

ORDINANCE NO. 1412

AN ORDINANCE OF THE CITY OF RUSTON, RELATING TO THE ADOPTION OF THE WASHINGTON STATE BUILDING CODE, AMENDING THE FOLLOWING CHAPTERS OF THE RUSTON MUNICIPAL CODE: 12.20 (CONSTRUCTION CODE), 12.22 (BUILDING CODE), 12.24 (RESIDENTIAL CODE), 12.26 (FACTORY ASSEMBLED STRUCTURES), 12.28 (MECHANICAL CODE) 12.30 (FUEL GAS CODE), 12.32 (INTERNATIONAL FIRE CODE), AND 12.34 (PLUMBING CODE), FOR THE PURPOSE OF COMPLIANCE WITH STATE LAW AND ADOPTING THE 2012 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, UNIFORM PLUMBING CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, ADOPTING CERTAIN APPENDICES, REPEALING CHAPTER 13.05 OF THE RUSTON MUNICIPAL CODE AND OTHER "HOUSEKEEPING REVISIONS", AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Building Code Council has adopted a number of the 2012 editions of the various International Building Codes for to be adopted and enforced by local jurisdictions after July 1, 2013; and

WHEREAS, in accordance with RCW 19.27.031, the City is required to adopt the state building code; and

WHEREAS, in accordance with State law the City seeks to adopt these updated codes; and

WHEREAS, the SEPA Responsible Official has determined that adoption of the updated Building Code is exempt from SEPA under WAC 197-11-800(2); and

WHEREAS, the City Building Official recommends the City Council adopt these codes as shown in this ordinance; and

WHEREAS, on June 18, 2013, the City Council held the first reading of this Ordinance; and

WHEREAS, on July 2, 2013, the City Council adopted this Ordinance during its regular meeting at the second reading; **NOW, THEREFORE**

THE CITY COUNCIL OF THE CITY OF RUSTON DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 12.20 of the Ruston Municipal Code is hereby amended to read as follows:

**CHAPTER 12.20
CONSTRUCTION CODE**

- 12.20.010 Title, Purpose and Scope.**
- 12.20.020 The Ruston Construction Code.**
- 12.20.030 Enforcement.**
- 12.20.040 Special Investigation & Special Investigation Fees.**
- 12.20.050 Conflicts and Interpretation of Codes.**
- 12.20.060 Liability.**
- 12.20.070 Exemptions from Project Permit Processing.**
- 12.20.080 Appeals**

12.20.010 Title, Purpose and Scope.

This chapter shall be known as the Ruston Construction Code.

The purpose of the Ruston Construction Code is to regulate construction of buildings and structures, and the development of site work within the incorporated boundaries of the ~~Town~~City of Ruston, Washington. Further, it is the purpose of this chapter to locally adopt state mandated laws and codes regulating construction in order to promote the health, safety and welfare of the general public as a whole.

It is also the purpose of this chapter, to regulate the safe and proper function of elements of a site or site improvement work and essential systems of a building including: plumbing and sanitation, water conservation, heating, air conditioning, ventilation, energy efficiency, fire suppression systems, alarm systems, and fire department access.

12.20.020 The Ruston Construction Code.

Pursuant to and by the authority of RCW 19.27, RCW 19.27A, RCW 43.22, RCW 35.21, RCW 35.27, and RCW 35.80, the following codes and standards are adopted by reference and are amended as shown in RMC Chapters 12.22 through 12.34, as the Ruston Construction Code.

A. The International Building Code (2009~~2012~~ Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-50, together with:

Appendix E, Supplemental Accessibility Requirements;

Appendix J, Grading;

This shall be known hereafter as the "International Building Code" or the "IBC."

B. The International Residential Code (2009~~2012~~ Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-51, together with:

Appendix E, Manufactured Housing Used As Dwellings;

Appendix F, Radon Control Methods;

Appendix G, Swimming Pools, Spas and Hot Tubs;

Appendix R, Dwelling Unit Fire Sprinkler Systems;

This shall be known hereafter as the "International Residential Code" or the "IRC".

C. The International Mechanical Code (2009~~2012~~ Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-52, together with:

The International Fuel-Gas Code (2009~~2012~~ Edition), published by the International Code Council.

This shall be known hereafter as the "International Mechanical Code" or the "IMC."

D. The International Fire Code (2009~~2012~~ Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-54~~A~~, together with:

Appendix B, Fire-Flow Requirements for Buildings;

Appendix C, Fire Hydrant Locations and Distribution;

Appendix D, Fire Apparatus Access Roads.

This shall be known hereafter as the "International Fire Code" or the "IFC."

