

Subject: Ordinance #1578 – Adoption of 2021 Construction Codes Amending Title 12 RMC	Dept. Origin: Building Department
	Prepared by: Jennifer Robertson, City Attorney
Proposed Council Action: This is scheduled Second Reading and Adoption. Adopt Ordinance No. 1578.	For Agenda of: March 5, 2024
	Exhibits: Ordinance #1578
	Initial & Date
	Concurred by Mayor: _____
	Approved by City Planner: _____
	Approved as to form by City Atty: <u>JSR/2-21-2024</u>
	Approved by City Engineer: _____

INFORMATION / BACKGROUND

Update Summary. Under State law,¹ the City is required to adopt the State Building Codes. The only flexibility that the City has with regard to these codes is to enact stricter requirements. The City is not permitted to relax any of these standards. The exception to this requirement is if a provision is deemed “optional” by the State Building Code Council.

The Washington State Building Code Council has adopted a number of the 2021 editions of the various International Building Codes for to be adopted and enforced by local jurisdictions after March 15, 2024.

Mike Barth, the City Building Official, has carefully reviewed all of the code changes and is recommending that the City Council adopt these codes as shown in this ordinance.

While most of the revisions are housekeeping updates (changing the edition dates, re-numbering to track with State adopted versions, consistency edits, etc.), there is one major change this cycle. The main change is the new Wildland-Urban Interface Code which implements standards to reduce fire risk. However, Mr. Barth has looked at the map adopted by the State and there are no portions of Ruston for which these standards apply. Therefore, while we are adopting the code as required by law, it will not apply in Ruston unless the State changes the mapping. The revisions to this new code are found in new chapter 12.33 RMC.

In addition, the International Existing Building Code was historically part of the International Building Code, but is now somewhat separated. Therefore, a new chapter 12.23 RMC was added to capture the amendments to that code.

¹ RCW 19.27.031.

The International Property Maintenance Code which was adopted in Chapter 12.05 RMC is an optional code which the City first adopted in 2011. This Ordinance adopts the 2021 version.

FISCAL CONSIDERATION

N/A

RECOMMENDATION / MOTION

This code must be in place by March 15, 2024, therefore adoption on March 5th is critical to ensure our amendments to the codes are in effect prior to the State implementation date for these codes.

MOTION: I move adoption of Ordinance No. 1578 relating to the adoption of the Washington State Building Code, Title 12 of the Ruston Municipal Code, amending the following sections of the Ruston Municipal Code for the purpose of updating adopted international codes to the current versions and adopting revisions to the same, including housekeeping amendments: 12.05.010, 12.05.020, 12.05.040, 12.05.050, 12.05.060, 12.05.070, 12.05.080, 12.05.090, 12.05.100, 12.20.020, 12.22.010, adopting a new Chapter 12.23 to make amendments to the International Existing Building Codes, 12.24.010, 12.26.020, 12.28.010, 12.28.020, 12.28.030, 12.30.010, 12.30.020, 12.30.030, 12.32.010, 12.32.020, 12.32.030, creating a new Chapter 12.33 to make amendments to the Wildland-Urban Interface Code; providing for severability and corrections, and establishing an effective date.

ORDINANCE NO. 1578

AN ORDINANCE OF THE CITY OF RUSTON, RELATING TO THE ADOPTION OF THE WASHINGTON STATE BUILDING CODE, TITLE 12 OF THE RUSTON MUNICIPAL CODE, AMENDING THE FOLLOWING SECTIONS OF THE RUSTON MUNICIPAL CODE FOR THE PURPOSE OF UPDATING ADOPTED INTERNATIONAL CODES TO THE CURRENT VERSIONS AND ADOPTING REVISIONS TO THE SAME, INCLUDING HOUSEKEEPING AMENDMENTS: 12.05.010, 12.05.020, 12.05.040, 12.05.050, 12.05.060, 12.05.070, 12.05.080, 12.05.090, 12.05.100, 12.20.020, 12.22.010, ADOPTING A NEW CHAPTER 12.23 TO MAKE AMENDMENTS TO THE INTERNATIONAL EXISTING BUILDING CODES, 12.24.010, 12.26.020, 12.28.010, 12.28.020, 12.28.030, 12.30.010, 12.30.020, 12.30.030, 12.32.010, 12.32.020, 12.32.030, CREATING A NEW CHAPTER 12.33 TO MAKE AMENDMENTS TO THE WILDLAND-URBAN INTERFACE CODE; PROVIDING FOR SEVERABILITY AND CORRECTIONS, AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Building Code Council has adopted a number of the 2021 editions of the various International Building Codes for to be adopted and enforced by local jurisdictions in 2024; 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 and Construction Codes 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 February 20, 2024, the City Council held the first reading of this Ordinance; and

