

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF OLYMPIA, WASHINGTON, AMENDING CERTAIN SECTIONS OF OLYMPIA MUNICIPAL CODE TITLE 16, BUILDING CODE REGULATIONS, BY REPEALING EXISTING INTERNATIONAL CODES AND ADOPTING NEW INTERNATIONAL CODES AS ADOPTED AND AMENDED BY THE STATE OF WASHINGTON AND THE CITY OF OLYMPIA, AND MAKING OTHER TECHNICAL AMENDMENTS

WHEREAS, the State of Washington requires cities to enact building codes and regulations and to provide for their administration, enforcement, and amendment; and

WHEREAS, the regulation of building and building construction by the City of Olympia (the "City") is necessary to protect the public health, safety, and welfare; and

WHEREAS, the Olympia City Council desires to protect the safety and welfare of the residents of the City through regulation of construction activities and maintenance of buildings in the City; and

WHEREAS, the City has previously adopted multiple international codes; and

WHEREAS, more recent international codes have been adopted by the State of Washington, to take effect March 15, 2024; and

WHEREAS, the City is required by the Revised Code of Washington (RCW) Section 19.27 to adopt the State of Washington Building Codes; and

WHEREAS, City staff has reviewed the newly adopted international codes as compared to the City's existing codes; and

WHEREAS, City staff recommends adopting the international codes provided for in this Ordinance along with certain State and local amendments; and

WHEREAS, City staff presented the international codes provided for in this Ordinance along with their amendments to the City of Olympia Land Use and Environment Committee; and

WHEREAS, on April 27, 2023, the Land Use and Environment Committee voted to recommend approval of the provisions regulating construction through use of the State-adopted codes set forth in this Ordinance; and

NOW, THEREFORE, THE OLYMPIA CITY COUNCIL ORDAINS AS FOLLOWS:

Section 1. Amendment of OMC 16.04.020. Olympia Municipal Code Section 16.04.020 is hereby amended to read as follows:

16.04.020 Adoption of Referenced Codes – Purpose

A. Pursuant to RCW 19.27.031, the City of Olympia hereby adopts the following codes, as amended by the Washington State Building Code Council, and as thereafter amended by the City of Olympia, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, use and occupancy, location, and maintenance of buildings and structures, as well as the installation, repair,

replacement, or alteration of electrical, mechanical, and plumbing systems along with their associated equipment, appliances, fixtures, fittings, and appurtenances thereto, and providing for the issuance of permits and collection of fees, providing penalties for the violation of such codes and each and all of the regulations, provisions, conditions, and terms of these code standards, rules, and regulations and appendices as noted. ~~The City Clerk shall maintain on file One-one copy of each code shall be on file with the City Clerk and~~ each code can also be accessed electronically by the following hyperlinks provided within this section.

1. International Building Code Adopted.

The ~~2018~~ current State adopted edition of the International Building Code, hereafter (“IBC”), as adopted by the State Building Code Council in Chapter 51-50 WAC (excluding Chapter 1, Section 101.4.3 “Plumbing”; excluding Chapter 1, Section 105.2 “work exempt from permit”, item 3, “Oil Derricks”; excluding Chapter 1, Section 110.3.5 “Exception”; excluding Chapter 1, Section 113, Board of Appeals), as published by the International Code Council, Inc. (ICC), including ICC A117.1-~~2009~~2017 “Accessible and usable buildings and facilities”, and the following Appendices are hereby adopted:

Appendix E, Supplementary Accessibility Requirements ICC A117.~~2009~~ Current State adopted version

Appendix G, Flood resistant construction

Appendix J, Grading

2. International Residential Code Adopted.

The ~~2018~~ current State adopted edition of the International Residential Code, hereafter (“IRC”), as published by the International Code Council, Inc. (~~ICC~~), as adopted by the State Building Code Council in Chapter 51-51 WAC (excluding Chapter 1, Section R112, Board of Appeals, Chapter 11, and Chapters 25 through 43), except that Chapter 29, Section P2904 is adopted and the following Appendices are hereby adopted:

Appendix F Passive Radon Gas Controls

Appendix Q, Tiny Houses

Appendix T, Solar-Ready Provisions-Detached One-and Two-Family Dwellings, Multiple Single-Family Dwellings (Townhouses)

Appendix U, Dwelling Unit Fire Sprinkler Systems, with the following amendment:

Section P2904.1.1 Required sprinkler locations. Sprinklers shall be installed to protect all areas of a dwelling unit.

Exceptions. The following do not require sprinklers:

1. Uninhabitable attics, crawl spaces, and normally unoccupied concealed spaces that do not contain fuel-fired appliances. In uninhabitable attics, crawl spaces, and normally unoccupied concealed spaces that contain fuel-fired equipment, a sprinkler must be installed above the equipment; however, sprinklers are not required in the remainder of the space.
2. Clothes closets, linen closets, and pantries not exceeding 24 square feet (2.2 m²) in area, with the smallest dimension not greater than 3 feet (915 mm) and having wall and ceiling surfaces of gypsum board.
3. Bathrooms not more than 55 square feet (5.1 m²) in area.

4. Garages; carports; exterior porches; unheated entry areas, such as mud rooms, that are adjacent to an exterior door; and similar areas.
5. Detached garage conversions to accessory dwelling units and detached accessory dwelling units with utilities served by an existing single-family residence that does not have an existing sprinkler system.

Appendix V, Fire Sprinklers

3. International Mechanical Code Adopted.

The ~~2018~~ current State adopted edition of the International Mechanical Code, hereafter ("IMC"), as published by the International Code Council, Inc. (ICC), as adopted by the State Building Code Council in Chapter 51-52 WAC (excluding Chapter 1, Section 109, Means of Appeals), is hereby adopted, and includes adoption of the ~~2018~~2021 Edition of the ANSI Z223.1/NFPA 54 National Fuel Gas Code and the ~~2017~~ current State adopted version Liquefied Gas Code (NFPA 58) except as otherwise specified by the adoption of referenced Codes.

4. Uniform Plumbing Code Adopted.

The ~~2018~~ current State adopted edition of the Uniform Plumbing Code, hereafter ("UPC"), as published by the International Association of Plumbing and Mechanical Officials (IAPMO), as adopted by the State Building Code Council in Chapters 51-56 WAC.

5. International Energy Conservation Code/Washington Residential Energy Codes Adopted.

Washington State Residential Energy Code, Chapter 51-11R WAC, excluding SECTION R109 BOARD OF APPEALS

The ~~2018~~ current State adopted edition of the Washington State Residential Energy Code and the following Appendices are hereby adopted:

Appendix RA, Optional Energy Efficiency Measures – One Step

Appendix RB, Optional Energy Efficiency Measures – Two Step

Appendix RC, Outdoor Design Temperatures for Washington Proponent Options

6. International Energy Conservation Code/Washington Commercial Energy Codes Adopted.

Washington State Commercial Energy Code, Chapter 51-11C WAC, excluding SECTION R109 BOARD OF APPEALS

The ~~2018~~ current State adopted Edition of the Washington State Commercial Energy Code and the following Appendices are hereby adopted:

Appendix A, Default Heat Loss Coefficients

Appendix B, Default Internal Load Values and Schedules

Appendix C, Exterior Design Conditions

Appendix D, Calculation of HVAC Total System Performance Ratio

Appendix E, Renewable Energy

Appendix F, Outcome-Based Energy Budget

7. Manufactured Home Standards adopted.

The Manufactured Home Standards established by the State of Washington governing the installation of manufactured homes (as set forth in WAC Chapter 296-150M), are hereby adopted.

8. International Fire Code Adopted.

The ~~2018~~ current State adopted edition of the International Fire Code, ~~herein~~ ("IFC"), as published by the International Code Council (~~ICC~~), as adopted by the State Building Code Council in Chapter 51-54 WAC (excluding Chapter 1, Section 108, Board of Appeals), and the following Appendices are hereby adopted:

Appendix B, Fire-Flow requirements for Buildings

Appendix E, Hazard Categories

Appendix F, Hazard Rankings

Appendix G, Cryogenic Fluids-Weight and Volume Equivalents

Appendix H, Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions

Appendix I, Fire Protection Systems-Noncompliant Conditions

9. International Existing Building Code Adopted.

The ~~2018~~ current State adopted edition of the International Existing Building Code, as published by the International Code Council, Inc. (excluding Chapter 1, Section 112, Board of Appeals), is hereby adopted as the Existing Building Code of the City of Olympia for regulating and governing the repair, alteration, change of occupancy, addition, and relocation of existing buildings, including historic buildings, ~~as herein provided~~; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions, and term of ~~said the~~ Existing Building Code, and the following Appendix is hereby adopted:

Appendix A, Guidelines for the Seismic Retrofit of Existing Buildings

10. International Swimming Pool and Spa Code Adopted.

The ~~2018~~ current State adopted edition of the International Swimming Pool and Spa Code, as published by the International Code Council, Inc. (by reference in the ~~2018~~2021 International Building Code WAC 51.50, Section 3109 and the ~~2018~~2021 International Residential Code WAC 51-51, Section 38), is hereby adopted regulating the installation of pools and spas, including ANSI/APSP/ICC-7 Standards for Suction Entrapment Avoidance.

11. International Fuel Gas Code Adopted.

The ~~2018~~ current State adopted edition of the International Fuel Gas Code, as published by the International Code Council, Inc., is hereby adopted as the Fuel Gas Code for the City of Olympia.

Section 2. Amendment of OMC 16.04.040. Olympia Municipal Code Section 16.04.040 is

hereby amended to read as follows:

16.04.040 Amendments to the Referenced Codes

A. International Building Code Amendments. The following sections of the International Building Code ("IBC"), as adopted by this Ordinance, are amended to read as follows:

1. Amend Section 105.2 Work Exempt from Permit, item 1 to read: One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area is not greater than 200 square feet (18.58 m²).
2. Reserved.
3. Amend Section 110.3.10 Final inspection. The final inspection is to be made after all conditions of SEPA, Hearings Examiner, Design Review, Development Engineering, Stormwater Ordinance, and the Tree, Soil and Native Vegetation Ordinance are either complied with or bonded for at a rate of 125% in addition to finish grading; and the building is completed and ready for occupancy.
4. Amend Section 111.2 Certificate issued. After the Building Official inspects the building or structure and finds no violations of the provisions of this ~~Code~~ or other laws and regulations, which are enforced, by the Community Planning and Development Department, the Building Official shall issue a Certificate of Occupancy, which shall contain the following:
 - a. The building permit number.
 - b. The address of the structure.
 - c. The name and address of the owner or the owner's authorized agent.
 - d. A description of that portion of the structure for which the certificate is issued.
 - e. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
 - f. The name of the Building Official.
 - g. The edition of the code under which the permit was issued.
 - h. The name of the tenant, use and occupancy, in accordance with the provisions of Chapter 3.
 - i. The type of construction as defined in Chapter 6.
 - j. The design occupant load.
 - k. If an automatic sprinkler system is provided, whether the sprinkler system is required.
 - l. Any special stipulations or conditions of the building permit.
5. Add Subsection 903.2 Additional Sprinkler Requirements. There are additional sprinkler requirements in all structures or buildings where the gross square footage, basements included, exceeds 5,000 square feet, or in all structures or buildings more than three stories in height (unless other sections are more restrictive). The area and height increases specified in IBC Sections 504, 506, and 507 shall be permitted. For the purposes of this section, portions of buildings separated by

a fire wall may be considered as separate buildings, except that the entire gross floor area of all floors will be used to determine fire sprinkler requirements.

In addition, in all newly constructed or substantially improved buildings, ~~including single-family residences~~, where the fire perimeter access (as required under OMC 16.32.050) or access roadways for fire apparatus cannot be provided due to design and/or location, fire sprinkler systems may be required by the Olympia Fire Marshal.

B. International Residential Code Amendments. The following sections of the International Residential Code ("IRC"), as adopted by this Ordinance, are amended ~~to read~~ as follows:

1. Reserved.
2. Amend Section R110.3 Certificate issued. After the Building Official inspects the building or structure and finds no violations of the provisions of this code or other laws and regulations, which are enforced, by the Community Planning and Development Department, the Building Official shall issue a Certificate of Occupancy, which shall contain the following:
 - a. The building permit number.
 - b. The address of the structure.
 - c. The name and address of the owner or the owners authorized agent.
 - d. A description of that portion of the structure for which the certificate is issued.
 - e. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
 - f. The name of the Building Official.
 - g. The edition of the code under which the permit was issued.
 - h. The use and occupancy.
 - i. The type of construction as defined in Chapter 6 of the International Building Code.
 - j. The design occupant load.
 - k. If an automatic sprinkler system is provided, whether the sprinkler system is required.
 - l. Any special stipulations or conditions of the building permit.
3. Amend Table R301.2 (a), Climatic and Geographic Design Criteria, as follows:

Climatic and Geographic Design Criteria

IRC Table R301.2(1)

SUBJECT TO DAMAGE FROM										
ROOF SNO W LOAD	WIND SPEED (mph)	SEISMIC DESIGN CATEGORY	Weathering	Front Line Depth	Termite	WINTER DESIGN TEMP (Degrees)	ICE SHIELD UNDER-LAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX (degrees)	MEAN ANNUAL TEMP (degrees)
25	110	D1	Moderate	12"	Slight to Moderate	17	No	Sept. 1, 2016	170	51

4. Add Section R313.2 Automatic Sprinkler System Requirements. A fully automatic residential fire sprinkler system shall be designed, installed, tested, and maintained per N.F.P.A. (National Fire Protection Association) 13, current edition, RCW 18.160 and the approval of the Fire Chief, in all structures subject to this code pursuant to Section R101.2 (including additions and alterations to structures with existing sprinkler systems).

