CLARK COUNTY WASHINGTON

CODE ADMINISTRATION

www.clark.wa.gov

1300 Franklin Street
PO Box 9810
Vancouver, WA 98666-9810
564.397.4052

Date: September 3, 2020

For: Development Engineering Advisory Board

Presenter: Mitch Nickolds, Director - Code Administration Department

Agenda Item: AGRICULTURAL BUILDINGS-DRAFT CODE REVISIONS

Summary:

Clark County Council is ready to move forward with the creation of draft code modifying the County's permitting exemptions for certain types of agricultural buildings (IBC - Group U). The draft code revisions is included in the DEAB meeting announcement. In addition to a recommendation from DEAB Council would like responses to these specific questions:

(1) Is the 5-acre parcel size in the draft code appropriate, or would a different size be more appropriate?

(2) Are there concerns about the ability for property owners to go through the permit process;

(3) Should there be permit-exempt agricultural structures within the Urban Growth Boundary, or does the draft as written (applying the exemption only outside the UGB) make more sense?

(4) Should there be setback requirements if a building is permit exempt?

- *"Agriculture," "agriculture uses" or "agricultural activities" means the use of the land for agricultural purposes, including, but not limited to, farming, dairying, pasturage, agriculture, horticulture, floriculture, viticulture and wineries, apiaries, and animal and poultry husbandry, and the necessary accessory uses and structures; provided, however, that the construction and operation of any such accessory use or structure shall be incidental to that of normal agricultural activities; and provided further, that the above uses shall not include slaughterhouses and meat packing or commercial feeding of animals. Marijuana production and processing do not, for the purposes of this zoning title, meet the definition of agriculture, agricultural uses or agricultural activities, and may only occur in accordance with Chapter 314-55 WAC and Section 40.260.115.*

- *"Accessory use" or "accessory structure" means one which is subordinate to the principal use of a building on the lot serving a purpose customarily incidental to the use of the principal building.*

40.260.010 Accessory Buildings and Uses
D. The height of detached accessory buildings, including garages, greenhouses, guesthouses and similar structures, shall be regulated as follows:

1. In areas zoned R1-20, R1-10, R1-7.5, R1-6 and R1-5:

a. On lots less than or equal to twenty thousand (20,000) square feet in area, no accessory building shall exceed eighteen (18) feet in height.

b. On lots larger than twenty thousand (20,000) square feet in area, no accessory building shall exceed thirty-five (35) feet in height.

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RETURN ADDRESS

Clark County
Commissioners

Please Print neatly or Type information
DOCUMENT TITLE(S)

Ordinance 2004-06-04 - Building Code

REFERENCE NUMBER(S) OF RELATED DOCUMENT(S)

Additional Reference #'s on page _____

GRANTOR(S)

Clark County

Additional Grantors on page # _____

GRANTEE(S)

Public

Additional Grantees on page # _____

LEGAL DESCRIPTION (abbreviated form: i.e. lot,block,plat or section, township, range, quarter/quarter)

Building Code

Additional Legal is on page # _____

ASSESSOR'S PROPERTY TAX PARCEL/ACCOUNT NUMBER

Additional Parcel #'s on page _____

The Auditor/Recorder will rely on the information provided on this form. The staff will not read the document to verify the accuracy or completeness of the indexing information provided herein.

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ORDINANCE NO. 2004-06-04

AN ORDINANCE relating to the state-mandated adoption of the 2003 International Building Code, International Residential Code, International Mechanical Code, and Uniform Plumbing Code, repealing Clark County Code Chapter 14.04, Building Code, and in its place adopting three new Clark County Code Sections: Chapter 14.01, entitled "Adoption of Uniform Codes," Chapter 14.05, entitled "Clark County Revisions to International Building Code" and Chapter 14.06 entitled "Clark County Residential Code."

WHEREAS, on November 21, 2003, the Washington State Legislature adopted the 2003 International Building Code, with certain revisions, repealing chapter 51-40 WAC and adopting chapter 51-50 WAC; and

WHEREAS, on November 21, 2003, the Washington State Legislature adopted the 2003 International Residential Code, with certain revisions, adopting chapter 51-51 WAC; and

WHEREAS, on November 21, 2003, the Washington State Legislature adopted the 2003 International Mechanical Code, with certain revisions, repealing chapter 51-42 WAC and adopting chapter 51-52 WAC; and

WHEREAS, on November 21, 2003, the Washington State Legislature adopted the 2003 Uniform Plumbing Code, with certain revisions, amending chapters 51-56 and 51-57 WAC; and

WHEREAS, the state-mandated revisions called for local jurisdictions to adopt the minimum standards set by each of these uniform codes on or before July 1, 2004; and

WHEREAS, the Clark County Chief Building Official has forwarded his recommendations for the implementation of certain additions, and amendments to the 2003 International Building Code to the Board of County Commissioners and the Board has considered those recommendations; and

WHEREAS, The Board of Clark County Commissioners deems it an essential government function to adopt and establish such standards and procedures to preserve the life, safety, health, and welfare of its citizens; now, therefore:

BE IT ORDERED AND RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF CLARK COUNTY, STATE OF WASHINGTON, as follows:

Section 1. Repealer. The current Chapter 14.04 of the Clark County Code, entitled "Building Code," is hereby repealed.

Section 2. Enactment. A new Chapter of the Clark County Code, to be codified as Chapter 14.01, to be entitled "Adoption of Uniform Codes," which is attached hereto as Exhibit "A" and incorporated by this reference, is hereby adopted.

Section 3. Enactment. A new Chapter of the Clark County Code, to be codified as Chapter 14.05, to be entitled "Clark County Revisions to International Building Code," which is attached hereto as Exhibit "B" and incorporated by this reference, is hereby adopted.

Section 4. Enactment. A new Chapter of the Clark County Code, to be codified as Chapter 14.06, to be entitled "Clark County Residential Code," which is attached hereto as Exhibit "C" and incorporated by this reference, is hereby adopted.

Section 5. Amendment. Amendments to the Clark County Mechanical Code, codified at Chapter 14.12, which are attached hereto as Exhibit "D" and incorporated by this reference, are hereby amended and adopted.

Section 6. Amendment. Amendments to the Clark County Plumbing Code, codified at Chapter 14.08, which are attached hereto as Exhibit "E" and incorporated by this reference, are hereby amended and adopted.

Section 7. Effective Date. The effective date of this ordinance shall be July 1, 2004.

ADOPTED this 8 day of June, 2004.