E. The Uniform Plumbing Code (2009~~2012~~ Edition), published by the International Association of Plumbing and Mechanical Officials, and amended by the Washington State Building Code Council in WAC 51-56 and 51-57, together with:

Appendix A, Recommended Rules for Sizing the Water Supply System;

Appendix B, Explanatory Notes on Combination Waste and Vent Systems; and

Appendix I, Installation Standards; and

Excluding:

Chapters 12 and 15; and

Those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel-fired appliances as found in Chapter 5; and

Those portions of the code addressing building sewers.

This shall be known hereafter as the "Uniform Plumbing Code" or the "UPC."

Any wording or reference to codes other than those established and adopted herein, shall mean the relevant International Codes, or Washington State Codes as adopted herein.

F. The Washington State Energy Code (2012 Edition) as amended and published by the Washington State Building Code Council, WAC Chapters 51-11C and 51-11R. This shall be known hereafter as the "WSEC."

G. The Washington State Manufactured Homes Installation Requirements, or Mobile Homes Installation Requirements. Pursuant to RCW 19.27 and RCW 43.22.440, the installation standards of WAC 296-150M together with the reference standards listed therein, are adopted as amended by the State of Washington.

H. The Washington State Factory Built Housing and Commercial Structures Installation Requirements, or Modular Installation Requirements. Pursuant to RCW 19.27 and RCW 43.22.455, the installation standards of WAC 296-150F together with the reference standards listed therein, are adopted as amended by the State of Washington.

12.20.030 Enforcement.

Enforcement of the Ruston Construction Code shall be in accordance with Ruston Municipal Code Chapter 12.40.

12.20.040 Special Investigation & Special Investigation Fees.

A. Special Investigation: Whenever any work is commenced without first obtaining a permit in accordance with the Ruston Construction Code, and that work appears to be work that could potentially require a permit, a special investigation by the code official shall be performed. The special investigation is to determine the scope of the work being performed, and to determine whether or not a permit is therefore required by the Ruston Construction Code for such work.

B. Special Investigation Fee:

If the code official determines through a special investigation that work performed prior to obtaining a permit for such work requires a permit in accordance with the Ruston Construction Code, a special investigation fee shall be charged to the property owner of record. The special investigation fee shall be equal to the amount of the permit fee required by the Ruston Construction Codes for such work, and shall be payable regardless of whether or not a permit is subsequently issued. If a permit is issued, in addition to the permit fee(s), the special investigation fee shall be paid at the time of permit issuance. If a permit is not issued, the special investigation fee shall be paid within 30 days of receiving notice, and such work shall be removed from the property, and the property restored to its pre-work condition, within 30 days. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of the Ruston Construction Code nor from any other penalty prescribed by law.

12.20.050 Conflicts and Interpretation of Codes.

A. Conflicts and interpretation of codes.

In case of conflict among the codes enumerated in RMC Subsections 12.20.020(A) through (E), the first named code shall govern over those following, except as specifically described in WAC 51-11R-115010600.

Wherever the adopted codes reference the International Plumbing Code, it shall mean the Uniform Plumbing Code as adopted by the State of Washington. Wherever the adopted codes reference the International Electrical Code, ICC Electrical Code, or the Electrical Code, it shall mean the National Electrical Code (NFPA 70) as adopted by the State of Washington in accordance with RCW 19.28 and WAC 296-46B. Wherever the adopted codes reference the International Energy Conservation Code, it shall mean the Washington State Energy Code as adopted by the State of Washington.

B. Corrections.

Typographical error corrections as identified in Errata published by the International Code Council shall become part of this code as if contained herein.

12.20.060. Liability.

It is expressly the purpose of the Ruston Construction Codes to provide for and promote the health, safety and welfare of the general public and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this title. It is the specific intent of this title that no provisions nor any term used in this title is intended to impose any duty to third parties whatsoever upon the ~~Town~~City or any of its officers, employees or agents. Nothing contained in this title is intended nor shall be construed to create or form the basis of any liability on the part of the ~~Town~~City, or its officers, employees or agents, for any injury or damage resulting from any action or inaction on the part of the ~~Town~~City, its officers, employees or agents. This section shall control over any liability provision in any of the codes adopted in Section 12.20.020.

12.20.070 Exemptions from Project Permit Processing. Permit applications issued under Title 12 RMC are excluded from the procedures of Title 19 RMC when exempt from State Environmental Policy Act (SEPA) review (WAC 197-11-800), or when covered by other environmental review.

12.20.080 Appeals.

A. Building Code Advisory Board. There is created a Building Code Advisory Board, which shall consist of five members who are qualified by experience and training to pass on matters of building construction and who are not employees of the jurisdiction. The Board shall be comprised of two state-licensed contractors, two architects and one engineer, all of whom must be residents of the Ruston community, ~~if not Ruston residents~~. If Ruston residents do not meet the qualifications the City of Ruston may elect to fill the position outside of the jurisdiction.