Section 3. Repeal of OMC 16.04.110. Olympia Municipal Code Section 16.04.110 is repealed:

~~Article II. FIRE DISTRICT~~

~~16.04.110 Ordinance Creating and Establishing a Fire District~~

~~The area within the city comprising a Fire District for purposes of this section shall be that area now or hereafter designated on the official zoning map of the city as zoned as bounded by downtown business and as described in the city zoning ordinance.~~

Section 4. Amendment of OMC 16.06. Olympia Municipal Code Chapter 16.06 is hereby amended to read as follows:

Chapter 16.06

PROPERTY MAINTENANCE CODE

16.06.000 Chapter Contents

Sections:

16.06.010 International Property Maintenance Code adopted —~~Purpose and Administration.~~

16.06.020 ~~Definitions.~~ Amendments, Deletions, and Additions

16.06.030 ~~General Requirements.~~

16.06.040 ~~Light, Ventilation and Occupancy Limitations.~~

~~16.06.050 Plumbing Facilities and Fixture Requirements.~~

~~16.06.060 Mechanical and Electrical Requirements.~~

~~16.06.070 Fire Safety Requirements.~~

~~16.06.080 Referenced Standards.~~

~~16.06.090 Vacant Property Registration.~~

16.06.010 International Property Maintenance Code Adopted – Purpose and Administration [Email Link](#)

A. ~~PURPOSE~~

The current state adopted edition of the International Property Maintenance Code, 2018 edition as published by the International Code Council, and herein amended by the City of Olympia in OMC 16.06.020, is hereby adopted as the Property Maintenance Code of the City of Olympia for the following purposes: (1) ~~regulating and governing the conditions and maintenance of all property, buildings, and structures; (2) providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; (3) authorizing the condemnation of buildings and structures unfit for human occupancy and use, and the demolition of such existing structures as herein provided; and (4) providing for the issuance of permits and collection of fees therefore, and each and all of the regulations, provisions, penalties, conditions and terms referred to, adopted, and made a part hereof, as fully set out in this Ordinance.~~ along with the following Appendix:

Appendix A, Boarding Standard

B. ~~ADMINISTRATION GENERAL~~

~~101.1 Title. These regulations shall be known as the Property Maintenance Code of the City of Olympia, hereinafter referred to as "this code."~~

~~101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing premises and shall constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of owners, an owner's authorized agent, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.~~

~~101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.~~

~~101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.~~

C. — APPLICABILITY

~~102.1 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern. Where there is a conflict between general requirements and specific requirements, the specific requirements shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.~~

~~102.2 Maintenance. Equipment, systems, devices and safeguards required by this code, or a previous regulation or code under which the structure or premises was constructed, altered or repaired, shall be maintained in good working order. No owner, owner's authorized agent, operator or occupant shall cause any service, facility, equipment or utility that is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's authorized agent shall be responsible for the maintenance of buildings, structures and premises.~~

~~102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, Uniform Plumbing Code, and NFPA 70 (the currently adopted edition of the National Electrical Code). Nothing in this code shall be construed to cancel, modify or set aside any provision of the City of Olympia Municipal Code.~~

~~Except as otherwise specifically stated, where conflicts occur within this Property Maintenance Code, or between the provisions of this Property Maintenance Code and the Building Code, Fire Code, Existing Building Code, Energy Code, Residential Code, Electrical Code, Zoning Code, or other regulations of the City, the more restrictive shall apply.~~

~~102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary.~~

~~102.5 Artisanship. Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in an artisan-like manner and installed in accordance with the manufacturer's installation instructions.~~

~~102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the Code Official to be safe and in the public interest of health, safety and welfare.~~

~~102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Section 16.06.080 and considered part of the requirements of this code to the prescribed extent of each such reference.~~

~~102.7.1 Conflicts. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.~~

~~102.7.2 Provisions in referenced codes and standards. Where there is conflict among this code and a referenced code or standards, the provisions of this code govern.~~

~~102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health, and general welfare, not specifically covered by this code, shall be determined by the Code Official or the Code Official's duly authorized representative.~~

~~102.9 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.~~

~~102.10 Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.~~

~~D. — PROPERTY MAINTENANCE INSPECTION~~

~~103.1 General. The Community Planning and Development Department is responsible for property maintenance inspection.~~

~~103.2 Appointment. The Code Official shall be appointed by the appointing authority. The Director of the Community Planning and Development Department shall be the appointing authority for the Department.~~

~~103.3 Code Official. In accordance with the prescribed procedures of the City, and with concurrence of the appointing authority, the Code Official may appoint one or more deputies, to be known as Code Enforcement Officers. Such Code Enforcement Officers have powers as delegated by the Code Official.~~

~~103.4 Liability. The Code Official, the Hearing Examiner, Code Enforcement Officers, and employees charged with the enforcement of this code, while acting for the City in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, may not be held civilly or criminally liable personally, and are hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties.~~

~~103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as set forth in Olympia Municipal Code Section 4.36.010 (Building Code review and permit fees) as currently enacted or as amended.~~

~~E. — DUTIES AND POWERS OF THE CODE OFFICIAL~~

~~104.1 General. The Code Official and Code Enforcement Officers shall enforce the provisions of this code. The Code Official shall have authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.~~

~~104.2 Inspections. The Code Official and Code Enforcement Officers shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The Code Official and Code Enforcement Officers are authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.~~

~~104.2.1 Initial Inspection and Enforcement. An initial enforcement inspection shall be undertaken against buildings or properties whenever the Code Official or Code Enforcement Officer has reason to believe that a violation of this code exists; or a complaint is filed with the department by any person.~~

~~104.3 Right of entry. The Code Official and Code Enforcement Officers are authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the Code Official or Code Enforcement Officer is authorized to pursue recourse as provided by law. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the Code Official or Code Enforcement Officer has reasonable cause to believe that there exists in a structure or upon a premises a condition in violation of this code, the Code Official or Code Enforcement Officer is authorized to enter the structure or premises at reasonable times to inspect or perform the duties imposed by this code, provided that if such structure or premises is occupied, the Code Official or Code Enforcement Officer shall present credentials to the occupant and request entry. If such structure or premises is unoccupied, the Code Official or Code Enforcement Officer shall first make reasonable effort to locate the owner, owner's authorized agent, or other person having charge or control of the structure or premises and request entry. If entry is refused, the Code Official or Code Enforcement Officer may utilize the remedies provided by law to secure entry.~~

~~104.4 Identification. The Code Official and Code Enforcement Officers shall carry proper identification when inspecting structures or premises in the performance of duties under this code.~~

~~104.5 Notices and orders. The Code Official and Code Enforcement Officers shall issue all necessary notices or orders to ensure compliance with this code.~~

~~104.6 Department records. The Code Official and Code Enforcement Officers shall keep official records of all business and activities of the department specified in the provisions of this code. Such records must be retained in the official records for the period required for retention of public records.~~

~~F.— APPROVAL~~

~~105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the Code Official may grant modifications for individual cases upon application of the owner or owner's authorized agent, provided the Code Official shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of~~

this code, and that such modification does not lesson health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

~~105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative material or method of construction has been approved and complies with all other codes adopted by the City of Olympia. An alternative material or method of construction shall be approved where the Code Official finds that the proposed design is satisfactory and complies with all other codes adopted by the City of Olympia and the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not approved, the Code Official shall respond in writing, stating the reasons the alternate was not approved.~~

~~105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the Code Official shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.~~

~~105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the Code Official shall be permitted to approve appropriate testing procedures performed by an approved agency.~~

~~105.3.2 Test reports. Reports of tests shall be retained by the Code Official for the period required for retention of public records.~~

~~105.4 Material and equipment reuse. The use of used materials that meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved by the Code Official.~~

~~105.5 Approved materials and equipment. Materials, equipment and devices approved by the Code Official shall be constructed and installed in accordance with such approval.~~

~~105.6 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.~~

G.—VIOLATIONS

~~106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.~~

~~106.2 Notice of violation. The Code Official shall serve a notice of violation or order in accordance with Section 107.~~

~~106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 shall be subject to the following:~~

a.—On first offense, the violation shall constitute a misdemeanor punishable by a fine not to exceed One Thousand Dollars (\$1,000), and/or imprisonment not to exceed ninety (90) days or to both such fine and imprisonment. In the event of a continuing violation or failure to comply, the second and subsequent days shall constitute a gross misdemeanor punishable by a fine not to exceed Five Thousand Dollars (\$5,000) and/or imprisonment not to exceed three hundred and sixty-five (365) days or both such time and imprisonment.

b.—As an additional concurrent penalty, it shall be a civil infraction for a person, firm, or corporation to violate or fail to comply with any term or provision of this title or the terms or provisions of a Notice of Violation issued under OMC Chapter 16.06. A person, firm, or corporation found to have committed a civil infraction shall be assessed a monetary penalty as follows:

i.—First offense: Class 3 (\$50), not including statutory assessments.

ii.—Second offense arising out of the same facts as the first offense: Class 2 (\$125), not including statutory assessments.

iii.—Third offense arising out of the same facts as the first offense: Class 1 (\$250), not including statutory assessments.

See also OMC Chapter 4.44, Uniform Civil Enforcement.

c.—If the notice of violation is not complied with, the Code Official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The costs of any action taken by the City of Olympia on such premises, including but not limited to attorney's fees, contractors, engineers and all other costs of any kind, shall be charged against the real property upon which the structure is located and shall be a lien on such real property in accordance with the procedures set forth in Section 110.3 of this code.

106.4 Violation penalties. Any person, who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense. Continuing violation shall mean the same type of violation which is committed within a year of the initial violation.

106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises.

H.—NOTICES AND ORDERS

107.1 Notice to person responsible. Whenever the Code Official or Code Enforcement Officer determines that there has been a violation of this code or has grounds to believe that a violation has occurred, the Code Official or Code Enforcement Officer shall give notice in the manner prescribed in Sections 107.2-

~~and 107.3 to the person responsible for the violation as specified in this code. Notices for condemnation procedures shall also comply with Section 108.3.~~

~~107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:~~

- ~~1. Be in writing.~~
- ~~2. Include a description of the real estate sufficient for identification.~~
- ~~3. Include a statement of the violation or violations and why the notice is being issued.~~
- ~~4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this code.~~
- ~~5. Inform the property owner or owner's authorized agent of the right to appeal.~~
- ~~6. Include a statement of the right to file a lien in accordance with Section 106.3.~~

~~107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:~~

- ~~1. Delivered personally;~~
- ~~2. Sent by certified or first class mail addressed to the last known address; or~~
- ~~3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.~~

~~If the whereabouts of any of such person is unknown and the same cannot be ascertained by the Code Official or Code Enforcement Officer in the exercise of reasonable diligence, and the Code Official or Code Enforcement Officer makes an affidavit to that effect, then the serving of such complaint or order upon such persons may be made either by personal service or by mailing a copy of the complaint and order by certified mail, postage prepaid, return receipt requested, to each such person at the address of the building involved in the proceedings, and mailing a copy of the complaint and order by first class mail to any address of each such person in the records of the county assessor or the county auditor for the county where the property is located.~~

~~107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.~~

~~107.5 Unauthorized tampering. Signs, tags, or seals posted or affixed by the Code Official or Code Enforcement Officer shall not be mutilated, destroyed or tampered with, or removed without authorization from the Code Official or Code Enforcement Officer.~~

~~107.6 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner or the owner's authorized agent furnishes the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the Code Official and shall furnish to the Code Official a signed and~~

notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

~~I. UNSAFE STRUCTURES AND EQUIPMENT~~

~~108.1 General. When a structure or equipment is found by the Code Official or their designee to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, such structure shall be condemned pursuant to the provisions of this code.~~

~~108.1.1 Unsafe structures. An unsafe structure is one that is found to be dangerous to the life, healthy, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.~~

~~108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.~~

~~108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the Code Official or their designee finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public.~~

~~108.1.4 Unlawful structure. An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.~~

~~108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that have any or all of the conditions or defects described below shall be considered dangerous:~~

~~1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.~~

~~2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.~~

~~3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.~~

~~4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one-half the original design value.~~

~~5.—The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal of movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.~~

~~6.—The building or structure, or any portion thereof, is clearly unsafe for its intended use and occupancy.~~

~~7.—The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to enter the building or structure for committing a nuisance or an unlawful act.~~

~~8.—Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.~~

~~9.—A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing systems, or otherwise is determined by the Code Official or their designee to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.~~

~~10.—Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical systems, plumbing system or other cause, is determined by the Code Official or their designee to be a threat to life or health.~~

~~11.—Any portion of a building remains on site after the demolition or destruction of the building or structure or whenever the building of any structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.~~

~~108.2 Closing of vacant structures. If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the Code Official or their designee is authorized to post a placard of condemnation on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner or owner's authorized agent to close up the premises within the time specified in the order, the Code Official or their designee shall cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and such costs will be recoverable pursuant to the provisions of this code.~~

~~108.2.1 Authority to disconnect service utilities. The Code Official or their designee shall have the authority to authorize disconnections of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in section 102.3 in case of emergency where necessary to eliminate an immediate hazard to life or property or where such utility connection has been made without approval. The Code Official or their designee shall notify the serving utility and, whenever~~

possible, the owner or owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection, the owner, owner's authorized agent or occupant of the building or structure or service system shall be notified in writing as soon as practical thereafter.

108.3 Notice. Whenever the Code Official or their designee has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner, owner's authorized agent or the person or persons responsible for the structure or equipment in accordance with Sections 107.1, 107.2 and 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

108.4 Placarding. Upon failure of the owner, owner's authorized agent or person responsible to comply with the notice provisions within the time given, the Code Official or their designee shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

108.4.1 Placard removal. The Code Official or their designee shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the Code Official shall be subject to the penalties provided by this code.

108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the Code Official their designee shall be vacated as ordered by the Code Official or their designee. Any person who shall occupy placarded premises or shall operate placarded equipment, and any owner, owner's authorized agent or person responsible for the premises who shall let anyone occupy placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

108.6 Abatement methods. The owner, owner's authorized agent, operator or occupant of a building, premises or equipment deemed unsafe by the Code Official or their designee shall abate or cause to be abated or corrected such unsafe conditions either by repair, rehabilitation, demolition or other approved corrective action.

108.7 Record. The Code Official or their designee shall file a report of investigation of unsafe conditions stating the occupancy of the structure and the unsafe condition.

J.—EMERGENCY MEASURES

109.1 Imminent danger. When, in the opinion of the Code Official or their designee, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the Code Official or their designee is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The Code Official or their designee shall cause to be posted at each entrance to such structure a notice reading as follows: "This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official." It shall be

~~unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.~~

~~109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the Code Official or their designee, there is imminent danger due to an unsafe condition, the Code Official their designee shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the Code Official or their designee deems necessary to meet such emergency.~~

~~109.3 Closing streets. When necessary for public safety, the Code Official or their designee shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.~~

~~109.4 Emergency repairs. For the purposes of this section, the Code Official or their designee shall employ the necessary labor and materials to perform the required work as expeditiously as possible.~~

~~109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.~~

~~109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code.~~

~~K. DEMOLITION~~

~~110.1 General. The Code Official or their designee shall order the owner or the owner's authorized agent of any premises upon which is located any structure, which in the Code Official's or their designee's or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that is unreasonable to repair the structure, to demolish and remove such structure; and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years that the building or structure has become dangerous as defined in this code, the Code Official or their designee shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless approved by the Code Official or their designee.~~

~~110.2 Notices and orders. All notices and orders shall comply with Section 107.~~

~~110.3 Failure to comply. If the owner of a premises or owner's authorized agent fails to comply with a demolition order within the time prescribed, the Code Official or their designee shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.~~

~~If the party responsible under Section 102.2, or other sections of this Code, fails to comply with the final order to repair, alter, improve, vacate, close, remove, or demolish the dwelling, building structure or premises, the Code Official or their designee may direct or cause such dwelling, building, structure, or premises to be repaired, altered, improved, vacated, and closed, removed, or demolished.~~

~~The amount of the cost of such repairs, alterations or improvements; or vacating and closing; or removal or demolition by the Code Official or their designee, shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. Upon certification by the Clerk of the City of the assessment amount being due and owing, the county treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in Revised Code of Washington 84.56.020, as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the Building Demolition and Nuisance Abatement revolving fund of the City.~~

~~The assessment shall constitute a lien against the property which shall be of equal rank with state, county and municipal taxes.~~

~~110.4 Salvage materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.~~

~~L.—MEANS OF APPEAL~~

~~111 Means of Appeal. Any person adversely affected or aggrieved by a decision of the Code Official or their designee or a notice or order issued under this code may appeal to the hearings examiner pursuant to the Olympia Municipal Code 18.70.170, provided that a written application for appeal is filed within fourteen (14) days after the day the decision, notice or order was served. An appeal shall be based on a claim that the true intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means.~~

16.06.020 Definitions

A.—GENERAL

~~201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this section.~~

~~201.2 Interchangeability. Words stated in the present tense include the future; words referring to a specific gender may be extended to any other gender; the singular number includes the plural and the plural, the singular.~~

~~201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the International Building Code, International Fire Code, Olympia Zoning Code, International Plumbing Code,~~

~~International Mechanical Code, State Energy Code, International Fuel Gas Code, International Existing Building Code, or the ICC Electrical Code (NFPA 70), such terms shall have the meanings ascribed to them as stated in those codes.~~