Attest:

Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, WASHINGTON

By
Betty Sue Morris, Chair

Approved as to Form Only:
ARTHUR D. CURTIS
Prosecuting Attorney

By
Lori L. Volkman
Deputy Prosecuting Attorney

By
Judie Stanton, Commissioner

By
Craig Pridemore, Commissioner

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EXHIBIT A

Chapter 14.01
ADOPTION OF UNIFORM CODES

14.01.010 Adoption by Reference.

With the exceptions noted in this Title, and the exceptions noted in the Washington Administrative Code and Statutes, the following documents are hereby adopted by reference:

(1) The International Building Code (IBC), 2003 edition, copyright 2002 by the International Code Council, Inc., (see International Building Code Section 101.2.1, 2003 edition), as adopted and amended by the State of Washington, Chapter 51-50 WAC;
(2) Sections 101 through 106 of Appendix E, and all Sections of Appendix J, of the International Building Code (IBC), 2003 edition, copyright 2002 by the International Code Council, Inc.;
(3) The International Residential Code (IRC) for One and Two-Family Dwellings, 2003 edition, copyright 2003 by the International Code Council, Inc., as adopted and amended by the State of Washington, Chapter 51-51 WAC;
(4) The International Mechanical Code (IMC), 2003 edition, copyright 2003 by the International Code Council, Inc., as adopted and amended by the State of Washington, Chapter 51-52 WAC;
(5) The International Fire Code (IFC), 2003 edition, copyright 2002 by the International Code Council, Inc., as adopted and amended by the State of Washington, Chapter 51-54 WAC, and as amended by the provisions of Clark County Code Chapter 15.12;
(6) The Uniform Plumbing Code and Standards (UPC), 2003 Edition, copyright 2003, by the International Association of Plumbing and Mechanical Officials, as adopted and amended by the State of Washington, Chapter 51-56 and 51-57 WAC;
(7) The International Fuel Gas Code, 2003 edition, copyright 2002 by the International Code Council, Inc., as adopted and amended by the State of Washington, Chapter 51-56 WAC;
(8) The Washington State Energy Code, Chapter 51-11 WAC; and
(9) The Washington State Ventilation and Indoor Air Quality Code, Chapter 51-13 WAC.

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EXHIBIT B

Chapter 14.05
CLARK COUNTY REVISIONS
TO INTERNATIONAL BUILDING CODE

I. General Provisions

14.05.010 Title and Numbering.

This Section may be cited as the "Clark County Building Code" and may be referred to in the language of the International Building Code as "this code." To the extent possible, the Clark County Code numbers amending, repealing, or adding to provisions of the International Code, shall mirror the numbering of the International Code. By way of example, amendments to Section 101.1 of the International Code would be found at Clark County Code 14.05.101.1. Appendices which contain letters shall be numbered in a similar fashion, appearing in Section 9000.

14.05.020 Publication.

One complete copy of the Clark County Building Code, together with a complete copy of the International Building Code, 2003 edition, including the adopted Appendices, shall be kept on file in the office of Community Development, and shall be made available during regular business hours for viewing and inspection by the general public.

14.05.030 Uniform Revisions.

The following sections of the International Building Code are hereby revised as applicable throughout the code:

Section 101.1 (Administration), insert "Clark County" for "Name of Jurisdiction."

Section 1612.3 (Flood Loads), insert "Clark County" for "Name of Jurisdiction" and insert "[insert date of issuance of Clark County Flood Insurance Study]" for "Date of Issuance."

Section 3410.2 (Existing Structure Compliance Alternatives), insert "July 1, 2003" for "the effective date of building codes within the jurisdiction."

14.05.040 Repealer.

Chapter 14.04 of the Clark County Code, and all other related sections that are or become in conflict herewith are hereby repealed.

14.05.050 Severability.

If any section, subsection, sentence, clause, phrase, or other portion of this Chapter or the International Building Code as amended by the State of Washington, or its application to this chapter or any other person or circumstance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Chapter. The Board of County Commissioners hereby declares that it would

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have passed the ordinance approving this Chapter, and each section, subsection or portion thereof, irrespective of the fact that any one or more of the other portions be declared invalid or unconstitutional.

14.05.060 Rights.

Nothing in this Title or in the building code sections hereby adopted by reference shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 14.05.040 and 050; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this Title.

14.05.070 Effective Date.

This ordinance and any rules, regulations, provisions, requirements, orders, and matters established and adopted hereby shall take effect and be in full force and effect henceforth, from and after July 1, 2004.

14.05.080 Rule of Construction.

Although not referring directly to the International Building Code, each and every section of this Chapter shall be considered and construed as a part thereof. Although not referring directly to this Chapter 14.05, each and every section or part of the International Building Code as adopted by the State of Washington shall be construed as a part thereof, and this chapter and the IBC shall be read together and the two shall be construed as a single document.

14.05.090 Conflicting Provisions.

Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. In the event the conflict cannot be determined, the Building Official shall have discretion to render interpretations of this code and to make and enforce rules and supplemental regulations in order to carry out the application and intent of its provisions. Such interpretations, rules and regulations shall be in conformance with the intent and purpose of this code and shall be available to the public during normal business hours.

II. Amendments to Uniform Code

14.05.101.2 Scope.

Section 101.2 (Scope) of the IBC shall be amended and replaced with the following:

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

Exceptions:

1. Work located primarily in a public way;
2. Work related to public utility towers and poles (not including wireless communication, radio, or television towers);
3. Amateur radio and citizen band support towers less than seventy (70) feet in height;
4. mechanical equipment not specifically regulated in this Code;
5. Hydraulic flood control structures;
6. Agricultural Buildings as defined herein; and
7. 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, which shall instead comply with the International Residential Code adopted herewith.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted."

14.05.101.4 Referenced Codes

Section 101.4.4 (Plumbing) of the IBC shall be amended and replaced with the following:

"Plumbing. As provided in Chapter 14.08, the provisions of the *Uniform Plumbing Code* shall apply to the installation, alternation, 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."

Section 101.4.7 (Energy) of the IBC shall be amended and replaced with the following:

"Energy. As provided in Chapter 14.28, the provisions of the *Washington State Energy Code* shall apply to all matters governing the design and construction of buildings for energy efficiency."

14.05.105.2 Work Exempt from Permit.

Comment: Mandatory. Eliminates section that references electrical permit exemptions, as this is covered by a different electrical code.

Section 105.2 (Work Exempt from Permit) of the IBC shall be amended and replaced with the following:

"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. Unless otherwise exempted, separate plumbing, electrical and mechanical permits may be required for any of the following exempted items. 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 120 square feet (11.15 m^2).
2. Fences not over 6 feet (1829 mm) high.

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3. Oil derricks.
4. Retaining walls which are not over 4 feet (1219 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 purposes 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 (1372 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. Movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) in height.
14. Minor construction and alteration activities in Group R Division 3 or Group U buildings or structures, for which the total valuation as determined in Section 108.3 does not exceed fifteen hundred dollars; provided, that the construction and/or alteration activity does not affect any structural components, or reduce existing egress, light, air, and ventilation conditions. This exemption does not include electrical, plumbing, or mechanical activities which will require separate permit(s). The permit exemption shall not otherwise exempt the construction or alteration from the substantive standards of the codes enumerated in RCW 19.27.070 as amended and maintained by the State Building Code Council.
15. Floating structures and bridges.
16. Signs less than or equal to eight feet in height above grade."

14.05.108.7 Fees.

Section 108 (Fees) shall be amended by the addition of the following new subsection:

"108.7 Building Permit Fees. A fee for each permit shall be paid to the Building Official as set forth in CCC 6.140; PROVIDED, that payment of that portion of the fee attributable to valuation of an automatic fire-extinguishing system shall be deferred until submittal of plans and issuance of a separate permit for such system.

14.05.110.1 Certificates of Occupancy.

Section 110.1 (Use and Occupancy) of the IBC shall be replaced with the following:

"Use and occupancy. Unless deemed exempt by the Chief Building Official, no building or structure in occupancy groups A-1 through R-3 inclusive shall be used or occupied, sold, rented or leased, and no change in the existing structure or a portion thereof that affects the occupancy classification shall be made until the Building Official has issued a certificate of occupancy therefore as provided herein. No person shall permit their building or structure to be used, occupied, sold, leased or rented in violation of this subsection. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Buildings or structures with a history of use or occupation shall be considered as used or occupied during any period of time in which the same lies vacant, pending resale, lease, or rental."