WHEREAS, on March 5, 2024, 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. Section 12.05.010 of the Ruston Municipal Code is hereby amended to read as follows:

12.05.010 - IPMC adopted.

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 International Property Maintenance Code, ~~2018-2021~~ edition (known hereafter as the "IPMC") as published by the International Code Council is adopted by reference and as amended by this chapter.

Section 2. Section 12.05.020 of the Ruston Municipal Code is hereby amended to read as follows:

12.05.020 – Title, purpose and scope.

Section 101 of the IPMC is hereby amended to read as follows:

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

* * *

~~101.5~~**101.3** Purpose. The purpose of this code is to provide minimum standards for maintenance of building exteriors for weather resistance; maintenance of plumbing system safety and sanitation; maintenance of heating, air conditioning and ventilation system functionality and safety; and water and energy conservation of buildings, structures and premises within the incorporated boundaries of the City of Ruston, Washington. Further it is the purpose of this code to address the procedures for abatement of dangerous buildings, structures or equipment and premises, and to provide minimum standards for the maintenance of exterior property to adopt penalties and other remedies for enforcement of this code, in order to promote the safe and proper function of elements of a site or site improvement in a manner that enhances community welfare, safety, peace and property value.

Section 3. Section 12.05.040 of the Ruston Municipal Code is hereby amended to read as

follows:

12.05.040 – Administration and enforcement.

IPMC Section ~~103.1~~ is amended to read as follows:

103.1 General. The Building Official shall have the authority to enforce this code. The Building Official may call upon the police, fire, planning or any other City department to assist in enforcement. Wherever the term "code official" is used in this code, it shall reference the Building Official.

~~***~~

~~103.5 Fees Schedule. The fees for activities and services performed by the Building Official in carrying out its responsibilities under this code shall be as set forth in the Permit Fee Schedule as adopted by resolution of the City of Ruston City Council.~~

Section 4. Section 12.05.050 of the Ruston Municipal Code is hereby amended to read as

follows:

12.05.050 Violations.

IPMC Section ~~106.1-109.1~~ is amended to read as follows:

~~106.1-109.1~~ Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code. Violations of this code and violations as identified in Ruston Municipal Code Chapter 12.40, shall be enforced in accordance with Ruston Municipal Code Chapter 12.40.

IPMC Section ~~106.4-109.4~~ is amended to read as follows:

~~106.4-109.4~~ Violation penalties. After any order of the Building Official, the Hearing Examiner, or the City Council has become final, it shall be unlawful for any person, corporation or entity to whom any such order is directed, to fail, neglect or refuse to obey any such order. Any such person who fails to comply with any such final order is subject to a civil penalty, as set forth in Section 12.40.080(a) of the Ruston Municipal Code. Any person, corporation or entity who fails to comply with a final order to vacate, demolish or repair an unsafe structure or equipment is guilty of a misdemeanor and is subject to a criminal penalty as set forth in Section 12.40.080(b) of the Ruston Municipal Code. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or

local laws. Each day that a violation continues after the date set for compliance shall be deemed a separate offense.

Section 5. Section 12.05.060 of the Ruston Municipal Code is hereby amended to read as follows:

12.05.060 Notices and orders.

IPMC Section ~~107-111.4~~ is hereby amended to read as follows:

~~107.1-111.4~~ Notice to person responsible. In the enforcement of this code, the building official shall follow the procedures set forth in Chapter 12.40 and the applicable sections of this code. Whenever the building official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in RMC Chapter 12.40 and IPMC Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. Notices for the abatement of dangerous buildings or to vacate shall also comply with [IPMC] Section 108.3 and RMC Chapter 12.40.

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~~107.3~~ Section ~~107.3-111.4.2~~ of the IPMC is repealed.

