Ordinance No. 124613

Council Bill No. 118177

AN ORDINANCE relating to Seattle Municipal Code Section 22.150.010; amending Sections R103, R105, R202, and R302 of the 2012 Seattle Residential Code, to clarify regulations and adopt amendments consistent with the Washington Residential Code.

Related Legislation File:

Date Introduced and Referred: 8/11/14	To: (committee): Planning, Land Use, and Sustainability
Date Re-referred:	To: (committee):
Date Re-referred:	To: (committee):
Date of Final Action: 10/20/14	Date Presented to Mayor: 10/21/14
Date Signed by Mayor: 10.24.14	Date Returned to City Clerk: 10.27.14
Published by Title Only X Published in Full Text	Date Vetoed by Mayor:
Date Veto Published:	Date Passed Over Veto:
Date Veto Sustained:	Date Returned Without Signature:

The City of Seattle – Legislative Department

Council Bill/Ordinance sponsored by:

Committee Action:

Date	Recommendation	Vote
10/14/14	PASS	3-0 MOB, TB, NL

This file is complete and ready for presentation to Full Council.

Full Council Action:

Date	Decision	Vote
10/20/14	Passed	9-0

Law Department

CITY OF SEATTLE

ORDINANCE 124413

COUNCIL BILL 118177

AN ORDINANCE relating to Seattle Municipal Code Section 22.150.010; amending Sections R103, R105, R202, and R302 of the 2012 Seattle Residential Code, to clarify regulations and adopt amendments consistent with the Washington Residential Code.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Chapter 1 of the Seattle Residential Code, which Chapter was last amended by Ordinance 124282, is amended as follows:

SECTION R103

ENFORCEMENT, VIOLATIONS AND PENALTIES

* * *

R103.10 Administrative review by the building official. Prior to issuance of the building permit, ((~~A~~))applicants may request administrative review by the building official of decisions or actions pertaining to the administration and enforcement of this code. Requests shall be addressed to the building official.

R103.11 Administrative review by the Construction Codes Advisory Board. After administrative review by the building official, and prior to issuance of the building permit, ((~~A~~))applicants may request review of decisions or actions pertaining to the application and interpretation of this code by the Construction Codes Advisory Board, except for stop work orders, notices of violations and revocations of permits. The review will be performed by a panel of three or more members of the Construction Codes Advisory Board, chosen by the Board Chair. The Chair shall consider the subject of the review and members' expertise when selecting members to conduct a review. The decision of the review panel is advisory only; the final decision is made by the building official.

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SECTION R105

BUILDING PERMITS

* * *

R105.2 Work exempt from permit. A building permit is not required for the work listed below. Exemption from the permit requirements of this code does not authorize any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of the City.

1. Minor repairs or alterations that, as determined by the building official, cost the owner ((~~$4,000~~)) $6,000 or less in any six month period. Such repairs and alterations shall not include the removal, reduction, alteration or relocation of any loadbearing support. Egress, light, ventilation and fire-resistance shall not be reduced without a permit.
2. Minor work including the following, provided no changes are made to the building envelope: patio and concrete slabs on grade; painting or cleaning a building; repointing a chimney; installing kitchen cabinets, paneling or other surface finishes over existing wall and ceiling systems; insulating existing buildings; abatement of hazardous materials; and in-kind or similar replacement of or repair of deteriorated members of a structure.
3. One-story detached accessory buildings used for greenhouse, tool or storage shed, playhouse, or similar uses, if:
   - 3.1. The projected roof area does not exceed 120 square feet; and
   - 3.2. The building is not placed on a concrete foundation other than a slab on grade.
4. Fences not over 8 feet high that do not have masonry or concrete elements above 6 feet.
5. Arbors and other open-framed landscape structures not exceeding 120 square feet in projected area.

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6. Retaining walls and rockeries which are not over 4 feet in height measured from the bottom of the footing to the top of the wall, if:
   6.1. There is no surcharge or impoundment of Class I, II or III-A liquids;
   6.2. The wall or rockery is not located in an Environmentally Critical Area (ECA) or ECA buffer pursuant to chapter 25.09 of the Seattle Municipal Code;
   6.3. Construction does not support soils in a steep slope area, potential landslide area or known slide area as identified in the Seattle Environmentally Critical Areas Ordinance, Section 25.09.020 of the Seattle Municipal Code.
   6.4. Possible failure would likely cause no damage to adjoining property or structures.
7. Platforms, walks and driveways not more than 18 inches above grade and not over any basement or story below.
8. Window awnings supported by an exterior wall when projecting not more than 54 inches.
9. Prefabricated swimming pools, spas and similar equipment accessory to a building subject to this code in which the pool walls are entirely above the adjacent grade and if the capacity does not exceed 5,000 gallons.
10. Replacement of roofing materials and siding. This shall not include structural changes, replacement of sheathing or alterations to doors and windows. See Energy Code Sections R101.4.3 for insulation requirements for existing buildings.