14.05.112.3 Board of Appeals.

Section 112.3 (Qualifications) of the IBC shall be replaced with the following:

"Qualifications. The seven-member Board of Appeals shall consist of one person from each of the following backgrounds: (1) Agriculture; (2) Architecture; (3) Engineering; (4) General Construction; (5) Residential Construction; (6) and two others chosen at large."

14.05.202 Definitions.

The definitions contained in Section 202 of the IBC are adopted, with the following additional definitions:

"CELLAR. That portion of a building between floor and ceiling which is wholly or partly below Grade and so located that the vertical distance from Grade to the floor below is equal to or greater than the vertical distance from Grade to Ceiling."

"CENTRAL HEATING PLANT. Environmental heating equipment which directly utilizes fuel to generate heat in a medium for distribution by means of ducts or pipes to areas other than the room or space in which the equipment is located."

14.05.501.2 Building Heights and Areas - General.

Section 501.2 (Premises Identification) of the IBC shall be replaced with the following:

"501.2 Premises identification. Approved numbers or addresses shall be provided on new buildings in such a position as to be clearly visible and legible from the street or roadway fronting the property. If the numbers cannot be made clearly visible from the closest street or roadway by attachment to the building, then the approved numbers must be posed at the intersection of the resident's driveway and the public street or road. Letters or numbers shall be a minimum of six (6) inches in height and a minimum of one (1) inch in stroke, of a contrasting color to the background itself."

14.05.501.3 Apartment or Suite Numbering.

A new Section 501.3 (Apartment or Suite Numbering) shall be added as follows:

"501.3. Apartment or Suite Numbering. Building identification for apartments or suites shall be alphanumeric beginning with the letter "A" which shall be assigned to the first building to the right of the main entrance, and thereafter proceeding in a counter-clockwise fashion to the point of origin. Individual apartments or suites must be consecutively numbered throughout the campus without numbers being repeated (e.g., A1 to A8, B9 to B16).

14.05.503.1 Building Heights and Areas – Limitations.

Section 503.1 (Height and Area Limitations) of the IBC shall be amended by the addition of the following provision:

"503.1.5 Urban Wildlands. In all areas designated as Wildland Urban Interface/Intermix by Clark County Code 15.13.030, the following area limitations shall apply:

1. No building shall be located within 30 feet of a property line;
2. All vegetation and combustible building or construction debris shall be removed from the lot in an approved manner prior to any use or occupancy of the building;
3. There shall be no dead wood, brush, or undergrowth which tends to propagate the spread of fire within 30 feet of a building;
4. Any annual grasses within 30 feet of a building shall be continually cut and maintained at a height of 4 inches or less;
5. Trees within 30 feet of a building shall be limbed to a height not less than 15 feet.
6. No portion of any conifer trees on the property shall be located within 15 feet of the furthest projection of a building roof line or horizontal combustible surface;
7. The distance requirements of the above subsections shall be increased by 25% for any development or construction outside of an organized fire department or fire protection district; and
8. The underside of exposed horizontal combustible surfaces such as decks, balconies, or similar projections shall be completely enclosed with nonporous skirting consisting of either metal, a minimum of ½ inch plywood, or other pre-approved material, wherever the height of the projection is 30 inches or less above ground level."

14.05.903.1.2 Sprinkler Systems – Special Requirements.

Section 903.1 (Automatic Sprinkler Systems) of the IBC shall be amended by the adoption of the following additional provision:

"903.1.2. Special Requirements. In addition to the locations described in Section 903.2, approved automatic sprinkler systems in new buildings and structures shall be required in all buildings containing a total floor area, above and below grade, exceeding 12,000 square feet, and in all buildings which are more than 27 feet in height above the lowest level of vehicle access. Provided, automatic systems shall not be required for open parking garages, areas over

swimming pools, tennis courts and other such areas, when authorized by the Building Official and the County Fire Marshall consistent with the standards herein."

14.05.1506.5 Roof Assemblies – Materials.

Section 1506 (Roof Assemblies - Materials) of the IBC shall amended by the addition of the following new section:

"1506.5 Special Conditions. In those areas designated as wildland Urban Interface / Intermix by Clark County Code 15.13.030:

(1) Roofing materials for new construction or replacement of existing roofs shall be limited to those types which are noncombustible or have a class C or greater rating as defined in Section 1505.

(2) Roofs with slopes of less than 3:12 shall have a noncombustible covering."

14.05.1608.1 Snow Loads - General.

Section 1608.1 (Snow Loads) of the IBC shall be replaced with the following:

"General. Design snow loads shall be determined in accordance with Section 7 of ASCE 7, provided that the designed roof load shall be that amount determined by Section 1607, or a roof load consistent with 25 pounds per square foot of roof surface for live snow loads as calculated in Section 1607, whichever is greater."

14.05.1608.2 Snow Loads – Ground Snow Loads.

Section 1608.2 (Snow Loads) of the IBC shall be replaced with the following:

"Snow Loads. The minimum roof snow load in Clark County shall be twenty-five pounds per square foot of roof surface."

14.05.1609 Basic Wind Speed.

Section 1609.3 (Basic Wind Speed) shall be replaced with the following:

"Basic Wind Speed. The basic wind speed for determining designed wind pressure shall be 110 miles per hour, 3 second gust."

14.05.2113.9 Masonry Chimneys – Termination.

Section 2113.9 (Termination) of the IBC shall be replaced with the following:

"Termination. Chimneys shall extend at least 2 feet (610 mm) higher than any portion of the building within 10 feet (3048 mm), but shall not be less than 3 feet (914 mm) above the

highest point where the chimney passes through the roof. In those areas designated as Wildland Urban Interface/Intermix by CCC 15.13.030, chimney outlets shall not be located within 15 feet of obstructions, other buildings, vegetation or other combustible material."

III. Amendments to Appendices

14.05.9000.J103.2 Grading – Permit Exemption

Appendix Section J103.2 (Exemption to Grading Permits) of the IBC shall be amended by the addition of the following exemptions:

"8. An excavation that (1) is less than 2 feet in depth at its deepest point of excavation; or (2) does not create a cut slope greater than 5 feet in height and steeper than 1 unit vertical in 1 ½ units horizontal (66.7% slope).

9. A fill that (1) is less than 1 foot in depth and placed on natural terrain with a slope flatter than 1 unit vertical in 5 units horizontal (20% slope); or (2) is less than 3 feet in depth at its deepest point. In either case, the fill must not be intended to support structures, must not exceed 50 cubic yards on any one lot, and must not obstruct a drainage course."

14.05.9000.J103.3 Grading Permits – SEPA Requirements

Section J103 (Grading) of Appendix J of the IBC shall be amended by the addition of the following subsecti

"J103.3 SEPA Requirements. Where a grading permit is the first nonexempt action under SEPA, notic location, SEPA appeal deadline under Section 20.50.030 of the Clark County Code, and address and phone numb Works Department shall be posted in three (3) conspicuous locations in the vicinity of the site no later than five (following receipt of the application, and at least fifteen (15) calendar days prior to final action on the application."

14.05.9000.J104. Grading – Permit Application and Submittals

Appendix Section J104 (Permit Application and Submittals) of the IBC shall be deleted and replaced with the following:

"J104.1 When Grading Plan Required. In addition to the provisions of IBC Sections 105.3 and 106, a grading permit shall require the applicant to state the estimated quantities of excavation and fill. For any grading in excess of 5,000 cubic yards (3825 m3) the applicant shall be performed in accordance with an approved grading plan prepared by a registered design professional under the requirements in Section 14.05.9000.J104.2 below, and the project shall be designated on the permit application as "engineered grading." For any grading involving less that 5,000 cubic yards (3825 m3) such approved grading plan shall not be required, and the project shall be designated "regular grading" on the permit application, unless the permittee chooses to have the grading performed as engineered grading, or the building official determines that special conditions or unusual hazards exist, in which cases all grading performed shall conform to the requirements for engineered grading.