~~201.4 Terms not defined. Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.~~

~~201.5 Parts. Whenever the words "dwelling unit," "dwelling," "premises," "building," "rooming house," "rooming unit," "housekeeping unit," or "story" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."~~

~~B. GENERAL DEFINITIONS~~

~~1. Anchored. Secured in a manner that provides positive connection.~~

~~2. Approved. Approved by the Code Official.~~

~~3. Basement. That portion of a building which is partly or completely below grade.~~

~~4. Bathroom. A room containing plumbing fixtures, including a bathtub or shower.~~

~~5. Bedroom. Any room or space used or intended to be used for sleeping purposes, in either a dwelling or sleeping unit.~~

~~6. Code Official. The official who is charged with the administration and enforcement of this code, or any duly authorized representative.~~

~~7. Condemn. To adjudge unfit for occupancy.~~

~~8. Cost of such demolition or emergency repairs. The cost of shall include the actual costs of the demolition or repair of the structure less revenues obtained if salvage was conducted prior to the demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to the demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by a Code Official, the governing body or board of appeals.~~

~~9. Department. The City of Olympia Community Planning and Development Department.~~

~~10. Detached. When a structure element is physically disconnected from another and that connection is necessary to provide a positive connection.~~

- ~~11.— Deterioration. To weaken, disintegrate, corrode, rust or decay and lose effectiveness.~~
- ~~12.— Director. The Director of the City of Olympia Community Planning and Development Department.~~
- ~~13.— Dwelling Unit. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.~~
- ~~14.— Easement. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.~~
- ~~15.— Equipment Support. Those structural members or assemblies of members or manufactured elements, including braces, frames, lugs, snuggers, hangers or saddles, that transmit gravity load, lateral load and operating load between the equipment and the structure.~~
- ~~16.— Exterior Property. The open space on the premises and on adjoining property under the control of owners or operators of such premises.~~
- ~~17.— Garbage. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.~~
- ~~18.— Guard. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.~~
- ~~19.— Habitable Space. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.~~
- ~~20.— Historic Building. Any building or structure that is one or more of the following:~~
- ~~1.— Listed or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in National Register of Historic Places.~~
 - ~~2.— Designated as historic under an applicable state or local law.~~
 - ~~3.— Certified as a contributing resource within National Register or state or locally designated historic structure.~~
- ~~21.— Housekeeping Unit. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.~~
- ~~22.— Imminent Danger. A condition which could cause serious or life-threatening injury or death at any time.~~

~~23.— Infestation. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.~~

~~24.— Inoperable Motor Vehicle. A vehicle which cannot be driven upon the public streets for reason including, but not limited to, being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.~~

~~25.— Labeled. Equipment, materials or products to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and whose labeling either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.~~

~~26.— Let For Occupancy or Let. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement or contract for the sale of land.~~

~~27.— Neglect. The lack of proper maintenance for a building or structure.~~

~~28.— Occupancy. The purpose for which a building or portion thereof is utilized or occupied.~~

~~29.— Occupant. Any individual living or sleeping in a building, or having possession of a space within in a building.~~

~~30.— Openable Area. That part of window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.~~

~~31.— Operator. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.~~

~~32.— Owner. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.~~

~~33.— Person. An individual, corporation, partnership or any other group acting as a unit.~~

~~34.— Pest Elimination. The control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other approved pest elimination methods.~~

~~35.— Premises. A lot, plot or parcel of land, easement or public way, including any structures thereon.~~

- 36.— Public Way. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.
- 37.— Rooming House. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one or two family dwelling.
- 38.— Rooming Unit. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.
- 39.— Rubbish. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.
- 40.— Sleeping Unit. A room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.
- 41.— Strict Liability Offense. An offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.
- 42.— Structure. That which is built or constructed or a portion thereof.
- 43.— Tenant. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.
- 44.— Toilet room. A room containing a water closet or urinal, but not a bathtub or shower.
- 45.— Ultimate deformation. The deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to 80 percent or less of the maximum strength.
- 46.— Ventilation. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.
- 47.— Artisanlike. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.
- 48.— Yard. An open space on the same lot with a structure.
- 49.— Weeds. Weeds means all grasses, annual plants, and vegetation, other than trees or shrubs; provided, however, this term does not include cultivated flowers and gardens.

16.06.030 General Requirements

A. — GENERAL

~~301.1 Scope. The provisions of this section shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.~~

~~301.2 Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.~~

~~301.3 Vacant structures and land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.~~

B. — EXTERIOR PROPERTY AREAS

~~302.1 Sanitation. Exterior property and premises shall be maintained in a clean, safe, and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.~~

~~302.2 Grading and Drainage. Premises shall be graded and maintained to prevent erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.~~

~~EXCEPTION: Approved retention areas and reservoirs.~~

~~302.3 Sidewalks and driveway. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.~~

~~302.4 Weeds, brush, bushes or shrubs, and other vegetation. All property owners, and all persons in control of property, shall keep all exterior property areas, including the planting strip, free from blight and from overgrowth in excess of 12 inches in height, including but not limited to lawn grass, plants, nuisance weeds, blackberries, and other vegetation. All noxious weeds identified on the Thurston County Noxious Weed Control list are prohibited. After service of a notice of violation, a person violating this subsection is subject to OMC ~~16.06.010~~, Section 106.3. Upon failure by the property owner or person in control of property to comply with the notice of violation, any duly authorized employee of the City or contractor hired by the City is authorized to enter upon the property in violation and remove the grass, brush, bushes, noxious weeds, nuisance weeds, etc. growing thereon, and the property owner or person in control of the property shall pay the costs of such removal.~~

~~EXCEPTION: Agricultural areas within the City of Olympia (crops, livestock, farming, etc.) are exempt from this subsection.~~

~~302.5 Rodent harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.~~

~~302.6 Exhaust vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private property or that of another tenant.~~

~~302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.~~

~~302.8 Motor Vehicles. Except as provided for in other regulations, no inoperative or unlicensed vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. For purposes of this section "vehicle" is defined in the Revised Code of Washington Section 46.04.670.~~

~~EXCEPTION: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.~~

~~302.9 Defacement of property. No person shall willfully or wantonly damage, mutilate, or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving, or graffiti.~~

~~It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair.~~

~~302.10 Recreational vehicles or other vehicles. No recreational vehicle as defined by the Olympia Municipal Code Chapter 18.02.180 or other vehicles shall be used for the purpose of living, sleeping, cooking or any similar use while parked on publicly owned or private property.~~

~~EXCEPTIONS:~~

~~1.—Recreational vehicles lawfully located in manufactured/mobile communities (as defined in RCW 59.20.030) may be used as a primary residence for the purpose of living, sleeping, cooking or similar uses, provided that:~~

~~a.—The recreational vehicle has a Recreational Park Trailer or Recreation Vehicle Label provided by Washington State Department of Labor and Industries (Or its equivalent if from another state).~~

~~b.—The total number of residential units within the community/park does not exceed the number established within the land use approval. A recreational vehicle may replace a manufactured or mobile unit, but additional units require land use approval prior.~~

~~c.— A recreational vehicle is not permitted as an accessory living quarter or an accessory dwelling unit to any other primary residence within the community/park.~~

~~d.— The recreational vehicle must comply with all applicable requirements of the International Building and Fire Codes in effect at the time of application.~~

~~e.— Unless the pad/side is shown on the approved site plan without connection, the recreational vehicle must be connected to the sanitary sewer or an onsite sewage system in compliance with OMC 13.08.090 and all applicable Thurston County regulations.~~

~~2.— Recreational vehicles may be permitted to be used as a temporary residence, provided the criteria and approvals required in OMC 18.04.060(DD) Temporary Uses are satisfied.~~

~~302.11 Cargo containers and semi trailers.~~

~~302.11.1 Cargo containers, except as otherwise permitted by Olympia Municipal Code Title 18 shall not be permitted to be used as storage buildings. Cargo containers which are permitted by the land use regulatory code to be used as storage buildings shall be provided with a foundation system that provides adequate clearance from the ground to prevent deterioration and shall be provided with an anchorage system to prevent sliding or overturning by wind or seismic forces prescribed by the building code.~~

~~302.11.2 Semi trailers shall not be used as storage buildings.~~

~~302.12 Additional nuisances.~~

~~A.— Causing or allowing any human or animal waste, poison, poison oak or ivy, or noxious substance to be collected or to remain in any place, street, highway, or alley in the City in a manner which is reasonably offensive to the public; or~~

~~B.— Obstructing or encroaching upon or rendering unsafe for passage any public highway, private way, street, sidewalk, trail, alley, park, square, driveway, lake, or stream in the City; or~~

~~C.— Excavating or maintaining on public or private property any hole, excavation or pit which is reasonably dangerous to the public or adjacent property.~~

~~302.13 Swimming pools. A property owner or person in control of property shall maintain any swimming pools pursuant to the Swimming Pool Spa and Hot Tub Code, state building codes, and other applicable federal, state, and local laws. A property owner or person in control of property shall maintain any swimming pool in a clean and sanitary condition and in good repair.~~

~~C.— EXTERIOR STRUCTURE~~

~~304.1 General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.~~

304.1.1 Unsafe Conditions. The following conditions shall be determined to be unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1. ~~The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;~~
2. ~~The anchorage of the floor or roof to walls or columns, and of walls and columns to foundation is not capable of resisting all nominal loads or load effects;~~
3. ~~Structures or components thereof that have reached their limit share;~~
4. ~~Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather resistant or water tight;~~
5. ~~Structural members that have evidence of deterioration or that are not capable of supporting all nominal loads and load effects;~~
6. ~~Foundations systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;~~
7. ~~Exterior walls that are not anchored to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects;~~
8. ~~Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of deterioration, fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;~~
9. ~~Flooring and flooring components with defects that affect serviceability or flooring components that show signs of deterioration or fatigue, are not properly anchored or are incapable of supporting all nominal loads and resisting all load effects;~~
10. ~~Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;~~
11. ~~Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects;~~
12. ~~Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including guards and handrails, are not structurally sound, not properly anchored or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects; or~~

~~13.— Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly anchored, or that are anchored with connections not capable of supporting all nominal loads and resisting all load effects.~~

~~Exceptions:~~

~~1.— Where substantiated otherwise by an approved method.~~

~~2.— Demolition of unsafe conditions shall be permitted where approved by the code official.~~

~~304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.~~

~~304.3 Premises identification. Buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position to be legible and visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numerals or alphabetical letters. Numbers shall be a minimum of 4 inches (102 mm) in height with a minimum stroke width of 0.5 inches (12.7 mm).~~

~~Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of private road and the building cannot be viewed from the public way, a monument pole, or other sign or means shall be used to identify the structure. Address identification shall be maintained.~~

~~304.4 Structure members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.~~

~~304.5 Foundation walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.~~

~~304.6 Exterior walls. All exterior walls shall be free from holes, breaks, dampness, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent deterioration.~~

~~304.7 Roofs and drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.~~

304.8 Decorative features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

304.9 Overhang extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

304.10 Stairways, decks, porches and balconies. Every exterior stairway, deck, port and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

304.11 Chimneys and towers. Chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather coating materials, such as paint or similar surface treatment.

304.12 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

304.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

304.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

304.18.1 Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock designed to be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort and shall

have a lock throw of not less than 1 inch (25MM). Such deadbolt locks shall be installed according to the manufacture's specifications and maintained in good working order. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock.

~~304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.~~

~~304.18.3 Basement hatchways. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.~~

D.—INTERIOR STRUCTURE

~~305.1 General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.~~

~~305.1.1 The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:~~

- ~~1.—The nominal strength of any structural member is exceeded by nominal loads, the loads effects or the required strength;~~
- ~~2.—The anchorage of the floor or roof to walls or columns, and of walls and columns to the foundation is not capable of resisting all nominal loads or load effects;~~
- ~~3.—Structures or components thereof that have reached their limit state;~~
- ~~4.—Structural members are incapable of supporting nominal loads and load effects;~~
- ~~5.—Stairs, landings, balconies and similar surfaces, including guards and handrails, are not structurally sound, not properly anchored or are anchored with connections not capable of supporting all nominal loads and resisting all load effects;~~
- ~~6.—Foundation systems that are not firmly supported by footings are not plumb and free from open cracks and breaks, are not properly anchored or are not capable of supporting all nominal loads and resisting all load effects.~~

Exceptions:

~~1. Where substantiated otherwise by an approved method.~~

~~2. Demolition of unsafe conditions shall be permitted when approved by the code official.~~

~~305.2 Structural members. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.~~

~~305.3 Interior surfaces. All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood, mold and other defective surface conditions shall be corrected.~~

~~305.4 Stairs and walking surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.~~

~~305.5 Handrails and guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.~~

~~305.6 Interior doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.~~

~~E. COMPONENT SERVICEABILITY~~

~~306.1 General. The components of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.~~

~~306.1.1 Unsafe conditions. Where any of the following conditions cause the components or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:~~

~~1. Soils that have been subjected to any of the following conditions:~~

~~1.1 Collapse of footing or foundation system;~~

~~1.2 Damage to footing, foundation, concrete or other structural element due to soil expansion;~~

~~1.3 Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;~~

~~1.4 Inadequate soil as determined by a geotechnical investigation;~~

~~1.5 Where the allowable bearing capacity of the soil is in doubt; or~~

~~1.6 Adverse effects to the footing, foundation, concrete or other structural element due to the ground-water table.~~

~~2. Concrete that has been subjected to any of the following conditions:~~

~~2.1 Deterioration;~~

~~2.2 Ultimate deformation;~~

~~2.3 Fractures;~~

~~2.4 Fissures;~~

~~2.5 Spalling;~~

~~2.6 Exposed reinforcement; or~~

~~3. Aluminum that has been subjected to any of the following conditions:~~

~~3.1 Deterioration;~~

~~3.2 Corrosion;~~

~~3.3 Elastic Deformation;~~

~~3.4 Ultimate deformation;~~

~~3.5 Stress or strain cracks;~~

~~3.6 Joint fatigue; or~~

~~3.7 Detached, dislodged or failing connections.~~

~~4. Masonry that has been subjected to any of the following conditions:~~

~~4.1 Deterioration;~~

~~4.2 Ultimate Deformation;~~

~~4.3 Fractures in masonry or mortar joints;~~

~~4.4 Fissures in masonry or mortar joints;~~

4.5 Spalling;

4.6 Exposed reinforcement;

4.7 Detached, dislodged or failing connections.

5. Steel that has been subjected to any of the following conditions:

5.1 Deterioration;

5.2 Elastic deformation;

5.3 Ultimate deformation;

5.4 Metal fatigue; or

5.5 Detached, dislodged or failing connections.

6. Wood that has been subjected to any of the following conditions:

6.1 Ultimate deformation;

6.2 Deterioration;

6.3 Damage from insects, rodents, and other vermin;

6.4 Fire damage beyond charring;

6.5 Significant splits and checks;

6.6 Horizontal shear cracks;

6.7 Vertical shear cracks;

6.8 Inadequate support;

6.9 Detached, dislodged or failing connections; or

6.10 Excessive cutting and notching.

Exceptions:

~~1.—Where substantiated otherwise by an approved method.~~

~~2.—Demolition of unsafe conditions shall be permitted where approved by the code official.~~

~~F.—HANDRAILS AND GUARDRAILS~~

~~307.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 34 inches high or more than 38 inches high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 36 inches high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.~~

~~EXCEPTIONS:~~

~~1.—Guards shall not be required where exempted by the adopted building code.~~

~~2.—Guards may be of other heights when allowed by the adopted building code or other historical codes.~~

