

Exhibit XX

Chapter 15.04 BUILDING CODE

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15.04.010 Title.

The ordinance codified in this chapter shall be known as the “building code of the city of Langley, Washington,” may be cited as such, and will be referred to in this chapter as “this code.”

15.04.015 Administration of building code.

The mayor shall appoint a building official and such other personnel as are necessary to perform the duties required of the building department by this chapter and the codes of technical regulations adopted in this chapter by reference. The building official and said other personnel shall be part of the community development department under the direction and management of the director of community planning

15.04.020 Purpose.

The purpose of this code is to establish and enforce minimum standards of construction, alteration and abatement of buildings and other structures which pose a risk of failure or generally unsafe conditions to the occupants or general public including mechanical, fire and plumbing provisions, within the limits of this municipality. The provisions of this code apply to any structure or part of any structure.

The city does not intend, by this adoption, to alter or amend the minimum standards set forth in the codes, or to do anything beyond what is necessary to comply with the law and make these codes enforceable in the city. The city expressly disclaims any liability for the content or effect of any regulation which the state legislature has mandated that the city adopt and enforce within its limits.

15.04.030 Structure defined.

“Structure” means a combination of materials constructed and erected permanently on the ground or attached to something having a permanent location on the ground, not including utility poles and related pad-mounted or ground-mounted distribution equipment, residential fences less than six feet

high, retaining walls, rockeries and other similar improvements of a minor character less than four feet high.

15.04.040 Adoption of national codes and standards

The City adopts the Washington State Building Code as follows:

A. The *International Building Code* (2015 Edition), published by the International Code Council, as now or hereafter amended by the Washington State Building Code Council in WAC 51-51, to be known hereafter as the "International Building Code" or the "IBC," together with:

Appendix E, Supplemental Accessibility Requirements; and

Appendix J, Grading.

B. The *International Residential Code* (2015 Edition), published by the International Code Council, as now or hereafter amended by the Washington State Building Code Council in WAC 51-51, to be known hereafter as the "International Residential Code" or the "IRC," together with:

Appendix E, Manufactured Housing Used As Dwellings;

Appendix R, Light Straw-Clay Construction;

Appendix S, Strawbale Construction.

C. The *International Mechanical Code* (2015 Edition), published by the International Code Council, as now or hereafter amended by the Washington State Building Code Council in WAC 51-52. This shall be known hereafter as the "International Mechanical Code" or the "IMC."

D. The *International Fuel-Gas Code* (2015 Edition), published by the International Code Council.

E. The *International Fire Code* (2015 Edition), published by the International Code Council, as now or hereafter amended by the Washington State Building Code Council in WAC 51-54A, which shall be known hereafter as the "International Fire Code" or the "IFC," and those standards of the National Fire Protection Association specifically referenced in the International Fire Code: Provided that notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles, together with:

Appendix B, Fire-Flow Requirements for Buildings;

Appendix C, Fire-Hydrant Locations and Distribution;

Appendix D, Fire Apparatus Access Roads.

F. The *Uniform Plumbing Code* (2015 Edition), published by the International Association of Plumbing and Mechanical Officials, as now or hereafter amended by the Washington State Building Code Council in WAC 51-56, which shall be known hereafter as the "Uniform Plumbing Code" or the "UPC," together with:

Appendix A, Recommended Rules for Sizing the Water Supply System;

Appendix B, Explanatory Notes on Combination Waste and Vent Systems;

Appendix I, Installation Standards;

Excluding: Chapters 12 and 15; and those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel-fired appliances as found in Chapter 5; and those portions of the code addressing building sewers.

G. The *Washington State Energy Conservation Codes – Commercial and Residential*, (2015 Edition) as now or hereafter amended and published by the Washington State Building Code Council, WAC Chapters 51-11C and 51-11R, which shall be known hereafter as the “WSEC.”

H. The *Washington State Manufactured Homes Installation Requirements, or Mobile Homes Installation Requirements*. Pursuant to RCW 19.27 and RCW 43.22.440, the installation standards of WAC 296-150M together with the reference standards listed therein, are adopted as amended by the State of Washington.

I. The *Washington State Factory Built Housing and Commercial Structures Installation Requirements, or Modular Installation Requirements*. Pursuant to RCW 19.27 and RCW 43.22.455, the installation standards of WAC 296-150F together with the reference standards listed therein, are adopted as amended by the State of Washington.