The Building Code Advisory Board shall be appointed by the Mayor when needed to address one of the issues described in subsection C below. The Council shall confirm the appointments. After the Board has been formed, they shall hold office for a two-year term. The Mayor may remove any Board member at his/her pleasure and discretion.

B. Rules of Procedure for Building Code Advisory Board. The Building Code Advisory Board shall adopt rules of procedure governing its activities, which may be the same rules adopted by

the TownCity Council for its general business, or the rules applicable to quasi-judicial hearings established by law.

C. Authority of the Board. The Board has no authority to hold appeals of any enforcement or other action brought by the TownCity pursuant to Chapter 12.40 RMC, nor does the Board have the authority to waive any administrative provisions of the codes, or to make code interpretations.

The Board is authorized to take the following actions:

1. Hold open public hearings and make the final decision on appeals of administrative determinations where alternate materials or methods of construction are proposed to those required by any code adopted in this Title 12 of the Ruston Municipal Code.

2. Hold open public hearings and make the final decision on appeals of the Building Official's final decision on interpretations of the Codes adopted in this Title 12 of the Ruston Municipal Code.

D. Appeals (excluding appeals of code enforcement actions).

1. Standing. Only parties of record may file an administrative appeal. The term "parties of record" shall mean:

- a. the applicant for a permit;
- b. any person who submitted written comments concerning the application, excluding persons who have only signed petitions or mechanically produced form letters;
- c. the TownCity Council;
- d. property owners within 300 feet of the property subject to the project permit; and
- e. any person who can demonstrate that he/she is aggrieved by the action described in subsection C above.

2. Time to file. An appeal must be filed within 14 days after the issuance of the written decision of the Building Official. Appeals shall be submitted to the TownCity with the appropriate appeal fee, as set forth in a resolution adopted by the TownCity, and shall include all of the information described in subsection 4 below. Appeals shall be delivered to the TownCity Clerk by mail, by personal delivery or by fax before 5:00 p.m. on the last business day of the appeal period. Appeals received by mail after 5:00 p.m. on the last business day of the appeal period will not be accepted, no matter when such appeals were mailed or postmarked.

3. Computation of time. For purposes of computing the time for filing an appeal, the day the decision is issued shall not be counted. If the last day of the appeal period is a Saturday, Sunday or a holiday designated by RCW 1.16.050 or by a TownCity ordinance, then the appeal must be filed on the next business day.

4. Content of appeal. Appeals shall be in writing, be accompanied by the required appeal fee, and contain the following information:

- a. appellant's name, address and phone number;
- b. a statement describing the appellant's standing to appeal;
- c. identification of the application which is the subject of the appeal;
- d. appellant's statement of grounds for the appeal and the facts upon which the appeal is based with specific reference to the facts in the record;
- e. the specific relief sought;
- f. a statement that the appellant has read the appeal and believes the contents to be true, followed by the appellant's signature.

5. Effect. The timely filing of an appeal shall stay the Building Official's decision until such time as the Board makes a final decision or the appeal is withdrawn.

6. Burden of Proof. The appellant shall bear the burden of proof in the appeal.

E. Final decision-making. The written decision of the Board on the actions described in subsection C above shall be final. Appeals of the Board's decisions may be filed with the Pierce County Superior Court within 21 days of issuance of the final, written decision as provided in chapter 36.70C RCW.

Section 2. Chapter 12.22 of the Ruston Municipal Code is hereby amended as follows:

**CHAPTER 12.22
AMENDMENTS TO THE BUILDING CODE**

- 12.22.010 IBC Administrative Amendments.**
- 12.22.020 Administrative Appeals.**
- 12.22.030 Violations & Enforcement.**
- 12.22.040 Flood Hazards.**

12.22.010. IBC Administrative Amendments.

The International Building Code adopted by the ~~Town~~City of Ruston in RMC 12.20.020, is amended as follows:

A. IBC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the ~~Town~~City of Ruston Building Code, hereinafter referred to as "this code."

B. IBC Section 105.1.1, is amended as follows:

105.1.1 Permit Required Prior to Occupancy, Shell Building. When a building is constructed with future suites, units, or tenant spaces which are unfinished and are intended to be occupied at a later date, a separate building permit is required for each space prior to occupancy of any suite, unit or tenant space.

EXCEPTION: Individual rental units of mini-storage buildings.

C. IBC Section 105.1.2, is amended as follows:

105.1.2 Permit Required Prior to Occupancy, Existing Building. A building permit is required and shall be obtained prior to use or occupancy of an existing building or portion thereof.