~~G.—RUBBISH AND GARBAGE~~

~~308.1 Accumulation of rubbish or garbage. Exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.~~

~~308.2 Disposal of rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.~~

~~308.2.1 Rubbish storage facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.~~

~~308.2.2 Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.~~

~~308.3 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers.~~

~~308.3.1 Garbage facilities. The owner of every dwelling shall supply both of the following: an approved mechanical food waste grinder in each dwelling unit; an approved leakproof, covered, outside garbage container.~~

~~308.3.2 Containers. The operator of every establishment producing garbage shall provide, at all times, cause to be utilized, approved leakproof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.~~

H. — EXTERMINATION

~~309.1 Infestation. Structures shall be kept free from insect and rodent infestation. Structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest extermination, proper precautions shall be taken to prevent reinfestation.~~

~~309.2 Owner. The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure.~~

~~309.3 Single occupant. The occupant of a one family dwelling or of a single tenant nonresidential structure shall be responsible for pest elimination on the premises.~~

~~309.4 Multiple occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for pest elimination in the public or shared areas of the structure and exterior property.~~

~~If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant and owner shall be responsible for pest elimination.~~

~~309.5 Occupant. The occupant of any structure shall be responsible for the continued rodent and pest free condition of the structure.~~

~~EXCEPTION: Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination.~~

16.06.040 Light, Ventilation and Occupancy Limitations

A. — GENERAL

~~401.1 Scope. The provisions of this section shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.~~

~~401.2 Responsibility. The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any premises that do not comply with the requirements of this section.~~

~~401.3 Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the International Building Code shall be permitted.~~

B. — LIGHT

~~402.1 Habitable spaces. Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of~~

the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

~~EXCEPTION: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). The exterior glazing area shall be based on the total floor area being served.~~

~~402.2 Common halls and stairways. Every common hall and stairway in residential occupancies, other than in one and two-family dwellings, shall be lighted at all times with at least equivalent to a 60-watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1 footcandle (11 lux) at floors, landings and treads.~~

~~402.3 Other spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.~~

C. — VENTILATION

~~403.1 Habitable spaces. Every habitable space shall have at least one operable window. The total operable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1~~

~~EXCEPTION: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.~~

~~403.2 Bathrooms and toilet rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by a mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.~~

~~403.3 Cooking facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.~~

EXCEPTIONS:

1. — Where specifically approved in writing by the code official.
2. — Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

403.4 Process ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

403.5 Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.

D. OCCUPANCY LIMITATIONS

404.1 Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 Minimum ceiling heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than 7 feet (2134 mm)

EXCEPTIONS:

1. In one and two family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) below the required ceiling height.

2. Basement rooms in one and two family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) of clear height under beams, girders, ducts, and similar obstructions.

3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least 7 feet (2134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of 5 feet (1524 mm) or more shall be included.

404.4 Bedroom and living room requirements. Every bedroom and living room shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Room Area. Every living room shall contain at least 120 square feet (11.2 m²) and every bedroom shall contain at least 70 square feet (6.5 m²).

404.4.2 Access from bedrooms. Bedrooms shall not constitute the only means of access to other bedrooms or habitable spaces and shall not serve as the only means of egress from other habitable spaces.

EXCEPTIONS: Units that contain fewer than two bedrooms.

~~404.4.3 Water closet accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.~~

~~404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.~~

~~404.4.5 Other requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this section; the plumbing facilities and water heating facilities requirements of Section 16.06.050; the heating facilities and electrical receptacle requirements of Section 16.06.060; and the smoke detector and emergency escape requirements of Section 16.06.070.~~

~~404.5 Overcrowding. The number of persons occupying a dwelling unit shall not create conditions that, in the opinion of the code official, endanger the life, health, safety or welfare of the occupants.~~

~~404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:~~

~~1.— A unit occupied by not more than one occupant shall have a minimum clear floor area of 120 square feet (11.2 m²). A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m²). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.~~

~~2.— The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.~~

~~3.— The unit shall be provided with a separate bathroom containing a water closet, lavatory and bathtub or shower.~~

~~4.— The maximum number of occupants shall be three.~~

~~404.7 Food preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage.~~

~~16.06.050 Plumbing Facilities and Fixture Requirements~~

~~A.— GENERAL~~

~~501.1 Scope. The provisions of this section shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.~~

~~501.2 Responsibility. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this section.~~

~~B. — REQUIRED FACILITIES~~

~~502.1 Dwelling units. Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet isolated. A kitchen sink shall not be used as a substitute for the required lavatory.~~

~~502.2 Rooming houses. Not less than one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.~~

~~502.3 Hotels. Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten occupants.~~

~~502.4 Employees' facilities. A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.~~

~~502.4.1 Drinking facilities. Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.~~

~~502.5 Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance with the Uniform Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during occupancy of the premises.~~

~~C. — TOILET ROOMS~~

~~503.1 Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.~~

~~503.2 Location. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or housekeeping units, shall have access by traversing not more than one flight of stairs and shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.~~

~~503.3 Location of employee toilet facilities. Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152-m). Employee facilities shall either be separate facilities or combined employee and public facilities.~~

~~EXCEPTION: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.~~

~~503.4 Floor surface. In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.~~

~~D. — PLUMBING SYSTEMS AND FIXTURES~~

~~504.1 General. All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.~~

~~504.2 Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.~~

~~504.3 Plumbing system hazards. Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross-connection, backsiphonage, improper installation, deterioration or damage or for similar reasons, the code official require the defects to be corrected to eliminate the hazard.~~

~~E. — WATER SYSTEM~~

~~505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Uniform Plumbing Code.~~

~~505.2 Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric type vacuum breaker or an approved permanently attached hose connection vacuum breaker.~~

~~505.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.~~

~~505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.~~

F. — SANITARY DRAINAGE SYSTEM

506.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

506.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

506.3 Grease interceptors. Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacture's installation instructions. Grease interceptors and automatic removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. Records of maintenance, cleaning and repairs shall be available for inspection by the code official upon request.

G. — STORM DRAINAGE

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

16.06.060 Mechanical and Electrical Requirements

A. — GENERAL

601.1 Scope. The provisions of this section shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 Responsibility. The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this section.

B. — HEATING FACILITIES

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the Uniform Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

EXCEPTION: In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the

occupants thereof shall supply heat to maintain a temperature of not less than 68°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

EXCEPTIONS:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the Uniform Plumbing Code.

2. In areas where the average monthly temperature is above 30°F (1°C) a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

EXCEPTIONS:

1. Processing, storage and operation areas that require cooling or special temperature conditions.

2. Areas in which persons are primarily engaged in vigorous physical activity.

602.5 Room temperature measurements. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

C. MECHANICAL EQUIPMENT

603.1 Mechanical appliances. All mechanical appliances, fireplaces, solid fuel burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

603.2 Removal of combustion products. All fuel burning equipment and appliances shall be connected to an approved chimney or vent.

EXCEPTION: Fuel burning equipment and appliances which are labeled for unvented operation.

603.3 Clearances. All required clearances to combustible materials shall be maintained.

603.4 Safety controls. All safety controls for fuel burning equipment shall be maintained in effective operation.

603.5 Combustion air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel burning equipment shall be provided for the fuel burning equipment.

~~603.6 Energy conservation devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to fuel the supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.~~

~~D. — ELECTRICAL FACILITIES~~

~~604.1 Facilities required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.~~

~~604.2 Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the ICC Electrical Code (NFPA 70). Dwelling units shall be served by a three-wire, 120/240-volt, single-phase electrical service having a rating of not less than 60 amperes.~~

~~604.3 Electrical system hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.~~

~~604.3.1 Abatement of electrical hazards associated with water exposure. The provisions of this section shall govern the repair and replacement of electrical systems and equipment that have been exposed to water.~~

~~604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low voltage fuses, luminaires, ballasts, motor and electronic control, signaling and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the International Building Code and the National Electrical Code (NFPA 70).~~

~~E. — ELECTRICAL EQUIPMENT~~

~~605.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.~~

~~605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.~~

~~605.3 Luminaires. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric luminaire.~~

~~605.4 Wiring. Flexible cords shall not be used for permanent wiring, or for running through doors, windows, or cabinets, or concealed within walls, floors, or ceilings.~~

~~F. — ELEVATORS, ESCALATORS AND DUMBWAITERS~~

~~606.1 General. Elevators, dumbwaiters and escalators shall be maintained in compliance with American Society of Mechanical Engineers (ASME) A17.1. The most current certification of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator. The inspection and tests shall be performed at not less than the periodical intervals listed in ASME A-17.1, Appendix N, except where otherwise specified by the authority having jurisdiction.~~

~~606.1.1 Elevators, Escalators and Dumbwaiters shall comply with the State Department of Labor and Industries inspection and operation requirements.~~

~~606.2 Elevators. In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.~~

~~EXCEPTION: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.~~

~~G. — DUCT SYSTEMS~~

~~607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.~~

16.06.070 Fire Safety Requirements

~~A. — GENERAL~~

~~701.1 Scope. The provisions of this section shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.~~

~~701.2 Responsibility. The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner occupant or permit another person to occupy any premises that do not comply with the requirements of this section.~~

~~B. — MEANS OF EGRESS~~

~~702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code.~~

~~702.2 Aisles. The required width of aisles in accordance with the International Fire Code shall be unobstructed.~~

~~702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the International Building Code.~~

~~702.4 Emergency escapes openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue~~

openings shall be operational from the inside of the room without the use of keys or tools. Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

C. — FIRE RESISTANCE RATINGS

703.1 Fire-resistance-rated assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire-stops, shaft enclosures, partitions and floors shall be maintained.

703.2 Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

D. — FIRE PROTECTION SYSTEMS

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the International Fire Code.

704.1.1 Automatic sprinkler system. Inspection, testing and maintenance of automatic sprinkler systems shall be in accordance with NFPA 25.

704.1.2 Fire department connection. Where the fire department connection is not visible to approaching fire apparatus, the fire department connection shall be indicated by an approved sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than 6 inches (152mm) high and words in letters not less than 2 inches (51mm) high or an arrow to indicate the location. Such signs shall be subject to the approval of the fire code official.

704.2 Single and multiple station smoke alarms. Single or multiple station smoke alarms shall be installed in existing Group I-1 and R occupancies in accordance with Sections 704.2.1 through 704.2.3.

704.2.1 Where required. Existing Group I-1 and R occupancies shall be provided with single station smoke alarms in accordance with Section 704.2.1.1 through 704.2.1.4. Interconnection and power source shall be in accordance with Sections 704.2.2 and 704.2.3.

Exceptions:

1. — Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.
2. — Where smoke alarms have been installed in occupancies and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required provided the that existing smoke alarms comply with requirements that were in effect at the time of construction.

3.— Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

704.2.1.1 Group R-1. Single or multiple station smoke alarms shall be installed in all of the following locations in Group R-1:

1.— In sleeping areas.

2.— In every room in the path of the means of egress from sleeping area to the door leading from the sleeping unit.

3.— In each story within the sleeping unit, including basements. For sleeping units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

704.2.1.2 Groups R-2, R-3, R-4 and I-1. Single or multiple station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4, and I-1 regardless of occupant load at all of the following locations:

1.— On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of the bedrooms.

2.— In each room used for sleeping purposes.

3.— In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

704.2.1.3 Installation near cooking appliances. Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by Section 704.2.1.1 or 704.2.1.2:

1.— Ionization smoke alarms shall not be installed less than 20 feet (6096mm) horizontally from permanently installed cooking appliances.

2.— Ionization smoke alarms with an alarm silencing switch shall not be installed less than 10 feet (3048 mm) horizontally from a permanently installed cooking appliance.

3.— Photoelectric smoke alarms shall not be installed less than 6 feet (1829mm) horizontally from a permanently installed cooking appliance.

704.2.1.4 Installation near bathrooms. Smoke alarms shall be installed not less than 3 feet (914mm) horizontally from the door or opening of a bathroom that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by Section 704.2.1.1 or 704.2.1.2.

~~704.2.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling or sleeping unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnections of smoke alarms shall not be required where listed wireless alarms are installed and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.~~

~~Exceptions:~~

~~1.— Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.~~

~~2.— Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for interconnection without the removal of interior finishes.~~

~~704.2.3 Power source. Single station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with a battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.~~

~~Exceptions:~~

~~1.— Smoke alarms are permitted to be solely battery operated in existing buildings where no construction is taking place.~~

~~2.— Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.~~

~~3.— Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available that could provide access for building wiring without the removal of interior finishes.~~

~~704.2.4 Smoke detection system. Smoke detectors listed in accordance with UL268 and provided as part of the buildings fire alarm system shall be an acceptable alternative to single and multiple station smoke alarms and shall comply with the following:~~

~~1.— The fire alarm shall comply with all applicable requirements in Section 907 of the International Fire Code.~~

~~2.— Activation of a smoke detector in a dwelling or sleeping unit shall initiate alarm notification in the dwelling or sleeping unit in accordance with Section 907.5.2 of the International Fire Code.~~

3.— Activation of a smoke detector in a dwelling or sleeping unit shall not activate alarm notification appliances outside of the dwelling or sleeping unit, provided that a supervisory signal is generated and monitored in accordance with Section 907.6.5 of the International Fire Code.

16.06.080 Reference Standards

This section lists the standards that are referenced in various sections of this code. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the sections or sections of this code that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

Standard Reference Number	Title	Referenced in Code Section Number
ASME A17.1/CSA B44-2013	Safety Code for Elevators and Escalators	606.1
ASTM F1346-91 (2010)	Performance Specifications for Safety Covers and Labeling Requirements for all Covers for Swimming Pools, Spas and Hot Tubs.	303.2
ICC IBC 15	International Building Code	102.3, 201.3, 401.3, 702.3
ICC IEBC 15	International Existing Building Code	305.1.1, 306.1.1
IFC 15	International Fire Code	201.3, 604.3.1.1, 604.3.2.1, 702.1, 702.2, 704.1, 704.2
IFGC 15	International Fuel Gas Code	102.3
IMC 15	International Mechanical Code	102.3, 201.3
UPC 15	International Plumbing Code	201.3, 505.1, 602.2, 602.3
IRC 15	International Residential Code	102.3, 201.3
NFPA 25-14	Standard for the Inspection, Testing and Maintenance of Water based Fire Protection Systems	704.1.1
NFPA 70-14	National Electrical Code	102.4, 201.3, 604.2

16.06.020 Amendments, Deletions, and Additions

The following sections of the International Property Maintenance Code, as adopted in OMC 16.06.010, are amended as follows:

101.1 Title.

These regulations shall be known as the International Property Maintenance Code of [NAME OF JURISDICTION] the City of Olympia, hereinafter referred to as "this code."

102.3 Application of other codes.

Repairs, additions, or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the International Building Code, International Existing Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Uniform Plumbing Code and NFPA 70. Nothing in this code shall be construed to cancel, modify, or set aside any provision of the International Zoning Code Unified Development Code for the City of Olympia in OMC Title 18.

~~103.1 Creation of agency.~~

~~The [INSERT NAME OF DEPARTMENT] is hereby created and the official in charge thereof shall be known as the code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.~~

104.1 Fees.

The fees for activities and services performed by the department in carrying out its responsibilities under this code ~~shall be as established by the applicable governing authority.~~ set forth in OMC 4.36.010 Building code review and permit fees as currently enacted or amended.