J104.2 Engineered Grading Requirements. Where a grading application is for "engineered grading," it shall by two sets of plans and specifications, and supporting data consisting of a soils engineering report and engineering The plans and specifications shall be prepared and signed by an individual licensed by the state to prepar specifications when required by the building official. Specification shall contain information covering construct requirements. Plans shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to in and extent of the work proposed and show in detail how they will conform to the provisions of this code and a ordinances, rules and regulations.

Plans shall include the following information:

1. On the first sheet, location of the work, the name and address of the property owner, the name and con for the applicant, and the person by whom the plans were prepared;
2. General vicinity of the proposed site;
3. Property limits and accurate contours of existing ground and details of terrain and area drainage;
4. Limiting dimensions, elevations or finish contours to be achieved by the grading, and proposed draina related construction;
5. Detailed plans of all surface and subsurface drainage devices, walls, cribbing, dams and other protecti constructed with, or as a part of, the proposed work, together with a map showing the drainage area ar runoff of the area served by any drains;
6. Location of any buildings or structures on the property where the work is to be performed and the building or structures on land of adjacent owners that are within 15 feet (4572 mm) of the property affected by the proposed grading operations;
7. All recommendations included in the soils engineering report and the engineering geology report, e approved by the building official certain specific recommendations contained in those reports which a grading may be included by reference; and
8. The dates of the soils engineering and the engineering geology reports together with the names, addr numbers of the firms and individuals who prepared the reports."

EXHIBIT C

Chapter 14.06
RESIDENTIAL CODE

I. General Provisions

14.06.010 Title and Numbering.

This Section may be cited as the "Clark County Residential Code" and may be referred to in the language of the International Residential Code as "this code." To the extent possible, the Clark County Code numbers amending, repealing, or adding to provisions of the International Code, shall mirror the numbering of the International Code. By way of example, amendments to Section R101.1 of the International Code would be found at Clark County Code 14.06.101.1. Any appendices adopted which contain letters shall be numbered in a similar fashion, appearing in Section 9000.

14.06.020 Publication.

One complete copy of the Clark County Residential Code, together with a complete copy of the International Residential Code, 2003 edition, including any adopted Appendices, shall be kept on file in the office of Community Development, and shall be made available during regular business hours for viewing and inspection by the general public.

14.06.030 Uniform Provisions.

The following sections of the International Residential Code are hereby revised as applicable throughout the code:

Section R101.1 (Title, Scope and Purpose), insert "Clark County" for "Name of Jurisdiction."

14.06.040 Repealer.

Chapter 14.04 of the Clark County Code, and all other related sections that are or become in conflict herewith are hereby repealed.

14.06.050 Severability.

If any section, subsection, sentence, clause, phrase, or other portion of this Chapter or the International Bui as amended by the State of Washington, or its application to this chapter or any other person or circumstance is, for held invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the vali remaining portions of this Chapter. The Board of County Commissioners hereby declares that it would have ordinance approving this Chapter, and each section, subsection or portion thereof, irrespective of the fact that any o of the other portions be declared invalid or unconstitutional.

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14.06.060 Rights.

Nothing in this Title or in the building code sections hereby adopted by reference shall be construed to affi or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action existing, under any act or ordinance hereby repealed as cited in Section 14.05.040 and 050; nor shall any just or le remedy of any character be lost, impaired, or affected by this Title.

14.06.070 Effective Date.

This ordinance and any rules, regulations, provisions, requirements, orders, and matters established and ado shall take effect and be in full force and effect henceforth, from and after July 1, 2004.

14.06.080 Rule of Construction.

Although not referring directly to the International Building Code, each and every section of this Chapt considered and construed as a part thereof. Although not referring directly to this Chapter 14.05, each and every part of the International Building Code as adopted by the State of Washington shall be construed as a part there chapter and the IBC shall be read together and the two shall be construed as a single document.

14.06.090 Sections Adopted.

In coordination with the Washington State Adoption of the International Residential Code, the following Chapters of the IRC, as amended, are adopted: Chapters 1 through 10 inclusive, Chapters 12 through 24 inclusive, and Chapter 43.

II. Amendments to Uniform Code

14.06.101.2 Scope.

Section R101.2 (Scope) of the IRC shall be amended and replaced with the following:

"Scope. The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures, including adult family homes, foster family care homes and family day care homes licensed by the Washington state department of social and health services.

Exceptions:

1. Work located primarily in a public way;
2. Work related to public utility towers and poles (not including wireless communication, radio, or television towers);

3. Amateur radio and citizen band support towers less than seventy (70) feet in height;
4. mechanical equipment not specifically regulated in this Code;
5. Hydraulic flood control structures; and
6. Agricultural Buildings as defined in the IBC.

14.06.105.2 Work Exempt from Permit.

Section R105.2 (Work Exempt from Permit) of the IRC is amended and replaced with the following:

"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. Unless otherwise exempted, separate plumbing, electrical and mechanical permits may be required for any of the following exempted items. Permits shall not be required for the following:

1. One-story detached accessory structures, provided the floor area does not exceed 120 square feet (11.15 m^2).
2. Fences not over 6 feet (1829 mm) high.
3. Retaining walls which are not over 4 feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or more than 4 vertical feet of unbalanced backfill.
4. 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.
5. Sidewalks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
8. Swings and other playground equipment accessory to a one- or two-family dwelling.
9. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
10. Minor construction and alteration activities for which the total valuation as determined in Section 108.3 does not exceed fifteen hundred dollars; provided, that the construction and/or alteration activity does not affect any structural components, or reduce existing egress, light, air, and ventilation conditions. The permit exemption does not include electrical, plumbing, or mechanical activities which will require separate permit(s).
11. Floating structures and bridges.
12. Window awnings supported by an exterior wall which does not project more than 54 inches (1372 mm) from the wall.
13. Signs less than or equal to eight feet in height above grade."

14.06.108.6 Fees.

Section R108 (Fees) of the IRC is adopted, with the addition of the following subsection:

"108.6 Single Fee. When work is proposed which requires a permit under the residential code, the plumbing code, the mechanical code, or the energy code, the permit holder may pay a single fee as established by the applicable governing authority at the time of issuance of the building permit.

Exceptions where separate permits and fees may be required:

1. Any proposed work for signs, fire extinguishing systems, fire and burglar alarms, and wood stoves.

2. Any proposed work which requires a separate permit from the Washington State Department of Labor and Industries.

3. Any proposed work that requires submission of a building plan, where a plan-checking fee must be paid to the Building Official at the time plans are submitted.

14.06.110.1 Use and Occupancy.

Section R110.1 (Use and Occupancy) of the IRC shall be replaced with the following:

"Use and occupancy. Unless deemed exempt by the Chief Building Official, no building or structure in occupancy groups A-1 through R-3 inclusive shall be used or occupied, sold, rented or leased, and no change in the existing structure or a portion thereof that affects the occupancy classification shall be made until the Building Official has issued a certificate of occupancy therefore as provided herein. No person shall permit their building or structure to be used, occupied, sold, leased or rented in violation of this subsection. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Buildings or structures with a history of use or occupation shall be considered as used or occupied during any period of time in which the same lies vacant, pending resale, lease, or rental."