    Exception: In detached one- and two- family dwellings, the existing roof sheathing may be replaced and roof structure may be repaired without permit provided no changes are made to the building envelope other than adding or replacing insulation, and the work is equivalent to or better than the existing structure.
11. Private playground equipment including tree houses.
12. Removal and/or replacement of underground storage tanks that are subject to regulation by a state or federal agency.

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Note: A Fire Department permit is required for removal, replacement and decommissioning of underground storage tanks.

13. Installation of dish and panel antennas 6.56 feet (2 m) or less in diameter or diagonal measurement.
14. Portable heating appliances, portable ventilating equipment and portable cooling units, provided that the total capacity of these portable appliances does not exceed 40 percent of the cumulative heating, cooling or ventilating requirements of a building or dwelling unit and does not exceed 3 kW or 10,000 Btu input.
15. Any closed system of steam, hot or chilled water piping within heating or cooling equipment regulated by this code.
16. Minor work or the replacement of any component part of a mechanical system that does not alter its original approval and complies with other applicable requirements of this code.
17. Water tanks not located in Environmentally Critical Areas that are supported directly on grade if the capacity is not greater than 5,000 gallons (18 925 L) the ratio of height to diameter or width is not greater than 2:1.

* * *

Section 2. Chapter 2 of the Seattle Residential Code, which Chapter was last amended by Ordinance 124282, is amended as follows:

SECTION R202

DEFINITIONS

* * *

FLOATING HOME. A ((~~building constructed on a float, used in whole or in part for human habitation as a~~)) single-family dwelling constructed to float, which is moored, anchored or otherwise secured in waters. A floating home is not a vessel, even though it may be capable of

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being towed, and is not a "floating on water residence" as defined in the Seattle Municipal Code Title 23.

* * *

Section 3. Chapter 3 of the Seattle Residential Code, which Chapter was last amended by Ordinance 124282, is amended as follows:

* * *

SECTION R302

FIRE-RESISTANT CONSTRUCTION

* * *

[W] TABLE R302.1(2)

EXTERIOR WALLS—DWELLINGS WITH FIRE SPRINKLERS

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	Fire-resistance rated	1 hour—tested in accordance with ASTM E 119 or UL 263 with exposure from the outside ((~~both sides~~))	0 feet
	Not fire-resistance rated	0 hours	3 feet[a]
Projections	Fire-resistance rated	1 hour on the underside[b, c]	2 feet[a]
	Not fire-resistance rated	0 hours	3 feet
Openings in walls	Not allowed	N/A	< 3 feet
	Unlimited	0 hours	3 feet[a]
Penetrations	All	Comply with Section R302.4	< 3 feet
		None required	3 feet[a]

For IS: 1 foot = 304.8 mm.
N/A = Not Applicable

a For residential subdivisions where all dwellings are equipped throughout with an automatic sprinkler system installed in accordance with P2904, the fire separation distance for nonrated exterior walls and rated projections shall be permitted to be reduced to 0 feet, and unlimited unprotected openings and penetrations shall be permitted, where the adjoining lot provides an open setback yard that is 6 feet or more in width on the opposite side of the property line.

b Roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave if fire blocking is provided from the wall top plate to the underside of the roof sheathing.

c Roof eave fire-resistance rating shall be permitted to be reduced to 0 hours on the underside of the eave provided no gable vent openings are installed.

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* * *

R302.2 Townhouses. Each townhouse shall be considered a separate building and shall be separated by ((~~fire-resistance-rated wall assemblies meeting the requirements of Section R302.1 for exterior walls.~~)) one of the following methods:

((~~**Exception:**~~))1. A common 1-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 ((~~is permitted for townhouses if such walls do not contain plumbing or mechanical equipment, ducts or vents in the cavity of the common wall. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Electrical installations shall be installed in accordance with the Seattle Electrical Code.~~)) and a fire sprinkler system in accordance with Section P2904 in both townhouses shall be provided. The cavity of the common wall shall not contain plumbing or mechanical equipment, ducts or vents. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

2. A common 2-hour fire-resistance-rated wall assembly tested in accordance with ASTM E 119 or UL 263 shall be provided. The cavity of the common wall shall not contain plumbing or mechanical equipment, ducts or vents. The wall shall be rated for fire exposure from both sides and shall extend to and be tight against exterior walls and the underside of the roof sheathing. Penetrations of electrical outlet boxes shall be in accordance with Section R302.4.