104.2 Refunds.

~~The code official is authorized to establish a refund policy. The refund policy established by the code official for this section shall be set forth in OMC 4.36.010 Building code review and permit fees.~~

SECTION 107

MEANS OF APPEAL

107.1 General.

In order to hear and decide appeals of orders, decisions, or determinations made by the code official relative to the application and interpretation of this code, ~~there shall be and is hereby created a board of appeals. The board of appeals shall be appointed by the applicable governing authority and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the code official.~~ appeals be made to the hearing examiner pursuant to OMC 18.70.170, provided that a written application for appeal is filed within fourteen (14) days after the day the decision and notice or order was served.

[A] 107.2 Limitations of authority.

An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent or better form of construction is proposed. ~~The board hearings examiner shall does~~ not have authority to waive requirements of this code or interpret the administration of this code.

~~107.3 Qualifications.~~

~~The board of appeals shall consist of members who are qualified by experience and training and are not employees of the jurisdiction.~~

107.4 Administration.

The code official shall take immediate action in accordance with the decision of the ~~board~~ hearing examiner.

SECTION 108

BOARD OF APPEALS

[A] 108.1 Membership of board.

The board of appeals shall consist of not less than three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex officio member but shall not vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

109.3 Prosecution of ~~v~~Violations.

Any person failing to comply with a notice of violation or order served in accordance with Section 111.4 shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

A person or entity that violates or fails to comply with any term or provision of this title, or the terms or provisions of a Notice of Violation issued under OMC Chapter 16.06, commits a civil infraction and is subject to a monetary penalty as follows:

- i. First offense: Class 3 (\$50), not including statutory assessments.
- ii. Second offense arising out of the same facts as the first offense: Class 2 (\$125), not including statutory assessments.
- iii. Third offense arising out of the same facts as the first offense: Class 1 (\$250), not including statutory assessments.

See also OMC Chapter 4.44, Uniform Civil Enforcement.

Each day that a violation continues after due notice has been served is a separate violation. Continuing violation means the same type of violation which is committed within a year of the initial violation.

c. If a person or entity fails to comply with a Notice of Violation, the Code Official shall may institute the appropriate legal proceeding to restrain, correct, or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. The costs of any action taken by the City of Olympia on such premises, including attorney's fees, contractors, engineers, and all other costs of any kind, must be charged against the real property upon which the structure is located and are a lien on such real property in accordance with the procedures set forth in Section 113.3 of this code.

109.4 Violation penalties.

Any person who ~~shall~~ violates a provision of this code, or fails to comply therewith, or with any of the requirements thereof, ~~shall may~~ be prosecuted within the limits provided by state or local laws. ~~Each day that a violation continues after due notice has been served shall be deemed a separate offense.~~

111.1.5 Dangerous structure or premises.

For the purpose of this code, any structure or premises that has any or all of the conditions or defects described as follows shall be considered to be dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the approved building or fire code of the jurisdiction as related to the requirements for existing buildings.

2.The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.

3.Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, deterioration, neglect, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.

4.Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.

5.The building or structure, or part of the building or structure, because of dilapidation, deterioration, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.

6.The building or structure, or any portion thereof, is clearly unsafe for its use and occupancy.

7.The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act: enumerated in OMC 8.24.020 Behavioral public nuisance on land and buildings declared.

8.Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the approved building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.

9.A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, ventilation, mechanical or plumbing system, or otherwise, is determined by the code official to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.

10.Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the code official to be a threat to life or health.

11.Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

301.3 Vacant structures and land.

Vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety: and must be registered in accordance with OMC 16.06.030 Vacant Property Registration.

302.4 Weeds.

Premises and exterior property shall be maintained free from weeds or plant growth in excess of ~~JURISDICTION TO INSERT HEIGHT IN INCHES~~ 12 inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 108.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut

and destroy the weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

EXCEPTION: Agricultural areas within the City of Olympia (crops, livestock, farming, etc.) are exempt from this subsection.

302.8 Motor vehicles.

Except as provided for in other regulations, inoperative or unlicensed motor vehicles shall not be parked, kept or stored on any premises, and vehicles shall not at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth. For purposes of this section "vehicle" is defined in the Revised Code of Washington Section 46.04.670.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.10 Recreational vehicles and other vehicles.

No recreational vehicle as defined by the Olympia Municipal Code Chapter 18.02.180 or other vehicles defined in the Revised Code of Washington Section 46.04.670 shall be used for the purpose of living, sleeping, cooking, or any similar use while parked on publicly owned or private property.

Exceptions:

1. A Recreational vehicles lawfully located in manufactured/mobile communities (as defined in RCW 59.20.030) may be used as a primary residence for the purpose of living, sleeping, cooking, or similar uses, provided that:
 - a. The recreational vehicle has a Recreational Park Trailer or Recreation Vehicle Label provided by Washington State Department of Labor and Industries (Or its equivalent if from another state).
 - b. The total number of residential units within the community/park does not exceed the number established within the land use approval. A recreational vehicle may replace a manufactured or mobile unit, but additional units require land use approval prior.
 - c. A recreational vehicle is not permitted as an accessory living quarter or an accessory dwelling unit to any other primary residence within the community/park.
 - d. The recreational vehicle must comply with all applicable requirements of the International Building and Fire Codes in effect at the time of application.
 - e. Unless the pad/side is shown on the approved site plan without connection, the recreational vehicle must be connected to the sanitary sewer or an onsite sewage system in compliance with OMC 13.08.090 and all applicable Thurston County regulations.

2. Recreational vehicles may be permitted to be used as a temporary residence, provided the criteria and approvals required in OMC 18.04.060(DD) Temporary Uses are satisfied.

302.11 Cargo containers and semi-trailers

1. Cargo containers, except as otherwise permitted by Olympia Municipal Code Title 18, may not be used for storage. Cargo containers which are permitted by the land use regulatory code to be used as storage buildings shall must be provided with a foundation system that provides adequate clearance from the ground to prevent deterioration and must be provided with an anchorage system to prevent sliding or overturning by wind or seismic forces prescribed by the building code.

2. Semi trailers may not be used for storage.

302.12 Additional nuisances.

1. Causing or allowing any human or animal waste, poison, poison oak or ivy, or noxious substance to be collected or to remain in any place, street, highway, or alley in the City; or
2. Obstructing or encroaching upon or rendering unsafe for passage any public highway, private way, street, sidewalk, trail, alley, park, square, driveway, lake, or stream in the City; or
3. Excavating or maintaining on public or private property any hole, excavation, or pit that is dangerous to the public or adjacent property.

16.06.090-030 Vacant Property Registration

A. GENERAL

901.1 Intent. It is the purpose and intent of the Olympia City Council to establish an vacant real property registration program to ensure that the owners of certain vacant properties are known by the City and other interested parties and can be reached if necessary; to ensure that owners of vacant properties are aware of the property maintenance codes and regulations; and to ensure that owners meet the minimum standards of maintenance of vacant properties.

901.2 Requirement to Register Certain Vacant Properties. An owner of, lender for, or other person responsible for a property that is vacant and uninhabited or vacant and in default (or both) shall register such property with the City of Olympia.

901.3 Definitions. For the purposes of this chapter, the following words and phrases are defined as follows:

1. "Accessible" means a property that is accessible through a compromised or breached gate, fence, wall, or similar condition or a structure or building that is unsecured or breached (or both) in such a way as to allow access to the interior space by unauthorized persons.
2. "Beneficiary" means a lender or holder of a note secured by a deed of trust.
3. "Borrower" means any owner as defined in this section who becomes obligated on a real estate loan agreement, either directly or indirectly, and includes mortgagors, vendees under conditional land sales contracts, and grantors under trust deeds.
4. "City" means City of Olympia.
5. "Days" means consecutive calendar days.
7. "Deed of trust" means an instrument by which title to real estate is transferred to a third-party trustee as security for a real estate loan and often used in Washington instead of a mortgage. This definition applies to any and all subsequent deeds of trust, i.e., second trust deed or third trust deed.
7. "Deed in lieu of foreclosure/sale" means a recorded document that transfers ownership of property from the borrower to the lender in lieu of foreclosure, including a trustor to the holder of a deed of trust upon consent of the beneficiary of the deed of trust.
8. "Default" means the failure to fulfill a contractual obligation, monetary, or conditional.
9. "Director" means the Director of Community Planning and Development or the Director's designee.
10. "Downtown Core" means the Downtown Olympia Historic District and its vicinity that exhibits storefronts, building designs, and historic character consistent with the Historic District.

11. "Evidence of vacancy" means any condition that on its own or combined with other conditions present would lead a reasonable person to believe that the property is vacant and not occupied by authorized persons. Such conditions include, for example, overgrown or dead vegetation; accumulation of newspapers, circulars, flyers or mail; past due utility notices or disconnected utilities; accumulation of trash, junk, or debris; statements by neighbors, passersby, delivery agents, or government employees that the property is vacant; and for residential properties, the absence of window coverings such as curtains, blinds, or shutters; the absence of furnishings or personal items consistent with residential habitation.
12. "Foreclosure" means the foreclosure process by which a property, placed as security for a real estate loan, is sold at auction and a deed of trust foreclosure or a judgment is obtained to satisfy the debt if the borrower defaults on the real estate loan.
13. "Lender" means any person who makes, extends, or holds a real estate loan agreement and includes a mortgagee; a beneficiary under a deed of trust; an underwriter under a deed of trust; a vendor under conditional land sales contracts; a trustee; and a successor in interest to any mortgagee, beneficiary, vendor, or trustee. The term also includes any mortgagee, beneficiary, or trustee that accepts a deed in lieu of foreclosure.
14. "Local" means within Thurston County.
15. "Notice of default" means a default has occurred under a deed of trust and that the beneficiary intends to proceed with a trustee's sale.
16. "Out of area" means outside Thurston County.
17. "Owner" means any natural person, partnership, association, corporation, or other entity having legal title in real property, including any borrower as defined in this section.
18. "Property" means any unimproved or improved, residential or commercial real property, or portion thereof, situated in the City, and includes the buildings or structures located on the property regardless of condition.
19. "Responsible person" or "person responsible" means any person, partnership, association, corporation, or fiduciary having legal or equitable title to, or any interest in, any real property, including an owner, borrower, or lender as defined in this section, or a lessee of leased property, if the lessee is responsible for property maintenance.
20. "Securing" or "secure" means such measures as may be directed by the Director that assist in rendering the property inaccessible to unauthorized persons, including the repairing of fences and walls, chaining or padlocking of gates, and the repair, replacement, or boarding of doors, windows, or other openings.
21. "Trustee" means the person, partnership, firm, corporation, or other entity holding a deed of trust to a property.
22. "Trustor" means a borrower under a deed of trust, who deeds property to a trustee as security for the payment of a debt.
23. "Vacant" means a property that is not legally occupied.
24. "Vacant and in default" means a property that has been vacant and any one or more of the following apply to property: (1) it is under a current notice of default or notice of trustee's sale (or both); (2) it is the subject of a pending tax assessor's lien sale; (3) it has been the subject of a foreclosure sale where the title was retained by the beneficiary of a deed of trust involved in the foreclosure; or (4) it has been transferred under a deed in lieu of foreclosure or sale.

25. "Vacant and uninhabited" means a property that has been vacant with no water or sewer utilities provided to the property for six continuous months or more.

901.4 Administration.

The Director shall administer this chapter and shall promulgate procedures to administer the registration, maintenance, security, and related provisions as authorized in this chapter. The Director may establish reasonable fees for services provided under the program. Fines and penalties for violations are set by the City Council and are set forth in OMC ~~16.06.010(G)~~ 16.06.020.109.

901.5 Maintenance.

The owner of, lender for, or other person responsible for any vacant property shall properly maintain, secure, and post such property as required by this chapter. This obligation is in addition to any other applicable requirement of this code or other law.

901.6 Responsible Party – Local Property Manager.

a. Responsible Party. When any act as required under this chapter applies to more than one of an owner, lender, or other responsible person, one or more or all are responsible for performing such act and may be charged with a violation of this chapter for failure to act. If information is required to be provided, then all must provide such information. However, it is sufficient if the performance of the act or the providing of information is accomplished by anyone.

b. Local Property Manager. If the owner, lender, or other person responsible for a property subject to the registration requirement of subsection 901.2, above, is a corporation or resides or has a principal place of business out of area, the owner, lender, or other person responsible shall retain a local property manager authorized to act to comply with this chapter.

901.7 Registration Contents. Each registration must contain the following:

- a. Information for both the beneficiary and trustee: name (corporation or individual);
- b. The street or office address (not a post office box) and, if different, the mailing address;
- c. A direct contact name (a person representing a corporation or an individual);
- d. Contact information for the person handling the foreclosure or vacant property registration (email and phone number); and
- e. In the case of a corporation or out of area owner, lender, or other responsible person, the telephone number and other contact information of the local property manager authorized to act to comply with this chapter.

901.8 Registration Outlines.

- a. A registration is valid for one ~~calendar~~ year following the date on which registration is initially submitted to the City. Subsequent registrations are required and due each year thereafter on the anniversary of the submittal date of the initial registration until such time as the property is transferred or becomes legally occupied.
- b. An owner, lender, or other responsible person who is required to register a property pursuant to this chapter shall keep such property registered and shall comply with all the maintenance, security, and posting requirements of this chapter for the entire time such property remains vacant and in default or vacant and uninhabited.

c. When a property subject to the registration requirement of subsection 901.2, above, becomes occupied or title is transferred, the prior owner, lender, or other responsible person shall notify the Director in writing within 14 days of the occupancy or transfer.

d. Any owner, lender, or other responsible person required to register a property pursuant to this chapter shall report any change of information contained in the registration within 14 days of the change.

901.9 Property Inspection.

a. An owner of, lender for, or other person responsible for a property subject to the registration requirement of subsection 901.2, above, shall conduct, or cause to be conducted, an inspection of such property on a monthly basis. Such inspection is to verify that the property is still vacant and in default or vacant and uninhabited and whether the maintenance, security, posting and other requirements of this chapter, and any other applicable laws, are being met.

b. If a property is not vacant, but is in default, the lender shall inspect, or cause to be inspected, the property monthly to determine whether the property has become vacant and in default until (1) the borrower or other party remedies the default; or (2) the foreclosure is completed and ownership is transferred to a new owner who is not the former beneficiary or another lender; or (3) it is found to be vacant or shows evidence of vacancy, at which time it is deemed vacant and in default, and the lender shall, within 14 days of that inspection, register the property with the Director on forms or in the manner provided by the City.

c. The lender shall continue to inspect, or cause to be inspected, the property after a foreclosure sale where the title was transferred to the beneficiary of a deed of trust involved in the foreclosure, or the underwriter of the deed of trust, or any other person or entity who held a security interest in the property, and any property transferred under a deed in lieu of foreclosure/sale. If upon inspection the property is found to be vacant, it is automatically deemed vacant and in default and must be registered within 14 days as required in this chapter.

d. The owner, lender, or other responsible person shall report the result each of these inspections to the City as required by the Director.

e. Inspections conducted pursuant to this chapter are intended only for the purposes set forth in this chapter and not for purposes of triggering disclosure obligations to potential real property purchasers

901.10 Maintenance Requirements.

a. An owner of, lender for, or other person responsible for any vacant property shall maintain and keep such property free of nuisance conditions including:

1. Weeds, overgrown vegetation, trash, junk, debris, building materials, and junk vehicles.
2. Accumulation of newspapers, circulars, flyers, notices (except those required by federal, state, or local law), and discarded personal items including, furniture, clothing, and appliances.
3. Graffiti, tagging, or similar markings, which must be removed or painted over with an exterior grade paint that matches or coordinates with the color of the exterior of the structure.
4. In the downtown core, conditions that do not maintain and preserve the historic aesthetics and character (windows free of obstruction, graffiti, etc.).

b. An owner of, lender for, or person responsible for any vacant property shall:

1. Maintain the property's yard in accordance with City requirements and standards;

2. Secure any pond, pool, or hot tub and ensure that it does not become a nuisance or a danger to the public;
3. Take any other action necessary to prevent giving the appearance that the property is abandoned; and
4. Register the property with the City of Olympia Police Department trespass program.

