

## RESOLUTION NO. 3745

**A RESOLUTION** of the Port Commission of the Port of Seattle adopting the 2015 editions of the International Code Council, Building, Mechanical, Fire Codes and Fuel Gas Code, the 2015 Edition of the Uniform Plumbing Code, and 2015 Washington State Energy Code and the editorial changes made to the State Building Code by the Washington State Legislature; repealing certain sections of the Airport Building Code; adopting new sections of the Airport Building Code and repealing Resolution 3527, as Amended.

**WHEREAS**, in Resolution 3527, as amended, the Port Commission adopted and amended Chapter 19.27 RCW, adopted Chapter 13.01, .06, .07, .08, and .09 of the City of SeaTac Municipal Code, adopted Chapter 19.28 RCW, and adopted certain 2003 International Codes identified in RCW 19.27.031 to comprise the Airport Building Code;

**WHEREAS**, in Resolution 3454, as amended, the Port Commission adopted, amended, and repealed certain sections of Chapter 13.06 City of SeaTac Municipal Code that it previously adopted in Resolution 3445 to be part of the Airport Building Code;

**WHEREAS**, during the 2003 Regular Session, the Washington State Legislature adopted Substitute House Bill (SHB) 1734 that repealed the Uniform Building Code Standards, amended Chapter 19.27 RCW, and adopted certain International Codes identified in RCW 19.27.031;

**WHEREAS**, the Port Commission wishes to the Airport Building Code to comply with the current provisions of Washington State law by adopting the 2015 International Codes as set forth in RCW 19.27.031 by the Washington State Legislature to comprise the Airport Building Code along with certain other additions and amendments to

harmonize the code with the requirements for construction at Seattle-Tacoma International Airport; and

**WHEREAS**, the Port Commission wishes to repeal, amend and adopt certain other sections of the IBC and related codes so that the Airport Building Code will better protect the public health, welfare and safety.

**NOW, THEREFORE, BE IT RESOLVED** by the Port Commission of the Port of Seattle that:

Section 1. The Uniform Building Codes, as adopted and defined by Chap. 19.27 RCW and adopted in Chapters 13.01, .06, .07, .08, and .09 of the City of SeaTac Code, and the Airport Building Code adopted by Resolution 3527, as amended, are hereby repealed.

Section 2. The 2015 amendments to Chap. 19.27 RCW, which adopted the International Codes are hereby adopted as the Airport Building Code, including the 2015 International Existing Building Code found in the IBC, the ICC/ANSI A117.1-09 Accessible and Usable Buildings and Facilities, 2015 International Fire Code as modified by the latest Rules for Airport Construction standard, the 2015 International Fuel and Gas Code, the 2014 NFPA 58 Liquefied Petroleum Gas Code, and the 2015 International Code Council Performance Code.

Section 3. The 2015 International Codes adopted and defined by RCW 19.27.031 including the International Mechanical Code, International Residential Code, Washington State Energy Code, NFPA 54 National Fuel Gas Code, Swimming Pool and

Spa Code, and the Uniform Plumbing Code (UPC) are hereby adopted as part of the Airport Building Code.

Section 4. The 2015 International Building Code (IBC) and Appendix E are hereby adopted as part of the Airport Building Code.

Section 5. Section 101.2.1 IBC Appendices is amended to read as follows:

Provisions in the appendices shall not apply unless specifically adopted. Appendix J of the IBC is hereby adopted.

Section 6. Delete section 101.4.6 of the IBC “Energy” as follows:

Section 7. Amend section 103.1 of the IBC “Creation of Enforcement Agency” to read as follows:

The Department of Building Safety or the Airport Building Department (ABD) is hereby created and the official in charge thereof shall be known as the building official or code official or the ABD senior manager.

Section 8. Amend Section 105.5 of the IBC “Expiration” to read as follows:

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 540 days after its issuance, or if the work authorized on the

site by such permit is suspended or abandoned for a period of 540 days after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Section 9. Amend section 109.2 of the IBC, “Schedule of Permit Fees” to read as follows:

On buildings, structures, electrical, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. See attached Permit Fee Table 109.2. See attached Grade and Fill Permit Fee Table 109.3.

Section 10. Amend Section 109.4 of the IBC “Work Commencing before Permit Issuance” to read as follows:

Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee established by the building official that shall be in addition to the required permit fees. A special investigation shall be made before a permit may be issued for such work. An investigation 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 required by this Code. The minimum investigation fee shall be the same as the minimum fee set forth above. Payment of the investigation fee does not authorize the illegal work in any manner, nor does it exempt any person from compliance with all

other provisions of this Code, nor does it establish any right to an Airport permit for continued development of that project. If work done remains illegal for ninety (90) days after service of the Stop Work Order, it shall be considered hazardous and abated per IBC section 116.

