that the standards for liquified petroleum gas installations shall be NFPA 58 (storage and handling of liquified petroleum gases) and ANSI Z223.1/NFPA 54 (Natural Fuel Gas Code), as amended.
4. The current International Fire Code ("IFC"), published by the International Code Council, Inc., including those standards of the National Fire Protection Association specifically referenced in the International Fire Code, including all referenced standards and appendices, as amended; provided, that notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying handheld candles.
5. Except as provided in RCW 19.27.170, the current Uniform Plumbing Code ("UPC") and Uniform Plumbing Code standards, published by the International Association of Plumbing and Mechanical Officials, as amended; provided, that any provisions of such code effecting sewers or fuel gas piping are not adopted; and the rules adopted by the Washington State Building Code Council establishing standards for making buildings and facilities accessible to and usable by physically disabled or elderly persons as provided in RCW 70.92.100 through 70.92.170, as amended.
6. The 1997 edition of the Uniform Code for Abatement of Dangerous Buildings, published by the International Conference of Building Officials, Whittier, California, as amended. The City Council shall appoint the Board of Appeals at its pleasure and shall adopt any

additional rules and procedures deemed necessary as specified in Section 205 of such code.

7. The Northwest Energy Code, which includes the Model Conservation Standards Equivalent Code Amendments to the Model Energy Code, including all referenced standards and appendices, as amended. Should reimbursement funds furnished by the Bonneville Power Administration or other appropriate agency be discontinued, or otherwise determined to be inadequate to cover those incremental costs or maintain economic feasibility for the homeowner with implementation of the Northwest Energy Code, the adoption and application of the code shall become null and void and the Washington State Energy Code, as promulgated according to statute by the State Building Code Council shall become effective immediately, as amended.
8. In the case of conflict of any of the codes enumerated in this section, the first named code shall govern over those following.

15.04.020 Firewall – Additional Requirements.

All buildings within the commercial zone of the City, as defined in Chapter 17.12 of the Republic Municipal Code, shall be subject to the following additional regulations:

- A. All walls located within ten (10) feet of other buildings or fences shall be at least eight inches thick and shall be constructed of solid masonry, concrete or stone.
- B. All support posts for awnings, balconies or porches shall be securely anchored through the ground and shall be sealed to prevent ground moisture from entering the support posts.
- C. There shall be a minimum of eighteen (18) inches of masonry or masonry-like material between the ground and all support posts.
- D. All supporting posts of overhangs erected in front of businesses on Clark Avenue shall be located four feet from the curb of the sidewalk.

15.04.030 Consultant Fees.

In addition to the building permit application and plan review fees, an applicant must submit pursuant to regulations adopted by the city, whenever review of the building permit application requires the retention by the City of

professional consultant services, the applicant shall reimburse the City for the cost of such professional consultant services. The City may also require the applicant to deposit an amount with the City estimated, at the discretion of the City, to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement to the City for such costs.

15.04.040 Waiver.

The City Council may waive any fees or costs imposed in Section 15.04.030 for buildings and structures that meet the following requirements:

- A. Such proposed building or structure must be constructed on City property, in which the City is the applicant, or upon City property in which another party is the applicant, but has previously entered into an agreement with City in which such building or structure will be conveyed/transferred to the City upon completion of construction; and
- B. A description of the building or structure, together with substantiation that such building or structure is being constructed on City property and the City is the applicant, or was built on City property and an agreement has been entered into between the City and the applicant in which the building constructed shall be conveyed/transferred to the City upon completion of construction, must be submitted to the City Council for consideration; and
- C. The City Council grants such waiver as provided in this section, which shall be memorialized by resolution of the City Council.

15.04.050 Violation – Penalty.

- 1. In addition to any remedies provided by any of the codes referred to in this chapter, failure to perform any act required, or the performance of any act prohibited by any of the codes referred to in this chapter, is designed to be a civil infraction, and any person, firm or corporation found to have committed such an infraction from failing to perform any act required by said codes, or performance of any act prohibited therein, shall be assessed a monetary penalty, which penalty shall not exceed \$250 for each offense.
- 2. Each day during which the violation continues shall be deemed a separate offense and penalties may be assessed for each separate offense.

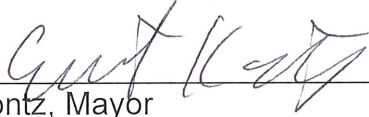
3. Nothing contained herein shall prevent the City from taking such other lawful action as necessary to prevent or remedy any violation of codes referred to in this chapter.

SECTION 2 – SEVERABILITY. If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance is declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining parts of this Ordinance.

SECTION 3 – EFFECTIVE DATE. This Ordinance shall take effective from and after its passage by the City Council, approval by the Mayor, and five (5) days after publication as required by law.

PASSED by the City Council of the City of Republic, Washington, at its regular open meeting this 1st day of May, 2023.

APPROVED:



Elbert Koontz, Mayor

ATTEST:



Nicolas Olsen, City Clerk-Treasurer

APPROVED AS TO FORM:

W. Scott DeTro, City Attorney