Section 6. Section 12.05.070 of the Ruston Municipal Code is hereby amended to read as follows:

12.05.070 Unsafe structures and equipment.

IPMC Section ~~108-111.1~~ is hereby amended to read as follows:

~~108.1-111.1~~ General. When a structure or equipment is found by the Building Official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, the Building Official shall have the authority to issue a Notice to Vacate, a Notice to Abate or a Notice of Violation in accordance with Chapter 12.40 RMC requiring corrective action for the unsafe structure.

* * *

IPMC Section 111.2 is hereby amended to read as follows:

~~108.2-111.2~~ Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the Building Official is authorized to issue an order for the structure to be closed up so as not to be an

attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the Building Official may cause the premises to be closed and

secured. The City shall seek reimbursement of the costs relating to such closure from the property owner through the procedures set forth in Chapter 12.40 of the Ruston Municipal Code.

* * *

IPMC Section 111.4 is hereby amended to read as follows:

~~108.3~~ 111.4 Notice. Whenever the Building Official has issued a Notice to Vacate, a Notice to Abate or a Notice of Violation for a structure under the provisions of this section and/or RMC Chapter 12.40, he/she shall ensure that the Notice has been served and posted as required by RMC Section 12.40.030.

IPMC Section 111.7 is hereby amended to read as follows:

~~108.4~~ 111.7 Placarding. The Building Official's posting of the Notice to Vacate or other Notice under this Code in a conspicuous place on the structure shall be termed "placarding," under this code. The owner of the property or other person identified as responsible for the condition of the property/structure/equipment in the Notice so placarded shall comply with the requirements of the Notice, including, as applicable, cease to occupy the premises on or before the date set forth in the Notice. Upon failure of the owner or persons responsible to comply with a Notice within the time given in the Notice, the Building Official may, with the assistance of the City Attorney, seek legal or other equitable remedies necessary to effect compliance.

~~108.4.1~~ 111.7.1 Placard removal. The building official shall remove the placard and the Notice whenever the defect or defects upon which the Notice and placarding action were based have been eliminated. Any person who defaces or removes a Notice or placard without the approval of the Building Official shall be subject to the penalties provided by this code and Title 12 of the RMC.

* * *

Section 7. Section 12.05.080 of the Ruston Municipal Code is hereby amended to read as follows:

12.05.080 Demolition.

(a) IPMC Section ~~110.1~~ 113.1 is hereby amended to read as follows:

~~110.1~~ 113.1 General. The Building Official shall order the owner of any premises upon which is located any structure, which in the Building Official's judgment after review is

so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure, or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option, the Building Official shall order the owner to demolish and remove such structure, or to board up until future repair. Where there has been a cessation of normal construction of any structure for a period of more than two years. The Building Official shall have the authority to require that a structure be boarded up or demolished, depending on whether the structure meets the criteria set forth in Section 108 of the IPMC. Boarding up the building or structure for future repair shall not extend beyond more than one year, unless approved by the Building Official.

(b) IPMC Section ~~110.3~~113.3 is hereby amended to read as follows:

~~110.3~~113.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the Building Official shall notify the City Attorney, and the City Attorney shall, with the assistance of the Building Official and/or other City employees, take appropriate action to cause the premises to be demolished.

(c) Section ~~110.4~~113.4 of the IPMC is repealed.

Section 8. Section 12.05.090 of the Ruston Municipal Code is hereby amended to read as follows:

12.05.090 Means of appeal.

Section ~~111~~108 of the IMPC is hereby amended to read as follows:

~~111.1~~108.1 Application for appeal and time to file. Any person directly affected by a notice or order of the Building Official issued under this code shall have the right to appeal such notice or order in accordance with the appeal procedures contained in the Title 12 Enforcement Chapter 12.40 of the Ruston Municipal Code.

Section 9. Section 12.05.100 of the Ruston Municipal Code is hereby amended to read as follows:

12.05.100 Stop work order.

Section ~~112~~110 of the IPMC is hereby amended to read as follows:

~~112.1~~110.1 Authority. The Building Official is authorized to issue a stop work order under the following circumstances:

- A. The Building Official finds that any work regulated by this code is being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner;
- B. The Building Official determines that a continuing violation of this code will materially impair the Building Official's ability to secure compliance with this code; or
- C. The continuing violation threatens the health and safety of the public.