Section 11. Amend Section 109.6 of the IBC "Refunds" to read as follows:

The building official is authorized to establish a refund policy. The building official may authorize the refunding of: one hundred percent (100%) of any fee erroneously paid or collected; up to eighty percent (80%) of the permit fee paid when no work has been done under a permit issued in accordance with this Code; and/or up to eighty percent (80%) of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before plan reviewing is done. If a plan review has been performed, there shall be no refund of the plan review fee. If the permit work has been performed and corresponding inspections completed, then a refund shall be on a partial pro-rated basis. The building official shall not authorize refunding of any fee paid except on written application/request filed by the original permittee not later than one hundred and eighty (180) days after the date of fee payment.

If the work is abandoned or suspended, before the work can be recommenced, a new permit shall be first obtained to do so, and the fee therefore shall be one half (50%) 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, nor a code cycle

has occurred and provided further that such suspension or abandonment has not exceeded one year. Otherwise, in order to renew action on a permit after expiration, the permittee shall pay a new full permit fee with the latest adopted Airport fee schedule.

Section 12. Amend Section 110.5 of the IBC “Inspection Requests” to read as follows:

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which the inspection is requested, or for deviating from the approved plans requiring the further approval of the building official. This section is not to be interpreted as requiring reinspection fees the first time a job is rejected for failure to comply with the requirements of this code, rather it is intended to control the practice of calling for inspections before the job is ready for such inspection or reinspection. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. To obtain a reinspection, the applicant shall pay the reinspection fee in accordance with Table 109.2. In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid.

Section 13. Amend Section 113.3 of the IBC “Qualifications” to read as follows:

The board of appeals shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are ~~not~~ employees of the jurisdiction. As an alternate, at the discretion of the Port’s Executive Director, an independent 3rd party Hearing Examiner may be utilized. The Hearing Examiner shall have no authority relative to interpretation of the administrative provisions of the building code nor shall the Hearing Examiner be empowered to waive requirements of the building codes.

Section 14. Amend Appendix Section J103.2 of the IBC Exemptions to read as follows: A grading permit shall not be required for the following:

1. Grading in an isolated, self-contained area of 50 cubic yards or less, provided there is no danger to the public and that such grading will not adversely affect adjoining properties.
2. Excavation for construction of a structure permitted under this code.
3. Cemetery graves.
4. Refuse disposal sites controlled by other regulations.
5. Excavations for wells, or trenches for utilities.
6. Mining, quarrying, excavating, processing or stockpiling rock, sand gravel, aggregate or clay controlled by other regulations, provided such operations do not affect the lateral support of, or significantly increase stresses in, soil on adjoining properties

except for specific application to Airport construction. The building official shall have the authority to issue permits for quarrying and mining operations for specific application to airport construction, and removal of sand, gravel, rock and other natural deposits, together with the necessary buildings, apparatus or appurtenances incident thereto. This permit may authorize rock crushers, concrete batching plants and asphalt batching plants and similar equipment in conjunction with such operations or allied uses. The building official shall also have the authority to issue permits for the removal of existing stockpiles of previously mined material for the reclamation of land. The building official shall consider the effect of the proposed operation on the city road system and any effect it may have on surface or groundwater drainage and flood control, and shall make such recommendations as necessary to protect the public interest in this regard. The building official shall also consider the effect of the proposed operation on the current and future land use in the area affected by the proposed operation and shall condition permits as necessary to protect the public interest in this regard. Quarrying and mining permits are good for the life of any specific job but shall be reviewed annually. Each permit site affected by the proposed operation shall be restored to the current or future proposed land use in accordance with a Land Restoration Study plan prepared per section J104.3. Such restoration shall be completed within the term of the last permit issued before permanent abandonment of the mining or quarrying operation. Prior to the exhaustion of materials or the permanent abandonment of the quarrying or mining operation under a permit as administered above, a Land Restoration Study plan shall be submitted by a professional



civil engineer licensed in the State of Washington that shows how the property will be restored to a useful condition. The Land Restoration Study plan may contain final grades, final cut and fill slopes, tree plans, soil amendment plans, topsoil plans, drainage plans, landscape plans, demolition of incidental buildings or some combination of the previous scoping items. The building official may require bonds in such form and amounts as may be deemed necessary to ensure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions. In lieu of a surety bond, the applicant may file a cash bond or instrument of credit with the building official in an amount equal to that which would be required in the surety bond.

7. Exploratory excavations performed under the direction of a registered design professional.

Exemption from the permit requirements of this appendix 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.

Section 15. Adopt a new subsection 117 of the IBC to read as follows:

RCW 19.28 Electricians and Electrical Installations shall be adopted with the latest edition of NFPA 70 commonly known as the National Electric Code administered by the Department of Labor & Industries from the State of Washington.

Section 16. Amend the schedule for building permit fees to read as depicted in Exhibit "A" to this Resolution and is labeled "Table 109.2 Building Permit Fees."

Section 17. Amend the schedule for clearing and grading permit fees to read as depicted in Exhibit “B” to this Resolution and is labeled “Clearing & Grading Permit Fees.”

**ADOPTED** by the Port Commission of the Port of Seattle at a duly noticed meeting thereof, held this \_\_\_\_ day of \_\_\_\_\_, 20\_\_ and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the seal of the Commission.

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Port Commission