

# EXHIBIT A

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## Chapter 14.05

### BUILDING AND CONSTRUCTION CODE

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#### **14.05.010 Short title.**

This chapter is known as and may be referred to as the “building and construction code.”

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

#### **14.05.020 Purpose.**

The purpose of the codes and regulations adopted in this title is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of University Place. It is not the purpose or intent to create or designate any particular class or group of persons to be especially protected or benefited, nor is it intended to create any special relationship with any individual.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

#### **14.05.030 Adoption of codes by reference.**

The following codes are hereby adopted by this reference as if fully set forth in this chapter and as specifically modified or amended as set forth in this chapter:

A. The ~~2012~~ 2015 Edition of the International Building Code, including Appendix Chapter E, and ICC/ANSI A117.1-2009, and the 2015 International Existing Building Code and International Swimming Pool and Spa Code published by the International Code Council is hereby adopted by reference with the exceptions noted in Chapter 51-50 WAC and subsequently amended by this chapter.

B. The ~~2012~~ 2015 Edition of the International Residential Code including Appendices F, ~~G, R~~ and SQ as published by the International Code Council is hereby adopted as amended by the Washington State Building Code Council in Chapter 51-51 WAC and as subsequently amended by this chapter; provided, that Chapters 11 and 25 through 43 of this code are not adopted.

C. The ~~2012~~ 2015 Edition of the International Mechanical Code including adoption of 2015 International Fuel Gas Code. –published by the International Code Council and 2014 NFPA 58 & 2014 NFPA 54, published by the National Fire Protection Association is hereby adopted by reference with the exceptions noted in Chapter 51-52 WAC.

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D. The ~~2012~~ 2015 Edition of the International Fire Code published by the International Code Council is hereby adopted by reference with the additions, deletions, and exceptions contained in Chapter 51-54A WAC, including Appendices B, C, D (Sections 105 and 106 only), E, F and G.

E. The ~~2012~~ 2015 Edition of the Uniform Plumbing Code, including Appendices A, B and I, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference with the additions, deletions and exceptions contained in Chapter 51-56 WAC; ~~provided, that Chapters 12 and 15 of this code are not adopted; provided further, that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the code addressing building sewers are not adopted.~~

F. The 2015 Edition of the Washington State Energy Code including commercial and residential provisions and appendices, is hereby adopted by reference with the additions, deletions and exceptions contained in Chapters 51-11C and 51-11R WAC.

~~F. The 2012 Edition of the International Conservation Code, Commercial, as amended by the Washington State Building Code Council in Chapter 51-11C WAC, is hereby adopted.~~

~~G. The 2012 Edition of the International Conservation Code, Residential, as amended by the Washington State Building Code Council in Chapter 51-11R WAC, is hereby adopted.~~

~~H. The 2012 Edition of the International Existing Buildings Code, published by the International Code Council, as amended by the Washington State Building Code Council in Chapter 51-50 WAC, is hereby adopted.~~

~~I~~G. The National Electrical Code, published by the National Fire Protection Association, as adopted and enforced by Tacoma Public Utilities, is hereby adopted.

~~J. The 2013 National Fire Protection Association Standards, 13, 13D, 13R and 72 are hereby adopted.~~

(Ord. 623 § 2 (Exh. A), 2013; Ord. 591 § 1, 2011; Ord. 587 § 2, 2011\*; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

\*Code reviser's note: Section 1 of Ordinance 587 states: "The amendment of Chapter 14.05 Building and Construction Code of the University Place Municipal Code as provided for in Section 2 shall not apply: (1) to any vested permit application that is lawfully entitled to be processed under the prior Building and Construction Code; or (2) to any enforcement action taken by the City to enforce the provisions of prior Building and Construction Code."

## **14.05.040 Conflicts between codes.**

In case of conflict among the building code, the residential code, the mechanical code, the fire code, and the plumbing code, the first named code shall govern over those following. In case of conflicts between other codes and provisions adopted by this chapter, the code or provision that is most specific, as determined by the Building Official, shall apply.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

## **14.05.050 Fire Code Official designated.**

Inspections and code enforcement of the fire code shall be conducted by the University Place Fire Code Official. Conflicts of code interpretation shall be determined by the Building Official.