EXCEPTIONS:

1. No building permit is required for the continuous occupancy or use of a building or portion thereof if there is no new construction or change in use, provided the building or portion thereof has previously obtained a building permit, has passed a final inspection, has been issued a certificate of occupancy, and has been continuously occupied in accordance with such permit and certificate of occupancy.
2. No building permit is required for occupancies in existence prior to the first adoption of the Uniform Building Code in the ~~Town~~City of Ruston, provided the original use or occupancy has been continuously maintained.
3. All R-3, and Group U occupancies.
4. Individual dwelling units of R-1 and R-2 occupancies.
5. Individual rental units of mini-storage buildings.

D. IBC Section 105.5 is amended as follows:

105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced.

Having required inspections performed and approved within every 180 days is evidence that work has commenced and is continuing. Permits that do not receive an inspection within 180 days of permit issuance, or within 180 days since the previous approved inspection, shall automatically expire and become invalid. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each, based on good and satisfactory reasons. The extension shall be requested in writing prior to permit expiration, and include the permittee's explanation of the need for the permit extension. The building official may only grant an extension if good cause is shown.

12.22.020 IBC Appeals.

IBC Section 113.1 is amended as follows:

113.1 General. All administrative appeals under this chapter, except appeals of enforcement or other actions brought under Chapter 12.40 RMC, shall be governed by the authority and procedures set forth in Ruston Municipal Code Section 12.20.080.

IBC Section 113.3 is repealed.

12.22.030 Violations & Enforcement.

IBC Section 114 is repealed.

IBC Section 115 is repealed.

A. A new IBC Section 114 is added as follows:
114 Violations. Violations of this code as defined in Title 12 and in chapter 12.40 shall be enforced pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

B. A new IBC Section 115 is added as follows:
115 Stop Work Order. Enforcement of violations of this code, including the issuance of stop work orders, shall follow the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

C. IBC Section 116.3 is amended as follows:
116.3 Notice. If an unsafe condition is found, the building official shall serve on the owner, agent or person in control of the structure, a written notice pursuant to the procedures set forth in chapter 12.05 of the Ruston Municipal Code that describes the condition deemed unsafe and specifies the required repairs or improvements to be made to abate the unsafe condition, or that requires that the unsafe structure to be demolished within a stipulated time.

D. IBC Section 116.4 is amended as follows:
116.4 Method of Service. Such notice shall be made pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

12.22.040 Flood Hazards.

IBC Section 1612.3 is amended as follows:
1612.3 Establishment of flood hazard areas. Flood hazard areas are established in accordance with Ruston Municipal Code Section 12.06, Floodplain Management. The adopted flood hazard map and supporting data adopted by reference in RMC 12.06.010(b) are declared to be a part of this section.

Section 3. Chapter 12.24 of the Ruston Municipal Code, is hereby amended as follows:

**CHAPTER 12.24
RESIDENTIAL CODE AMENDMENTS**

- 12.24.010 IRC Administrative Amendments.**
- 12.24.020 IRC Appeals.**
- 12.24.030 Violations & Enforcement.**
- 12.24.040 Sleeping Rooms.**
- 12.24.050 Design Criteria.**

12.24.010, IRC Administrative Amendments.

The International Residential Code is adopted by the ~~Town~~City City of Ruston in RMC 12.20.020, and is amended as follows:

A. IRC Section R101.1 is amended as follows:

R101.1 Title. These provisions shall be known as the TownCity of Ruston Residential Code, hereinafter referred to as “this code.”

B. IRC Section R105.3.1.1 is amended as follows:

R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. For applications for reconstruction, rehabilitation, addition or other improvement of existing buildings or structures located in an area prone to flooding as established by Table R301.2(1), the building official shall examine or cause to be examined the construction documents and shall make a determination of the value of the proposed work in accordance with Section R108.3 and compare it to the value of the structure before the proposed work is performed. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its pre-damaged condition. If the building official finds that the value of proposed work equals or exceeds 50 percent of the market value of the building or structure before the damage has occurred or the improvement is started, the project is considered to be a substantial improvement, or repair of substantial damage. Applications determined by the building official to constitute substantial improvement or substantial damage shall require all existing portions of the entire building or structure to meet the requirements of Section R322. Determinations of substantial improvement or substantial damage may be appealed in accordance with Ruston Municipal Code Section 12.20.080.

C. IRC Section R105.5 is amended as follows:

R105.5 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Having required inspections performed and approved within every 180 days is evidence that work has commenced and is continuing. Permits that do not receive an inspection within 180 days of permit issuance, or within 180 days since the previous approved inspection, shall automatically expire and become invalid. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each, based on good and satisfactory reasons. The extension shall be requested in writing prior to permit expiration, and include the permittee’s explanation of the need for the permit extension. The building official may only grant an extension if good cause is shown.