14.06.112.3 Board of Appeals.

Section R112.3 (Qualifications) of the IRC shall be replaced with the following:

"Qualifications. The seven-member Board of Appeals shall consist of one person from each of the following backgrounds: (1) Agriculture; (2) Architecture; (3) Engineering; (4) General Construction; (5) Residential Construction; (6) and two others chosen at large."

14.06.202 Definitions.

The definitions contained in Section R202 of the IRC are adopted, with the following additional definitions:

"CELLAR. That portion of a building between floor and ceiling which is wholly or partly below Grade and so located that the vertical distance from Grade to the floor below is equal to or greater than the vertical distance from Grade to Ceiling."

"CENTRAL HEATING PLANT. Environmental heating equipment which directly utilizes fuel to generate heat in a medium for distribution by means of ducts or pipes to areas other than the room or space in which the equipment is located."

"SAME AS PLAN. A plan that has been submitted and approved with the building division in recorded subdivisions that are less than 3600 square feet, not including the garage, for single family dwelling occupancies with no part less than three feet from the property line, which plan may be repeated for use six months from the date of last issuance."

14.06.301.2.1.1 Design Criteria.

Section R301.2.1.1 (Wind Design Criteria) of the IRC shall be deleted.

14.06.301.2.1.3 Wind Speed Conversion.

Section R301.2.1.3 (Wind Speed Conversion) of the IRC shall be replaced with the following:

"Basic Wind Speed. The basic wind speed for determining designed wind pressure shall be 110 miles per hour, 3 second gust."

14.06.301.6 Roof load.

Section R301.6 (Roof Snow Loads) of the IRC shall be replaced with the following:

"Roofload. Roof shall be designed for the liveload indicated in Table R301.6 or 25 pounds per square foot of roof snow load, whichever is greater."

14.06.302.4 Building Planning – Location on Lot.

Section 302 (Location on Lot) of the IRC shall be amended by the addition of the following new provision:

"302.4 Urban Wildlands. In all areas designated as Wildland Urban Interface/Intermix by Clark County Code 15.13.030, the following additional limitations shall apply:

1. No building shall be located within 30 feet of a property line;
2. All vegetation and combustible building or construction debris shall be removed from the lot in an approved manner prior to any use or occupancy of the building;
3. There shall be no dead wood, brush, or undergrowth which tends to propagate the spread of fire within 30 feet of a building;

4. Any annual grasses within 30 feet of a building shall be continually cut and maintained at a height of 4 inches or less;
5. Trees within 30 feet of a building shall be limbed to a height not less than 15 feet.
6. No portion of any conifer trees on the property shall be located within 15 feet of the furthest projection of a building roof line or horizontal combustible surface;
7. The distance requirements of the above subsections shall be increased by 25% for any development or construction outside of an organized fire department or fire protection district; and
8. The underside of exposed horizontal combustible surfaces such as decks, balconies, or similar projections shall be completely enclosed with nonporous skirting consisting of either metal, a minimum of ½ inch plywood, or other pre-approved material, wherever the height of the projection is 30 inches or less above ground level."

14.06.321.1 Site Addresses.

Section R321.1 (Premises Identification) of the IRC shall be replaced with the following:

"Premises identification. Approved numbers or addresses shall be provided on new buildings in such a position as to be clearly visible and legible from the street or roadway fronting the property. If the numbers cannot be made clearly visible from the closest street or roadway by attachment to the building, then the approved numbers must be posed at the intersection of the driveway and the public street or road. Letters or numbers shall be a minimum of four (4) inches in height of a contrasting color to the background itself."

14.06.324 Special Design Criteria - Sprinklers

A new Section 324 (Special Design Criteria - Sprinklers) shall be added to the Clark County adoption of the IRC as follows:

"SECTION R324
SPECIAL DESIGN CRITERIA

324.1 Sprinklers. All new dwellings on legal nonconforming parcels that are less than two and one-half acres in size, and found in either an AG/Wildlife District (CCC 18.300.065) or a Resource District (CCC 18.302), shall be fully sprinkled in accordance with the applicable provisions of Section 903 of the IBC, as adopted by Clark County.

14.06.904.5 Roof Assemblies – Materials.

Section R904 (Roof Assemblies - Materials) of the IRC shall be amended by the addition of the following new section:

"904.5 Special Conditions. In those areas designated as wildland Urban Interface / Intermix by Clark County Code 15.13.030:

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(1) Roofing materials for new construction or replacement of existing roofs shall be limited to those types which are noncombustible or have a class C or greater rating as defined in Section 1505.

(2) Roofs with slopes of less than 3:12 shall have a noncombustible covering."

14.06.1001.6.2 Masonry Chimneys.

Section R1001.6 (Masonry Chimneys – Termination) of the IRC shall be amended by the addition of the following new section:

"R1001.6.2. Special Conditions. In those areas designated as Wildland Urban Interface/Intermix by CCC 15.13.030, chimney outlets shall not be located within 15 feet of obstructions, other buildings, vegetation or other combustible material."

14.06.1002.7 Factory-Built Chimneys.

Section R1002 (Factory-Build Chimneys) of the IRC shall be amended by the addition of the following new section:

"R1002.7. Special Conditions. In those areas designated as Wildland Urban Interface/Intermix by CCC 15.13.030, chimney outlets shall not be located within 15 feet of obstructions, other buildings, vegetation or other combustible material."

III. Amendments to Appendices

14.06.9000 Adoption of Grading Provisions.

By this reference, the grading provisions of CCC 14.05.9000 are adopted as applicable to all one- and two-family dwellings and multiple single-family dwellings (townhouses) governed by the IRC, as adopted by Clark County and the State of Washington.

EXHIBIT D

Chapter 14.08
PLUMBING CODE

14.08.010 Short title.

The short title of this chapter shall be the "Clark County Plumbing Code." This chapter may be cited by its short title. (Ord. 1974-07-50 (part), 1974)

14.08.020 Adoption by reference--Citation.

Except as hereinafter provided, the following document is adopted by reference: Uniform Plumbing Code, 2003 Edition, copyright 2003 by the International Association of Plumbing and Mechanical Officials as amended by the State of Washington, enacted at chapter 51-56 WAC. This document may be cited as the UPC.

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14.08.030 Rule of construction.

Although not referring directly to the Uniform Plumbing Code, each and every section of this chapter shall be considered and construed as a part thereof. Although not referring directly to this chapter, each and every section or part of the Uniform Plumbing Code shall be considered and construed as a part thereof.

Whenever in any specific case different sections of the code specify different materials, methods of construction or other requirements, the most restrictive section shall govern.

14.08.040 Purpose.

This chapter is intended to be a comprehensive plumbing code regulating all plumbing practices and standards prescribed herein. This chapter and the UPC shall be read together and the two shall be construed as a single document.