J. The rules adopted by the Washington State Building Code Council establishing standards for making buildings and facilities accessible to and usable by individuals with disabilities or elderly persons as provided in RCW 70.92.100 through 70.92.160.

15.04.041 Table 301.2 (1) – Climactic and Geographic Design Criteria

Ground snow load*	20 lbs./ft ²
Wind speed (mph)	85 mph.
Seismic design category	D2
Weathering	Moderate
Frost line depth	18 inches
Termites	Slight to moderate
Decay	Slight to moderate
Winter design temperature	27 degrees F
Ice shield underlay	No
Flood hazard	2017 FRIM
Air freeze index	171
Mean annual temperature	49.7 degrees

*Minimum roof snow load to be 20 lbs./ft² in the city of Langley.

15.04.050 Conflicts and interpretation of codes.

A. In case of conflict among the codes enumerated in Section 15.04.010(A) through (J) of this Chapter, the first named code shall govern over those following, except as specifically described in RCW 19.27.031.

B. Wherever the adopted codes reference the International Plumbing Code, it shall mean the Uniform Plumbing Code as adopted by the State of Washington.

Wherever the adopted codes reference the International Electrical Code, ICC Electrical Code, or the Electrical Code, it shall mean the National Electrical Code (NFPA 70) as adopted by the State of Washington in accordance with RCW 19.28 and WAC 296-46B.

Wherever the adopted codes reference the International Energy Conservation Code, it shall mean the Washington State Energy Code as adopted by the State of Washington.

15.04.055 Compliance with Other Regulations as Prerequisite for Building Permits

No building permit shall be issued if the construction authorized by the permit will violate any existing applicable law or City ordinance.

15.04.060 Permits.

A. Expiration of Permits. All permits shall expire by limitation and be declared void if (1) work is not started within 180 days of obtaining a permit, or (2) work is abandoned for 180 days or more after beginning work, or (3) after two years from the date of permit issuance, regardless of whether the work is finished. If a permit is expired for time, a new permit may be obtained for one-half the permit fee for the value of the remainder of the work to finish the original permit.

B. Fees. A permit shall not be issued under the Building Code or any of the Codes identified in Section 15.04.010 until the fees established by the City have been paid, nor shall an amendment to a permit be released until the additional fee, if any, is paid.

The building permit fees shall be adopted by the City of Langley Council under a separate fee resolution and are incorporated into this code by reference.

Building permit fees not established by the fee resolution shall be determined by the building official or their designate and based on the total valuation of the proposed project. The higher of the building permit fee shall be charged. The basis for building valuation shall be Building Valuation Table contained in the fee resolution incorporated into this code by this reference. Hereafter, this Building Valuation Table may be amended or otherwise changed by the building official to reflect current construction costs.

C. Plan Review Fees. When submittals of documents are required, a plan review fee shall be paid at time of submittal. Said plan review fee shall be 65 percent of the building permit's cost. The plan review fees specified in this section are separate fees and are in addition to the permit fees. Plan review fees for multiple projects of identical, mirrored or reversed plans which are submitted at the same time shall be calculated as follows: 100 percent of the full fee for the first, 80 percent of the full fee for the second and 60 percent of the full fee for the third and subsequent plans.

D. Expiration of Plan Review. Applications for which no permit is issued within 180 days following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed by the building official. The building official may extend the time for action by the applicant for a period not exceeding 180 days on written requests from the applicant showing that circumstances beyond the control of the applicant have prevented action from being taken. No application may be extended more than once. In order to renew action on an application, the applicant shall resubmit required plans and pay a new plan review fee.

E. Investigation Fees: Work without a Permit.

1. Investigation. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

2. Investigation Fee. An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the fee schedule. This fee is an additional, punitive fee and shall not apply to any grading or building permit fee that may subsequently be issued. Payment of the investigative fee does not vest the illegal work with any legitimacy, nor does it establish any right to a permit for continued development of that project. If the work done remains illegal for 90 days after service of the stop work order, it shall be considered hazardous.

3. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

F. Fee Refunds. The building official may authorize the refunding of:

1. One hundred percent of any fee erroneously paid or collected.

2. Up to 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code.

3. Up to 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

15.04.070 Suspension or revocation

The building official is authorized to suspend or revoke a permit issued under the provisions of this chapter wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any provisions of this chapter.

15.04.080 Appeals.

All references to the term "board of appeals" shall deem to mean the hearing examiner as per LMC Ch. 18.37. Appeals of decisions of applicable codes adopted under this chapter shall be to the hearing examiner.

