

SUMMARY and FISCAL NOTE*

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** Note that the Summary and Fiscal Note describes the version of the bill or resolution as introduced; final legislation including amendments may not be fully described.*

1. BILL SUMMARY

Legislation Title: AN ORDINANCE relating to Seattle’s construction codes; adopting the Seattle Boiler Code, Building Code, Electrical Code, Existing Building Code, Fuel Gas Code, Mechanical Code, Plumbing Code, and Residential Code by reference, amending certain chapters of those codes, and adopting new chapters for those codes; correcting references to those codes in the Seattle Municipal Code; making technical corrections; adding a new Chapter 22.101 to the Seattle Municipal Code; amending the title of Subtitle I of Title 22, Sections 5.73.020, 6.410.070, 6.420.030, 22.170.010, 22.170.050, 22.206.090, 22.206.130, 22.206.160, 22.208.020, 22.502.016, 22.801.030, 25.09.100, 25.09.110, 25.09.120, 25.09.220, and 25.09.520 of the Seattle Municipal Code; repealing Chapters 22.100 and 22.110 and Subtitles IA, III, IV, IVA, and IVB of Title 22 of the Seattle Municipal Code; and repealing ordinances or sections of the following ordinances that adopted or amended older editions of construction codes: 117723, 118654, 119478, 121865, 125156, 125157, 125158, 125160, 125161, 125162, 125337, 125408, 125409, 125410, and 125588.

Summary and background of the Legislation:

This legislation adopts the 2018 Seattle Construction Codes, which consists of Codes from the International Code Council (ICC), National Fire Protection Association (NFPA), and International Association of Plumbing and Mechanical Officials (IAPMO), with Seattle amendments. These codes are adopted by the State, and State law allows local jurisdictions to amend certain codes and requires local jurisdictions to enforce them. The Boiler Code is an exception; Seattle is one of a few jurisdictions in Washington that has its own Boiler Code.

The Seattle Construction Codes – Building, Residential, Existing Building, Mechanical, Fire, Plumbing, Energy, Electrical, Fuel Gas, Boiler, and Elevator – are a vital component of providing a safe, healthy, livable community. Every three years, as changes occur at the national and state levels, our local codes are also refined to meet or exceed those standards. This legislation is the final step to adopt and implement the 2018 Seattle Codes.

Seattle is required by law to adopt the State Code but is allowed to develop and adopt further amendments for certain codes. Per WAC 51-50-008, the 2018 State Codes go into effect February 1, 2021, regardless of when Seattle adopts (by ordinance) our updated Codes and amendments; however, the City does not enforce the updated codes until they are adopted by ordinance.

A list of the most significant Seattle Construction Code amendments follows Section 4 of this document. In addition to those amendments, this ordinance makes several overdue technical amendments, primarily in two areas:

1) Consolidating several subtitles of Seattle Municipal Code (SMC) Title 22 – subtitles that used to hold more than a simple adoption of another code – into a table and amends or repeals SMC sections affected by the consolidation; and

2) Updating SMC cross-references to the Seattle Construction Codes that have changed due to Construction Codes’ renumbering or moving of content – this has never been done simultaneously with the Construction Codes’ adoption, so many cross-references have been incorrect for several years.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ___ Yes X No

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation amend the Adopted Budget? ___ Yes X No

Does the legislation have other financial impacts to The City of Seattle that are not reflected in the above, including direct or indirect, short-term or long-term costs?
No other fiscal impacts to the City.

Is there financial cost or other impacts of *not* implementing the legislation?
Chapter 19.27 RCW requires the City to implement this legislation.

4. OTHER IMPLICATIONS

- a. Does this legislation affect any departments besides the originating department?
This legislation will require all departments that will build or renovate buildings in the city of Seattle to comply with the 2018 codes.
- b. Is a public hearing required for this legislation?
No, a public hearing is not required for this legislation.
- c. Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required for this legislation?
No, a publication of notice is not required for this legislation.
- d. Does this legislation affect a piece of property?
The legislation will affect construction, alteration and demolition of structures on any property but is not directed at any specific property.