14.08.080 Administrative authority.

The administrative authority vested with the general duty of administering this chapter and the UPC shall be the building official. He may appoint such assistants and authorized representatives as he shall deem necessary to administer this chapter and the UPC. His assistants and authorized representatives shall have the authority to act on his behalf to the extent that he authorizes them to act on his behalf in the administration of this chapter and the UPC. The building official, acting as the administrative authority, shall have the power to delegate to his assistants and authorized representatives a portion of those functions vested in him to the extent permissible by law. The administrative authority shall perform these additional specific duties:

(1) Require submission of, examine and check plan and specifications, drawings, descriptions and/or diagrams necessary to show clearly the character and kind and extent of plumbing work covered by application for a permit;

(2) Collect all fees for permits issued as provided by this code to be decided separately and issue receipts therefor, a duplicate copy of which shall be maintained as a record in this office;

(3) Inspect all plumbing, gas piping and drainage work authorized by any permit to insure compliance with the provisions of this code or amendments thereto, approving or condemning the work in whole or in part as conditions require;

(4) Condemn and reject all work done or being done or materials used or being used which do not in all respects comply with the provisions of this code and amendments of this code;

(5) Order changes in workmanship and/or materials essential to obtain compliance with all provisions of this code;

(6) Investigate any conditions or work requested by this code and issue such notices and orders as provided in Section 14.08.100;

(7) Transfer all fees collected by the department of building to the treasurer's office of Clark County;

(8) Maintain a record of all persons, firms or corporations lawfully entitled to carry on or engage in the business of plumbing.

14.08.100 Dangerous and insanitary construction.

(1) Any portion of a plumbing system found by the administrative authority to be insanitary as defined herein is a public nuisance.

(2) Whenever it is brought to the attention of the administrative authority that any insanitary conditions exist or that any construction or work regulated by this code is dangerous, unsafe, insanitary, a nuisance or a menace to life, health or property or otherwise in violation of this code, the authority may institute an investigation by the administrative authority, who, upon determining such information to be fact, shall order any person, firm or corporation using or maintaining any such condition or responsible for the use or maintenance thereof to discontinue the use or maintenance thereof or to repair, alter, change, remove or demolish same as he may consider necessary for the proper protection of life, health or property, and in the case of any gas piping or gas appliance may order any person, firm or corporation supplying gas to such piping or appliances to discontinue supplying gas thereto until such piping or appliance is made safe to life, health or property. Every such order shall be in writing, addressed to the owner, agent or person responsible for the premises in which such condition exists and shall specify the date or time for compliance with such order.

(3) Refusal, failure or neglect to comply with any such notice or order actually given within or without the state to the person or entity maintaining any such condition, or responsible for the use or maintenance thereof, shall be considered a violation of this code for which a civil penalty will attach if correction is not made in the manner and within the time period specified in the notice or order. The amount of any such civil penalty shall be the amount designated in Table 32.04.050 under the heading "Dangerous structure." This section shall not be construed as preventing Clark County from initiating any suit available at law or equity to force compliance with this code or an order issued thereunder, nor shall it be construed as excusing compliance with this code or the imposition of any other penalties.

(4) When any plumbing system is maintained in violation of this code and in violation of any notice issued pursuant to the provisions of this section or where a nuisance exists in any building or on a lot on which a building is situated, the administrative authority shall institute any appropriate action or proceeding in any court of competent jurisdiction to prevent, restrain, correct or abate the violation or nuisance. (Ord. 1974-07-51 (part), 1974; amended by Sec. 7 of Ord. 2002-09-05)

14.08.110 UPC 102.3 Amended. Section 102.3 of the UPC is amended to read:

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102.3 Any person, firm or corporation violating any provision of this chapter or the UPC is guilty of a misdemeanor and upon conviction thereof shall be punishable by a fine of not to exceed two hundred fifty dollars. Each separate day or any portion thereof during which any violation of this code occurs or continues constitutes a separate offense, and upon conviction thereof shall be punishable as herein provided.

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The penalty provided hereinabove shall be in addition to or as an alternative to any other administrative or judicial remedy provided for by law, including those remedies set out in Title 32 of the Clark County Code.

Upon being specially deputized for such purpose by the Clark County Sheriff, the administrative authority and his authorized employees may issue and serve criminal citations pursuant to this section.

The issuance or granting of a permit or approval of plans and specifications shall not be deemed or construed to be a permit for, or an approval of, any violation of any of the provisions of this code. No permit presuming to give authority to violate or cancel the provisions of this code shall be valid, except insofar as the work or use which it authorized is lawful.

The issuance or granting of a permit or approval of plans shall not prevent the administrative authority from thereafter requiring the correction of errors in the plans and specifications or from preventing construction operations being carried on thereunder when in violation of this code or of any ordinance or from revoking any certificate of approval when issued in error.

Every permit issued by the administrative authority under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days. Before such work can be recommenced a new permit shall be first obtained so to do, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided further, that such suspension or abandonment has not exceeded one year.

14.08.125 Amendment of subsection 103.4.1.

The fee for each permit shall be as set forth in CCC 6.140.030.

14.08.140 Amendment to Section 103.1.3.

Section 103.1.3 of the UPC is amended to read:

To whom permits may be issued.

(1) No permit shall be issued to any person to do or cause to be done any work regulated by this chapter or the UPC, except to a person holding a valid unexpired and unrevoked certificate of competency issued by the State of Washington, Department of Industries, under the authority of Chapter 175, Laws of 1973, 1st Ex. Sess., except when and as otherwise hereinafter provided in this section.

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(2) A permit may be issued to a properly licensed person not acting in violation of Chapter 175, Laws of 1973, 1st Ex. Sess., or this chapter.

(3) Any permit required by this chapter may be issued to any of the following persons:

(A) Any person seeking a permit to do work regulated by this code in a single-family dwelling used exclusively for living purposes, including the usual accessory buildings and quarters in connection with such buildings in the event that such person is the bona fide owner of any such dwelling and accessory buildings and quarters, and that the same are occupied by said owner; provided, that the owner shall personally purchase all material and shall personally perform all labor in connection therewith either by himself or with the help of a friend, neighbor, relative or other person, none of whom receive any compensation or consideration of any sort in connection therewith, and none of whom have undertaken such assistance by holding themselves out as engaged in the trade or business of plumbing;

(B) Any person performing plumbing work on a farm used and occupied exclusively for farming, but not in connection with premises on a farm used and occupied for either residential purposes or business purposes performed in compliance with subdivision (A) or (C) of this subsection:

(C) Any person performing work on a place of business owned by him, except in connection with premises used and occupied for residential purposes unless performed in compliance with subdivision (A) of this subsection; provided that a "place of business" shall be construed as meaning a continuous business operation intended to be carried on over an indefinite period of time and not a place where residential or commercial properties are developed with buildings or structures for the purpose of sale, lease or rental.

14.08.170 UPC 103.3.5 amended.

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Section 103.3.5 of the UPC is amended to read:

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The administration authority may, in writing, suspend or revoke a permit issued under the provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code; provided, that such revocation shall not be effective until after a fair and impartial hearing has been held before the board of county commissioners of Clark County for which notice has been given to the permittee; provided further that a court of competent jurisdiction may issue a temporary restraining order, a preliminary injunction or a permanent injunction prior to or in the absence of the hearing; and provided, further, that any permittee who expends time, money and effort after a notice of revocation shall assume the risk of the cost of the expenditure.

14.08.200 Toilet facilities during construction.

Toilet facilities approved by the Clark County Environmental Health Services Department shall be provided and maintained in a sanitary condition for the use of workmen engaged in all construction projects. Such toilet facilities shall either be connected to a permanent sewage disposal system or to a private sewage disposal system, or shall be of a chemical nature.

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The necessity for such toilet facilities and the suggested necessary scope therefor shall be indicated by the administrative authority when any permit required by the UPC is granted, and by the building official when any permit required by the IBC or IRC is granted.

14.08.211 UPC 20.14 deleted.

Section 20.14 of the UPC is deleted.

14.08.215 Amendment of subsection 103.4.

Subsection 103.4 of the UPC shall be amended as follows:

(a) An applicant, proposing work that will require a building permit in addition to a plumbing permit, shall pay the fee and follow the permit application process set forth in Clark County Code 14.04.135 and 14.04.140.