3. Two wall assemblies meeting the requirements of Section R302.1 for exterior walls shall be provided.

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[W] R302.2.4 Structural independence. Each individual *townhouse* shall be structurally independent.

Exceptions:

1. Foundations supporting *exterior walls* or common walls.
2. Structural roof and wall sheathing from each unit may fasten to the common wall framing.
3. Nonstructural wall and roof coverings.
4. Flashing at termination of roof covering over common wall.
5. *Townhouses* separated by a common ((~~1-hour fire-resistance-rated~~)) wall as provided in Section R302.2, Item 1 or 2.
6. Floor sheathing may fasten to the floor framing of both units.

R302.3 Two-family dwellings. Dwelling units in two-family dwellings shall be separated from each other by wall and/or floor assemblies having not less than a 1-hour fire-resistance rating when tested in accordance with ASTM E 119 or UL 263. Fire-resistance-rated floor/ceiling and wall assemblies shall extend to and be tight against the exterior wall, and wall assemblies shall extend from the foundation to the underside of the roof sheathing.

Exceptions:

1. A fire-resistance rating of 1/2 hour shall be permitted in buildings equipped throughout with an automatic sprinkler system installed in accordance with NFPA 13.
2. Wall assemblies need not extend through attic spaces when the ceiling is protected by not less than 5/8-inch (15.9 mm) Type X gypsum board and an attic draft stop constructed as specified in Section R302.12.1 is provided above and along the wall assembly separating the dwellings. The structural framing supporting the ceiling

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shall also be protected by not less than 1/2-inch (12.7 mm) gypsum board or equivalent.

R302.3.1 Supporting construction. When floor assemblies are required to be fire-resistance rated by Section R302.3, the supporting construction of such assemblies shall have an equal or greater fire-resistance rating.

Exception: The supporting construction is not required to be fire-resistance rated where:

1. Automatic fire sprinklers are installed in accordance with Section P2904 in both dwelling units; or
2. All required smoke alarms in both dwelling units are interconnected in such a manner than the actuation of one alarm will activate all alarms in both dwelling units.

* * *

Section 4. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

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Passed by the City Council the 20th day of October, 2014, and signed by me in open session in authentication of its passage this 20th day of October, 2014.

President _____ of the City Council

Approved by me this 24th day of October, 2014.

Edward B. Murray, Mayor

Filed by me this 27th day of October, 2014.

Monica Martinez Simmons, City Clerk

(Seal)

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Form revised: February 26, 2014

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	CBO Analyst/Phone:
DPD	Maureen Traxler/233-3892	Melissa Lawrie/684-5805

Legislation Title:
AN ORDINANCE relating to Seattle Municipal Code Section 22.150.010; amending Sections R103, R105, R202, and R302 of the 2012 Seattle Residential Code, to clarify regulations and adopt amendments consistent with the Washington Residential Code.

Summary of the Legislation: This legislation includes amendments that adopt recently-enacted amendments to the State Residential Code, coordinate with other construction-related codes, and correct errors. A detailed list of the changes is found in Attachment 1.

Background: The Seattle Residential Code is one of several construction-related codes that local jurisdictions are required to enforce. New editions of these codes are adopted by the State every 3 years; Seattle adds local amendments to the State codes. Seattle adopted the 2012 codes in 2013.

This legislation is one of seven related bills that amend the construction-related codes to adopt recent state code provisions and correct errors.

X **This legislation does not have any financial implications.**

Other Implications:

a) **Does the legislation have indirect financial implications, or long-term implications?** **No**

b) **What is the financial cost of not implementing the legislation?** It's unlikely there would be any cost.

c) **Does this legislation affect any departments besides the originating department?** **No**

d) **What are the possible alternatives to the legislation that could achieve the same or similar objectives?** No

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e) **Is a public hearing required for this legislation? No**

f) **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation? No**

g) **Does this legislation affect a piece of property? No**

h) **Other Issues: None**

List attachments to the fiscal note below:

Attachment 1: 2014 Seattle Residential Code Amendments, Detailed list

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Attachment 1
2014 Seattle Residential Code Amendments
Detailed list of changes

R103.10, R103.11 clarify the procedure for review of DPD decisions about permit applications. Review by the building official is available before the permit is issued, and review by the Construction Codes Advisory Board is available between the time the building official reviews and permit issuance.

R105.2 raises the threshold when a building permit is required for minor repairs and alterations to match a recent change in the Building Code. The threshold would be raised from $4000 to $6000.

R202 revises the definition of "floating home" to be consistent with a bill passed in the 2014 State Legislative session. The legislation distinguishes between floating homes and "floating on-water residences."

R302.2 adopts recent State Residential Code amendments addressing the required fire separation between townhouses. The new amendments provide different requirements for townhouses that are protected with fire sprinklers and those that are not.

R302.3 adopts a recent State Residential Code amendment that relates to the fire rating of the floors of duplexes. Floors are required to be fire rated when they separate dwelling units. According to the State amendment, the part of the building structure that supports the fire-rated floor must also be fire rated unless the duplex has a fire sprinkler system or the smoke alarms in the two units are interconnected.

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City of Seattle
Edward B. Murray
Mayor

July 29, 2014

Honorable Tim Burgess
President
Seattle City Council
City Hall, 2nd Floor

Dear Council President Burgess:

I am pleased to transmit the attached proposed Council Bill that amends the 2012 Seattle Residential Code that was adopted last year. This bill clarifies and corrects the Residential Code, coordinates it with recent changes to the Washington State Residential Code, and coordinates with the Seattle Building Code.

We are submitting seven related bills that amend different construction-related codes. Some of the amendments are repeated in each of the bills. Every three years the City adopts a new edition of the codes except for the Grading Code. These bills make smaller changes that are nonetheless important to have in place until the next code editions are adopted in 2016.

Thank you for your consideration of this legislation. Should you have questions, please contact Maureen Traxler at 233-3892.

Sincerely,

Edward B. Murray
Mayor of Seattle

cc: Honorable Members of the Seattle City Council

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www.seattle.gov/mayor

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STATE OF WASHINGTON -- KING COUNTY

--ss.

317671 No.

CITY OF SEATTLE,CLERKS OFFICE

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:124612-19 TITLE ONLY

was published on

11/20/14

The amount of the fee charged for the foregoing publication is the sum of $104.65 which amount has been paid in full.

Subscribed and sworn to before me on

11/20/2014

Notary public for the State of Washington,
residing in Seattle

Affidavit of Publication

State of Washington, King County

City of Seattle

The full text of the following legislation, passed by the City Council on October 20, 2014, and published below by ~~title only~~, will be mailed upon request, or can be accessed at http://clerk.seattle.gov. For information on upcoming meetings of the Seattle City Council, please visit http://www.seattle.gov/council/calendar. Contact: Office of the City Clerk at (206) 684-8344.

ORDINANCE NO. 124612

AN ORDINANCE relating to Seattle Municipal Code Section 22.420.010; amending Section 110 of the 2012 Seattle Fuel Gas Code regarding administrative review of decisions related to application of the Fuel Gas Code.

ORDINANCE NO. 124613

AN ORDINANCE relating to Seattle Municipal Code Section 22.150.010; amending Sections R103, R105, R202, and R302 of the 2012 Seattle Residential Code, to clarify regulations and adopt amendments consistent with the Washington Residential Code.

ORDINANCE NO. 124614

AN ORDINANCE relating to Seattle Municipal Code Section 22.700.010; amending Seattle Energy Code Sections C101, C109, C402, C403, C404, C405, and C408 of the 2012 Seattle Energy Code, to correct section references, clarify regulations, and make amendments consistent with Washington State Energy Code.

ORDINANCE NO. 124615

AN ORDINANCE relating to Seattle Municipal Code Section 22.502.016 and amending Sections 110, 205, 225, 604, 1603, 1604 and 1702 of the 2012 Seattle Plumbing Code, to clarify regulations and adopt amendments consistent with the Washington State Plumbing Code.

ORDINANCE NO. 124616

AN ORDINANCE relating to Seattle Municipal Code Section 22.100.010; amending Sections 103, 106, 907, 908, 911, 1029, 1606, 1805, 3016 and 3107 of the 2012 Seattle Building Code, to clarify regulations and adopt amendments consistent with Washington State regulations.

ORDINANCE NO. 124617

AN ORDINANCE relating to Seattle Municipal Code Chapter 22.170; adding Section 22.170.055, and amending Section 22.170.120 of the Seattle Grading Code, to clarify regulations, and adopt amendments consistent with the Seattle Building Code.

ORDINANCE NO. 124618

AN ORDINANCE relating to the Seattle Municipal Code Section 22.400.010; amending Section 110 of the 2012 Seattle Mechanical Code, regarding administrative review of decisions related to application of the Mechanical Code.

ORDINANCE NO. 124619

AN ORDINANCE appropriating money to pay certain audited claims and ordering the payment thereof.

Date of publication in the Seattle Daily Journal of Commerce, November 20, 2014.

11/20(317671)