ORDINANCE NO. 006-15

AN ORDINANCE OF THE CITY OF PORT ORCHARD, WASHINGTON, RELATING TO BUILDING AND CONSTRUCTION, EXEMPTING MINOR RESIDENTIAL RE-ROOFING WORK FROM THE BUILDING PERMIT REQUIREMENT IN THE BUILDING CODE, AMENDING PORT ORCHARD MUNICIPAL CODE SECTION 15.04.010.

WHEREAS, the Washington State Building Code Council (Code Council) periodically adopts uniform codes of statewide applicability, collectively referred to as the state building code; and

WHEREAS, on November 9, 2012, the Code Council voted to adopt the 2012 Edition of the International Building Codes and the effective date of the 2012 edition of the codes is July 1, 2013; and

WHEREAS, RCW 19.27.042 provides that each county or city is authorized to amend the state building code as it applies within the jurisdiction of the county or city; and

WHEREAS, the Department of Community Development policy has been to exempt some minor residential re-roofing from permit; and,

WHEREAS, the Department policy is consistent with the Kitsap County Code Title 14 Buildings and Construction; and,

WHEREAS, the Department policy was only found in Port Orchard Council Resolution No. 004-14 Fee Schedules for the Departments of Community Development and Public Works; and,

WHEREAS, the appropriate place for this provision is in Port Orchard Municipal Code Title 15 Building Code; and

WHEREAS, the City Council finds that the public health, safety, and welfare will be served by adopting a permit exemption for some minor residential re-roofing work; now, therefore,

THE CITY COUNCIL OF THE CITY OF PORT ORCHARD, WASHINGTON,
DO ORDAIN AS FOLLOWS:

SECTION 1. Port Orchard Municipal Code Section 15.04.010, Building Codes Adopted, is AMENDED to read as follows:

15.04.010 Building Codes Adopted.

(1) The 2012 Editions of the following codes as adopted by the Washington State Building Code Council, together with the appendices of such codes as specified herein, are hereby adopted as the official building codes of the City of Port Orchard as though fully set forth herein:

(a) International Building Code, excluding Chapter 11 (accessibility), together with Appendices B, E, and F;
(b) International Mechanical Code, together with Appendices A, H, and I;
(c) International Fuel Gas Code;
(d) International Residential Code, together with Appendices H and M, and excluding Chapter 41 (swimming pools);
(e) International Energy Code; and
(f) Uniform Plumbing Code.
(g) International Existing Building Code

(2) The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings together with the appendices, as published by the International Conference of Building Officials, is hereby re-adopted as the official code of the City of Port Orchard as though fully set forth herein. A copy of the code referenced herein is on file with the City Clerk.

(3) The 2012 Edition of the International Building Code, as adopted herein, is amended to read as follows:

(a) Subsection 105.2:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

(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 (18.58 m²).
(2) Fences not over 6 feet high.

(3) Oil derricks.

(4) Retaining walls which are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids.

(5) Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2 to 1.

(6) Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route.

(7) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

(8) Temporary motion picture, television and theater stage sets and scenery.

(9) Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.

(10) Shade cloth structures constructed for nursery or agricultural purposed and not including service systems.

(11) Swings and other playground equipment accessory to detached one- and two-family dwellings.

(12) Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of Group R-3, as applicable in Section 101.2, and Group U occupancies.

(13) Nonfixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.
(b) A new Subsection 109.7 is added to read as follows:

The Building Official is authorized to waive the Permit Fee and Plan Review specified in the International Building Code and in the Uniform Plumbing Code upon satisfaction of the following conditions:

(1) The permit is for a residential unit of an owner/occupier who is 60 years or older with a maximum annual income, together with all persons in the household, below the poverty line as established by the Office of Management & Budget in Washington D.C.

(2) The work is for essential repairs and improvements, such as insulation, weatherization, roof repairs, structural repairs or essential plumbing repairs.

(3) The owner/occupant of the home completes a form supplied by the Building Official requesting exception from the Building Permit Fees.

(4) International Residential Code (IRC) is hereby amended to read as follows:

(a) IRC Section R105.2 Work Exempt from Permit, is amended by adding a new line numbered 11 under “Building” as follows:

(11) 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.

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

Ground Snow Load=30 psf
Wind Speed=85 mph
Seismic Design Category=D2
Weathering=Moderate
Frost Line Depth=12 inches
Termite=Slight to Moderate
Decay=Moderate to Severe
Winter Design Temp=26
Ice Shield Underlayment Required=No
Flood Hazards=(a) 1980, (b) 1980
Air Freezing Index=148
Mean Annual Temp=51.4
Flood Hazards=(a) 1980, (b) 1980
Air Freezing Index=148
Mean Annual Temp=51.4

SECTION 2. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of constitutionality of any other section, sentence, clause or phrase of this ordinance.

SECTION 3. This ordinance shall be in full force and effect five (5) days after posting and publication as required by law. A summary of this Ordinance may be published in lieu of the entire ordinance, as authorized by State Law.

PASSED by the City Council of the City of Port Orchard. APPROVED, by the Mayor and attested by the Clerk in authentication of such passage this 24th day of February, 2015.

Timothy C. Matthes, Mayor

ATTEST:

Brandy Rinearson, CMC, City Clerk

APPROVED AS TO FORM: Sponsored by:

Carol Morris, Interim City Attorney

John Clauson, Councilmember
NOTICE OF CITY OF PORT ORCHARD
ORDINANCE

The following is a summary of an Ordinance approved by the Port Orchard City Council at their regular Council meeting held February 24, 2015.

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Copies of Ordinance No. 006-15 are available for review at the office of the City Clerk of the City of Port Orchard. Upon written request a statement of the full text of the Ordinance will be mailed to any interested person without charge. Thirty days after publication, copies of Ordinance No. 006-15 will be provided at a nominal charge.

City of Port Orchard

Brandy Rinearson
City Clerk