The fee for all other permits are set forth in CCC 6.140, as amended.

14.08.221 Plumbing board of appeals.

In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the provisions of this code, there is created a board of appeals, to be known as the Clark County plumbing and mechanical board of appeals, consisting of seven members who are qualified by experience and training to pass upon matters pertaining to plumbing construction. The administrative authority shall be an ex-officio member and shall act as secretary of the board. The board of appeals shall be appointed by the board of county commissioners and shall hold office at its pleasure. The board of appeals shall adopt reasonable rules and regulations for conducting its investigations, and shall render all decisions and findings in writing to the administrative authority with a duplicate copy to the appellant and may recommend to the board of county commissioners such new legislation as is consistent therewith.

The board of appeals shall schedule a regular meeting date of each month.

14.08.231 Appeals.

Appeals shall be presented in writing to the secretary of the board of appeals who shall notify the chairman or acting chairman of the board of the pending appeal. When a special meeting is requested the chairman or acting chairman, or the secretary acting at the chairman's direction, shall poll the members of the board and arrange for the earliest possible meeting time at which a majority of the board can be present. The board shall have the duty of expediting the appeal procedure with particular attention to the matters brought before it at any special meeting.

14.08.241 UPC 102.1 amended.

Section 102.1 of the UPC is amended to read:

Administrative Authority--The Administrative Authority is the Chief Building Official, who is established and authorized by the board of county commissioners to administer and enforce the provisions of the plumbing code as adopted or amended.

14.08.250 UPC 313.6 amended.

Subsection 313.6 of the UPC is amended to read:

No water, soil or waste pipe shall be installed or permitted unless where necessary adequate provision is made to protect such pipe from freezing.

14.08.274A UPC Section 609.1 amended.

Subsection UPC 609.1 is amended to include the following subsection to read as follows:

All water piping, equipment, and devices installed above grade outside the heated building envelope shall be protected from freezing by means of a valve and drain installed in an approved freeze-protected location.

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14.08.260 UPC 103.5.4.2 amended.

Subsection 103.5.4.2 of the UPC is amended to include:

It shall be the duty of the holder of a permit (1) to make sure that the work will stand the test prescribed before giving the notification, (2) to insure that all access holes cut to install plumbing and heating systems remain open at the time of inspection, and (3) to insure that all permits and inspection cards are posted at the job site.

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~~14.08.274A. UPC Section 609.1 amended.~~

~~Subsection UPC 609.1 is amended to include the following subsection to read as follows:~~

~~All water piping, equipment, and devices installed above grade outside the heated building envelope shall be protected from freezing by means of a valve and drain installed in an approved freeze protected location.~~

~~(Sec. 15 of Ord. 1999-01-23)~~

14.08.320 UPC Chapter 12 deleted.

Chapter 12 of the UPC is deleted.

14.08.400 Adoption of ~~Appendix D~~. Chapter 11 UPC

~~Appendix D~~ Chapter 11 UPC--Rainwater Systems is hereby adopted.

~~14.08.900 Severability.~~

~~If any provision of this code or its application to any person or circumstances is held invalid, the remainder of the code or the application of such provision to other persons or circumstances shall not be affected thereby. (Ord. 1974-07-51 (part), 1974)~~

14.08.910 Repealer.

The following ordinances or resolutions or parts of ordinances or resolutions are hereby repealed:

(1) Resolution No. 70-69, adopted December 31, 1970, and entitled "A RESOLUTION accepting the 1970 Uniform Plumbing Code and addenda previously effective with the approval of the 1967 Uniform Plumbing Code" is repealed.

(2) Resolution No. 7116, adopted May 25, 1971, entitled "RESOLUTION 71-16 ADOPTING THE UNIFORM PLUMBING CODE" is repealed.

(3) All ordinances or resolutions or parts of ordinances or resolutions in conflict with this code are repealed.

14.08.990 Effective date.

~~The effective date of this chapter is July 31, 1974~~. The effective date of this chapter is July 1, 2004.

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EXHIBIT E

Chapter 14.12
MECHANICAL CODE

14.12.010 Short title.

The short title of this chapter shall be the "Clark County Mechanical Code." This chapter may be cited by its short title. (Ord. 1974-07-52 (part), 1974)

14.12.020 Adoption by reference.

Except as hereinafter provided, the following document is adopted by reference: International Mechanical Code, 2003 Edition, by the International Association of Plumbing and Mechanical Officials and the International Conference of Building Officials. This document may be cited as: ~~U~~ IMC.

14.12.030 Rule of construction.

Although not referring directly to the International Mechanical Code, each and every section of this chapter shall be considered and construed as a part thereof. Although not referring directly to this chapter, each and every section or part of the IMC shall be considered and construed as a part thereof.

14.12.040 Purpose.

This chapter is intended to be a comprehensive mechanical code regulating all mechanical standards and practices prescribed herein. This chapter and the IMC shall be read together and the two shall be construed as a single document.

14.12.050 IMC sections, subsections, chapters and tables--Amendments, additions and deletions.

~~(2)~~ (1) New sections, subsections, chapters or tables shall be shown by a preface note indicating that the section, subsection, chapter or table is new.

~~(3)~~ (2) Sections, subsections, chapters or tables shall be deleted by reference to section, subsection, chapter or table title(s) or designation(s).

~~14.12.075 Liability.~~

~~This code shall not be construed to hold the public entity or any officer or employee responsible for any damage to persons or property by reason of the inspection or reinspection authorized herein or by reason of the approval or disapproval of any equipment or process authorized herein. (Sec. 3 of Ord. 1979-11-101).~~

14.12.090 Amendment of Section 109 IMC.

Section ~~110.1 UMC~~ 109 of the IMC is amended to read:

BOARD OF APPEAL

Sec. ~~110.1~~ 109 Board created.

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Deleted: (1) Subsections of the Uniform Mechanical Code are those divisions designated by an arabic letter, surrounded by parentheses. These subsections shall be cited by the section number designation of the section in which the subsection appears, followed by the subsection designation. For the purpose of amendment, addition or deletion, subsections shall be treated in all respects as if they were sections.¶

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In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretations of the provisions of this code, there shall be and is hereby created a Board of Appeals, to be known as the Clark County Plumbing and Mechanical Board of Appeals, consisting of seven members who are qualified by experience and training to pass upon matters pertaining to Mechanical Code construction. The Clark County Plumbing and Mechanical Code Board of Appeals shall consist of the same membership as, and shall be the same Board as the Clark County Plumbing Board of Appeals as established in Section 14.08.221. The Building Official shall be an ex-officio member and shall be appointed by the Board of County Commissioners and shall act as secretary of the board. The board of appeals shall be appointed by the board of commissioners and shall hold office at its pleasure. The Board of Appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant and may recommend to the board of county commissioners such new legislation as is consistent therewith.

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The Board of Appeals shall schedule a regular meeting date for each month.

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(b) Appeals. Appeals shall be presented in writing to the secretary of the board of appeals who shall forthwith notify the chairman or acting chairman of the board of the pending appeal.

When a special meeting is requested, the chairman or acting chairman, or the secretary acting at the chairman's direction, shall forthwith poll the members of the board and arrange for the earliest possible meeting time at which a majority of the board can be present. The board shall have the duty of expediting the appeal procedure with particular attention to the matters brought before it at any special meeting.