12.24.020. IRC Appeals.

IRC Section R112.1 is amended as follows

R112.1 General. All administrative appeals under this chapter, except appeals of enforcement or other actions brought under Chapter 12.40 RMC, shall be governed by the authority and procedures set forth in Ruston Municipal Code Section 12.20.080.

IRC Sections R112.2.1 and R112.3 are repealed.

12.24.030 Violations & Enforcement.

IRC Section R113 is repealed.

IRC Section R114 is repealed.

A. A new IRC Section R113 is added as follows:

R113 Violations. Violations of this code as defined in Title 12 and in chapter 12.40 shall be enforced pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

B. A new IRC Section R114 is added as follows:

115 Stop Work Order. Enforcement of violations of this code, including the issuance of stop work orders, shall be pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

12.24.040. Sleeping Rooms

IRC Section R202 is amended by adding an additional definition as follows:

Sleeping Room. A bedroom, bonus room, or other habitable room that contains an intervening door that can be closed to separate the room from areas otherwise provided with smoke alarms. Exception: Habitable rooms such as dens, libraries and offices that are provided with built in features that establish the specific use of the room as something other than for sleeping, and do not contain clothes closets, need not be considered a sleeping room.

12.24.050. Design Criteria.

IRC Table R301.2(1) is amended by filling in the blanks of the table as follows:

Ground Snow Load = 30

Wind Speed = 85

Topographic Effects = No

Seismic Design Category = D_1D_2

Weathering = Moderate

Frost Line Depth = 12"

Termite = Slight to Moderate

Winter Design Temp = 29

Ice Barrier Underlayment Required = No

Flood Hazards = In accordance with Ruston Municipal Code Section 12.06, Floodplain Management.

Mean Annual Temp = 52.3

Section 4. Chapter 12.26 of the Ruston Municipal Code is hereby amended to read as follows:

Chapter 12.26 FACTORY ASSEMBLED STRUCTURES

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|------------------|---|
| 12.26.010 | Washington State Manufactured Homes Requirements. |
| 12.26.020 | Washington State Manufactured Homes Installation Requirements. |

12.26.030 Modular Buildings.

12.26.010., Washington State Manufactured Homes Requirements.

The Washington State Manufactured Home Installation Standards as set forth in the Washington Administrative Code (WAC) Section 296-150M are adopted by reference in Section 12.20.020.

Pursuant to the authority of RCW 35.21.684(1), to install a manufactured home in the TownCity of Ruston, an application must be submitted to the TownCity, showing that:

- (a) The manufactured home the property owner seeks to place in Ruston is a new manufactured home;
- (b) The manufactured home shall be set upon a permanent foundation, as specified by the manufacturer, and that the space from the bottom of the home to the ground be enclosed by concrete or an approved concrete product which can be either load bearing or decorative;
- (c) The manufactured home shall comply with all local design standards applicable to all other homes within the neighborhood in which the manufactured home is to be located;
- (d) The home is thermally equivalent to the state energy code; and
- (e) The manufactured home otherwise meets all other requirements for a designated manufactured home as defined in RCW 35.63.160.

12.26.020, Washington State Manufactured Homes Installation Provisions.

The TownCity of Ruston, in Section 12.20.020, adopts the 2009 International Residential Code (IRC) Appendix E, pursuant to the authority of RCW 43.22 and RCW 19.27, and amends IRC Appendix E as follows:

A. IRC Appendix E, Section AE102.2 is amended as follows:

AE102.2 Additions, alterations or repairs.

Additions made to a manufactured home shall conform to one of the following:

1. Be certified under the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et seq.).
2. Be designed and constructed to conform with the applicable provisions of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. Section 5401, et seq.).
3. Be designed and constructed in conformance with the code adopted by this jurisdiction.

Additions shall be structurally separated from the manufactured home unless otherwise approved through an alteration permit approved by the Washington State Department of Labor and Industries.

B. IRC Appendix E, Section AE301.2 is amended as follows:

AE301.2 Additions, alterations and repairs to a manufactured home.

A permit shall first be obtained from the Washington State Department of Labor and Industries to alter, remodel, repair or add accessory buildings or structures to a manufactured home subsequent to its initial installation. Permit issuance and fees therefor shall be in conformance with the codes applicable to the type of work involved.

An addition made to a manufactured home as defined in these provisions shall comply with the provisions of the adopted building code.

C. IRC Appendix E, Section AE304.1 is amended as follows:

AE304.1 Permit fees. The fee for each manufactured home installation permit shall be as set forth in the Permit Fee Schedule as adopted by resolution by the ~~Town~~City of Ruston ~~Town~~City Council.