- e. **Please describe any perceived implication for the principles of the Race and Social Justice Initiative. Does this legislation impact vulnerable or historically disadvantaged communities? What is the Language Access plan for any communications to the public?**
No impact on vulnerable or historically disadvantaged communities is anticipated.

f. **Climate Change Implications**

1. **Emissions: Is this legislation likely to increase or decrease carbon emissions in a material way?**

This legislation will decrease carbon emissions by allowing mass timber materials, in the newly created classifications of Type IV construction, to be utilized in structures up to eighteen stories in height.

2. **Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.**

This legislation will increase Seattle's resiliency through the increased seismic design standards and the requirement to incorporate new tsunami design criteria for certain structures within an identified tsunami inundation zone.

- g. **If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s).**
This legislation does not include any new initiatives or major expansion of any program.

List attachments/exhibits below:

Summary Attachment A – Code Reviser's Statement on RCW 35.21.180

A list of significant changes in the 2018 codes begins on the next page of this document.

Seattle is proposing to adopt a suite of construction codes that include National, State, and Seattle amendments. The following summary outlines the significant changes that will be included in the 2018 Seattle Codes:

2018 Seattle Building Code

Mass Timber

Since July 2019, Seattle has allowed use of the WA State-adopted standards for Mass Timber. In the 2018 SBC, Seattle will formally adopt Mass Timber standards that create three new construction types, Type IV-A, Type IV-B, Type IV-C, and maintains Type IV Heavy Timber (IV-HT).

Efficiency dwelling units

This code change changes the living room/habitable space requirement of an efficiency dwelling unit to 190 square feet of floor area, so it is aligned and consistent with the requirements of a dwelling unit's net floor area.

Gender-neutral toilet facilities

These State changes provide guidance on how these facilities are constructed; where they are provided; specifies that there is no reduction in the number of fixtures required based on separate facility requirements; and requires full height walls surround the toilet fixtures, individual compartments are securable, and that egress from the room cannot be locked, among other items.

High Rise Shaft Pressurization

Submittal and testing requirements for stairway and hoistway pressurization have been enhanced and clarified. A Smoke control conference is required in addition to the high-rise pre-submittal conference. Includes special Inspection requirements by a design professional to verify the entire system operates as designed.

Tsunami Loads

This is a new section in the code for Risk Category III and IV buildings and structures that require their designs to include tsunami loads.

Seismic Loads

These changes incorporate revisions in the ASCE 7-16 seismic design provisions that were adjusted primarily to incorporate recent research related to site amplification models and soil-structure interaction effects. Additionally, ASCE 7-16 adopted new seismic ground motion values including mapped acceleration parameters and site class coefficients. Furthermore, the new ASCE 7-16 provisions require the engineer to either perform site-specific response analysis or take a penalty to the prescriptive response spectral seismic demand for projects founded on Site Class D in seismically active areas.

Elevator Code (Seattle Building Code Ch.30)

Seattle is adding the entire 2008 WAC 296-96 Part D into our building code that covers retroactive requirements for existing installations. Section 3016 will change a reference to Seismic Design Category D to reflect ASME A17.1, 8.4. Deleting sump pump and drain

requirements for Fire Service Access Elevators & Occupant Evacuation Elevators. Adding a requirement for quarterly testing of Firefighters' Emergency Operation.

2018 Seattle Residential Code

Definitions

Distributed Whole House Ventilation, Dwelling Unit, Egress Roof Access Window, Floor Area, Landing Platform, Sleeping Loft, Townhouse, Townhouse Unit, etc.

Townhouses

Modifies a State amendment on townhouse sprinklers by removing an exception, therefore Seattle will require automatic sprinkler systems in all new townhouses.

Habitable Attic

Identifies that a habitable attic is considered a story, with certain exceptions, but eliminates the possibility of exceeding the allowable scope of the residential code.

Sleeping Loft

Relocates many of the standards of Appendix Q for tiny houses to allow residential dwelling units the option of smaller sleeping spaces. The idea is that this isn't considered habitable space and doesn't require compliance with the livability provisions while providing area limitations allows ceiling heights less than 80 inches, and reduces access and egress requirements to the sleeping loft to provide flexibility while maintaining a safe environment.

Emergency Escape and Rescue Openings

Identifies a maximum height above the finished floor a control device can be located that opens an emergency escape window.

Decks

Updates required deck footing sizes, and material span tables specific to our region.

Tiny House Appendix Q

Appendix Q defines a tiny house and provides for modified energy code testing criteria for these smaller spaces.

2018 Seattle Existing Building Code

Minimal changes

Text was reorganized to mirror National Code structure and unnecessary text was eliminated which will make it easier for code users. Revised sections to allow the use of reduced seismic forces for wall anchorage in unreinforced masonry walls in major alterations.

2020 Seattle Electrical Code

Calculated Electric Load

Modify Article 220.84 to prevent calculated excess service capacity when using advanced heat pump systems.

Electric Vehicle Charging Infrastructure

Modifies Article 220.57 and 625. 27 to align EV charging infrastructure requirements with the Land Use Code.

2018 Seattle Mechanical Code

Smoke filtration

Air handlers and energy recovery ventilators serving occupiable spaces with a capacity greater than 500 cfm will be required to have filter box that can accommodate a minimum MERV 13 filter. This will assist with maintaining the air quality in a building during a forest fire or other adverse event.

Sound attenuators in grease ducts

Allow the of sound attenuators in grease ducts if they meet listing and labeling requirements. This will assist in reducing complaints about noisy restaurant systems.

2018 Seattle Plumbing Code

Air admittance valve

This change identifies the allowable locations and installation requirements for air admittance valves.

Boiler Seattle Boiler Code

Clarifies requirements and exemptions for installation permits and inspections to align with Chapter 70.79 RCW and Chapter 296-104 WAC. Section 6 provides clarifies requirements for pre-approvals, code compliance, notifications, approval, and documentation of repairs and alterations.

Code Reviser’s Statement on RCW 35.21.180

RCW 35.21.180 allows cities to adopt by reference “any printed code or compilation,” rather than listing the entire code in an ordinance, as long as a physical copy is filed “for use and examination by the public, in the office of the city or town clerk of said city, or town prior to adoption thereof.” Given that “printed” has been the word used in this section and its predecessors since 1935, and given that RCW 35.21.530 and its predecessors have referred to municipal codes as requiring a “typewritten or printed copy” since 1957, the most sensible construction is that these state laws expect a physical book version of anything adopted by reference; linking to an electronic version alone would not satisfy these RCW requirements.

Physical book copies of each code listed in this bill as having a corresponding Clerk File will be filed prior to adoption to comply with RCW 35.21.180. However, COVID-19 restrictions on public spaces render it logistically impossible to, while the bill is being considered, make those filed books available “for use and examination by the public.” In the interim, links to online versions of codes adopted by reference are below:

- 2018 International Building Code (Attachment B) – <https://codes.iccsafe.org/content/IBC2018P4>
- 2020 National Electrical Code (Attachment C) – <https://www.nfpa.org/NEC/About-the-NEC/Explore-the-2020-NEC>
- 2018 International Existing Building Code (Attachment D) – <https://codes.iccsafe.org/content/IEBC2018P4>
- 2018 International Fuel Gas Code (Attachment E) – <https://codes.iccsafe.org/content/IFGC2018P3>
- 2018 International Mechanical Code (Attachment F) – <https://codes.iccsafe.org/content/IMC2018P3>
- 2018 Uniform Plumbing Code, adopted and amended by chapter 51-56 WAC (Attachment G) – <http://epubs.iapmo.org/2018/UPC/> and <https://apps.leg.wa.gov/wac/default.aspx?cite=51-56>
- 2018 International Residential Code (Attachment H) – <https://codes.iccsafe.org/content/IRC2018P3>

The adopted books should be the same printings linked to above; however, for the five International Codes, initial electronic documents used to create the attachments came from earlier printings supplied to Seattle by the International Code Council. Every effort has been made to update the initial files to current printings’ language. In the event of a discrepancy in unamended code language, the filed books will control.