The Building Official may also issue emergency orders, as provided in Section 12.40.060 of the Ruston Municipal Code.

~~112.2~~ 110.2 Issuance. A stop work order shall be in writing and shall be given to the owner of the property, the owner's agent, or to the person doing the work. The stop work order shall state the reason for issuance of the order and the conditions under which the cited work is authorized to continue. The stop work order shall include a statement describing the manner in which the stop work order may be appealed, and the deadline for such appeal to be filed. Upon issuance of a stop work order, the work described in the stop work order shall immediately cease.

~~112.3~~ 110.3 Section ~~112.3~~ 110.3 of the IPMC is repealed.

~~112.4~~ 110.4 Failure to comply. Any person who shall continue any work after having been served by with a stop work order, or the City's final decision upholding the stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to a cumulative civil penalty as set forth in Section 12.40.080 of the RMC.

Section 10. Section 12.20.020 of the Ruston Municipal Code is hereby amended to read as follows:

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 (~~2018~~ 2021 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;

The International Existing Building Code (~~2018~~ 2021 Edition) (IEBC), published by the International Code Council, and amended by the Washington State Building

Code Council in WAC 51-50, including IEBC Appendix A as identified in the amended IEBC Section 101.6.

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

(b) The International Residential Code (~~2018-2021~~ 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 Q, Tiny Homes;

Appendix U, Dwelling Unit Fire Sprinkler Systems;

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

(c) The International Mechanical Code (~~2018-2021~~ 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 (~~2018-2021~~ 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 (~~2018-2021~~ Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-54A, 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 International Wildland-Urban Interface Code (2021 Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-55.

(ef) The Uniform Plumbing Code (~~2018-2021~~ Edition), published by the International Association of Plumbing and Mechanical Officials, and amended by the Washington State Building Code Council in WAC 51-56, 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

Appendix M, Peak Water Demand Calculator; and

Excluding:

Chapters 12 and 14; 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.

(fg) The Washington State Energy Code (~~2018-2021~~ 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".

(gh) 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.

(hi) 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.

Section 11. Section 12.22.010 of the Ruston Municipal Code is hereby amended to read as follows:

12.22.010 IBC administrative amendments.

The International Building Code adopted by the 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 City of Ruston Building Code, hereinafter referred to as "this code."

(b) IBC Section 103.1 is amended as follows:

103.1 Building Department. The official in charge of the City of Ruston Building Department shall be known as the building official. A function of the department shall be the implementation, administration and enforcement of the provisions of this code.

(bc) 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.

(ed) 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 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.

(de) 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.

Section 12. A new Chapter 12.23 of the Ruston Municipal Code is hereby created to read as follows:

Chapter 12.23 – AMENDMENTS TO THE EXISTING BUILDING CODE

12.23.010 IEBC administrative amendments.

12.23.020 IEBC appeals.

12.23.030 Violations and enforcement.

12.23.010 – IEBC administrative amendments

(a) IEBC Section 101.1 is amended as follows:

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

(b) IEBC Section 103.1 is amended as follows:

103.1 Building Department. The official in charge of the City of Ruston Building Department shall be known as the building official. A function of the department shall be the implementation, administration and enforcement of the provisions of this code.

(c) IEBC 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.

12.23.020 IEBC appeals.

IEBC Section 112.1 is amended as follows:

112.1 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.

IEBC Section 112.3 is repealed.

12.23.030 Violations and enforcement.

IEBC Section 113 is repealed.

IEBC Section 114 is repealed.

(a) A new IEBC Section 113 is added as follows:

113 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 IEBC Section 114 is added as follows:

114 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) IEBC Section 115.3 is amended as follows:

115.3 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) IEBC Section 115.4 is amended as follows:

115.4 Method of Service. Such notice shall be made pursuant to the procedures set forth in Chapter 12.40 of the Ruston Municipal Code.

Section 13. Section 12.24.010 of the Ruston Municipal Code is hereby amended to read

as follows:

12.24.010 IRC administrative amendments.

The International Residential Code is adopted by the 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 City of Ruston Residential Code, hereinafter referred to as "this code."

