

ORDINANCE _____ 2007

An ordinance updating Kitsap County Code Chapter 14.04 to the current state adopted construction codes.

BE IT ORDAINED:

[Section 1.](#) Kitsap County Code Section 14.04.040, last amended by Ordinance 323-2004, is amended as follows:

14.04.040 Referenced codes.

Pursuant to and by the authority of RCW 19.27, RCW 43.22, RCW 36.32, RCW 36.43, RCW 36.70A, and RCW 70.77, the following codes and standards are adopted by reference and are amended as shown in Sections 14.04.230 through 14.04.930.

A. The *International Building Code* (2006 Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-50, together with:

Appendix C, Agricultural Buildings;

Appendix E, Supplemental Accessibility Requirements;

Appendix G, Flood-Resistant Construction;

Appendix J, Grading;

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

B. The *International Residential Code* (2006 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 G, Swimming Pools, Spas and Hot Tubs;

Appendix J, Existing Buildings and Structures;

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

C. The *International Mechanical Code* (2006 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* (2006 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* (2006 Edition), published by the International Code Council, and amended by the Washington State Building Code Council in WAC 51-54; and as adopted and amended herein, together with:

Appendix B, Fire Flow Requirements for Buildings;

Appendix F, Hazard Ranking;
Appendix G, Cryogenic Fluids – Weight and Volume Equivalents.
This shall be known hereafter as the "International Fire Code" or the "IFC."

E. The Uniform Plumbing Code (2006 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 Chapter A, Recommended Rules for Sizing the Water Supply System;
Appendix Chapter B, Explanatory Notes on Combination Waste and Vent Systems;
Appendix Chapter D, Sizing of Storm Water Drainage Systems;
Appendix Chapter I, Installation Standards.
But 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 Abatement of Dangerous Buildings Code, as set forth in Sections 14.04.850 through 14.04.880. This shall be known hereafter as the "Abatement of Dangerous Buildings Code" or "DBC."

G. The Washington State Energy Code as amended and published by the Washington State Building Code Council, WAC Chapter 51-11.
This shall be known hereafter as the "WSEC."

H. The Washington State Ventilation and Indoor Air Quality Code as amended and published by the Washington State Building Code Council, WAC Chapter 51-13.
This shall be known hereafter as the "VIAQ."

I. The Washington State Historic Building Code (1991 Edition), as published by the Washington State Building Code Council, WAC Chapter 51-19.

J. 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 adopted and amended by the State of Washington.

K. 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 adopted and amended by the State of Washington.

[Section 2. Kitsap County Code Section 14.04.065, adopted by Ordinance 323-2004, is amended as follows:](#)

14.04.065 Violations.

Violations of this Title are Class 1 civil infractions in accordance with Kitsap County Code Chapter 2.116, unless otherwise specifically identified as a misdemeanor.

[Section 3. Kitsap County Code Section 14.04.120, last amended by Ordinance 323-2004, is amended as follows:](#)

14.04.120 Kitsap County Permit fee schedule 2003.

A. Valuation Determination

The determination of value or valuation under any of the provisions of this chapter shall be made by the code official. The value to be used in computing the building permit and building plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

One and two family dwellings and their accessory structures built in accordance with the IRC shall have a minimum valuation as determined from Table 1 of the most current Building Valuation Data table compiled by the International Code Council (ICC) and published in Building Safety Journal magazine, with a local cost modifier of .87. All other projects shall have a minimum valuation as determined from Table 1 of the most current Building Valuation Data table compiled by the International Code Council and published in Building Safety Journal magazine with a local cost modifier of .87. Copies of the valuation criteria are available, upon request, at the Department of Community Development.

B. Valuation based fees shall be as set forth below:

1. Permit Fee: All projects requiring a permit in accordance with any of the codes adopted in Section 14.04.040, other than those specifically described in subsections 14.04.120(C) through 14.04.120(I) below, shall have a permit fee based on the project's valuation as established by subsection 14.04.120(A) above, and then calculated in accordance with Table 1-A below. Permits and fees specifically described in subsections 14.04.120(C) through 14.04.120(I) below shall have fees as described therein.

2. Plan Review Fee: When submittal documents are required in accordance with IBC Section 106 or IRC Section R106, a plan review fee shall be paid at the time of submitting the documents for plan review. The plan review fee is separate from, and

in addition to, the permit fee as set forth above. The plan review fee shall be equal to 65% of the permit fee.

TABLE 1-A

TOTAL VALUATION*	FEE
\$1.00 up to \$500.00	\$23.50
\$500.01 up to \$2,000.00	\$23.50 for the first \$500.00 plus \$3.05 for each additional \$100.00, or fraction thereof, to and including \$2,000.00
\$2,000.01 up to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00
\$25,000.01 up to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00
\$50,000.01 up to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00
\$100,000.01 up to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00
\$500,000.01 up to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,000.01 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.65 for each additional \$1,000.00, or fraction thereof
*Valuation is based on a standard cost per square foot. (See Section 14.04.120(A))	

C. Residential flat fee permit fees shall be as set forth below:

Manufactured home installed on a land parcel	\$300.00 each building
Manufactured home installed in a mobile home park	\$100.00 each building
Adult Family Homes (per IRC R325)	\$100.00 each
Re-roofing	\$90.00 each building
Spa or hot tub	\$50.00 each
Demolition	\$50.00 each building
Re-inspection fee	\$50.00 each insp.

D. Commercial flat fee permit fees shall be as set forth below:

Certificate of Occupancy	\$50.00 each cert.
Revised Certificate of Occupancy (no work)	\$50.00 each cert.
Temporary building installation and removal	\$100.00 each building

E. Miscellaneous Fees shall be as set forth below:

Washington State Building Code Council surcharge: \$ 4.50 each permit

Use of outside consultants (for plan checking and inspections, or both) shall have a fee equal to the Actual Costs.

Additional Review: Additional plan review required by changes, revisions, or addition to plans shall have a fee equal to \$50.00 per hour or the total cost of the permit, whichever is less.

Reactivation Fee (<1yr.): To reactivate a permit after permit expiration, if within 1 year of expiration, the permit fee shall be one half of the amount required for a new permit, or \$400.00, whichever is less, provided no changes have been made, or will be made in the original plans and specifications for such work.

Reactivation Fee (>1yr.): To reactivate a permit any time after the permit has been expired for more than one year, a full permit fee shall be paid in the amount required for a new permit.

Reactivation Fee, Final Only: To reactivate a permit after permit expiration, to perform a final inspection only for a permit that previously had all required inspections approved other than the final inspection, a fee shall be paid of \$50.00.

Reinspection Fee: Whenever an inspection is requested but the project is not yet ready for inspection, or if access to the site is prevented, or if temporary silt and erosion control measures are not in place, a fee shall be paid of \$50.00.

Investigation Fee: Whenever any work for which a permit is required by this code has been commenced without first obtaining such permit, an investigation fee shall be paid in an amount equal to the permit fee for such project, in addition to the required plan review and permit fees.

Stop Work Fee: (in addition to the investigation fee) \$50.00 each

F. Fee schedule for the basic plan process shall be as set forth below:

1. Setup Fee: The initial set up fee to establish a basic plan shall be the plan review fee as established by subsection 14.04.120(B) above plus an additional \$100.00 set up fee.

2. Basic Plan Use Fee: To use an established basic plan, the building permit fee shall be as established by subsection 14.04.120(B) above, and the plan review fee shall be \$75.00.

3. Modification to a Basic Plan: Revisions to an established basic plan shall be assessed: \$100.00 or an amount equal to the plan review fee, whichever is the lesser amount.

G. Mechanical Permit Fees shall be as set forth below:

1. Permit Issuance: (base fee)

For the issuance of each mechanical permit: \$23.50

2. Unit Fee Schedule

(Note: The following do not include the permit issuance fee.)

i. Furnaces

For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW): \$14.80

For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu/h (29.3 kW): \$18.20

For the installation or relocation of each floor furnace, including vent: \$14.80

For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater: \$14.80

ii. Appliance Vents

For the installation, relocation or replacement of each appliance vent installed and not included in an appliance permit: \$7.25

iii.Repairs or Additions

For the repair of, alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code: \$13.70

iv.Boilers, Compressors and Absorption Systems

For the installation or relocation of each boiler or compressor to and including 3 horsepower (10.6kw),or each absorption system to and including 100,000 Btu/h (29.3 kW): \$14.70

For the installation or relocation of each boiler or compressor over three horsepower (10.6 kW) to and including 15 horsepower (52.7kw), or each absorption system over 100,000 Btu/h (29.3 kW) to and including 500,000 Btu/h (146.6 kW): \$27.15

For the installation or relocation of each boiler or compressor over 15 horsepower (52.7 kW) to and Including 30 horsepower (105.5kw), or each absorption system over 500,000 Btu/h (146.6 kW) to and including 1,000,000 Btu/h (293.1 kW): \$37.25

For the installation or relocation of each boiler or compressor over 30 horsepower (105.5 kW) to and Including 50 horsepower (176kw), or each absorption system over 1,000,000 Btu/h (293.1 kW) to and including 1,750,000 Btu/h (512.9 kW): \$55.45

For the installation or relocation of each boiler or compressor over 50 horsepower (176 kW), or each absorption system over 1,750,000 Btu/h (512.9 kW): \$92.65

v.Air Handlers

For each air-handling unit to and including 10,000 cubic feet per minute (cfm) (4719 L/s), including ducts attached thereto: \$10.65

(Note: This fee does not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in the Mechanical Code.)