14.12.95 Amendment of Sections 108.1 through 108.4 of the IMC.

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Sections 108.1 through 108.4 of the IMC are amended to read:

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Violations

Section 108.1 It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use or maintain any mechanical system of equipment or cause or permit the same to be done in violation of this code. Any person, firm or corporation violating any of the provisions of this code is guilty of a misdemeanor, and each person is guilty of a separate offense for each and every day or portion thereof during which any such violation is committed, continued or permitted, and upon conviction of any such violation such person shall be punished by a fine of not more than five hundred dollars and/or a term of incarceration not to exceed ninety days.

Deleted: 111.1.

The penalty provided hereinabove shall be in addition or as an alternative to any other judicial or administrative remedy provided for by law, including those remedies set out in Title 32 of the Clark County Code.

Upon being specially deputized by the Clark County Sheriff, the Building Official and his authorized employees may issue and serve criminal citations pursuant to this section.

14.12.110 Amendment of subsection 106.4.5 IMC.

Deleted: 114.5 UMC.

Subsection 106.4.5 IMC is amended to read:

Permit suspension or revocation. The Building Official may, in writing, suspend or revoke a permit issued under provisions of this code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance or regulation or any of the provisions of this code. Any permittee who expends time, money and effort after notice of revocation shall assume the risk of the cost of said expenditures.

14.12.121 Amendment of subsection 115.2.

The fee for each permit is set forth in CCC 6.140.030.

14.12.125 IMC subsection 106.5.1 amended.

Subsection 106.5.1 IMC is amended to read:

Investigation fees: Work without a permit.

1. Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

2. Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued or the total hourly cost to the jurisdiction, whichever is greatest. This shall include supervision, overhead, equipment hourly wages, and fringe benefits of the employees involved. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

14.12.126 IMC Subsection 106.5.2 amended

Subsection 106.5.2 IMC, Fee Schedule, is amended to read:

A fee for each mechanical permit shall be paid to the Building Official as set forth in the Clark County Code, Section 6.140.

14.12.143 IMC 801.2 amended.

Section 801.2 of the IMC is amended to include the following:

Wood burning appliances--chimney inspection.

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The building official may require the permit applicant for a newly installed wood burning stove or fire place insert to obtain a written report from a licensed masonry contractor certifying that the chimney serving such appliance is safe for the intended use.

14.12.170 Addition to Section 502.1 IMC.

Deleted: 502 UMC

The following definition is added to the end of Sec. 502.1:

Flammable dust is a dispersion of a flammable particulate in air.

~~14.12.200 UMC 505.7 amended.~~

~~Section 505.7 UMC is amended to read:~~

~~Section 505.7 Hoods and enclosures shall be used when contaminants originate at a concentrated area. The design of the hood or enclosure shall be such that the air currents created by the exhaust system will capture the contaminants and transport them directly to the exhaust duct. The volume of air shall also be sufficient to dilute explosive or flammable vapors, fumes or dusts as set forth in Section 505.4~~

14.12.220 ~~UMC Table 5-A amended.~~

~~Table 5-A UMC is amended to read:~~

~~TABLE NO. 5-A--~~
~~MINIMUM CONVEYING VELOCITIES, FPM~~

~~Feet~~
~~Per Minute~~

~~Vapors, gases, smoke, fumes Any~~
~~Fine light dusts, such as cotton, lint and wood flour (100 mesh and under) 2000~~
~~Dry dusts, powders, such as fine rubber molding powder, soap dust 2500~~
~~Industrial dusts~~
~~Average dusts, such as sawdust, grinding dust, coal dust 3500~~
~~Heavy dusts, such as metal turnings, lead dusts 4000~~
~~Moist dusts and chips, such as lead dust with chips, sticky buffing lint, quick lime dust 4500~~

~~1 The velocity for aluminum and magnesium powder shall be not less than 4000 feet per minute.~~

~~Special conveying systems such as fluidized beds, etc., shall be designed as required for the process, subject to the approval of the building official.~~

14.12.250 ~~Amendment to UMC 1319.4~~

~~Subsection 1319.4 is amended to read:~~

~~Table 12-4 of the 1997 Uniform Plumbing Code (page 107) is hereby adopted and incorporated for use herein, 13F, and 13G may be used to size natural gas piping system carrying 2, 3, or 5 psig gas. The procedure to determine the size of each section of the system is similar to that contained in Section 1318 using the pipe length from the meter to the most remote regulator on the medium pressure system and sizing the downstream low pressure piping from Table 13-D.~~

14.12.900 Severability.

If any provision of this code or its application to any person or circumstance is held invalid, the remainder of the code or its application of the provision to other persons or circumstances is not affected.

14.12.910 Repealer.

The following ordinances or resolutions or parts of ordinances or resolutions are repealed:

(1) All ordinances or resolutions, or parts of ordinances or resolutions, in conflict with this chapter are repealed.

(2) A resolution adopted on August 17, 1972, and entitled "IN THE MATTER OF REVISIONS AND AMENDMENT TO THE UNIFORM PLUMBING CODE AND THE UNIFORM MECHANICAL CODE" is repealed. (Ord. 1974-07-52 (part), 1974)

14.12.920 Effective date.

This chapter shall go into effect on ~~July 31, 1974~~. July 1, 2004.

UNOFFICIAL

14.06.101.2 Scope.

Section R101.2 (Scope) of the IRC shall be amended and replaced with the following:

Scope: The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height with a separate means of egress and their accessory structures, including adult family homes, foster family care homes and family day care homes licensed by the Washington state department of social and health services.

Exceptions:

1. Work located primarily in a public way;
2. Work related to public utility towers and poles (not including wireless communication, radio, or television towers);
3. Amateur radio and citizen band support towers less than seventy (70) feet in height;
4. Mechanical equipment not specifically regulated in this Code;
5. Hydraulic flood control structures; and
6. Agricultural structure, defined as
    a. Located outside the urban growth area on a parcel that is 5 acres or more in size; and
    b. The applicant certifies that there is active farming, forestry, or winery operations occurring on the property; and
    c. Complies with all stormwater and zoning reviews and permits as required by the Clark County Code; and
    d. Is a structure designed and constructed to house farm, forestry, or winery implements, hay, grain, grapes, barrels, poultry, livestock or other horticultural or wood products. This structure may not be a place of human habitation, but can be used for occasional or seasonal processing, treating, or packaging of agricultural, forest, or winery products. Personal riding arenas not intended for use by the public are considered to meet this definition and, therefore, are outside the scope of the International Residential Code.

14.05.101.2 Scope

Section 101.2 (Scope) of the IBC shall be amended and replaced with the following:

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

Exceptions:

1. Work located primarily in a public way;
2. Work related to public utility towers and poles (not including wireless communication, radio, or television towers);
3. Amateur radio and citizen band support towers less than seventy feet (70') in height;
4. Mechanical equipment not specifically regulated in this code;
5. Hydraulic flood control structures;
6. Agricultural structures, defined as:
    a. Located outside the urban growth area on a parcel that is 5 acres or more in size; and
    b. The applicant certifies that there is active farming, forestry, or winery operations occurring on the property; and
    c. Complies with all stormwater and zoning reviews and permits as required by the Clark County Code; and
    d. Is a structure designed and constructed to house farm, forestry, or winery implements, hay, grain, grapes, barrels, poultry, livestock or other horticultural or wood products. This structure may not be a place of human habitation, but can be used for occasional or seasonal processing, treating, or packaging of agricultural, forest, or winery products. Personal riding arenas not intended for use by the public are considered to meet this definition and, therefore, are outside the scope of the International Building Code; and
7. 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, which shall instead comply with the International Residential Code adopted herewith.