(b) IRC Section R103.1 is amended as follows:

103.1 Building Department. The official in charge of the City of Ruston Building Department shall be known as the building official. A function of the department shall be the implementation, administration and enforcement of the provisions of this code.

(bc) 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.

(ed) 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.

Section 14. Section 12.26.020 of the Ruston Municipal Code is hereby amended to read as follows:

12.26.020 Washington State manufactured homes installation provisions.

The City of Ruston, in Section 12.20.020, adopts the 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~~AE104.2 is amended as follows:

~~AE301.2~~AE104.2 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~~AE107.1 is amended as follows:

~~AE304.1~~AE107.1 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 City of Ruston City Council.

(d) IRC Appendix E, Section ~~AE305.6~~AE108.6 is amended by adding an additional paragraph as follows:

~~AE305.6~~AE108.6.1 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 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~~AE116.1 is amended as follows:

AE116.1 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~~AE120.1 is amended as follows:

~~AE600.1~~AE120.1 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~~AE121 through ~~AE605~~AE125 are deleted and not adopted.

IRC Appendix E, Section ~~AE601~~AE121 is repealed.

IRC Appendix E, Section ~~AE602~~AE122 is repealed.

IRC Appendix E, Section ~~AE603~~AE123 is repealed.

IRC Appendix E, Section ~~AE604~~AE124 is repealed.

IRC Appendix E, Section ~~AE605~~AE125 is repealed.

Section 15. Section 12.28.010 of the Ruston Municipal Code is hereby amended to read as follows:

12.28.010 IMC administrative amendments.

The International Mechanical Code is adopted by the 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 City of Ruston Mechanical Code, hereinafter referred to as "this code."

(b) IMC Section 103.1 is amended as follows:

103.1 Building Department. The official in charge of the City of Ruston Building Department shall be known as the building official. A function of the department shall be the implementation, administration and enforcement of the provisions of this code.

~~(bc)~~ 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.

~~(ed)~~ 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 City of Ruston 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 City of Ruston City Council.~~

Section 16. Section 12.28.020 of the Ruston Municipal Code is hereby amended to read as follows:

12.28.020 Violations and enforcement.

(a) IMC Section ~~108.1~~115.1 is amended as follows:

~~108.1~~115.1 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~~115.2 is amended as follows:

~~108.2~~115.2 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~~115.3 is repealed.

(d) IMC Section ~~108.4~~115.4 is repealed.

(e) IMC Section ~~108.5~~116.2 is amended as follows:

~~108.5~~116.2 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.

Section 17. Section 12.28.030 of the Ruston Municipal Code is hereby amended to read as follows:

12.28.030 IMC appeals.

IMC Section ~~109.1~~113 is amended as follows:

~~109.1~~113.1 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 ~~109.2-113.2~~ through ~~109.7-113.4~~ are repealed.

IMC Section 114 is repealed.

Section 18. Section 12.30.010 of the Ruston Municipal Code is hereby amended to read as follows:

12.30.010 IFGC administrative amendments.

The International Fuel-Gas Code is adopted by the 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 City of Ruston Fuel Gas Code, hereinafter referred to as "this code."

(b) IFGC Section 103.1 is amended as follows:

103.1 Building Department. The official in charge of the City of Ruston Building Department shall be known as the building official. A function of the department shall be the implementation, administration and enforcement of the provisions of this code.

~~(bc)~~ 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.

~~(ed)~~ 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 City of Ruston 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 City of Ruston City Council.~~

Section 19. Section 12.30.020 of the Ruston Municipal Code is hereby amended to read as follows:

12.30.020 Violations and enforcement.

(a) IFGC Section ~~108.1-115.1~~ is amended as follows:

~~108.1-115.1~~ 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 ~~108.2-115.2~~ is amended as follows:

~~108.2-115.2~~ 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 ~~108.3-115.3~~ is repealed.

(d) IFGC Section ~~108.4-115.4~~ is repealed.

(e) IFGC Section ~~108.5-116.2~~ is amended as follows:

~~108.5-116.2~~ 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.

Section 20. Section 12.30.030 of the Ruston Municipal Code is hereby amended to read as follows:

12.30.030 IFGC appeals.

IFGC Section ~~109.1-113~~ is amended to read as follows:

~~109.1-113.1~~ 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 ~~109.2-113.2~~ through ~~109.7-113.4~~ are repealed.