For each air-handling unit over 10,000 cfm (4719 L/s): \$18.10

vi.Evaporative Coolers

For each evaporative cooler other than portable type: \$10.65

vii.Ventilation and Exhaust

For each ventilation fan connected to a single duct: \$7.25

For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit: \$10.65

For the installation of each hood which is served by mechanical exhaust, including the ducts for such hood: \$10.65

viii.Incinerators

For the installation or relocation of each domestic-type incinerator: \$18.20

For the installation or relocation of each commercial or industrial-type incinerator: \$14.50

ix. Miscellaneous

For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table:

\$10.65

For the installation of gas piping (one to four outlets): \$10.00

For each additional outlet exceeding four, each: \$ 2.00

For the installation of medical gas piping serving one to five inlets/outlets for a specific gas: \$50.00

For each additional medical gas inlet/outlet, each: \$ 5.00

For the installation or relocation of each solid fuel burning heater, wood cook stove, wood stove, or pellet stove or insert: \$12.00

For the installation or relocation of each log lighter or fuel burning decorative log set: \$12.00

3. Other Inspections and Fees

i. Reinspection fees assessed under provisions of subsection 14.04.120(E) above, per inspection: \$50.00*

ii. Additional plan review, per hour, required by changes, additions or revisions to plans or to plans for which an initial review has been completed (minimum charge, one-half hour): \$50.00*

* Or the total cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

H. –Plumbing Permit Fees shall be as set forth below:

1. Permit Issuance: (base fee)

For the issuance of each plumbing permit: \$20.00

2. Unit Fee Schedule:

(Note: The following do not include the permit issuance fee)

i. For each plumbing fixture on one trap or a set of fixtures on one trap (including water, drainage piping and backflow protection): \$ 7.00

ii. For each water heater: \$ 7.00

iii. For each industrial waste pretreatment interceptor including its trap and vent, except kitchen-type grease interceptors functioning as fixture traps: \$ 7.00

iv. For each installation, alteration or repair of water piping and/or water treating equipment, each: \$ 7.00

v. For each repair or alteration of drainage or vent piping, each fixture: \$ 7.00

vi. For each lawn sprinkler system on any one meter including their backflow protection devices: \$ 7.00

vii. For atmospheric-type vacuum breakers not included in item 6, including hose bibs, each: \$ 1.00

viii. For each backflow protective device other than atmospheric type vacuum breakers:

- 2 inch (51 mm) diameter and smaller: \$ 7.00
- over 2 inch (51 mm)diameter: \$15.00
- ix. For each medical gas piping system serving one to five inlet(s)/outlet(s) for a specific gas: \$50.00
- x. For each additional medical gas inlet(s)/outlet(s): \$ 5.00

3. Other Inspections and Fees

- i. Reinspection fee assessed under provisions of subsection 14.04.120(E) above, per inspection: \$50.00*
- ii. Additional plan review, per hour, required by changes, additions or revisions to approved plans: \$50.00*

* Or the total cost to the jurisdiction, whichever is the greatest. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

I. Fire Code Permit (FCP) fees shall be as set forth below:

(Statement of intent: Fees shall be included with the building permit application when the project includes a process for which a permit is required by the International Fire Code.)

- Fire Code Permit (FCP Operational Permit), each occupant: \$100.00
- Operational Permit Inspection Fee, each: \$ 50.00
- Temporary stand for the sale of fireworks (in accordance with RCW 70.77), including permit and inspection, each stand: \$100.00

Construction permits shall be as set forth in subsection 14.04.120(B) above.

[Section 4. Kitsap County Code Section 14.04.230, last amended by Ordinance 323-2004, is amended as follows:](#)

14.04.230 General.

A. IBC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Kitsap County Building Code, hereinafter referred to as “this code.”

B. IBC Section 101.2 is amended as follows:

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

- 1. Detached one- and two-family dwellings, and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the International Residential Code.

2. Detached single-family dwellings used as a Bed and Breakfast House shall comply with the International Residential Code.

C. IBC Section 101.4.1 is amended as follows:

101.4.1 Electrical. The provisions of the Electrical Code in accordance with RCW 19.28 and WAC 296-46B shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

D. IBC Section 101.4.4 is amended as follows:

101.4.4 Plumbing. The provisions of the Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The Provisions of the Kitsap County Code, Titles 9 and 13 shall apply to private sewage disposal systems.

E. IBC Section 101.4.5 is deleted and not adopted.

F. IBC Section 101.4.7 is amended as follows:

101.4.7 Energy. The provisions of the Washington State Energy Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

G. IBC Section 101.4 is amended by adding an additional subsection, 101.4.8 as follows:

101.4.8 Washington State Referenced Codes. Wherever the adopted codes state the International Plumbing Code, it shall mean the Uniform Plumbing Code as adopted by the State of Washington. Wherever the adopted codes state 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 state the International Energy Conservation Code, it shall mean the Washington State Energy Code as adopted by the State of Washington.

[Section 5.](#) Kitsap County Code Section 14.04.270, last amended by Ordinance 323-2004, is repealed.

[Section 6.](#) Kitsap County Code Section 14.04.285, adopted by Ordinance 323-2004, is amended as follows:

14.04.285 Appeals.

IBC Section 112.1 is amended as follows:

112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the technical provisions of this code, there shall be a consolidated board of appeals in accordance with Article 15, Kitsap County Code Sections 14.04.950 through 14.04.990. Appeals of administrative provisions shall be in accordance with Kitsap County Code Chapter 21.04.

IBC Section 112.3 is deleted and is not adopted.

[Section 7. Kitsap County Code Section 14.04.505, adopted by Ordinance 323-2004, is amended as follows:](#)

14.04.505 Work Exempt from Permit

IRC Section R105.2 is amended by revising line number 1 under “Building” as follows:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet.

IRC Section R105.2 is further amended by adding new lines numbered 10 and 11 under “Building” as follows:

10. Roof covering replacement (re-roofing) provided the roof area does not exceed 2100 square feet (21 squares) and further provided the existing sheathing remains in place and no structural work is performed.

11. Wood framed, uncovered exterior decks, provided no portion of the deck exceeds 30 inches above grade.

[Section 8. Kitsap County Code Section 14.04.515, adopted by Ordinance 323-2004, is amended as follows:](#)

14.04.515 Application for Permit

IRC Section R105.3 is amended as follows:

105.3 Application for Permit. To obtain a permit, the applicant shall first file an application therefore in writing on forms furnished by the Department of Community Development for such purposes. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitively locate the proposed building or work, and shall include the property tax parcel number as assigned by the Kitsap County Tax Assessor.
3. Indicate the use and occupancy for which the work is intended.
4. Be accompanied by construction documents and other information as required by Section R106.1.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.
8. Be accompanied by a certificate of concurrency when required by this section and the provisions of the Kitsap County Transportation Facilities Concurrency Ordinance (Kitsap County Code Title 20), as now or hereafter amended. Unless specifically exempt from concurrency as specified in Kitsap County Code Title 20, a copy of the issued certificate of concurrency for the proposed development is required prior to the acceptance of all building permit applications.
9. Be accompanied by evidence of an adequate water supply and sewage disposal system by one of the following:
 - A. Upon building permit application, where parcels are serviced by on-site sewage disposal systems, an accepted building site application* or an accepted building clearance, approved by the Kitsap County Health District, is required for:
 1. New construction.
 2. Additions where there is an increase in the floor area which extends beyond the original exterior walls.
 3. Alteration or remodeling where the total number of bedrooms is increased.
 4. Change in use which results in an increase in the water/sewage volume or potential health risk.
 - *An application may be submitted with a preliminary building site application, which may be obtained from the health district. However, until an accepted building site application is received from the health district, a building permit application will not be complete.
 - B. Upon building permit application, a sewer permit and an accepted building clearance approved by the Kitsap County Health District, are required for new one and two family dwelling unit permits.

Pursuant to RCW 19.27.095 and RCW 19.27.097, and in addition to the requirements of IRC Section 106, no building permit application shall be complete unless or until evidence of an adequate water supply and evidence of an adequate sewage disposal system for the intended use of the building is provided from an approved agency for structures where plumbing fixtures are part of the proposed building permit application.

[NEW SECTION. Section 9.](#) A new section, 14.04.520, Basic Plan System, is added to Chapter 14.04 Kitsap County Code, as follows:

14.04.520 Basic plan system.

IRC Section 106 is amended by adding an additional subsection, R106.6 as follows:

R106.6 Basic Plan System. The Building Official may institute a program to facilitate the repeated use of blueline drawings or construction plans.

The purpose of the Basic Plan system is to create a more efficient, cost saving procedure; to reduce redundant plan reviews; to maintain records pertaining to Basic Plan building permits; and to develop a cost saving method of obtaining residential building permits in order to promote affordable housing for the citizens of Kitsap County.

A person or company holding title or copyright to the plans may establish a Basic Plan by application and the payment of a one time setup fee. A Basic Plan may be used to obtain building permits for:

Single-family dwellings with or without attached carports or garages.

Residential carports or garages.

Residential structures such as pump houses, fences, or retaining walls.

Residential Multi-family carports or garages.