D. IRC Appendix E, Section AE305.6 is amended by adding an additional paragraph as follows:
AE305.6 Other inspections. In addition to the called inspections specified above, the building official may make or require other inspections of any construction work to ascertain compliance with these provisions or other codes and laws which are enforced by the ~~Town~~City of Ruston. Manufactured homes or their accessory buildings shall not be used or occupied until a certificate of occupancy is issued in accordance with Section R110 of this code.

E. IRC Appendix E, Section AE504.1 is amended as follows:

AE504.1 General. Accessory buildings shall not be structurally supported by or attached to a manufactured home unless engineering calculations are submitted to substantiate any proposed structural connection and all alterations to the manufactured home are approved by the Washington State Department of Labor and Industries..

Exception: The building official may waive the submission of engineering calculations if it is found that the nature of the work applied for is such that engineering calculations are not necessary to show conformance to these provisions.

F. IRC Appendix E, Section AE600.1 is amended as follows:

AE600.1 General. All manufactured homes must be installed in accordance with the manufacturer's installation instructions and/or rational analysis prepared by a Washington State registered professional engineer. Sections AE601 through AE605 are deleted and not adopted.

IRC Appendix E, Section AE601 is repealed.

IRC Appendix E, Section AE602 is repealed.

IRC Appendix E, Section AE603 is repealed.

IRC Appendix E, Section AE604 is repealed.

IRC Appendix E, Section AE605 is repealed.

12.26.030 Modular Buildings

The Washington State Modular Installation Standards as set forth in the Washington Administrative Code (WAC) Section 296-150F are adopted by reference in Section 12.20.020. The ~~Town~~City of Ruston adopts the following sections pursuant to the authority of RCW 43.22 and RCW 19.27:

A. Permit Required. Prior to the placement and/or installation of a modular home or modular commercial building on a parcel of land, an installation permit must first be obtained from the ~~Town~~City of Ruston. Installing a modular home or modular commercial building without first having obtained the required permit is a violation of this code and is subject to the civil penalties of this code.

B. Modular, or factory built units shall comply with the codes as adopted in Section 12.20.020, with the exception that inspections of the factory assembled portions of the unit, performed in accordance with 296-150F WAC, and identified by having the appropriate insignia attached, shall be accepted in lieu of the individual inspections as required by the respective codes. All portions of the installation performed on site shall have inspections as required by the codes adopted in Section 12.20.020.

C. In accordance with WAC 296-150F-0540:

- (1) The ~~Town~~City of Ruston must approve the installation of a modular home or commercial building; and
- (2) A set of design plans and specifications for the modular home or commercial building shall be provided to the ~~Town~~City of Ruston; and
- (3) After the unit is manufactured but before occupancy, the Department of Labor and Industries must inspect a factory-built house or commercial structure if it is damaged in transit to the building site or during on-site installation; and
- (4) The ~~Town~~City of Ruston will not open, or cause to be opened the concealed construction of a factory-built house or commercial structure to inspect provided the appropriate insignia is attached.

D. In accordance with WAC 296-150F-0550, after the Department of Labor and Industries performs a final inspection of the factory-built structure at the manufacturing location, the Department of Labor and Industries shall provide to the ~~Town~~City of Ruston a notice that specifies what connections, standards, and incomplete items must be inspected when the unit is installed

Section 5. Chapter 12.28 of the Ruston Municipal Code is hereby amended to read as follows:

**CHAPTER 12.28
MECHANICAL CODE AMENDMENTS**

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|------------------|---------------------------------------|
| 12.28.010 | IMC Administrative Amendments. |
| 12.28.020 | Violations & Enforcement. |
| 12.28.030 | IMC Appeals. |

12.28.010. IMC Administrative Amendments.

The International Mechanical Code is adopted by the ~~Town~~City of Ruston in RMC 12.20.020, and is amended as follows:

A. IMC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the ~~Town~~City of Ruston Mechanical Code , hereinafter referred to as “this code.”

B. IMC Section 106.4.3 is amended as follows:

106.4.3 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Having required inspections performed and approved within every 180 days is evidence that work has commenced and is continuing. Permits that do not receive an inspection within 180 days of permit issuance, or within 180 days since the previous approved inspection, shall automatically expire and become invalid. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each, based on good and satisfactory reasons. The extension shall be requested in writing prior to permit expiration, and shall include the permittee's explanation of the need for the permit extension. The building official may only grant an extension if good cause is shown.

C. IMC Section 106.4.4 is repealed

D. IMC Section 106.5.2 is amended as follows:

106.5.2 Fee Schedule. The fees for mechanical permits shall be as set forth in the Permit Fee Schedule as adopted by resolution by the ~~Town~~City of Ruston ~~Town~~City Council.

E. IMC Section 106.5.3 is amended as follows:

106.5.3 Fee refunds. The code official shall authorize fee refunds in accordance with the Permit Fee Schedule as adopted by resolution by the ~~Town~~City of Ruston ~~Town~~City Council.