IFGC Section 114 is repealed.

Section 21. Section 12.32.010 of the Ruston Municipal Code is hereby amended to read as follows:

12.32.010 IFC administrative amendments.

The International Fire Code is adopted by the 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 City of Ruston Fire Code hereinafter referred to as "this code."

(b) IFC Section 103.1 is amended as follows:

103.1 Building Department. The official in charge of the City of Ruston Building Department shall be known as the building official/fire code official. A function of the department shall be the implementation, administration and enforcement of the provisions of this code.

Section 22. Section 12.32.020 of the Ruston Municipal Code is hereby amended to read as follows:

12.32.020 Violations and enforcement.

(a) IFC Section ~~110.1-112.1~~ is amended as follows:

~~110.1-112.1~~ 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 ~~109.3-112.3~~ is amended as follows:

~~110.3-112.3~~ 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 ~~110.3.1~~112.3.1 is repealed.

(d) IFC Section ~~110.3.2~~112.3.2 is repealed.

(e) IFC Section ~~110.3.3~~112.3.3 is repealed.

(f) IFC Section ~~110.4~~112.4 is amended as follows:

~~110.4~~112.4 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 ~~112~~113 is repealed.

(h) A new IFC Section ~~112~~113 is added as follows:

~~112~~113 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.

(i) IFC Section 114.4 is amended as follows:

114.4 Notice of Unsafe Condition. 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.

Section 23. Section 12.32.030 of the Ruston Municipal Code is hereby amended to read as follows:

12.32.030 IFC appeals.

IFC Section ~~109.1~~111.1 is amended as follows:

~~109.1-111.1~~ 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 ~~109.3-111.3~~ is repealed.

Section 24. A new Chapter 12.33 of the Ruston Municipal Code is hereby created to read as follows:

Chapter 12.33 – AMENDMENTS TO THE WILDLAND-URBAN INTERFACE CODE

12.33.010 – IWUIC administrative amendments

12.33.020 IWUIC appeals.

12.33.030 Violations and enforcement.

12.33.010 – IWUIC administrative amendments

(a) IWUIC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the City of Ruston Wildland-Urban Interface Code, hereinafter referred to as "this code."

(b) IWUIC Section 103.1 is amended as follows:

103.1 Building Department. The official in charge of the City of Ruston Building Department shall be known as the building official. A function of the department shall be the implementation, administration and enforcement of the provisions of this code.

(c) IWUIC Section 106.8 is amended as follows:

106.8 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.

12.33.020 IWUIC appeals.

IWUIC 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.

IEBC Section 113.3 is repealed.

12.33.030 Violations and enforcement.

(a) IWUIC Section 110.2 is amended as follows:

110.2. Enforcement. Enforcement shall be in accordance with Chapter 12.40 RMC.

(b) IWUIC Section 110.2.2 is amended as follows:

110.2.2. Notices. Notice and Orders shall be made pursuant to the procedures set forth in Chapter 12.40 of the Ruston Municipal Code.

(c) IWUIC Section 110.4, including subsections 110.4.1 through 110.4.8, is repealed.

(d) IWUIC Section 114 is repealed.

A new IWUIC Section 114 is added as follows:

114 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.

Section 25. 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 26. Publication. This Ordinance shall be published by an approved summary consisting of the title.

Section 27. 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 28. Corrections. Upon the approval of the city attorney, the city clerk, and/or the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

Section 28. Effective Date. This Ordinance shall be effective March 15, 2024, or 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 5th day of March, 2024.

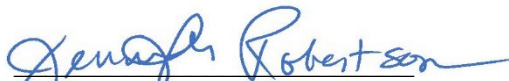
APPROVED by the Mayor this 5th day of March, 2024.

Bruce Hopkins, Mayor

ATTEST/AUTHENTICATED:

Laurie Cassell, City Clerk

APPROVED AS TO FORM:



Jennifer S. Robertson
Office of the City Attorney

FILED WITH THE CITY CLERK: _____
PASSED BY THE CITY COUNCIL: _____
PUBLISHED: _____
EFFECTIVE DATE: _____
ORDINANCE NO: 1578