Basic Plans designed by a registered architect or professional engineer, or are otherwise protected by Federal Copyright laws shall be accompanied by a document signed by the holder of the copyright protection, authorizing its repeated use. Once approved and established, the Basic Plan will be assigned a file number, and will be retained on record for the duration of the current state code adoption, in order to be used for issuance of building permits. A Basic Plan shall not be used to obtain a permit for any project where the structure is less than 3 feet from a property line, or within 6 feet of another building located on the same property unless a specific modification is made to the Basic Plan identifying any required fire-resistive construction. A building permit based upon an approved Basic Plan shall be issued provided the required application has been received, assessed fees have been paid and other required documentation regarding the suitability of the lot or land on which the building is to be constructed is found to be in compliance with the Zoning Code, Critical Areas Ordinance, Shoreline Management Ordinance, the Kitsap County

Building & Fire Code, and any other law enforced by Kitsap County regulating construction.

Allowable options for basic plans may include different elevations, bay windows, skylights, reversals (mirror-image) or similar construction features that do not alter the size of the structure or modify the structural system.

Fees for establishing and using basic plans shall be as set forth in the Building Permit Fee Schedule as adopted and amended in Kitsap County Code Section 14.04.120.

[Section 10.](#) Kitsap County Code Section 14.04.525, adopted by Ordinance 323-2004, is amended as follows:

14.04.525 IRC Appeals.

A. IRC Section R112.1 is amended as follows:

R112.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the technical provisions of this code, there shall be a consolidated board of appeals in accordance with Article 15, Kitsap County Code Sections 14.04.950 through 14.04.990. Appeals of administrative provisions shall be in accordance with Kitsap County Code Chapter 21.04.

B. IRC Sections R112.2.1, R112.2.2 and R112.3 are deleted and not adopted.

[Section 11.](#) Kitsap County Code Section 14.04.532, adopted by Ordinance 323-2004, is amended as follows:

14.04.532 Corrections.

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

[Section 12.](#) Kitsap County Code Section 14.04.535, adopted by Ordinance 323-2004, is amended as follows:

14.04.535 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

Seismic Design Category = D₂
Weathering = Moderate
Frost Line Depth = 12"
Termite = Slight to Moderate
Decay = Moderate to Severe
Winter Design Temp = 26
Ice Barrier Underlayment Required = No
Flood Hazards = (a) 1980, (b) 1980
Air Freezing Index = 148
Mean Annual Temp = 51.4

[Section 13.](#) Kitsap County Code Section 14.04.545, adopted by Ordinance 323-2004, is amended as follows:

14.04.545 Special Flood Hazard Areas.

A. IRC Section R104.10.1 is amended as follows:

R104.10.1 Areas Prone to Flooding. The building official shall not grant modifications to any provision related to areas prone to flooding as established by Table R301.2(1) and Kitsap County Code Title 15 without the granting of a variance in accordance with Kitsap County Code Title 15, Sections 15.20.010 through 15.20.030.

B. IRC Section R106.1.3, line number 4 is amended as follows:

4. If base flood elevations are not included on the community's Flood Insurance Rate Map (FIRM), the applicant shall obtain and reasonably utilize, subject to approval by the building official, any design flood elevation and floodway data available from other sources in accordance with Kitsap County Code Title 15.

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

IRC Section R105.3.1.1 Substantially improved or substantially damaged existing buildings in areas prone to flooding. For applications for reconstruction, rehabilitation, addition, or other improvement to existing buildings or structures located in a special flood hazard area as established by Table R301.2(1) and Kitsap County Code Title 15, the building official shall examine or cause to be examined the construction documents and shall prepare a finding with regard to the value of the proposed work. 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 predamage condition. If the building official finds that the value of the 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 a substantial improvement and shall meet the requirements of IRC Section R324 and the requirements of Kitsap County Code Title 15.

D. IRC Section R301.2.4 is amended as follows:

R301.2.4 Floodplain construction. Buildings and structures constructed in whole or in part in special flood hazard areas (including A or V zones) as established in Table R301.2(1) and Kitsap County Code Title 15, shall be designed and constructed in accordance with Section R324.

Exception: Residential buildings and structures in identified floodways as established in Table R301.2(1) and Kitsap County Code Title 15, are prohibited.

E. IRC Section R309.5 is amended as follows:

R309.5 Special Flood Hazard Areas. For buildings located in special flood hazard areas as established by Table R301.2(1) and Kitsap County Code Title 15, garage floors shall be:

1. Elevated to 1 foot or more above the base flood elevation as determined in Section R324; or
2. If the garage floor level is lower than 1 foot above the base flood elevation, the garage shall be used solely for parking, building access or storage, and the floor shall be at or above grade on all sides. All portions of the structure located lower than 1 foot above base flood elevation shall also meet the requirements of Section R324, including R324.1.7 and R324.2.2, as well as the other requirements of this code.

F. IRC Section R324.1 is amended as follows:

R324.1 General. Buildings or structures constructed in special flood hazard areas (including A or V zones) as established in Table R301.2(1) and Kitsap County Code Title 15, shall be designed and constructed in accordance with the provisions contained in this section.

Exception: Residential buildings and structures in identified floodways as established in Table R301.2(1) and Kitsap County Code Title 15, are prohibited.

G. IRC Section R324.1.6 is amended as follows:

R324.1.6 Protection of water supply and sanitary sewage systems. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system in accordance with the plumbing provisions of this code and Kitsap County Code Section 15.12.050. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into systems and discharges from systems into floodwaters in accordance with the plumbing provisions of this code and Kitsap County Code Section 15.12.050.

H. IRC Section R324.1.8 is amended as follows:

R324.1.8 Manufactured Housing. New or replacement manufactured housing shall be elevated in accordance with Section R324.2. In addition, the manufactured housing shall be anchored and tied down in accordance with Sections AE604 and AE605 of Appendix E, or in accordance with a design prepared by a Washington State registered design professional in accordance with Kitsap County Code Section 15.12.030.

I. IRC Section R324.1.9 is amended as follows:

R324.1.9 As-built elevation documentation. A registered land surveyor shall prepare and seal documentation of the elevations specified in Section R324.2 or R324.3. The completed elevation certificate shall be provided to the Department of Community Development prior to issuance of a certificate of occupancy.

J. IRC Section R324.2 is amended as follows:

R324.2 Flood hazard areas (including A zones). All areas that have been determined to be prone to flooding but not subject to high velocity wave action shall be designated as special flood hazard areas. All buildings and structures erected in special flood hazard areas shall be designed and constructed in accordance with Sections R324.2.1, R324.2.2 and Kitsap County Code Title 15.

K. IRC Section R324.2.1 is amended as follows:

R324.2.1 Elevation Requirements.

1. Buildings and structures shall have the lowest floors elevated to at least 1 foot above the base flood elevation.
2. In areas of shallow flooding (AO zones), buildings and structures shall have the lowest floor (including basement) elevated at least 1 foot or more above the highest adjacent grade plus the depth number specified in feet on the FIRM, or at least 2 feet if a depth number is not specified.
3. Basements and crawlspace floors that are below grade on all sides are prohibited.
Note: Enclosed areas below the base flood elevation, including basements and crawl spaces whose floors are not below grade on all sides, shall meet the requirements of Section R324.2.2.

L. IRC Section R324.2.2 is amended as follows:

R324.2.2 Enclosed areas below base flood elevation. Enclosed areas, including crawl spaces, that are below the base flood elevation shall:

1. Be used solely for parking of vehicles, building access or storage.
2. Be provided with flood openings which shall meet the following criteria:

- 2.1. There shall be a minimum of two openings on different sides of each enclosed area; if a building has more than one enclosed area below the design flood elevation, each area shall have openings on exterior walls.
 - 2.2. The total net area of all openings shall be at least 1 square inch for each square foot (275 mm for each square meter) of enclosed area.
 - 2.3. The bottom of each opening shall be 1 foot (305 mm) or less above the adjacent ground level.
 - 2.4. Openings shall be at least 3 inches (76 mm) in diameter.
 - 2.5. Any louvers, screens or other opening covers shall allow the automatic flow of floodwaters into and out of the enclosed area.
 - 2.6. Openings installed in doors and windows, that meet requirements of 2.1 through 2.5, are acceptable; however, door and windows without installed openings do not meet the requirements of this section.
3. Have an interior grade at or above the level of adjacent exterior grade.

M. IRC Section R324.2.3 is deleted.

N. IRC Section R324.3.2 is amended as follows:

R324.3.2 Elevation Requirements.

1. All buildings and structures erected within coastal high hazard areas shall be elevated so that the lowest portion of all structural members supporting the lowest floor, with the exception of mat or raft foundations, piling, pile caps, columns, grade beams and bracing, is located at least 1 foot above the base flood elevation.
 2. Basement and crawl space floors that are below grade on all sides are prohibited.
 3. The use of fill for structural support is prohibited.
 4. The placement of fill beneath buildings and structures is prohibited.
- Exception: Walls and partitions enclosing areas below the base flood elevation shall meet the requirements of Sections R324.3.4 and R324.3.5.

O. IRC Section G2404.7 is amended as follows:

G2404.7 (301.11) Flood Hazard. For structures located in special flood hazard areas, the appliance, equipment and system installations regulated by this code shall be located at least 1 foot above the base flood elevation and shall comply with the flood-resistant construction requirements of Section R324.

Exception: The appliance, equipment and system installations regulated by this code are permitted to be located below the base flood elevation provided they are designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the base flood elevation and shall comply with the flood-resistant construction requirements of Section R324.