12.28.020. Violations & Enforcement.

A. IMC Section 108.1 is amended as follows:

108.1 Violations. Violations of this code as defined in Title 12 and in chapter 12.40 shall be enforced pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

B. IMC Section 108.2 is amended as follows:

108.2 Notice of Violation. The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of mechanical work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such notice shall be issued pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code and shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

C. IMC Section 108.3 is repealed.

D. IMC Section 108.4 is repealed.

E. IMC Section 108.5 is amended as follows:

108.5 Stop work orders. Enforcement of violations of this code, including the issuance of stop work orders, shall be pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

12.28.030. IMC Appeals.

IMC Section 109.1 is amended as follows:

109.1 Appeals. Appeals under this chapter, except appeals of enforcement or other actions brought under Chapter 12.40 RMC, shall be governed by the procedures set forth in Ruston Municipal Code Section 12.20.080.

IMC Sections 109.2 through 109.7 are repealed.

Section 6. Chapter 12.30 of the Ruston Municipal Code is hereby amended to read as follows:

**CHAPTER 12.30
FUEL GAS CODE AMENDMENTS**

- 12.30.010 IFGC Administrative Amendments.**
- 12.30.020 Violations & Enforcement.**
- 12.30.030 IFGC Appeals.**

12.30.010, IFGC Administrative Amendments.

The International Fuel-Gas Code is adopted by the ~~Town~~City of Ruston in RMC 12.20.020, and is amended as follows:

A. IFGC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the ~~Town~~City of Ruston Fuel Gas Code, hereinafter referred to as “this code.”

B. IFGC Section 106.5.3 is amended as follows:

106.5.3 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Having required inspections performed and approved within every 180 days is evidence that work has commenced and is continuing. Permits that do not receive an inspection within 180 days of permit issuance, or within 180 days since the previous approved inspection, shall automatically expire and become invalid. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each, based on good and satisfactory reasons. The extension shall be requested in writing prior to permit expiration, and shall include the permittee’s explanation of the need for the permit extension. The building official may only grant an extension if good cause is shown.

C. IFGC Section 106.5.4 is repealed.

D. IFGC Section 106.6.2 is amended as follows:

106.5.2 Fee schedule. The fees for fuel-gas installation permits shall be as set forth in the Permit Fee Schedule as adopted by resolution of the ~~Town~~City of Ruston ~~Town~~City Council.

E. IFGC Section 106.6.3 is amended as follows:

106.5.3 Fee refunds. The code official shall authorize fee refunds in accordance with the Permit Fee Schedule as adopted by resolution by the ~~Town~~City of Ruston ~~Town~~City Council.

12.30.020. Violations & Enforcement.

A. IFGC Section 108.1 is amended as follows:

108.1 Violations. Violations of this code as defined in Title 12 and in chapter 12.40 shall be enforced pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

B. IFGC Section 108.2 is amended as follows:

108.2 Notice of Violation. The code official shall serve a notice of violation or order to the person responsible for the erection, installation, alteration, extension, repair, removal or demolition of work in violation of the provisions of this code, or in violation of a detail statement or the approved construction documents thereunder, or in violation of a permit or certificate issued under the provisions of this code. Such notice shall be issued pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code and shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

C. IFGC Section 108.3 is repealed.

D. IFGC Section 108.4 is repealed.

E. IFGC Section 108.5 is amended as follows:

108.5 Stop work orders. Enforcement of violations of this code, including the issuance of stop work orders, shall follow the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

12.30.030. IFGC Appeals.

IFGC Section 109.1 is amended to read as follows:

109.1 Appeals. Appeals under this chapter, except appeals of enforcement or other actions brought under Chapter 12.40 RMC, shall be governed by the procedures set forth in chapter 12.20.080.

IFGC Sections 109.2 through 109.7 are repealed.

Section 7. Chapter 12.32 of the Ruston Municipal Code is hereby amended as follows:

**CHAPTER 12.32
INTERNATIONAL FIRE CODE AMENDMENTS**

12.32.010	IFC Administrative Amendments
12.32.020	Violations & Enforcement.
12.32.030	IFC Appeals
12.32.040	Geographic Locations of Increased Restriction

12.32.010, IFC Administrative Amendments.

The International Fire Code is adopted by the ~~Town~~City of Ruston in RMC 12.20.020, and is amended as follows:

A. IFC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the ~~Town~~City of Ruston Fire Code hereinafter referred to as “this code.”

