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HOUSE BILL 2932

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State of Washington

64th Legislature

2016 Regular Session

By Representatives Blake and Rossetti

1 AN ACT Relating to authorizing cities and counties to approve the  
2 use of alternatives that meet the purposes, objectives, and standards  
3 of the state building code to promote innovative housing and the use  
4 of modern technical methods, materials, and devices; amending RCW  
5 19.27.060; adding a new section to chapter 19.27 RCW; and creating a  
6 new section.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** The legislature finds that the use of  
9 local resources and labor in building construction adds to the  
10 economic vitality of Washington communities, particularly in rural  
11 areas. The legislature also finds that the use of innovative  
12 technologies, devices, materials, and techniques can create  
13 environmentally sustainable housing that benefits the health and  
14 well-being of the people of Washington, and helps protect the state's  
15 natural resources. It is the legislature's intent to encourage the  
16 use of innovative materials, technologies, devices, and methods of  
17 design and construction. The legislature recognizes some counties,  
18 cities, and towns in the state desire to create a more flexible  
19 environment to comply with building code regulations, and thus the  
20 counties, cities, and towns have the desire to be authorized to  
21 approve alternatives through equivalent performance methodologies for

1 alternative materials, design, and methods of construction that meet  
2 the intent of the state building code's prescriptive requirements.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 19.27  
4 RCW to read as follows:

5 (1) The legislative authority of a city or county may by  
6 ordinance adopt requirements for alternative materials, alternative  
7 nationally recognized standards, or innovative designs and methods of  
8 construction and allow for their approval as a recognized alternative  
9 in compliance with the requirements of this chapter and the state  
10 building code, as adopted and amended by the state building code  
11 council under RCW 19.27.031. The ordinance may not result in a code  
12 that does not meet the minimum performance standards and objectives  
13 of RCW 19.27.020, and the ordinance must be in accordance with the  
14 spirit and intent of RCW 19.27.020.

15 (2) At a minimum, any ordinance adopted under this section must  
16 establish the scope and application of the ordinance to include the  
17 specified classes or types of occupancies of buildings or structures  
18 governed by the ordinance.

19 (3) The provisions of the ordinance may not preclude the approval  
20 of the installation of any material or prohibit any design or method  
21 of installation or construction not specifically prescribed in the  
22 ordinance. If an alternative material, alternative nationally  
23 recognized standard, or design or method of construction is not  
24 specified in the ordinance, an alternative may be proposed and  
25 approved if it can be shown to satisfactorily comply with the intent  
26 of the provisions of this section. For any alternative material,  
27 design, or method of construction that is not approved, the building  
28 official must respond in writing, stating the reasons why the  
29 proposed alternative was not approved.

30 **Sec. 3.** RCW 19.27.060 and 2015 c 226 s 1 are each amended to  
31 read as follows:

32 (1) The governing bodies of counties and cities may amend the  
33 codes enumerated in RCW 19.27.031 as amended and adopted by the state  
34 building code council as they apply within their respective  
35 jurisdictions, but the amendments shall not result in a code that is  
36 less than the minimum performance standards and objectives contained  
37 in the state building code.

1       ~~((a) No amendment to a code enumerated in RCW 19.27.031 as~~  
2 ~~amended and adopted by the state building code council that affects~~  
3 ~~single family or multifamily residential buildings shall be effective~~  
4 ~~unless the amendment is approved by the building code council under~~  
5 ~~RCW 19.27.074(1)(b).~~

6       ~~(b) Any county or city amendment to a code enumerated in RCW~~  
7 ~~19.27.031 which is approved under RCW 19.27.074(1)(b) shall continue~~  
8 ~~to be effective after any action is taken under RCW 19.27.074(1)(a)~~  
9 ~~without necessity of reapproval under RCW 19.27.074(1)(b) unless the~~  
10 ~~amendment is declared null and void by the council at the time any~~  
11 ~~action is taken under RCW 19.27.074(1)(a) because such action in any~~  
12 ~~way altered the impact of the amendment.)~~

13       (2) Except as permitted or provided otherwise under this section,  
14 the state building code shall be applicable to all buildings and  
15 structures including those owned by the state or by any governmental  
16 subdivision or unit of local government.

17       (3) Except as provided otherwise in section 2 of this act, the  
18 governing body of each county or city may limit the application of  
19 any portion of the state building code to exclude specified classes  
20 or types of buildings or structures according to use (~~other than~~  
21 ~~single family or multifamily residential buildings~~). However, in no  
22 event shall fruits or vegetables of the tree or vine stored in  
23 buildings or warehouses constitute combustible stock for the purposes  
24 of application of the uniform fire code. A governing body of a county  
25 or city may inspect facilities used for temporary storage and  
26 processing of agricultural commodities.

27       (4) No provision of the uniform fire code concerning roadways  
28 shall be part of the state building code: PROVIDED, That this  
29 subsection shall not limit the authority of a county or city to adopt  
30 street, road, or access standards.

31       (5) The provisions of the state building code may be preempted by  
32 any city or county to the extent that the code provisions relating to  
33 the installation or use of sprinklers in jail cells conflict with the  
34 secure and humane operation of jails.

35       (6)(a) Effective one year after July 23, 1989, the governing  
36 bodies of counties and cities may adopt an ordinance or resolution to  
37 exempt from permit requirements certain construction or alteration of  
38 either group R, division 3, or group M, division 1 occupancies, or  
39 both, as defined in the uniform building code, 1988 edition, for  
40 which the total cost of fair market value of the construction or

1 alteration does not exceed fifteen hundred dollars. The permit  
2 exemption shall not otherwise exempt the construction or alteration  
3 from the substantive standards of the codes enumerated in RCW  
4 19.27.031, as amended and maintained by the state building code  
5 council under RCW 19.27.070.

6 (b) Prior to July 23, 1989, the state building code council shall  
7 adopt by rule, guidelines exempting from permit requirements certain  
8 construction and alteration activities under (a) of this subsection.

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