[Section 14. Kitsap County Code Section 14.04.552, adopted by Ordinance 323-2004, is amended as follows:](#)

14.04.552 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.

[Section 15. Kitsap County Code Section 14.04.558, adopted by Ordinance 323-2004, is amended as follows:](#)

14.04.558 Prescriptive Foundations.

A. IRC Section R403.1.3 is amended as follows:

R403.1.3 Seismic Reinforcing. Concrete footings of buildings located in Seismic Design Categories D₁ and D₂, as established in Table R301.2(1), shall have at least minimum reinforcement. Bottom reinforcement shall be located a minimum of 3 inches (76 mm) clear from the bottom of the footing.

Where a construction joint is created between a concrete footing and a concrete stem wall, minimum vertical reinforcement of one No. 4 bar shall be provided at not more than 4 feet on center. The bars shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook, and extend a minimum of 14 inches (357 mm) into the stem wall.

Where a grouted masonry stem wall is supported on a concrete footing, minimum vertical reinforcement of one No. 4 bar shall be provided at not more than 4 feet on center. The bars shall extend to 3 inches (76 mm) clear of the bottom of the footing, have a standard hook, and extend into the stem wall to 2 inches clear of the top of the wall.

Masonry stem walls without solid grout and vertical reinforcing shall not be permitted.

Exception: Interior isolated footings supporting interior posts, columns or pedestals may be plain concrete provided the depth of the footing is equal to or exceeds one half the width of the isolated footing.

B. IRC Section R403.1.3.1 is amended as follows:

R403.1.3.1 Foundations with stem walls. Footings for foundations with stem walls shall be provided with a minimum of two No. 4 bars located 3 inches above the bottom of the footing.

C. IRC Section R403.1.3.2 is amended as follows:

R403.1.3.2 Slabs-on-ground with turned down footings. Slabs-on-ground with turned down footings shall have a minimum of one No. 4 bar at the top and two No. 4 bars located 3 inches above the bottom of footing.

D. IRC Section R404.1, first paragraph, is amended as follows:

R404.1 Concrete and masonry foundation walls. Concrete and masonry foundation walls shall be selected and constructed in accordance with the provisions of this section or in accordance with ACI 318, ACI 332, NCMA TR68-A or ACI 530/ASCE 5/TMS 402 or other approved structural standards. When ACI 318, ACI 332, NCMA TR68-A or ACI 530/ASCE 5/TMS 402 or other structural standards are used to design concrete or masonry foundation walls, project drawings, typical details and specifications are required to bear the seal of the architect or engineer responsible for the design.

(The remainder of the section remains unchanged.)

E. IRC Section R404.1.1 is amended as follows:

404.1.1 Masonry Foundation Walls. Concrete masonry and clay masonry foundation walls shall be constructed as set forth in Tables R404.1.1(2), R404.1.1(3) and R404.1.1(4) and shall also comply with the provisions of this section and the applicable provisions of sections R606, R607 and R608. In Seismic Design Categories D_1 and D_2 , concrete masonry and clay masonry foundation walls shall comply with R404.1.4. Rubble stone masonry walls shall not be used in Seismic Design Categories D_1 and D_2 .

F. IRC Table R404.1.1(1) is deleted, and IRC Table R404.1.1(5) is amended by replacing it in its entirety with a table as follows:

TABLE R404.1.1(5)
REINFORCED CONCRETE FOUNDATION WALLS^{1,2}

MAXIMUM WALL HEIGHT ^{7,8} (FEET)	MAXIMUM UNBALANCED BACKFILL HEIGHT ⁶ (FEET)	MINIMUM VERTICAL REINFORCEMENT SIZE AND SPACING ^{3,4}			
		ALL GROUP I, II AND III SOILS ⁵			
		MINIMUM WALL THICKNESS (INCHES)			
		5.5	7.5	9.5	11.5
5	4	#4@48"	#4@48"	#4@48"	#4@48"
	5	#4@48"	#4@48"	#4@48"	#4@48"
6	4	#4@48"	#4@48"	#4@48"	#4@48"
	5	#4@24"	#4@48"	#4@48"	#4@48"
	6	#5@24"	#4@48"	#4@48"	#4@48"
7	4	#4@36"	#4@36"	#4@48"	#4@48"
	5	#5@36"	#4@36"	#4@48"	#4@48"
	6	#6@36"	#5@36"	#4@36"	#4@48"
	7	#6@24"	#6@36"	#4@36"	#4@48"
8	4	#4@36"	#4@36"	#4@36"	#4@36"
	5	#5@36"	#4@36"	#4@36"	#4@36"
	6	#6@36"	#5@36"	#4@36"	#4@36"
	7	#6@24"	#6@36"	#5@36"	#4@36"
	8	DR	#6@24"	#6@36"	#4@36"
9	4	DR	#5@36"	#5@36"	#5@36"
	5	DR	#5@36"	#5@36"	#5@36"
	6	DR	#5@36"	#5@36"	#5@36"
	7	DR	#6@36"	#5@36"	#5@36"
	8	DR	#7@36"	#6@36"	#5@36"
	9	DR	DR	DR	DR
10	4	DR	DR	#5@36"	#5@36"
	5	DR	DR	#5@36"	#5@36"
	6	DR	DR	#5@36"	#5@36"
	7	DR	DR	#6@36"	#5@36"
	8	DR	DR	#7@36"	#6@36"
	9	DR	DR	DR	DR
	10	DR	DR	DR	DR

¹. Concrete shall have a specified compressive strength of not less than 2,500 psi at 28 days.
². "DR" means a design is required in accordance with ACI 318 or ACI 332.
³. Reinforcement bars shall have a minimum yield strength of 40,000 psi. (Grade 40)
⁴. Vertical reinforcement shall be placed nearest the inside face of the wall a distance d from the outside face (soil side) of the wall where d equals 4" for a 5.5" wall, 5.5" for a 7.5" wall, 7" for a 9.5" wall and 9" for a 11.5" wall. The reinforcement shall be placed within a tolerance of +/- 1/2 inch. In no instance shall concrete cover for reinforcement be less than 1 inch from the inside face of the wall, nor less than 3 inches from the outside face of the wall.
⁵. Soil classes are in accordance with the United Soil Classification System. Refer to Table R405.1. Group IV soils require a design prepared by a registered design professional.
⁶. Unbalanced backfill height is the difference in height of the exterior and interior finish ground levels. Where there is an interior concrete slab, the unbalanced backfill height shall be measured from the exterior finish ground level to the top of the interior concrete slab.
⁷. Concrete stem walls not exceeding 5 feet in height, supporting less than 4 feet of unbalanced backfill, are exempt from the lateral bracing requirements of Section R404.1.
⁸. Concrete stem walls exceeding 5 feet in height, or supporting more than 4 feet of unbalanced backfill, shall comply with the lateral bracing requirements of Section R404.1. (All 10 foot high walls shall be braced in accordance with Table R404.1(1) as shown for 9' walls with 9' of unbalanced backfill.)

G. IRC Section R404.1.4 is amended as follows:

R404.1.4 Seismic Design Categories D₁ and D₂. Foundation walls located in Seismic Design Categories D₁ and D₂, as established in Table R301.2(1), shall be constructed in accordance with Table R404.1.1(2), R404.1.1(3), R404.1.1(4), or R404.1.1(5), shall have the uppermost horizontal bar located within 7 inches of the top of the wall, and No. 4 horizontal bars a minimum of 18 inches on center elsewhere.

H. IRC Section R404.5 is amended as follows:

R404.5 Retaining walls. Retaining walls, not laterally supported at the top, that exceed 4 feet in height, or support a surcharge, shall be designed to ensure stability against overturning, sliding, excessive foundation pressure and water uplift. Retaining walls shall be designed for a safety factor of 1.5 against lateral sliding and overturning.

[Section 16.](#) Kitsap County Code Section 14.04.565, adopted by Ordinance 323-2004, is amended as follows:

14.04.565 Under-floor ventilation.

IRC Section R408.2 is amended as follows:

R408.2 Openings for under-floor ventilation. The minimum net area of ventilation openings shall not be less than 1 square foot for each 150 square feet of under-floor area. In addition, a ground cover that meets the requirements of Section 502.1.6.7 of the Washington State Energy Code shall be installed. One such ventilating opening shall be within 3 feet of each corner of the building. Ventilation openings shall be covered for their height and width with any of the following materials provided that the least dimension of the covering shall not exceed ¼ inch (openings shall not be larger than ¼ inch):

1. Perforated sheet metal plates not less than 0.070 inch thick.
2. Expanded sheet metal plates not less than 0.047 inch thick.
3. Cast iron grills or grating.
4. Extruded load-bearing brick vents.
5. Hardware cloth of 0.035 inch wire or heavier.
6. Corrosion resistant wire mesh, with the least dimension being 1/8 inch.

[Section 17.](#) Kitsap County Code Section 14.04.588, adopted by Ordinance 323-2004, is repealed.

[Section 18.](#) Kitsap County Code Section 14.04.595, adopted by Ordinance 323-2004, is amended as follows:

14.04.595 Existing Buildings.

A. IRC Appendix J Section AJ301.4 is deleted and not adopted.

B. IRC Appendix J Section AJ501.5.1 is amended as follows:

AJ501.5.1 Materials and methods. All newly installed electrical equipment and wiring related to work done in any work area shall comply with the materials and methods requirements of the electrical code.