901.11 Securing and Posting Requirements.

a. Securing. An owner of, lender for, or other person responsible for any vacant property shall secure such property to prevent access by unauthorized persons, including the following: the closure and locking of windows, doors (walk-through, sliding, and garage), gates, and any other opening of such size that it may allow a child or any other person to access the interior of the property and or structure. Securing also includes boarding up as applicable. Material used for boarding up must be painted with an exterior grade paint that matches or coordinates with the color of the exterior of the structure.

b. Posting. An owner of, lender for, or other person responsible for any vacant property shall post the name and 24-hour contact phone number of the local property manager. The posting must be no less than 18 inches by 24 inches, and must be of a font that is legible from a distance of 45 feet, and must contain, along with the name and a 24-hour contact number, the words:

"THIS PROPERTY MANAGED BY [insert name]" and

"TO REPORT PROBLEMS OR CONCERNS CALL [insert local telephone number]."

The posting must be placed on the interior of a window facing the street to the front of the property so it is visible from the street, or secured to the exterior of the building or structure facing the street to the front of the property so it is visible from the street, or, if no such area exists, on a stake of sufficient size to support the posting in a location that is visible from the street to the front of the property but not readily accessible to vandals. Exterior posting must be constructed of, and printed with, weather resistant materials.

901.12 Enforcement.

a. In the event the Director finds an owner of, lender for, or other person responsible for a property subject to the registration requirement of subsection 901.2, above, has failed to meet the maintenance, securing, or posting requirements of this chapter, the Director shall send notice of said failure to the owner, lender, or other responsible person at the address listed on the tax rolls of the County or at such other address as may be known to the Director. The notice must set out the nature of the failure(s) to be corrected and must give the owner, lender, or other responsible person no more than 14 days from the date of the notice to correct the failure, unless an imminent danger exists in which case the Director may require the owner, lender, or other responsible person to take immediate action to cure the condition creating the imminent danger. In the event the owner, lender, or other responsible person fails to remedy the matters within the time set out in the notice (or make, in the view of the Director, adequate arrangements otherwise) the City may seek enforcement pursuant to OMC 4.44.06, and any other applicable City code or state law.

b. Violations of this chapter constitute a public nuisance and in addition to the provisions of this chapter, may be enforced pursuant to chapter [4.44](#) OMC - Uniform Civil Enforcement, chapter [16.10](#) OMC - City Building Code, chapter [16.32](#) OMC - City Fire Code, chapter [16.06](#) OMC - Property Maintenance/Nuisance Properties, and any other applicable City code or state law.

901.13 Vacant properties subject to City code enforcement action.

The owner of, lender for, or other person responsible for a vacant property that has been boarded up or otherwise secured by the City or its contractor as a result of City code enforcement action is not as a result of such action relieved of the obligation to comply with all applicable requirements of this code, including the maintenance requirements of subsection 901.10, above, and the securing and posting requirements of subsection 901.11, above.

901.14 Additional maintenance and security.

In addition to the enforcement remedies established in this chapter and applicable City code, the Director may require the owner of, lender for, or other person responsible for a property subject to the registration requirement of subsection 901.2, above, to implement additional maintenance or security measures, including securing all doors, windows, or other openings, installing additional security lighting, increasing on-site inspection frequency, employment of an on-site security guard, disconnecting utilities, or any other measures as may be reasonably calculated to arrest the decline of the property, prevent unauthorized entry, or ensure maintenance of the property in accordance with this code.

901.15 Abatement of nuisance on property that is abandoned and in mid-foreclosure.

When the City sends notice to a mortgage servicer that a property has been determined to be abandoned, in mid-foreclosure, and a nuisance pursuant to chapter [7.100](#) RCW, the mortgage servicer must abate the nuisance identified in such notice within 14 days of the mortgage servicer's receipt of the notice. If the mortgage servicer has not abated the nuisance within 14 days, the City may enter and abate the nuisance and the City may recover the costs of such abatement pursuant to RCW [7.100.070](#), or as otherwise provided by this Code or by other law.

901.16 Penalty.

The City of Olympia has designated certain violations of the Olympia Municipal Code to be civil infractions and pursuant to authority from chapter [7.80](#) RCW. The purpose of civil infractions, as set forth in chapter [4.50](#) OMC, is remedial. Use of the civil infraction procedure in chapter [4.50](#) OMC will better protect the public from the harmful effects of certain violations of the Olympia Municipal Code, aid and streamline enforcement, and partially reimburse the City for the expenses of enforcement and the related judicial process. Unless stated otherwise, a civil infraction is an additional and concurrent penalty and may be imposed with other penalties.

901.17 Retroactive application.

The provisions of this section can be applied retroactively. Vacant properties and structures existing on the date of adoption of this section are not vested.

Section 5. Amendment of OMC 16.24.020. Olympia Municipal Code Section 16.24.020 is hereby amended to read as follows:

16.24.020 Adoption of National Electrical Code Article 80

The National Electrical Code (NEC) is amended and supplemented by the addition of a new Article, ~~to be known as~~ Article 80 – Adoption, to read as follows:

Article 80 - Adoption

80.1 Short Title. These regulations are known as the City of Olympia Electrical Code and must be cited as such and will be referred to herein as "this Code."

80.3 Washington Cities Electrical Code Adopted. The Washington Cities Electrical Code (WACEC) is hereby adopted and is applicable within the City, as amended, added to and excepted in this Code.

80.4 Conflicts. In accordance with RCW [19.28.010](#)(3), where the State of Washington, Department of Labor and Industries adopts a more current edition of the National Electrical Code (NFPA 70), the Code Official may supplement use of the WACEC with newly adopted editions of the National Electrical Code (NEC).

Including: Part 1 adopting ~~the 2017~~ the currently WACEC adopted version of the NEC and other necessary codes and standards adopted by the State of Washington.

Excluding: Part 2 amending the administrative chapter of the NEC based on portions of the ICC Electrical Code, as published by the International Code Council.

Including: Part 3 amending the NEC through supplements, deletions or revisions to be equal, higher, or better than the State of Washington's rules.

Section 6. Amendment of OMC 16.32.080. Olympia Municipal Code Section 16.32.080 is hereby amended to read as follows:

16.32.080 Add Section 905.11, International Fire Code -- Standpipe Systems in Marinas

The following standards are added as supplements to the current State adopted edition of the International Fire Code, ~~2015 Edition~~, Chapter 36, and ~~shall be is~~ the standard for installation of standpipe systems in marinas:

1. All portions of floats exceeding 250 feet in distance from the point of fire apparatus access shall be provided with an approved dry standpipe system, installed in conformity with NFPA 14 and Chapter 36 of the International Fire Code, ~~2015 Edition~~ current State adopted edition.
2. Hose stations shall be provided at 150-foot intervals, with the most remote station a maximum of 75 feet from the end of the float. Each hose station shall be provided with two 2-1/2 inch standpipe valves with 2-1/2 inch to 1-1/2 inch reducers with caps. Installation of fire hose is not mandatory at standpipe locations. All hose station risers shall be galvanized steel.
3. Each standpipe system shall be provided with a minimum of two 2-1/2" Fire Department connections. The Fire Department connection shall be located on the shore end of the first floating dock.
4. Piping shall be minimum schedule 40 class and shall be sized to deliver 300 GPM at 65 psi residual pressure at the most remote station with a delivered pressure of 150 psi at the Fire Department connection.
5. Sectional valves shall be provided at the change of direction of each float and at each hose station. The valve shall be downstream of the hose station.
6. Each hose station shall be provided with a 4A 40 BC fire extinguisher.

7. An alarm system shall be provided, with manual fire alarm station at each hose station, visual and audible devices and shall be extended to an approved alarm receiving agency. All covered moorage in excess of 5,000 square feet shall be provided with automatic detection.

8. Pressure test. The system shall be pretested by the installing company prior to final test witnessed by the Olympia Fire Department. The system must withstand 200 psi for two hours. The final test will determine if rated flow can be supplied at most remote hose station.

Section 7. Amendment of OMC 16.40.090. Olympia Municipal Code Section 16.40.090 is hereby amended to read as follows:

16.40.090 Sprinkler System Standards

- A. Three (3) sets of shop drawings including three (3) copies of details of the double check detector check assembly, riser diagram and sectional of structure, shall be submitted to the City of Olympia for review and approval prior to commencement of installation. The contract value shall be affixed to the plans as well as a copy of the maintenance contract.
- B. A plan check fee shall be paid to the City of Olympia at the time plans are submitted.
- C. The required fire protection systems permit must be obtained from the city prior to commencement of work. If a contractor starts work without a permit, a stop work order will be issued until such permit is secured. If a contractor continues to work without a permit, a citation will be issued with a fine of up to \$500.00 per day for every day the contractor works without a permit.
- D. When a building is required to be provided with a fire sprinkler system, said system shall cover all areas of the structure including concealed spaces, vaults and exterior combustible appurtenances.
- E. Mixed use buildings shall be designed to NFPA 13 Standards throughout.
- F. The final acceptance of any sprinkler shall be subject to performance of all required testing and inspections during installation and performance tests in conjunction with fire alarm acceptance tests. No Certificate of Occupancy shall be granted for the structure until satisfactory acceptance tests are accomplished.
- G. A double check detector check assembly is required on all sprinkler systems. The double back flow may be inside the building. If the back flow assembly is inside the building, the water main lateral for the system shall be approved by the Engineering Department, including plan submittal. The outside stem & yoke (OS&Y) valves shall be provided with electrical tamper supervision tied into the building fire alarm system. Exception: OS&Y valves in vaults may be supervised with a chain and lock.
- H. All systems, except residential systems, shall be provided with a yard or wall PI control valve which is easily accessible. The wall PI valve shall be 30" to 42" above exterior grade level.
- I. Floor control valves, with electrical tamper supervision and flow switches, are required on structures of two or more levels. Basements and/or parking areas are considered levels. All valves shall be no more than 6 feet high from finish floor height.
- J. The fire department connection (FDC) shall be located within 40 feet of the nearest fire hydrant. The FDC, if remote from the building, shall be provided with a ball drip valve below the freeze line. The FDC shall be located 30" to 42" above finished grade.
- K. All drains and test valves shall be piped to discharge to the exterior in a safe location. A remote inspector test valve shall be provided on wet and dry systems.

- L. All wet systems shall be provided with riser mounted water flow detection devices and dry systems shall be provided with pressure switches.
- M. All systems shall be installed as prescribed in NFPA 13, 13D, 13R, 2010 Editions.
- N. All electrical components shall be compatible with the fire alarm system voltage, including the water flow bell.
- O. The sprinkler system shall cause a water flow alarm indicating the floor or origin.
- P. All systems will require witness of underground flushing and hydrostatic tests for underground piping. Interior pipe inspection must be performed prior to cover. All inspections require a minimum of 48 hours notice prior to inspection.
- Q. All hydraulic calculated systems shall have the following information on the plans at time of submittal:
1. Water supply information including graph showing availability versus system demand;
 2. Hydraulic reference points;
 3. System design criteria;
 4. Actual calculated requirements; and
 5. Hydraulic calculation sheets.
- R. All hydraulic calculated systems shall start calculations with a minimum 7 psi at the furthest remote head. A 10% minimum safety factor is required for calculated systems.
- S. Hydraulic calculation plates shall be permanently affixed to each system riser.
- T. Valves on connections to water supplies, sectional control valves, and other valves in supply pipes to sprinklers shall be supervised only by the following methods:
1. Central station, proprietary, remote station signaling service.
 2. Valves locked in the open position, when valves are accessible to the public.
- U. Systems serving R-1 and R-2 occupancies (13-R Systems) shall have protection in bathrooms (except powder rooms and water closets), closets exceeding 24 square feet, and covered patios or decks.
- V. ~~In addition to NFPA 13D sprinkler standards, all bathrooms within one and/or two family dwellings, Fire sprinkler systems serving one and two family dwellings (13-D systems) in addition to NFPA 13-D Standards shall have protection , in all bathrooms (except powder rooms, and water closets), closets greater than 24 square feet or in which the smallest dimension is greater than 36 inches, and at least one sprinkler head in the garage (additional heads in garage may be required for extra-large or tandem garages). Townhomes protected with 13-D systems shall also have covered decks protected with a dry side wall head.~~

Section 8. Amendment of OMC 16.44.060. Olympia Municipal Code Section 16.44.060 is hereby amended to read as follows:

16.44.060 General regulation

A. Design. All fire alarm plans submitted for approval shall bear the designer's valid Washington State Low Voltage Specialty Electrical Contractor's License number or shall be stamped by a registered fire protection or electrical engineer.

B. Plans. All digital fire alarm system plans shall be submitted to the city for review and shall be approved prior to a permit being issued. Digital plans showing the location of all alarm equipment and detailed specifications on each type of device in the system shall be included and consist of the following:

1. Floor layout showing all rooms and spaces including accurate measurements.
2. Identification of each room or space, i.e., office, lobby, attic, etc.
3. Details of ceiling height and construction type.
4. Location of each system component using the appropriate symbol.
5. Explanatory notes and legend to lend clarity to the plan and identify the manufacturer and model number of each alarm component used.
6. A wiring schematic clarifying type and size of wiring, which must comply with NFPA 70, and a point to point wiring diagram.
7. A copy of the technical specifications, to include battery calculations, for each component used in the makeup of the automatic fire alarm system. If the components are not all from the same manufacturer, UL cross listing compatibility cards are required.
8. Battery and voltage drop calculations.
9. Plans shall be submitted to the City of Olympia for review and approval prior to commencement of work.
10. Submit digital plans and component specifications. Plans must show locations and type of each device in the system. Said plans shall include accurate measurements.
11. A plan check fee calculated under OMC Section 4.36.010 shall be paid to the City of Olympia at time of submittal of plans.
12. When a system is installed with automatic detection, such detection shall be provided in all rooms and areas including concealed spaces and attics. Attic spaces, above ceiling spaces, and outside storage units on apartment buildings shall have fixed temperature detection. Automatic detection shall include the attic space of NFPA 13R sprinkled structures. Exception: Buildings protected by an approved NFPA 13 fire sprinkler system, automatic detection is not required in attic space.
13. All components shall be low voltage direct current and compatible with the remainder of the system.
14. All components and wiring shall be supervised for defective devices, grounds, or breaks including annunciator, Emergency Responder Radio Coverage systems and Smoke Control systems if provided.
15. All components shall be listed by a national testing agency for the use intended.
16. All systems shall be provided with battery backup and battery charger.