12.32.020. Violations & Enforcement.

A. IFC Section 109.1 is amended as follows:

108.1 Violations. Violations of this code as defined in Title 12 and in chapter 12.40 shall be enforced pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

B. IFC Section 109.~~2~~3 is amended as follows:

108.2 Notice of Violation. When the fire code official finds a building, premises, vehicle, storage facility or outdoor area that is in violation of this code, the fire code official is authorized to prepare a written notice of violation describing the conditions deemed unsafe and, when compliance is not immediate, specifying a time for reinspection. Such notice shall be issued pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

C. IFC Section 109.~~23~~3.1 is repealed.

D. IFC Section 109.~~23~~3.2 is repealed.

E. IFC Section 109.~~23~~3.3 is repealed.

F. IFC Section 109.~~34~~34 is amended as follows:

109.~~34~~34 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provisions of this code, shall be guilty of a misdemeanor punishable by a fine of not more than five thousand dollars (\$5,000.00) or by imprisonment not exceeding 365 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

G. IFC Section 111 is repealed.

H. A new IFC Section 111 is added as follows:

111 Stop Work Order. Enforcement of violations of this code, including the issuance of stop work orders, shall be pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

12.32.030. IFC Appeals

IFC Section 108.1 is amended as follows:

108.1 Appeals. Appeals under this chapter, except appeals of enforcement or other actions brought under Chapter 12.40 RMC, shall follow the procedures set forth in Ruston Municipal Code Section 12.20.080.

IFC Section 108.3 is repealed.

12.32.040. Geographic Locations of Increased Restriction

The ~~Town~~City of Ruston is densely populated with small lots with buildings that are considerably close to one another, which increases the risk of fire spreading from one structure to another. The International Fire Code sections ~~3404~~5704.2.9.6.1, ~~3406~~5706.2.4.4, ~~3506~~5806.2 and ~~3804~~6104.2 limit installations and/or use in geographic locations of increased restriction as defined by the jurisdiction. For the purposes of these sections, the geographic locations of increased restriction include the entire area incorporated as the ~~Town~~City of Ruston.

Section 8. Chapter 12.34 of the Ruston Municipal Code is hereby amended to read as follows:

**Chapter 12.34
PLUMBING CODE AMENDMENTS**

12.34.010 UPC Administrative Amendments.

12.34.010, UPC Administrative Amendments.

The Uniform Plumbing Code is adopted by the ~~Town~~City of Ruston in RMC 12.20.020, and is amended as follows:

A. UPC Section 102.2.3 2 is amended as follows:

102.2.3 Stop Orders. Enforcement of violations of this code, including the issuance of stop work orders, shall be pursuant to the procedures set forth in chapter 12.40 of the Ruston Municipal Code.

B. UPC Section 102.3 4 is amended as follows:

102.3 4 Violations. Violations of this chapter as identified herein and in chapter 12.40 of the Ruston Municipal Code shall be enforced as set forth in chapter 12.40 of the Ruston Municipal Code. ~~102.3.1 Violations. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, or maintain any plumbing or permit the same to be done in violation of this code.~~
~~102.3.2 Penalties. Any person, firm or corporation violating any provision of this code shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine and/or imprisonment set forth by the governing laws of the jurisdiction. Each separate day or any portion thereof, during which any violation of this code continues, shall be deemed to constitute a separate offense.~~

C. UPC Section 103.3.4 3 is amended as follows:

103.3.4 3 Expiration. Every permit issued shall become invalid unless the work authorized by such permit is commenced within 180 days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Having required inspections performed and approved within every 180 days is evidence that work has commenced and is continuing. Permits that do not receive an inspection

within 180 days of permit issuance, or within 180 days since the previous approved inspection, shall automatically expire and become invalid. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each, based on good and satisfactory reasons. The extension shall be requested in writing prior to permit expiration, and shall include the permittee's explanation of the need for the permit extension. The Building Official may only grant an extension if good cause is shown.

D. UPC Section 103.4.4 is amended as follows:

103.4.4 Permit Fees. The fees for plumbing permits shall be as set forth in the Permit Fee Schedule as adopted by resolution by the ~~Town~~City of Ruston ~~Town~~City Council.

* * *

Section 9. Chapter 13.05 of the Ruston Municipal Code is hereby repealed.

Section 10. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

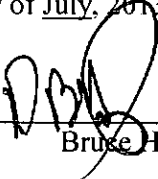
Section 11. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 12. Adopted Codes available to Public. Pursuant to RCW 35.21.180, one copy of all codes adopted by reference in this Chapter have been filed for use and examination by the public in the office of the City Clerk, prior to and after the adoption thereof.

Section 13. Effective Date. This Ordinance shall be effective five days after publication as provided by law.

ADOPTED by the City Council of the City of Ruston and attested by the City Clerk in authentication of such passage on this 2nd day of July, 2013.

APPROVED by the Mayor this 2nd day of July, 2013.



Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:



Judy Grams, City Clerk

APPROVED AS TO FORM:

Office of the City Attorney

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO: 1412