C. IRC Appendix J Section AJ501.5.2 is deleted and not adopted.

D. IRC Appendix J Section AJ501.5.3 is deleted and not adopted.

[Section 19.](#) Kitsap County Code Section 14.04.601, last amended by Ordinance 323-2004, is amended as follows:

14.04.601 IMC General.

A. IMC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Kitsap County Mechanical Code, hereinafter referred to as “this code.”

B. IMC Section 102.8 is amended by adding an additional subsection, 102.8.1 as follows:

102.8.1 Referenced Codes. Wherever this code states the International Plumbing Code, it shall mean the Uniform Plumbing Code as adopted by the State of Washington. Wherever this code states 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 this code states the International Energy Conservation Code, it shall mean the Washington State Energy Code as adopted by the State of Washington.

C. 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 demonstrate good cause.

D. IMC Section 106.4.4 is deleted

E. 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 and amended in Kitsap County Code Section 14.04.120.

F. IMC Section 106.5.3 is amended as follows:

106.5.2 Fee Refunds. The code official shall authorize fee refunds in accordance with Kitsap County Code Section 14.04.125.

[Section 20.](#) Kitsap County Code Section 14.04.605, adopted by Ordinance 323-2004, is amended as follows:

14.04.605 IMC Corrections.

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

[Section 21.](#) Kitsap County Code Section 14.04.615, adopted by Ordinance 323-2004, is amended as follows:

14.04.615 IMC Violations and Appeals.

A. IMC Section 108.4 is amended as follows:

108.4 Violation penalties. Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who erect, install, alter or repair mechanical work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil infraction in accordance with Kitsap County Code Section 2.116. Each day the violation continues shall be deemed a separate offense.

B. IMC Section 108.5 is amended as follows:

108.5 Stop Work Orders. Upon notice from the code official that mechanical work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine in accordance with Kitsap County Code Section 2.116.

C. IMC Section 109.1 is amended as follows:

109.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the technical provisions of this code, there shall be a consolidated board of appeals in accordance with Article 15, Kitsap County Code Sections 14.04.950 through 14.04.990. Appeals of administrative provisions shall be in accordance with Kitsap County Code Chapter 21.04.

D. IMC Sections 109.2 through 109.7 are deleted and not adopted.

[Section 22.](#) Kitsap County Code Section 14.04.635, adopted by Ordinance 323-2004, is amended as follows:

14.04.635 Ventilation.

A. IMC Section 401.1 is amended as follows:

401.1 Scope. This chapter shall govern the ventilation of spaces within a building intended to be occupied, except that group R ventilation requirements shall be as set forth in the Washington State Ventilation and Indoor Air Quality Code in accordance with WAC 51-52-005, in addition, this chapter does not govern the requirements for smoke control systems.

B. IMC Section 401.4.2 is amended as follows:

401.4.2 Exhaust openings. Outside exhaust openings shall be located in accordance with Chapter 5.

C. IMC Section 501 is amended by adding an additional subsection, 501.5 as follows:

501.5 Termination point/Exhaust outlet. The termination point or exhaust outlet for exhaust ducts discharging to the atmosphere shall be located with the following minimum distances:

1. For ducts conveying explosive or flammable vapors, fumes or dusts:
 - 30 feet from the property line;
 - 10 feet from openings into the building;
 - 6 feet from exterior walls and roofs;
 - 30 feet from combustible walls and openings into the building which are in the direction of the exhaust discharge;
 - 10 feet above adjoining grade.
2. For other product conveying outlets:
 - 10 feet from the property line;
 - 3 feet from exterior walls and roofs;
 - 10 feet from openings into the building;
 - 10 feet above adjoining grade.
3. For environmental air duct exhaust:
 - 3 feet from the property line;
 - 3 feet from openings into the building, except Group U occupancies;
 - 10 feet from a mechanical air intake;

This includes environmental air regulated by Sections 504 and 505, but does not include enclosed parking garage exhaust outlets regulated by Section 404.

Exceptions:

 1. The separation between an air intake and exhaust outlet on a single listed package HVAC unit.
 2. Exhaust from environmental air systems other than garages may be discharged into an open parking garage.
 3. In occupancies other than Group I occupancies, where ventilation system design circumstances require building HVAC air to be relieved, such as during economizer operation, such air may be relieved into an open or enclosed parking garage within the same building.

[Section 23.](#) Kitsap County Code Section 14.04.645, adopted by Ordinance 323-2004, is amended as follows:

14.04.645 International Fuel Gas Code. (IFGC)

A. IFGC Section 101.1 is amended as follows:

101.1 Title. These regulations shall be known as the Kitsap County Fuel Gas Code, hereinafter referred to as “this code.”

B. IFGC Section 102.8 is amended by adding an additional subsection, 102.8.1 as follows:

102.8.1 Washington State Referenced Codes. Wherever the adopted codes state the International Plumbing Code, it shall mean the Uniform Plumbing Code as adopted by the State of Washington. Wherever the adopted codes state 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 state the International Energy Conservation Code, it shall mean the Washington State Energy Code as adopted by the State of Washington.

C. IFGC 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 demonstrate good cause.

D. IFGC Section 106.4.4 is deleted and not adopted.

E. IFGC Section 106.5.2 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 and amended in Kitsap County Code Section 14.04.120.

F. IFGC Section 106.5.3 is amended as follows:

106.5.3 Fee refunds. The code official shall authorize fee refunds in accordance with Kitsap County Code Section 14.04.125.

G. IFGC Section 301.11 is amended as follows:

301.11 Flood Hazard. For structures located in flood hazard areas, the appliance, equipment and system installations regulated by this code shall be located at least 1 foot above the design flood elevation and shall comply with the flood-resistant construction requirements of the International Building Code.

Exception:

The appliance, equipment and system installations regulated by this code are permitted to be located below the design flood elevation provided that they are designed and installed to prevent water from entering or accumulating within

the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during the occurrence of flooding to the design flood elevation and shall comply with the flood-resistant requirements of the International Building Code.

[Section 24.](#) Kitsap County Code Section 14.04.655, adopted by Ordinance 323-2004, is amended as follows:

14.04.655 IFGC Violations and Appeals.

A. IFGC Section 108.4 is amended as follows:

108.4 Violation penalties. Persons who violate a provision of this code or fail to comply with any of the requirements thereof or who erect, install, alter or repair work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a civil infraction in accordance with Kitsap County Code Section 2.116. Each day the violation continues shall be deemed a separate offense.

B. IFGC Section 108.5 is amended as follows:

108.5 Stop Work Orders. Upon notice from the code official that work is being done contrary to the provisions of this code or in a dangerous or unsafe manner, such work shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work on the system after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine in accordance with Kitsap County Code Section 2.116.

C. IFGC Section 109.1 is amended as follows:

109.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of the technical provisions of this code, there shall be a consolidated board of appeals in accordance with Article 15, Kitsap County Code Sections 14.04.950 through 14.04.990. Appeals of administrative provisions shall be in accordance with Kitsap County Code Chapter 21.04.

D. IFGC Sections 109.2 through 109.7 are deleted and not adopted.

[Section 25.](#) Kitsap County Code Section 14.04.705, last amended by Ordinance 323-2004, is amended as follows:

14.04.705 Appeals and Violations.

A. IFC Section 108.1 is amended as follows:

108.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of the technical provisions of this code, there shall be a consolidated board of appeals in accordance with Article 15, Kitsap County Code Sections 14.04.950 through 14.04.990. Appeals of administrative provisions shall be in accordance with Kitsap County Code Chapter 21.04.

B. IFC Section 108.3 is deleted and not adopted.

C. IFC Section 111.4 is amended as follows:

111.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine in accordance with Kitsap County Code Section 2.116, and may be subject to the provisions of Kitsap County Code Article 9, the Abatement of Dangerous Buildings Code.

[Section 26.](#) Kitsap County Code Section 14.04.710, last amended by Ordinance 323-2004, is amended as follows:

14.04.710 Operational Permits.

A. IFC Section 105.6.15 is deleted and not adopted.

B. IFC Section 105.6 is amended by adding an additional subsection, 105.6.47, as follows:

105.6.47 Bed & Breakfast / Boarding House. An operational permit is required to operate a residential building, or portion thereof, where the occupants are primarily transient in nature, as a Bed and Breakfast House, Bed and Breakfast Boarding House, or a Boarding House as defined in Kitsap County Code 14.04.100.

[Section 27.](#) Kitsap County Code Section 14.04.750, last amended by Ordinance 323(A)-2005, is amended as follows:

14.04.750 Fire alarm and Detection Systems.

In order to provide clarity and to maintain consistency between the Building Code and the Fire Code, the following subsection modifies language in both the International Building Code, as well as the International Fire Code as set forth below.

A. IBC Section 907.2 and IFC Section 907.2 are amended as follows:

907.2 Where required. In addition to the requirements set forth in Sections 907.2.1 through 907.2.23, all new occupancies of Groups A, B, E, F, H, I, M or S, within new or existing buildings or structures, where the gross floor area exceeds 4000 square feet, an approved manual and automatic fire alarm system shall be provided, and such alarm systems shall provide occupant notification in accordance with Section 907.10 unless notification requirements are provided by another section of this code. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the fire alarm system, automatic heat or smoke detection requirements of this section may be modified upon specific approval by the Fire Code Official.

An approved, addressable automatic fire detection system shall be installed in accordance with the provisions of this Code and NFPA 72. Devices, combinations of devices, appliances and equipment shall comply with Section 907.1.2. The automatic fire detectors shall be smoke detectors, except that an approved alternative type of detector shall be installed in spaces such as boiler rooms, warehouses, mechanical and electrical rooms, storage rooms, repair garages, kitchens and similar occupancies where, during normal operation, products of combustion, smoke, steam, particulate material, insects and similar sources of detector activation may potentially be present in sufficient quantity to actuate a smoke detector.

B. IBC Section 907.14 and IFC Section 907.15 is amended as follows:

IBC 907.14, IFC 907.15 Monitoring. Where fire alarm systems are required by this chapter or by the International Building Code, a U.L.-listed central monitoring station in accordance with NFPA 72 shall monitor fire alarm systems.

Exception: Supervisory service is not required for:

1. Single-and multiple-station smoke alarms required by Section 907.2.10.
2. Smoke detectors in Group I-3 occupancies.
3. Automatic sprinkler systems in one- and two-family dwellings.

[Section 28.](#) Kitsap County Code Section 14.04.760, last amended by Ordinance 323(A)-2005, is amended as follows:

14.04.760 Appendices adopted and amended. IFC appendices B, F, and G, adopted in Section 14.04.040, are amended as follows:

A. IFC Appendix B, Section B103.1 is amended as follows:

B103.1 Decreases. The Fire Code Official is authorized to reduce fire flow requirements for isolated buildings or group of buildings in rural areas or small communities where the development of full fire-flow requirements is impractical. Commercial fire flow shall not be less than that specified in Table B105.1 for duration of two hours in all cases. Provided, that in Table B105.1 for construction type V-B, the total fire area in square feet is revised by deleting the term 0 - 3,600. Fire flow requirements may be reduced by installing an automatic fire extinguishing system in accordance with this code.

B. IFC Appendix B, Section B103.2 is amended as follows:

B103.2 Increases. The Fire Code Official is authorized to increase the fire-flow requirements where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice that required for the building under consideration.

C. IFC Appendix B, Section B103.3 is amended as follows:

B103.3 Areas without water supply systems. Development of one- and two-family dwellings that are 5,000 square feet or greater, shall provide water supplies or approved alternative for fire-fighting purposes. In areas where fire flow or water supply is inadequate or not available. Developers may use Fire Protection Credits as listed in Table B103.3 - Approved Fire Protection, provided the total fire protection credits equal or exceed 500 gallons per minute.

D. IFC Appendix B, Section B103.3, is further amended by the addition of Table 103.3

**TABLE B103.3
PROVISIONS FOR APPROVED FIRE PROTECTION
IN AREAS WHERE FIRE FLOW IS INADEQUATE OR NOT AVAILABLE**

Scope: The following fire protection development standards may apply to one and two-family residential dwellings. Any combination of fire protection credits listed in table can be used in areas where fire flow is inadequate or not available. The total fire protection credits shall equal or exceed 500 gallons per minutes.

Method	Fire Protection Credit
1.) Automatic Fire Sprinkler System	100% or 500 g.p.m. fire protection credit.
2.) An existing fire hydrant within 1000 feet (1,000') of structure which is capable of supplying 500 g.p.m. for 30 minutes and on an accessible road.	100% fire protection credit.
3.) NFPA 13D (partial system) Residential fire sprinkler system for target hazards (systems may use domestic water supply).	Kitchens = 50% or 250 g.p.m. credit. Garages = 25% or 125 g.p.m. credit 75% or 375 g.p.m. credit for protection of kitchen and attached garage.
4.) Automatic fire extinguishing system for protection of cooking appliances.	25% or 125 g.p.m. fire protection credit.
5.) An approved monitored fire alarm system.	25% or 125 g.p.m. fire protection credit.
6.) Fire-rated sheetrock installed throughout structure and automatic door closure for attached garages.	50% or 250 g.p.m. fire protection credit.
7.) Class (A) or (B) Non-Combustible Roof Covering.	25% or 125 g.p.m. fire protection credit.
8.) Create defensible space within 30 feet (30') around the structure. Use of fire resistant landscaping plants and vegetation.	25% or 125 g.p.m. fire protection credit.
9.) Ignition-resistant construction in accordance with the International Urban Wildland Interface Code.	25% or 125 g.p.m. fire flow credit.
10.) Modified fire wall between an attached garage and the living spaces is installed with: Automatic door closure with solid core or 1-hour-rated door; Latched on all openings in ceiling of garage; Ceiling openings to be 22-inches by 36-inches minimum, to allow firefighter access; Fire-rated sheetrock, both sides of wall, from roof sheathing in attic to floor; penetrations sealed airtight.	25% or 125 g.p.m. fire flow credit 25% of the square footage of the garage shall be sub-tracted from the total residential dwelling size to determine need for fire flow or fire protection credits.

E. IFC Appendix B, Section B104.1.1 is added as follows:

B104.1.1 One- and Two-Family Dwellings. The fire flow calculation area for one and two-family dwellings shall be the total floor area within the exterior walls, including mezzanines and attached garages.

F. IFC Appendix B, Section B104.2 is amended as follows:

B104.2 Area Separation. Portions of buildings which are separated by no more than two (2) four-hour separation walls constructed in accordance with the Building Code, without openings and provided with a 30-inch (762mm) parapet, are allowed to be considered separate fire areas. No more than two (2) separate fire areas can be created between the four-hour (4 hour) separations by a two-hour (2 hour) separation wall constructed in accordance with the IBC.

G. IFC Appendix B, Section B105.1 is amended as follows:

B105.1 One- and two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings in subdivisions shall be 500 gallons per minute for thirty (30) minutes. One- and two-family dwellings 5,000 square feet or greater are also required to provide water for fire protection in the amount of 500 gallons per minute. However, they may use fire protection credits as listed in Table B103.3 to meet fire flow requirements, provided the total fire protection credits equal or exceed 500 gallons per minute.

Exceptions:

1. In areas where full fire flow is impractical, a residential sprinkler system may be substituted.
2. Permits for Single-family dwellings, manufactured, mobile, and modular dwellings on an existing lot less than 5000 square feet.

H. IFC Appendix B, Table B105.1 is amended as follows:

**APPENDIX B, Table B105.1
MINIMUM REQUIRED FIRE FLOW AND FLOW DURATION FOR BUILDINGS^a**

FIRE AREA (square feet)					FIRE FLOW (gallons per minute) ^c	FLOW DURATION (hours)
x 0.0929 for m ²						
Type I-A and I-B ^b	Type II A and IIIA ^b	Type IV-and V-A ^b	Type II-B and III-B ^b	Type V-B ^b	x 3.785 for L/min.	
0-5000	0-5000	0-5000	0-5000		1,500	2
5,001- 30,200	5,001-17,000	5,001-10,900	5,001-7,900	3,601 – 4,800	1,750	
(The remainder of Table B105.1 is as printed in the IFC.)						

[Section 29. Kitsap County Code Section 14.04.780, last amended by Ordinance 323-2004, is amended as follows:](#)

14.04.780 Fire extinguishing systems.

In order to provide clarity and to maintain consistency between the building code and the fire code, the following subsections modify language in both the International Building Code, as well as the International Fire Code as set forth below.

A. IBC Section 903.2.1 and IFC Section 903.2.1 are amended as follows:

903.2.1 Group A. An automatic sprinkler system shall be provided throughout buildings and portions thereof used as Group A occupancies as provided in this section. For Group A-1, A-2, A-3, and A-4 occupancies, the automatic sprinkler system shall be provided throughout the entire building. For Group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in 903.2.1.5.

B. IBC Section 903.2.1.1 and IFC Section 903.2.1.1 are amended as follows:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The gross floor area of the building exceeds 10,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.
4. The fire area contains a multitheater complex.

C. IBC Section 903.2.1.2 and IFC Section 903.2.1.2 are amended as follows:

903.2.1.2 Group A-2. An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The gross floor area of the building exceeds 5,000 square feet.
2. The fire area has an occupant load of 100 or more.
3. The fire area is located on a floor other than the level of exit discharge.

D. IBC Section 903.2.1.3 and IFC Section 903.2.1.3 are amended as follows:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The gross floor area of the building exceeds 10,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.

Exception:

Areas used exclusively as participant sports arena areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

E. IBC Section 903.2.1.4 and IFC Section 903.2.1.4 are amended as follows:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The gross floor area of the building exceeds 10,000 square feet.
2. The fire area has an occupant load of 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.

Exception:

Areas used exclusively as participant sports arena areas where the main floor area is located at the same level as the level of exit discharge of the main entrance and exit.

F. IBC Section 903.2.1 and IFC Section 903.2.1 are amended by adding an additional section 903.2.1.6 as follows:

903.2.1.6 Nightclub. An automatic fire sprinkler system shall be provided throughout an occupancy with a nightclub. Existing nightclubs constructed prior to July 1, 2006, shall be provided with automatic sprinklers not later than December 1, 2009. The fire code official, for the application of this section, may establish an occupant load based on observed use of the occupancy in accordance with Table 1004.1.1.

G. IBC Section 903.2.2 and IFC Section 902.2.2 are amended as follows:

903.2.2 Group E. An automatic sprinkler system shall be provided for Group E occupancies.

Exceptions:

1. Portable school classrooms, provided that the aggregate area of any cluster or portion of a cluster of portable school classrooms does not exceed 5,000 square feet (1465 m²); and clusters of portable school classrooms shall be separated as required in Chapter 5 of the building code.
2. Group E occupancies with an occupant load of 50 or less.

H. IBC Section 903.2.3 and IFC Section 903.2.3 are amended as follows:

903.2.3 Group F. An automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

1. Where the gross floor area of the building exceeds 10,000 square feet; or
2. Where a Group F fire area is located more than three stories above grade.

I. IBC Section 903.2.4 and IFC Section 903.2.4 are amended as follows:

903.2.4 Group H. Automatic sprinkler systems shall be provided in high-hazard occupancies as required in Sections 903.2.4.1 through 903.2.4.4.

J. IBC Section 903.2.4 and IFC Section 903.2.4 are further amended by adding additional subsections 903.2.4.4 as follows:

903.2.4.4 An automatic sprinkler system shall be provided throughout all buildings containing a Group H occupancy where the gross floor area of the building exceeds 10,000 square feet.

K. IBC Section 903.2.6 and IFC Section 903.2.6 are amended as follows:

903.2.6 Group M. An automatic sprinkler system shall be provided throughout all buildings containing a Group M occupancy where one of the following conditions exists:

1. Where the gross floor area of the building exceeds 10,000 square feet; or
2. Where a Group M fire area is located more than three stories above grade.

L. IBC Section 903.2.8 and IFC Section 903.2.8 are amended as follows:

903.2.8 Group S. An automatic sprinkler system shall be provided throughout all buildings containing a Group S occupancy where one of the following conditions exists:

1. Where the gross floor area of the building exceeds 10,000 square feet; or
2. Where a Group S fire area is located more than three stories above grade.

M. IBC Section 903.2.8.1 and IFC Section 903.2.8.1 are amended as follows:

903.2.8.1 Repair garages. An automatic sprinkler system shall be provided throughout all buildings containing used as repair garages in accordance with Section 406 where one of the following conditions exists:

1. Where the gross floor area of the building exceeds 10,000 square feet; or
2. Buildings with a repair garage servicing vehicles parked in the basement.

N. IBC Section 903.2 and IFC Section 903.2 are further amended by adding additional subsections 903.2.14 as follows:

903.2.14 Group B. An automatic sprinkler system shall be provided throughout all buildings containing a Group B occupancy where one of the following conditions exists:

1. Where the gross floor area of the building exceeds 10,000 square feet; or
2. Where a Group B fire area is located more than three stories above grade.

[Section 30.](#) Kitsap County Code Section 14.04.785, adopted by Ordinance 323-2004, is amended as follows:

14.04.785 IFC Referenced Standards.

Referenced standards are as set forth in IFC Chapter 45.

[Section 31. Kitsap County Code Section 14.04.860, adopted by Ordinance 323-2004, is amended as follows:](#)

14.04.860 Enforcement.

A. Administration. The building official, or the building official's authorized representative, including the fire marshal and the health officer, shall have authority as necessary in the interest of public health, safety and general welfare to perform inspections and enforce the provisions of this code. The building official shall have authority to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements due to local conditions. Such rules and interpretations shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

B. Inspections. All buildings within the scope of this code and all construction work for which a permit is required shall be subject to inspection by the building official, fire marshal and health officer in accordance with the requirements of this code, the Kitsap County Building & Fire Code, and any other laws and ordinances of Kitsap County.

C. Right of Entry. When it is necessary to perform an inspection to enforce the provisions of this code, or when the building official, or the building official's authorized representative has reasonable cause to believe that there exists in a building or upon a premises a condition contrary to or in violation of this code which makes the building or premises unsafe, dangerous or hazardous, the building official may enter the building or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such a building or premises be occupied, that credentials be presented to the occupant and entry requested. If such building or premises is not occupied, the building official shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

D. Alterations, Additions and Repairs. All buildings or structures which are required to be repaired under the provisions of this code shall be subject to the provisions of Section 3403 of the International Building Code as adopted by Kitsap County.

E. Violations. It shall be unlawful for any person, firm, corporation, or other entity to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, allow occupancy or otherwise maintain any building in violation of this code. Violations of this code or any other portion of the Kitsap County Building and Fire Code shall be a Class 1 civil infraction in accordance with Kitsap County Code Chapter 2.116.

F. Misdemeanor. In addition to the penalties provided in Subsection E, occupancy of a building declared to be dangerous, in accordance with Kitsap County Code Sections 14.04.870 and 14.04.875, or the removal or defacement of a dangerous building notice, shall be a misdemeanor in accordance with RCW 36.43.040 and shall be punished by imprisonment in the county jail for a maximum term fixed by the court of not more than ninety days, or by a fine in an amount fixed by the court of not more than one thousand dollars, or by both such imprisonment and fine.

G. Appeals. Notices of appeal of orders, decisions or determinations of the building official or fire marshal regarding dangerous buildings, shall be filed with the Kitsap County Department of Community Development within twenty-one days of the order, decision or determination on a form available at the Department of Community Development for such purpose. Appeals shall be heard by the Kitsap County Hearing Examiner in accordance with Kitsap County Code Chapter 21.04.

[Section 32.](#) Kitsap County Code Section 14.04.865, adopted by Ordinance 323-2004, is repealed.

[Section 33.](#) Kitsap County Code Section 14.04.875, adopted by Ordinance 323-2004, is amended as follows:

14.04.875 Compliance.

A. Declaration of Dangerous Buildings. All buildings or portions thereof which are determined after inspection by the building official or authorized representative, to be dangerous as defined in Section 14.04.870 of this code, are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal. Upon the determination that a building or structure is dangerous, the building official shall issue a notice of violation with an order to correct the violation(s) or initiate a nuisance abatement action in the Superior Court in accordance with RCW 7.48.

B. Emergency Measures. When, in the opinion of the building official or fire marshal, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of geologic hazard, explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the building official and fire marshal are hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The building official or fire marshal shall cause to be posted at each entrance to such building, structure or premises a notice essentially as follows:

DO NOT ENTER

THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY HAS BEEN PROHIBITED
BY THE CODE OFFICIAL.

It shall be a misdemeanor to remove or deface this placard; or, to occupy such structure; or, for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or for demolishing the building or structure.

No person shall remove or deface any such notice after it is posted until the required repairs, demolition, or removal of hazard is complete, and the abatement has received final approval by the building official.

When vacation orders are issued as emergency measures, a notice of violation and order to abate the dangerous condition shall be prepared and served in accordance with Kitsap County Code Section 14.04.875(A) as soon as practical.

C. Orders. After any order of the building official, fire marshal or hearings examiner made pursuant to this code has become final, no person to whom such an order is directed shall fail, neglect or refuse to obey such order. Any such person who fails to comply with any such order is guilty of a class 1 civil infraction in accordance with Kitsap County Code Chapter 2.116, or of a misdemeanor in accordance with Kitsap County Code Section 14.04.060(E) and RCW 36.43.040, as well as any other law or ordinance as provided by law.

D. Failure to Obey Order. After any order of the building official, fire marshal or hearings examiner made pursuant to this code has become final, and any person to whom such an order is directed fails, neglects or refuses to obey such order, the building official or fire marshal shall either: (a) cause such person to be prosecuted in accordance with Kitsap County Code Chapter 2.116; or, (b) institute any appropriate action to abate such condition as a public nuisance in accordance with Kitsap County Code Chapter 9.56; or, (c) initiate any appropriate action to abate such condition as a public nuisance by filing for a warrant of abatement with the Clerk of the Kitsap County Superior Court.

E. Failure to Commence Work. Whenever the required repair, removal or demolition is not commenced within 30 days after any final notice and order issued pursuant to this code becomes effective, the building official or fire marshal shall cause the building, structure or premises described in such notice to be vacated by posting at each entrance to such building, structure or premises a notice essentially as follows:

DO NOT ENTER

THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY HAS BEEN PROHIBITED
BY THE CODE OFFICIAL.

It shall be a misdemeanor to remove or deface this placard; or, to occupy such structure; or, for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or for demolishing the building or structure.

No person shall remove or deface any such notice after it is posted until the required repairs, demolition, or removal of hazard is complete, and the abatement has received final approval by the building official.

In addition, the building official or fire marshal may, in addition to any other remedy herein provided, cause the building to be repaired to the extent necessary to correct the conditions which render the building or structure unsafe as set forth in the notice and order; or, if the notice and order required demolition, to cause the building or structure to be demolished and the materials, rubble and resultant debris removed and the lot cleaned. Any such repair or demolition work shall be accomplished and the cost thereof paid and recovered in the manner provided in this code.

F. Interference. No person shall hinder, delay, obstruct or interfere with any officer, employee, contractor or authorized representative of this jurisdiction while performing any necessary act preliminary to or incidental to such work pursuant to this code. Any person who knowingly hinders, delays, obstructs or interferes with any county employee performing official duties in abating a nuisance pursuant to this code, shall be guilty of a misdemeanor punishable by imprisonment not exceeding ninety (90) days and/or a fine not exceeding \$1,000 in accordance with Kitsap County Code Section 9.56.060.

G. Performance. When any work of repair or demolition is to be done pursuant to the provisions of this code, the building official shall, by contract or arrangement with private contractors, or by agreement with Kitsap County Public Works, cause the building or structure to be repaired or demolished, and the cost of such repair or demolition shall be charged against the real estate upon which the building or structure is located, and shall be a lien upon such real estate.

[Section 34.](#) [Kitsap County Code Section 14.04.880](#), last amended by Ordinance 323-2004, is amended as follows:

14.04.880 Recovery of Costs.

A. Accounting. The Director of Community Development shall keep an itemized accounting of the expenses incurred by the Department in the course of repair or demolition of any building or structure pursuant to the provisions of this code. Upon completion of the demolition or repair work as ordered, the Director shall prepare an expense report specifying the work performed, the itemized cost of such work, and the legal description of the property upon which the work was performed.

B. Billing. The Department of Community Development shall forward to the legal owner of the said property an itemized billing of the total cost for the repair or demolition as required by this code. Such billing shall be sent by certified mail, postage prepaid, addressed to the owner as the owner's name and address appear

on the last equalized tax roll of Kitsap County. Said bill shall be due and payable within sixty (60) days of receipt.

C. Billing Appeal. The owner, upon receipt of said billing may file a written appeal to the Board of County Commissioners within thirty (30) days. Said appeal shall contain the legal description of the property and the basis for the appeal. The Board shall schedule said hearing within thirty (30) days and shall uphold the appeal, deny the appeal or modify the billing as they may determine. Within thirty (30) days of the decision of the Board the balance of the billing due to the County shall become due and payable and if unpaid shall become a special assessment against the property as a lien.

D. Assessment. Upon certification of the assessment amount being due and owing, the county treasurer shall enter the amount of the assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW 84.56.020, as now or hereafter amended, for delinquent taxes. When collected, the amount of the assessment shall be deposited to the credit of the fund of the County from which the expenditures for abatement were paid.

E. Priority. The assessment shall constitute a lien against the property that shall be of equal rank with state, county and municipal taxes.

[Section 35.](#) Kitsap County Code Section 14.04.885, last amended by Ordinance 323-2004, is amended as follows:

14.04.885 WSEC.

The Washington State Energy Code (WSEC) as set forth in the Washington Administrative Code (WAC) Section 51-11 is adopted by reference in Section 14.04.040.

[Section 36.](#) Kitsap County Code Section 14.04.890, last amended by Ordinance 323-2004, is amended as follows:

14.04.890 WSVIAQ.

The Washington State Ventilation and Indoor Air Quality Code (WSVIAQ) as set forth in the Washington Administrative Code (WAC) Section 51-13 is adopted by reference in Section 14.04.040.

[Section 37. Kitsap County Code Section 14.04.910, last amended by Ordinance 323-2004, is amended as follows:](#)

14.04.910 General.

Kitsap County, in Section 14.04.040, adopts the 2006 International Residential Code (IRC) Appendix E, pursuant to the authority of RCW 43.22 and RCW 19.27, and amended as follows:

A. IRC Appendix E, Section AE101.1 is amended as follows:

AE101.1 General. These provisions shall be applicable only to a manufactured home used as a single dwelling unit installed on a lot and shall apply to the following:

1. Construction, alteration and repair of any foundation system which is necessary to provide for the installation of a manufactured home unit.
2. Construction, installation, addition, alteration, repair or maintenance of the building service equipment which is necessary for connecting manufactured homes to water, fuel, or power supplies and sewage systems.
3. Alterations, additions or repairs to existing manufactured homes. The construction, alteration, moving, demolition, repair and use of accessory buildings and structures and their building service equipment shall comply with the requirements of the codes adopted by this jurisdiction.

These provisions shall not be applicable to the design and construction of manufactured homes and shall not be deemed to authorize either modifications or additions to manufactured homes where otherwise prohibited.

Exception: In addition to these provisions, new and replacement manufactured homes to be located in flood hazard areas as established in Table R301.2(1) of the International Residential Code shall meet the applicable requirements of Sections R324 of the International Residential Code.

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

AE102.2.2 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.

C. IRC Appendix E, Section AE102.3 is deleted and not adopted.

D. IRC Appendix E, Section AE102.5 is deleted and not adopted.

E. 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 attach accessory buildings or structures to a manufactured home subsequent to its initial installation. Permit issuance and fees therefore 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 these provisions.

F. IRC Appendix E, Section AE302.1 is amended by adding additional paragraphs as follows:

Pursuant to RCW 19.27.095 and RCW 19.27.097, and in addition to the requirements above, no building permit application shall be complete unless or until evidence of an adequate water supply and evidence of an adequate sewage disposal system for the intended use of the building is provided from an approved agency for structures where plumbing fixtures are part of the proposed building permit application.

Evidence shall be by either A or B below:

A. Upon building permit application, where parcels are serviced by on-site sewage disposal systems, an accepted building site application* or an accepted building clearance is required for:

1. New manufactured home installations.
2. Additions where there is an increase in the floor area which extends beyond the original exterior walls.
3. Alteration or remodeling where the total number of bedrooms is increased.
4. Change in use which results in an increase in the water/sewage volume or potential health risk.

*An application may be submitted with a preliminary building site application, which may be obtained from the health district. However, until an accepted building site application is received from the health district, a building permit application will not be complete.

B. Upon building permit application, a sewer permit and an accepted building clearance are required for the installation of a manufactured home unit.

G. 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 Section 14.04.120.

H. IRC Appendix E, Section AE304.2 is deleted and not adopted.

I. IRC Appendix E, Section AE304.3.3.3 is deleted and not adopted.

J. IRC Appendix E, Section AE305.5.1 is amended as follows:

AE305.5.1 Structural inspections for the manufactured home installation.

The building official, upon notification from the permit holder or the permit holder's agent, shall make the following inspections and shall either approve that portion of the construction as completed or shall notify the permit holder or the permit holder's agent wherein the same fails to comply with these provisions or other applicable codes.

A. Reinforcing steel or structural framework of any part of a manufactured home foundation system specifically designed by an engineer registered in the State of Washington, shall not be covered or concealed without first obtaining the approval of the building official.

1. Foundation inspection: To be made after excavations for footings are completed and any required reinforcing steel is in place. For concrete foundations, any required forms shall be in place prior to inspection. All materials for the foundation shall be on the job, except where concrete from a central mixing plant is to be used, (ready-mixed) the concrete materials need not be on the job.
2. Concrete slab or under-floor inspection: To be made after all in-slab or underfloor building service equipment, conduit, piping accessories and other ancillary equipment items are in place but before any concrete is poured or the manufactured home is installed.

B. Anchorage Inspection: To be made after the manufactured home has been installed and permanently anchored.

K. IRC Appendix E, Section AE305.6 is amended by adding an additional paragraph as follows:

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.

L. IRC Appendix E, Section AE501.1 is amended as follows:

AE501.1 General. A manufactured home shall be installed on a foundation system which is designed and constructed in accordance with the manufacturer's installation instructions.

Exception: When specifically authorized by the building official, foundation and anchorage systems which are constructed in accordance with the methods specified in Section AE600 of these provisions, or in the United States Department of Housing and Urban Development Handbook, Permanent Foundations For Manufactured Housing, 1984 Edition, Draft, shall be deemed to meet the requirements of this Appendix E.

M. 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.

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

AE600.1 General. Sections AE601 through AE605 are applicable only when specifically authorized by the building official for use when specific installation instructions from the manufacturer of the manufactured home are not available.

[Section 38.](#) Kitsap County Code Section 14.04.980, last amended by Ordinance 323-2004, is amended as follows:

14.04.980 Filings.

Notices of appeal of orders, decisions or determinations of the building official or fire marshal regarding the technical provisions of the codes, shall be filed with the Kitsap County Department of Community Development within twenty-one days of the order, decision or determination. Within 30 days of the filing of a complete notice of appeal, a hearing shall be scheduled to occur within 60 days of the filing. Forms shall be made available at the Department of Community Development for such purpose.

[Section 39.](#) Kitsap County Code Section 14.04.990, last amended by Ordinance 323-2004, is amended as follows:

14.04.990 Limitations of authority.

Notwithstanding any other provision, the Consolidated Board of Appeals shall have no jurisdiction to hear or decide issues relating to fees assessed as adopted herein, penalties for violations, or administrative provisions of the Kitsap County Building & Fire Code. Notices of infractions shall be subject to Kitsap County Code Chapter 2.116. Appeals of stop-work orders, dangerous building determinations, or other administrative decisions of the building official or fire marshal shall be made in accordance with Kitsap County Code Chapter 21.04.

An application for appeal shall be based on a claim that the true intent of the technical provisions of this chapter have been incorrectly interpreted, the provisions of this chapter do not fully apply, or an equally good or better form of construction is proposed. The board shall have no authority to waive requirements or provisions of this chapter, or of any of the codes adopted within Section 14.04.040.

Effective Date: This ordinance shall take effect July 1, 2007.

Severability: If any sentence, section, provision, or clause of this ordinance or its application to any person, entity or circumstance is for any reason held invalid or unconstitutional, the remainder of the ordinance, or the application of the provision to other persons, entities, or circumstances is not affected.

Enacted this _____ day of _____, 2007

BOARD OF COUNTY COMMISSIONERS
KITSAP COUNTY, WASHINGTON

CHRIS ENDRESEN, Chair

JAN ANGEL, Commissioner

ATTEST:

JOSH BROWN, Commissioner

Opal Robertson, Clerk of the Board

Approval as to form:

Lisa Nickel, Deputy Prosecuting Attorney