17. All systems shall have a monitoring, maintenance, and testing contract, to become effective on the date of final acceptance. No final approvals will be scheduled until such contracts are received by the Olympia Fire Department.
 18. All systems shall have the fire alarm control panel ~~mounted so as to be~~ readily visible for arriving personnel or be provided with a remote annunciator. Such equipment shall be located so as to be protected from exposure to the elements.
 19. All systems which are required to be extended to an alarm receiving agency shall transmit system trouble signals of any kind as well as alarms, including but not limited to: phone line supervision, battery trouble and line supervision. They shall transmit fire condition over trouble if the trouble is of such nature that it does not disable the entire system. The alarm receiving agency shall be U.L., F.M., or NFPA listed for commercial fire.
 20. All systems shall have local audible trouble and audio/visual alarm signal devices. Audio/visual devices shall be sufficient in number and type to provide a minimum of 60 db in the most remote area. In commercial structures, audibility shall be a minimum of 15 db over the ambient noise level of the area served. When the control panel is located remote to occupied areas, it shall, in addition to the panel trouble device, be provided with a remote trouble audible device in an area which is normally occupied. This device shall be labeled "Fire Alarm System Trouble."
 21. Manual fire alarm stations shall be located within 5 feet of all required exits on each floor level and from the structure. Manual fire alarm stations in sprinklered buildings may be reduced to one in the sprinkler riser room and one in a constantly monitored location.
 22. All alarm systems installed in a sprinklered structure shall include a zone for master water flow and shall supervise all sprinkler controlling valves. When a structure is provided with a zoned sprinkler system, the alarm shall be zoned in accordance with the sprinkler coverage zones.
 23. All systems shall be inspected and tested thoroughly by the installer who shall submit a record of completion. Failure of a system to meet NFPA72 performance standards and standards found in this Chapter shall be a basis for additional inspection fees after the second final inspection.
 24. All systems final acceptance is subject to wiring inspection (by electrical inspector), supervisory tests and proper functioning of all components. No Certificate of Occupancy shall be granted for the structure until satisfactory acceptance tests are accomplished.
 25. Apartment buildings and townhomes ~~that require a monitored fire alarm system shall have a single station smoke/carbon monoxide detector and alarm in every unit and horn / strobe centrally located in accessible units every unit.~~ There shall be a low frequency sounder in every sleep room with exception of studio apartment units.
 26. Smoke detectors shall be placed in all corridors and rooms which are intervening exit pathways.
 27. A smoke detector shall be provided within six feet of fire alarm panel and other fire alarm control equipment which are in unattended locations.
- C. Alterations and/or additions to existing systems must comply with the requirements of B above.
- D. A maintenance testing agreement, signed by the building owner, shall be on record with the fire department prior to scheduling of final acceptance test.
- E. Plan Check Fee. A fee equal to 65 percent of the permit fee shall be forfeited to the city at the time of submittal of plans.

F. Permit Fee. A fee equal to Table 1A of OMC 4.36.010, Building Valuation Table, with regional modifiers.

G. Reinspection Fees. A \$175.00 reinspection fee shall be assessed when an inspector is requested to make an inspection or witness a test on a fire alarm or sprinkler system, and upon arrival finds the work is not ready for inspection, or the test fails.

The chief of the fire department or the chief of the fire department's designee may, in writing, suspend or revoke any permit issued pursuant to this section whenever the chief finds that the permit was issued on the basis of error, deception or fraud on the part of the applicant or upon discovery of a violation of any of the applicable codes or ordinances of the city including the provisions of this article, or work conducted outside of 180 days from the permitted date without an approved permit extension.

Section 9. Amendment of OMC 16.44.070. Olympia Municipal Code Section 16.44.070 is hereby amended to read as follows:

16.44.070 Standards

A. All fire alarm systems shall be installed in accordance with the ordinances of the City, and those portions of the National Fire Protection Standards which have been adopted by city ordinances.

B. All new fire alarm systems shall be addressable systems. Systems shall communicate by point to the alarm monitoring agency, and cannot be monitored by DACT lines as defined in OMC 16.44.100(O).

C. All fire alarm system wiring and components shall be electrically supervised.

D. Fire alarm systems shall have a secondary power supply which shall automatically supply the energy to the system within 30 seconds of primary power supply failure. Under maximum normal load, the secondary supply shall have sufficient capacity to operate the fire alarm system for 24 hours, and then at the end of that period, operate all alarm indicating appliances and direct aid to the location of an emergency for 5 minutes.

E. All rate-of-rise heat detectors shall have replacement links or be self-restoring for testing purposes.

F. Post Indicating Valves, Wall Indicating Valves, and Outside Stem and Yoke Valves shall be on a zone isolated from waterflow indication, and wired for supervisory and trouble alarms only.

G. The supervised relay boards that control elevator recall, HVAC, air pressurization and all other auxiliary functions shall stay "locked in," even though the audible signaling circuits have been silenced, until the panel has been reset and returned to normal.

H. Fire alarm systems required under this article, including existing required fire alarm systems, shall have a maintenance agreement in effect with a fire alarm company and/or qualified individual (Ordinance 4220). Such agreements must provide for periodic inspection and testing as prescribed by adopted local and national standards set forth in Appendix "A" of Ordinance 4415 (see Section 16.44.070A herein). Repair service shall be available within 24 hours of notification of trouble.

I. Zoning shall be required on all fire alarm systems when a building or complex consists of three or more separate buildings, floors, or fire divisions. When remote annunciation is required, it shall be installed so as to be clearly visible and identifiable to personnel responding to an alarm. An approved graphic annunciator panel of the premises to be protected, identifying zones, shall be provided at each required annunciator.

J. Devices shall include both audible and visual, or a combination as specified by the Fire Chief, or the Fire Chief's designee. Audible devices shall be placed in buildings and be so located that with all

intervening doors closed, the alarm device shall be heard at a minimum of 60 dba, or not less than 15 decibels above the ambient noise level, whichever is greater. Mechanical areas require 85 dba, or not less than 15 decibels above the ambient noise level, whichever is greater. Visual devices shall be provided in all common use areas including restrooms, conference rooms, work rooms, etc.

K. When internal fire separations are required by the Building or Fire Code, all protected openings shall be provided with magnetic hold open devices tied into the building fire alarm system and wired as fail safe. "Fail Secure" wiring is prohibited except when approved by the Fire Chief or the Fire Chief's designee.

L. All devices installed on the exterior of a building shall be listed for exterior use and shall be accompanied by appropriate weatherproof back boxes.

M. One or more weatherproof horn strobe device(s) shall be installed on the exterior of the building, in a location to be designated by the Olympia Fire Department.

N. Fire alarm control panels shall be located in a controlled heated environment. Ambient temperature shall be maintained at a range between 40 and 100 degrees F or as recommended by the manufacturer. Fire alarm control panels shall not be installed in an exterior location.

O. Waterflow detection devices used in conjunction with a fire alarm panel shall be isolated to the last zone or zones. The installation shall conform to UL Standard #864, which states that the silence switch in the alarm panel shall be bypassed on zones having waterflow detectors. The way the alarm may be silenced is by the waterflow switch(es) returning to normal position by way of water flow cessation.

P. Fire alarm control panels used in residential applications shall have zone verification capabilities for smoke detectors installed in dwelling units or guest rooms and connected to the control panel.

Q. If a voice evacuation system is required, the control panel shall include amplifiers, relays, connections and battery standby power to provide a complete system.

R. Detectors placed in false ceiling cavities shall be either analog with addressable modules or addressable, and shall have remote indicating lights in the ceiling below.

S. Automatic detection connected to the fire alarm system in the guest rooms (sleeping rooms) of hotel/motel occupancies shall annunciate at a panel located at a consistently attended location as a supervisory alarm. Such guest room smoke detectors shall be zone verification detectors. Corridor, stairway, and common area detectors are to be on separate zones from the guest room detectors.

T. Where installations have elevators, detailed fire service operational plans shall be provided to include primary and alternate floor modes.

U. Guest rooms in hotel/motel occupancies shall have a horn/strobe in each guest room.

V. Combination alarms that combine burglar or hold-up alarms with fire alarms are not allowed.

Section 10. Amendment of OMC 16.70.020. Olympia Municipal Code Section 16.70.020 is hereby amended to read as follows:

16.70.020 Definitions

A. DEFINITIONS - SPECIFIC.

"Alteration of watercourse" means any action that will change the location of the channel occupied by water within the banks of any portion of a riverine waterbody.

"Appeal" means a request for a review of the interpretation of any provision of this ordinance or a request for a variance.

"Area of shallow flooding" means a designated zone AO, AH, AR/AO or AR/AH (or VO) on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow. Also referred to as the sheet flow area.

B. DEFINITIONS - SPECIFIC

"Area of Special Flood Hazard" is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. It is shown on the FIRM as Zone V, VE, A, AO, or AE. "Special flood hazard area" is synonymous in meaning with the phrase "area of special flood hazard".

"Base Flood" means the flood having a 1% chance of being equaled or exceeded in any given year (also referred to as the "100-year flood"). Designated on Flood Insurance Rate Maps by the letter A.

"Base Flood Elevation" (BFE): means the elevation to which floodwater is anticipated to rise during the base flood.

"Basement" means any area of the building having its floor sub-grade (below ground level) on all sides.

C. DEFINITIONS - SPECIFIC

"Critical Facility" means a facility for which even a slight chance of flooding might be too great. Critical facilities include (but are not limited to) schools, nursing homes, hospitals, police, fire and emergency response installations, and installations which produce, use, or store hazardous materials or hazardous waste.

"Cumulative Substantial Damage" means flood-related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.

D. DEFINITIONS - SPECIFIC

"Development" means any human-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

E. DEFINITIONS - SPECIFIC

"Elevation Certificate" means the official form (current FEMA Form-81-31) used to track development, provide elevation information necessary to ensure compliance with community floodplain management ordinances, and determine the proper insurance premium rate.

"Elevated Building" means for insurance purposes, a non-basement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

F. DEFINITIONS - SPECIFIC

"Flood" or "Flooding" means:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. The overflow of inland or tidal waters;
 - b. The unusual and rapid accumulation of runoff of surface waters from any source; or
 - c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in paragraph (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (1)(a) of this definition.

"Flood Insurance Rate Map (FIRM)" means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study (FIS)" means the official report provided by the Federal Insurance Administration that includes flood profiles and the water surface elevation of the base flood.

"Floodplain or flood prone area" means any land area susceptible to being inundated by water from any source. See "Flood or flooding."

"Floodplain administrator" means the community official designated by title to administer and enforce the floodplain management regulations.

"Floodproofing" means any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents. Floodproofed structures are those that have the structural integrity and design to be impervious to floodwater below the Base Flood Elevation.

"Floodway" means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

"Functionally dependent use" means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

H. DEFINITIONS - SPECIFIC

"Highest adjacent grade" means the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

"Historic structure" means any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;

2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of Interior to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior, or
 - b. Directly by the Secretary of the Interior in states without approved programs.

I. DEFINITIONS - SPECIFIC

"Increased Cost of Compliance" A flood insurance claim payment up to \$30,000 directly to a property owner for the cost to comply with floodplain management regulations after a direct physical loss caused by a flood. Eligibility for an ICC claim can be through a single instance of "substantial damage" or as a result of a "cumulative substantial damage." (more information can be found in FEMA ICC Manual 301)

L. DEFINITIONS - SPECIFIC

"Lowest Floor" means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this ordinance found at OMC 16.70.050.B.1.b (i.e. provided there are adequate flood ventilation openings).

M. DEFINITIONS - SPECIFIC

"Manufactured Home" means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

"Mean Sea Level" means for purposes of the National Flood Insurance Program, the vertical datum to which Base Flood Elevations shown on a community's Flood Insurance Rate Map are referenced.

N. DEFINITIONS - SPECIFIC

"New Construction" means for the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial Flood Insurance Rate Map or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

R. DEFINITIONS - SPECIFIC

"Recreational Vehicle" means a vehicle,

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;

3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

S. DEFINITIONS - SPECIFIC

"Start of Construction" includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

"Structure" means a walled and roofed building, including a gas or liquid storage tank that is principally above ground, as well as a manufactured home.

"Substantial Damage" means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

"Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term can exclude:

1. Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places or as otherwise determined and regulated through the NFIP requirements.

V. DEFINITIONS - SPECIFIC

"Variance" means a grant of relief from the requirements of this ordinance that permits construction in a manner that would otherwise be prohibited by this ordinance.

W. DEFINITIONS - SPECIFIC

"Water Dependent" means a structure for commerce or industry that cannot exist in any other location and is dependent on the water by reason of the intrinsic nature of its operations.

Section 11. Amendment of OMC 16.70.040. Olympia Municipal Code Section 16.70.040 is hereby amended to read as follows:

16.70.040 Administration

A. Establishment of Development Permit.

1. Development Permit Required. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in OMC 16.70.030.B. The permit shall be for all structures including manufactured homes, as set forth in the "Definitions," and for all development including fill and other activities, also as set forth in the "Definitions."

2. Application for Development Permit. Application for a development permit shall be made on forms furnished by the City of Olympia and may include, but not be limited to, plans ~~in duplicate~~ in PDF-drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

- a. Elevation in relation to mean sea level NAVD88, of the lowest floor (including basement) of all structures recorded on a current elevation certificate (current FEMA Form 81-31) ~~with Section B completed by the local official;~~
- b. Elevation in relation to mean sea level to which any structure has been floodproofed;
- c. Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet floodproofing criteria in OMC 16.70.050.B.2;
- d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development;
- e. Where a structure is proposed in a V, V1-30, or VE zone, a V-zone design certificate;
- f. Where development is proposed in a floodway, an engineering analysis indicating no rise of the Base Flood Elevation; and
- g. Any other such information that may be reasonably required by the Floodplain Administrator in order to review the application.

B. Designation of the Local Administrator. Building Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

C. Duties and Responsibilities of the Local Administrator. Duties of the Building Official include, but not be limited to:

1. Permit Review

- a. Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
- b. Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.
- c. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of OMC 16.70.050.E.1 are met.

- d. Determine that the site is reasonably safe from flooding.
 - e. Notify FEMA when annexations occur in the Special Flood Hazard Area.
2. Use of Other Base Flood Data (In A Zones)
- When base flood elevation data has not been provided (in A Zones) in accordance with OMC 16.70.030.B, Basis for Establishing the Areas of Special Flood Hazard, the Building Official shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a Federal, State or other source, in order to administer OMC 16.70.050.B, Specific Standards, and OMC 16.70.050.E Floodways.
3. Information to be Obtained and Maintained
- a. Where base flood elevation data is provided through the Flood Insurance Study, FIRM, or required as in OMC 16.70.040.C.2, obtain and record the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. Recorded on a current elevation certificate (current FEMA Form 81-31) ~~with Section B completed by the local official.~~
 - b. For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in OMC 16.70.040.C.2:
 - i. Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed; and
 - ii. Maintain the floodproofing certifications required in OMC 16.70.040.C.3.b.
 - c. Maintain for public inspection all records pertaining to the provisions of this ordinance.
 - d. Documentation of the elevation of the bottom of the lowest horizontal structural member in V or VE zones.
 - e. Certification required by OMC 16.70.050(E)(1).
 - f. Records of all variance actions, including justification for their issuance.
 - g. Improvement and damage calculations.
4. Alteration of Watercourses
- a. Notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.
 - b. Require that maintenance is provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.
5. Interpretation of FIRM Boundaries. Make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (e.g. where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of Section 60.6 of the Rules and Regulations of the National Flood Insurance Program (44 CFR 59-76).
6. Conditions for Variances

- a. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot size increases the technical justification required for issuing the variance increases.
- b. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.
- c. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- d. Variances shall only be issued upon:
 - i. A showing of good and sufficient cause;
 - ii. A determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - iii. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.
- e. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.
- f. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry-floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except OMC 16.70.040.C.6.a, and otherwise complies with OMC 16.70.050.A.1, OMC 16.70.050.A.3 and OMC 16.70.050.A.4 of the General Standards.
- g. Any applicant to whom a variance is granted shall be given written notice that the permitted structure will be built with its lowest floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk.