(Ord. 662 § 1 (Exh. A), 2015; Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

## **14.05.060 Fees.**

~~Any fee schedule in the codes listed in UPMC 14.05.030 shall be void.~~ All fee schedules shall be listed in a fee resolution adopted by the City Council of the City of University Place.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

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### **14.05.070 Hours of construction.**

Except as otherwise provided in this chapter and in UPMC 9.05.040, the activities regulated by this chapter shall be limited to the following hours:

- A. Monday through Saturday: 7:00 a.m. to 7:00 p.m.
- B. Sunday and legal holidays: 8:00 a.m. to 5:00 p.m.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

### **14.05.080 Codes – Copies on file.**

The City Clerk is to maintain one copy on file of each of the codes adopted by this chapter for public inspection and photocopying. These copies may be kept in the care of the Building Official.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

### **14.05.090 Administrative provisions.**

The administrative provisions as specified in Chapter 1 of the International Building Code as adopted and as subsequently amended by this chapter shall be used as the general administrative provisions for the codes listed in UPMC 14.05.030. As such, these provisions shall supersede conflicting provisions listed in other adopted codes.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

### **14.05.100 Building code amendments.**

The following sections in the adopted International Building Code are hereby amended:

- A. Section 105.2, item #4 is amended to read:

Retaining walls which are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, provided the wall is set back from any adjacent property lines or structures a distance at least equal to the height of the wall and the material retained slopes 1:2 (or less) up and away from the wall, unless supporting a surcharge or impounding Class I, II or II-A liquids.

- B. Section 111.2 is amended to read:

After the building official inspects the building or structure and finds no violations of the provisions of the codes adopted by Chapter 14.05 UPMC or other pertinent laws that are enforced by the jurisdiction, the building official shall issue a certificate of occupancy on a form developed by the City to display the information pertinent to identify the facility and code requirements.

- C. Section 903.2 is amended by the addition of the following paragraphs:

The provisions of this Section shall apply to existing buildings which are altered, repaired or remodeled to more than fifty percent of its county assessment value at the time of the first permit application, or within any seventy month period of time thereafter. Any additions to an existing structure shall be considered new construction and subject to the requirements of this Section.

- D. Appendix Chapter J of the International Building Code is hereby amended as follows:

A grading permit shall not be required for the following:

Mining, quarrying, excavation, processing or stock piling rock, sand, gravel aggregate or clay controlled by other regulation, provided such operations do not affect the lateral support of, or

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significantly increase stresses in, soil on adjoining properties or cause erosion or sedimentation on adjoining properties.

E. The following sections in the adopted International Residential Code are hereby amended:

1. Section 105.2 of the International Residential Code (Work exempt from a permit) is hereby deleted and replaced with Section 105.2 (Work exempt from a permit) of the International Building Code.

2. Appendix S of the International Residential Code is hereby amended by adding the following:

An approved automatic fire sprinkler system shall be installed throughout every building which is a group of townhouses as defined in the 2012 International Residential Code, which contains three (3) or more townhouse units.

3. Appendix R of the International Residential Code is hereby amended by deleting Section 29104.1.1 Exception 4.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 591 § 2, 2011; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 463 § 1, 2005; Ord. 408 § 3, 2004).

### **14.05.110 Fire code amendments.**

The following sections in the International Fire Code are hereby amended:

A. Section 105.2 is amended by addition of a new subsection 105.2.15 to read:

Permit Fees. The City ~~or Fire District~~ shall collect fees for permits, plan review and inspection services as prescribed in the City of University Place "Fee Schedule."

B. Section 202 is amended as follows:

Fire Wall. A fire-resistance-rated wall having protected openings, which restricts the spread of fire and extends continuously from the foundation to or through the roof, with sufficient structural stability under fire conditions to allow collapse of construction on either side of the wall without collapse of the wall. A Fire Wall shall not be allowed to create a separate building that avoids the requirement for approved automatic fire sprinkler systems.

C. A new Section 503.2.1.1 is added as follows:

Number of Accesses. More than one Emergency Vehicle Access may be required for commercial developments when it is determined that an access by a single street may be impaired by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access, unless acceptable mitigation is provided.

D. The following new subsections are added to Section 503.3:

503.3.1 Striping. Painted lines of red traffic paint shall mark fire apparatus access six (6) inches in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" shall appear in four (4) inches of white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.

503.3.2 Signs. Signs shall read "NO PARKING FIRE LANE" and shall be twelve (12) inches wide and eighteen (18) inches high. The signs shall have letters and background of contrasting colors, readily legible from a fifty (50) foot distance. Signs shall be permanently affixed to a stationary post and bottom of the sign shall be six feet, six inches (6'6") above finished grade.

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Signs shall be spaced not more than fifty (50) feet apart. Signs may be installed on permanent buildings or walls or as approved by the code official.

E. Section 505.1 is amended as follows:

New and existing commercial/multifamily buildings shall have approved address numbers, building numbers or approved building identification placed high on the building to be plainly legible and visible for the street or road fronting the property. These numbers shall contrast with the background. Address numbers shall be Arabic numerical or alphabet letters. Numbers shall be a minimum of twelve (12) inches high. Individual unit/suite or space numbers or letters shall be 4" in size and contrasting with the background and visible for the approach side or angle.

New and existing residential structures shall have approved address numbers placed in a position that is plainly legible and visible for the street or road fronting the property. These numbers shall contrast with the background. Address numbers shall be a minimum of four (4) inches high with a minimum stroke of (.05) inch for buildings that are under fifty (50) from the street, six (6) inches high with a minimum stroke of (.05) inch for buildings that are more than fifty (50) from the street. Where access is by means of a private road or driveway and the structure can't be viewed from a public way, a monument, pole or other sign shall be used to identify the structure.

F. A new Section 507.5.4.1 is added reading:

Fire protection equipment and fire hydrants. Fire protection equipment and fire hydrants shall be clearly identified in an approved manner to prevent obstruction by parking or other obstruction. A minimum unobstructed distance of 15 feet shall be maintained on both sides of a fire hydrant along the access roadway.

~~G. Section 601 is amended by the addition of a new Subsection 601.1.1 as follows:~~

~~601.1.1 Commercial Kitchen Hoods. All kitchen hoods and cooking surfaces where grease-laden vapors are produced shall be protected by an approved UL300 system by January 1, 2012.~~

H. Section 901 is amended by the addition of a new Section 901.118.2 to read:

In the event of more than two false alarms in any 90-day period the Chief may charge a fee for fire department response as specified in the City of University Place "Fee Schedule."

EXCEPTIONS: False alarms resulting from the failure of a fire alarm service technician notifying the central proprietary or remote monitoring station shall be billed at the rate specified in the City of University Place "Fee Schedule."

For the purpose of this Section, a false alarm shall be defined as any unintentional activation of the fire alarm or detection system which is the result of improper installation, maintenance or use of that system.

Fire alarm system control units shall be provided with an approved sign indicating such fees will be imposed.

I. Section 903.2.8 is amended by the addition of a new Section 903.2.8.1 reading:

All Group R-3 occupancies requiring 2,000 gallons per minute of fire flow per Appendix B of the International Fire Code shall install an approved fire sprinkler system.

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J. Section 903.2.1 is amended to read as follows:

903.2.1 Group A. An approved automatic sprinkler system shall be provided throughout buildings and portions thereof as provided in 903.2.1.1 – 903.2.1.3 below. For group A-5 occupancies, the automatic sprinkler system shall be provided in the spaces indicated in Section 903.2.1.5.

K. Section 903.2.1.1 is amended to read as follows:

903.2.1.1 Group A-1. An approved automatic sprinkler system shall be provided for Group A-1 where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupant load of 300 or more;
3. The building contains a multi-theater complex.
4. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

L. Amend Section 903.2.1.2 to read as follows:

903.2.1.2 Group A-2. An approved automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupant load of 100 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

M. Amend Section 903.2.1.3 to read as follows:

903.2.1.3 Group A-3. An approved automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

N. Amend Section 903.2.1.4 to read as follows:

903.2.1.4 Group A-4. An approved automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupancy load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

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O. Amend Section 903.2.2 with a new subsection 903.2.2.1 to read as follows:

903.2.2.1 Group B. An approved automatic sprinkler system shall be provided for Group B occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet.

Exception: Building containing Group B occupancies and with construction Type IA/IB, Type IIA/IIB, Type IV/VA, or Type IIB/IIIB; and the building does not exceed 12,000 square feet.

P. Amend Section 903.2.3 to read as follows:

903.2.3 Group E. An approved automatic sprinkler system shall be provided for Group E occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet or there are 50 or more occupant load as calculated in accordance with Table 1004.1.2.

2. Throughout every portion of educational buildings below the level of exit discharge.

Q. Amend Section 903.2.4 to read as follows:

903.2.4 Group F. An approved automatic sprinkler system shall be provided throughout all buildings containing a Group F occupancy where one of the following conditions exists:

1. The building exceeds 5,000 square feet.

Exception: Buildings containing Group F-2 occupancies and with the construction Type IA/IB, Type IIA/IIB, Type IV/V-A or Type IIB/IIIB; and the building does not exceed 12,000 square feet.

2. The building exceeds 2,500 square feet and contains a woodworking operation which generates finely divided combustible waste or which use finely divided combustible materials.

3. Where a Group F occupancy is located more than three stories above grade.

4. Where the combined area of all Group F-1 fire areas on all floors, including any mezzanines, exceeds 2,500 square feet.

5. The building exceeds 2,500 square feet and is used for the manufacture of upholstered furniture or mattresses.

R. Amend Section 903.2.7 to read as follows:

903.2.7 Group M. An approved automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:

1. The building exceeds 5,000 square feet;

2. Where the Group M is located more than three stories above grade.

3. Where the combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 5,000 square feet.

4. A Group M occupancy is used for the display and sale of upholstered furniture or mattresses exceeds 5,000 square feet.

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S. Amend Section 903.2.9 to read as follows:

903.2.9 Group S. An approved automatic sprinkler system shall be provided throughout all buildings containing a Group S occupancy where one of the following conditions exists:

1. The building exceeds 5,000 square feet.
2. Where a Group S area is located more than three stories above grade.
3. Where the combined area of all Group S-1 fire areas on all floors, including any mezzanines, exceeds 5,000 square feet.
4. A Group S used for the storage of commercial trucks or buses where the fire area exceeds 5,000 square feet.
5. A Group S occupancy is used for the display and sale of upholstered furniture or mattresses exceeds 2,500 square feet.

Exception: Buildings containing Group S-2 occupancies and with the construction Type IA/IB, Type IIA/IIB, Type IV/V-A or Type IIB/IIIB; and the building does not exceed 12,000 square feet except as provided in Section 903.2.9.

T. Amend Section 903.2.9.1 to read as follows:

903.2.9.1 Repair garages. An approved automatic sprinkler system shall be provided throughout all buildings used as repair garages in accordance with International Building Code to read as follows:

1. Buildings exceeding 5,000 square feet.
2. Buildings with a repair garage servicing vehicles parked in the basement.
3. A Group S used for the repair of commercial trucks or buses where the fire area exceeds 5,000 square feet.

U. Amend Section 903.2.9.2 to read as follows:

Buildings and structures where the area used for the storage of tires exceeds 20,000 cubic feet shall or 5,000 square feet shall be equipped throughout with an automatic fire sprinkler system in accordance with 903.3.1.1.

V. Add Section 903.2.13 to read as follows:

903.2.13 Spray booths and rooms. New and existing spray booths and spraying rooms shall be protected by an approved automatic fire-extinguishing system.

W. Amend Section 903.3.1.1.1 to read as follows:

903.3.1.1.1 Exempt locations. Sprinklers shall not be omitted from any room merely because it is damp, or has fire-resistance rated construction or contains electrical equipment. The following conditions may be exempt if approved by the fire code official.

1. Any room where the application of water, or flame and water, constitutes a serious threat to life or fire hazard.



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2. Any room or space where sprinklers are considered undesirable because of the nature of the contents in the room or space.

3. Generator and transformer rooms separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

X. Add Section 907.1.4 to read as follows:

907.1.4 Fire alarm control panel. Information provided by the fire alarm control panel when a signal(s) is/are received from a device or other system equipment shall include the location of the signal(s) in a manner as specific as the fire alarm system allows. The location description of the signal(s) shall be written in English, not code, and provide the location of the device to fire department personnel.

Y. Add Section 907.1.5 to read as follows:

907.1.5 Design standards. All alarm systems, new or replacement, serving 30 or more alarm actuating devices, shall be addressable fire detection systems. Alarm systems serving more than seventy-five (75) smoke detectors or more than 200 total alarm activating devices shall be analog intelligent fire detection systems. EXCEPTIONS:

1. Existing systems need not comply unless the total system remodel or expansion initiated after adoption of this code exceeds thirty (30) percent of the building.

2. When building remodel or expansion exceeds fifty (50) percent, the building must comply within 18 months of permit application.

Z. Section 901.7.0.1, Fire watch, is amended to add a new subsection:

The Fire Chief, or his or her designee, shall determine when Fire Department personnel must conduct a fire watch due to code requirements, excessive occupant load, the unusual nature of the event, the use of pyrotechnics or fireworks, the existence of hazardous condition, the inoperability of the fire protection system, or other conditions affecting safety at the event or at the property. The person responsible for the facility shall pay a fee per the fee schedule for associated costs. If more than one person is required for the fire watch, the person responsible for the facility shall pay a fee per the fee schedule. The Fire Chief or designee may notify the responsible person of the period of the fire watch and the resulting fee prior to the event.

AA. Amend Section 907.5 to add:

5. Where a new building has installed a fire suppression system, an occupant notification alarm system shall also be installed. Tenant improvements in sprinklered buildings shall require that space to provide an occupant notification system.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

### **14.05.120 Violations and penalties.**

A. Civil Violation. Except as otherwise provided in this chapter, any violation of any of the provisions of this chapter shall constitute a civil violation subject to the penalties and abatement process detailed in Chapter 1.20 UPMC.

B. Criminal Penalty. Except as otherwise provided, in addition to or as an alternative to any other penalty provided for in this chapter, any person, partnership, firm, association, or corporation violating any of the provisions of this chapter shall be guilty of a misdemeanor punishable as provided for in RCW 9A.20.021.

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C. Additional Remedies. In addition to any other remedies provided by this chapter, the City may initiate injunction or abatement proceedings or any other appropriate action in the courts against any person, partnership, firm, association, or corporation who violates or fails to comply with any provision of this chapter, or any code adopted herein, to prevent, enjoin, abate, or terminate such violation or to restore a condition which existed prior to the violation. In all injunction, abatement and nuisance proceedings, the violator shall be required, in addition to any other relief, to pay the costs of such action, including reasonable attorneys' fees.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

### **14.05.130 Liability.**

The express intent of the City of University Place is that the responsibility for compliance with the provisions of this chapter shall rest with the permit applicant and their agents.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).

### **14.05.140 Hearings Examiner – Powers and duties.**

All appeals authorized by the international codes as to suitability of alternate materials and methods of construction and from other rulings, interpretations or enforcement actions of those officials charged with enforcing the codes shall be to the City's Hearings Examiner as established by Chapter 2.20 UPMC. The Hearings Examiner shall utilize the procedures and penalties set forth in Chapter 1.20 UPMC. The Hearings Examiner shall serve in lieu of all boards of appeals mentioned or described in the international codes as adopted and amended by the City.

(Ord. 623 § 2 (Exh. A), 2013; Ord. 570 § 2, 2010; Ord. 497 § 3, 2007; Ord. 408 § 3, 2004).