Section 12. Amendment of OMC 16.70.050. Olympia Municipal Code Section 16.70.050 is hereby amended to read as follows:

16.70.050 Provisions for Flood Hazard Reduction

A. General Standards. In all areas of special flood hazards, the following standards are required:

1. Anchoring

- a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
- b. All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to

ground anchors. For more detailed information, refer to FEMA publication FEMA P-85, "Protecting Manufactured Homes from Floods and Other Hazards."

2. Construction Materials and Methods

- a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
- b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- c. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Locating such equipment below the base flood elevation may cause annual flood insurance premiums to be increased.

3. Utilities

- a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems.
- b. Water wells shall not be located in the floodway. Where the site is subject to flooding, the top of the casing must be at least two feet above the estimated water level of a one hundred-year frequency flood.
- c. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- d. Onsite waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. Subdivision Proposals

- a. All subdivision proposals shall be consistent with the need to minimize flood damage.
- b. All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.
- c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage.
- d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or 5 acres (whichever is less). Base flood elevation data must be included as part of the application.

5. Review of Building Permits. Where elevation data is not available either through the Flood Insurance Study, FIRM, or from another authoritative source (OMC 16.70.040.C.2), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

B. Specific Standards. In all areas of special flood hazards where base flood elevation data has been provided as set forth in OMC 16.70.030.B, Basis for Establishing the Areas of Special Flood Hazard, or OMC 16.70.040.C.2, Use of Other Base Flood Data. The following provisions are required:

1. Residential Construction

a. In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained, new construction and substantial improvement of any residential structure must have the lowest floor, including basement, elevated one foot or more above the base flood elevation (BFE). Mechanical equipment and utilities must be waterproof or elevated least one foot above the BFE.

b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

ii. The bottom of all openings shall be no higher than one foot above grade.

iii. Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

iv. A garage attached to a residential structure, constructed with the garage floor slab below the BFE, must be designed to allow for the automatic entry and exit of floodwaters.

c. Additional requirements for below-grade crawlspace construction:

The interior grade of a crawlspace below the base flood elevation (BFE) must not be more than two-feet below the lowest adjacent exterior grade (LAG).

The height of the below-grade crawlspace, measured from the interior grade of the crawlspace to the top of the crawlspace foundation wall must not exceed four-feet at any point.

The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.

This limitation will also prevent these crawlspaces from being converted into habitable spaces.

There must be adequate drainage system that removes floodwaters from the interior area of the crawlspace.

The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles, or gravel or crushed stone drainage by gravity or mechanical means.

The velocity of floodwaters at the site should not exceed five-feet per second for any crawlspace. For velocities in excess of five-feet per second, other foundations should be used.

Any building utility systems within the crawlspace must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood

conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.

Below grade crawlspace construction in accordance with the requirements listed above will not be considered basements.

d. New construction and substantial improvement of any residential structure in an AO zone must meet the requirements in OMC 17.50.050(H).

e. New construction and substantial improvement of any residential structure in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained must be reasonably safe from flooding, but in all cases the lowest floor must be at least two feet above the Highest Adjacent Grade.

f. New construction and substantial improvement of any residential structure in a V, V1-30, or VE zone must meet the requirements in OMC 17.50.050(I).

2. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure must meet the following requirements:

a. In AE and A1-30 zones or other A zoned areas where the BFE has been determined or can be reasonably obtained:

i. New construction and substantial improvement of any commercial, industrial, or other nonresidential structure must have ~~either~~ the lowest floor, including basement, elevated one foot or more above the base flood elevation. Mechanical equipment, sanitary and utilities must be waterproofed or elevated at least one foot above the BFE, or as required by ASCE 24, whichever is greater.

ii. If located in an AO zone, the structure must meet the requirements in OMC 17.50.050(H).

iii. If located in an Unnumbered A zone for which a BFE is not available and cannot be reasonably obtained, the structure must be reasonably safe from flooding, but in all cases the lowest floor must be at least two feet above the Highest Adjacent Grade.

iv. If located in a V, V1-30, or VE zone, the structure must meet the requirements in OMC 17.50.050(I).

v. Fully enclosed areas below the lowest flood that are subject to flooding must meet the requirements of 16.70.050(B)(1)(b).

b. If the requirements of subsection 1 are not met, then new construction and substantial improvement of any commercial, industrial, or other nonresidential structure must meet all of the following requirements:

i. Be dry floodproofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water or dry floodproofed to the elevation required by ASCE 24, whichever is greater;

ii. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

iii. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural

design, specifications and plans. Such certifications shall be provided to the official as set forth in OMC 16.70.040.C.3.b; and

iv. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in OMC 16.70.050.B.1.b.

3. **Manufactured Homes.** All manufactured homes in the floodplain to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

4. **Recreational Vehicles.** Recreational vehicles placed on sites are required to either:

a. Be on the site for fewer than 180 consecutive days; or

b. Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or

c. Meet the requirements of OMC 16.70.050.B.3 above and the elevation and anchoring requirements for manufactured homes.

C. **AE Zones except Coastal AE Zones, with Base Flood Elevations but No Floodways.** In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zone AE, except Coastal AE Zones, on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

D. **Coastal High Hazard Area and Coastal A Zone.** Coastal high hazard areas (V or VE Zones) and coastal A Zones are located within the areas of special flood hazard established in OMC 16.70.030.B. These areas have special flood hazards associated with high velocity waters from tidal surges and hurricane wave wash; therefore, the following provisions shall apply to building permits and related permits in Title 16:

1. **Location of Structures**

a. All buildings or structures shall be located landward of the reach of the mean high tide.

b. The placement of manufactured homes shall be prohibited, except in an existing manufactured home park or subdivision.

2. **Construction Methods**

a. **Elevation.** All new construction and substantial improvements shall be elevated on piling or columns so that:

i. The bottom of the lowest horizontal structural member of the lowest floor (excluding the piling or columns) is elevated to or above the base flood elevation plus one (1) foot or as required by ASCE/SEI 24-14, Table 4-1, whichever is more restrictive,

and,

ii. With all space below the lowest floor's supporting member open so as not to impede the flow of water, except for breakaway walls as provided for in OMC 16.70.050.D.2.d.

b. Structural Support

- i. All new construction and substantial improvements shall be securely anchored on piling or columns.
- ii. The pile or column foundation and structure attached thereto shall be anchored to resist flotation, collapse or lateral movement due to the effects of wind and water loading values each of which shall have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).
- iii. Prohibit the use of fill for structural support of buildings within Zones V1-30, VE, V, and Coastal A on the community's FIRM.

c. Certification. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in OMC 16.70.040.C.3.b.

d. Space Below the Lowest Floor

- i. Any alteration, repair, reconstruction or improvement to a structure started after the enactment of this ordinance shall not enclose the space below the lowest floor unless breakaway walls, open wood lattice-work or insect screening are used as provided for in this section.
- ii. Breakaway walls, open wood lattice-work or insect screening shall be allowed below the base flood elevation provided that they are intended to collapse under wind and water loads without causing collapse, displacement or other structural damage to the elevated portion of the building or supporting foundation system. Breakaway walls shall be designed for a safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading of 20 pounds per square foot (either by design or when so required by local or State codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:
 - (i) breakaway wall collapse shall result from a water load less than that which would occur during the base flood and,
 - (ii) the elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement or other structural damage due to the effects of wind and water load acting simultaneously on all building components (structural and non-structural). Water loading values used shall be those associated with the base flood. Wind loading values used shall be those required by applicable State or local building standards.
- iii. If breakaway walls are utilized, such enclosed space shall be used solely for parking of vehicles, building access, or storage and not for human habitation.
- iv. Prior to construction, plans for any breakaway wall must be submitted to the Building Official for approval.

E. Floodways. Located within areas of special flood hazard established in OMC 16.70.030.B are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris, and increase erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.

2. Construction or reconstruction of residential structures is prohibited within designated floodways, except for (i) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (ii) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either, (A) before the repair, or reconstruction is started, or (B) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.

3. If OMC 16.70.050.E.1 is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of OMC 16.70.050, Provisions for Flood Hazard Reduction.

F. Critical Facility. Construction of new critical facilities shall be, to the extent possible, located outside the limits of the Special Flood Hazard Area (SFHA) (100-year floodplain). Construction of new critical facilities shall be permissible within the SFHA if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three feet above BFE or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility should also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters. Access routes elevated to or above the level of the base flood elevation shall be provided to all critical facilities to the extent possible.

G. Livestock Sanctuary Areas. Elevated areas for the purpose of creating a flood sanctuary for livestock are allowed on farm units where livestock is allowed. Livestock flood sanctuaries must be sized appropriately for the expected number of livestock and be elevated sufficiently to protect livestock. Proposals for livestock flood sanctuaries must meet all procedural and substantive requirements of this chapter.

H. Standards for Shallow Flooding Areas (AO Zones). Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these zones range from 1 to 3 feet above ground where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In addition to other provisions in this code, the following additional provisions also apply in AO zones.

1. New construction and substantial improvements of residential structures and manufactured homes within AO zones must have the lowest floor (including basement and mechanical equipment) elevated above the highest adjacent grade to the structure, one foot or more above the depth number specified in feet on the community's FIRM (at least two feet above the highest adjacent grade to the structure if no depth number is specified).

2. New construction and substantial improvements of nonresidential structures within AO zones must either:

- a. Have the lowest floor (including basement) elevated above the highest adjacent grade of the building site, one foot or more above the depth number specified on the FIRM (at least two feet if no depth number is specified); or

- b. Together with attendant utility and sanitary facilities, be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used, compliance must be certified by a registered professional engineer, or architect.
3. Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.
4. Recreational vehicles placed on sites within AO zones on the community's FIRM either:
 - a. Be on the site for fewer than 180 consecutive days;
 - b. Be fully licensed and ready for highway use, on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions; or
 - c. Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes (OMC 16.70.050(A)(1)(b)).

I. Standards for Coastal High Hazard Areas (V Zones). Located within areas of special flood hazard established as Coastal High Hazard Areas, designated as zones V1-30, VE, and/or V. These areas have special flood hazards associated with high velocity waters from surges and, therefore, in addition to meeting all provisions in this ordinance, the following provisions also apply:

1. All new construction and substantial improvements in zones V1-30 and VE (V if base flood elevation data is available) on the community's FIRM must be elevated on pilings and columns so that:
 - a. Elevation:
 - i. Residential Buildings. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level;
 - ii. Nonresidential buildings. The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated one foot or more above the base flood level or meets the elevation requirements of ASCE 24, whichever is higher; and
 - iii. The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

A registered professional engineer or architect must develop or review the structural design, specifications, and plans for the construction, and must certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (1)(a)(i) and (2)(a)(ii).

2. The elevation (in relation to mean sea level) of the bottom of the lowest structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in zones V1-30, VE, and V on the community's FIRM and whether or not such structures contain a basement, must be provided to the Floodplain Administrator, who shall maintain a record of all such information.

3. All new construction within zones V1-30, VE, and V on the community's FIRM must be located landward of the reach of mean high tide.

4. All new construction and substantial improvements within zones V1-30, VE, and V on the community's FIRM must have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice-work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purposes of this section, a breakaway wall must have a design safe loading resistance of not less than 10 and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect certifies that the design proposed meets the following conditions:

a. Breakaway wall collapse must result from water load less than that which would occur during the base flood; and

b. The elevated portion of the building and supporting foundation system must not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and non-structural). Maximum wind and water loading values to be used in this determination must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval).

If breakaway walls are utilized, such enclosed space must be useable solely for parking of vehicles, building access, or storage. Such space may not be used for human habitation.

5. The use of fill for structural support of buildings within zones V1-30, VE, and V on the community's FIRM is prohibited.

6. Human-made alteration of sand dunes within zones V1-30, VE, and V on the community's FIRM which would increase potential flood damage is prohibited.

7. All manufactured homes to be placed or substantially improved within zones V1-30, V, and VE on the community's FIRM on sites:

a. Outside of a manufactured home park or subdivision;

b. In a new manufactured home park or subdivision;

c. In an expansion to an existing manufactured home park or subdivision; or

d. In an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as the result of a flood;

must meet the standards of paragraphs (1) through (6) of this section and manufactured homes placed or substantially improved on other sites in an existing manufactured home park or subdivision within zones V1-30, V, and VE on the FIRM must meet the requirements of OMC 16.70.050(B)(3).

8. Recreational vehicles placed on sites within V or VE zones on the community's FIRM must either:

a. Be on the site for fewer than 180 consecutive days;

b. Be fully licensed and ready for highway use, on its wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or

- c. Meet the requirements of subsections (1) and (3) above and the anchoring requirements for manufactured homes, OMC 16.70.050(A)(1)(b).

Section 13. Amendment of OMC 16.80.040. Olympia Municipal Code Section 16.80.040 is hereby amended to read as follows:

16.80.040 Administration

A. Establishment of Development Permit

- 1. Development Permit Required. A property owner shall obtain a development permit ~~shall be obtained~~ before construction or development begins within any sea level rise flood damage area established by this ordinance. The permit ~~shall be~~ is for all structures including manufactured structures, as set forth in the "Definitions," and for all development including fill and other activities, also as set forth in the "Definitions."
- 2. Application for Development Permit. Application for a development permit ~~shall~~ must be made on forms furnished by the City of Olympia and may include, but not be limited to, plans in ~~duplicate~~ PDF -drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities; and the location of the foregoing. Specifically, the following information is required:
 - a. Elevation in relation to mean sea level, of the lowest floor (including basement) of all structures recorded on a current elevation certificate with Section B completed by the local building official or other designated representative;
 - b. Elevation in relation to mean sea level to which any structure has been floodproofed;
 - c. Certification by a registered professional engineer or architect that the floodproofing methods for any structure meet floodproofing criteria as outlined by the City of Olympia; and

B. Designation of the Local Administrator. Building Official is hereby appointed to administer and implement this ordinance by granting or denying development permit applications in accordance with its provisions.

C. Duties and Responsibilities of the Local Administrator. Duties of the Building Official ~~shall include, but not be limited to:~~

- 1. Permit Review
 - a. Review all development permits to determine that the permit requirements of this ordinance have been satisfied.
 - b. Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local governmental agencies from which prior approval is required.
 - c. Review all development permits to determine if the proposed development is located in the sea level rise flood damage area. If located in the sea level rise flood damage area, assure that the encroachment provisions of this ordinance are met.
- 2. Information to be Obtained and Maintained
 - a. When new structures are placed, the City of Olympia shall obtain from the owner and record the actual (as-built) elevation (in relation to mean sea level) of the lowest floor (including

basement) of all new or substantially improved structures, and whether or not the structure contains a basement. Recorded on a current elevation certificate.

b. Maintain for public inspection all records pertaining to the provisions of this ordinance.

Section 14. Corrections. The City Clerk and codifiers of this Ordinance are authorized to make necessary corrections to this Ordinance, including the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 15. Severability. If any provision of this Ordinance or its application to any person or circumstance is held invalid, the remainder of the Ordinance or application of the provisions to other persons or circumstances is unaffected.

Section 16. Ratification. Any act consistent with the authority and prior to the effective date of this Ordinance is hereby ratified and affirmed.

Section 17. Effective Date. This Ordinance is hereby adopted on first and final reading and takes effect March 15, 2024 at 12:01 a.m.

MAYOR

ATTEST:

CITY CLERK

APPROVED AS TO FORM:

Michael M. Young

DEPUTY CITY ATTORNEY

PASSED:

APPROVED:

PUBLISHED: