

ORDINANCE No. _____

AN ORDINANCE of the Board of Commissioners of Grays Harbor County, Washington, amending Chapters 12.02, 12.16, 13.04 and 15.04 of the Grays Harbor County Code.

WHEREAS, the Grays Harbor Board of County Commissioners finds that the provisions of this Ordinance are in the best interest of and protect the health, safety and welfare of the citizens of the county;

WHEREAS, the text amendments proposed are mostly housekeeping in nature, and to be consistent with the International Building and Fire Codes;

WHEREAS, staff has completed their review of the proposed amendments;

WHEREAS, the Grays Harbor County Building Codes Advisory Council held a public hearing on April 18, 2024, and has recommended approval of the proposed text amendments;

WHEREAS, the County Engineer has recommended minor changes to the County Road Standards;

WHEREAS, the Grays Harbor Board of County Commissioners held a public hearing on May 21, 2024; and,

WHEREAS, the Grays Harbor Board of County Commissioners concur with the proposed code amendments.

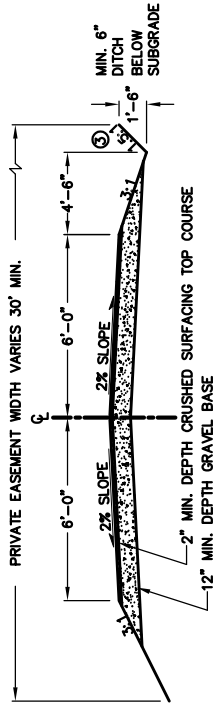
NOW, THEREFORE, THE BOARD OF COMMISSIONERS OF GRAYS HARBOR COUNTY, STATE OF WASHINGTON, DOES ORDAIN AS FOLLOWS:

Section 1. Section 12.02.040 of the Grays Harbor County Code is hereby amended by replacing the existing tables and figures in Appendix I, with the respective tables and figures appearing on the following three pages:

GRAYS HARBOR COUNTY MINIMUM ROAD STANDARDS

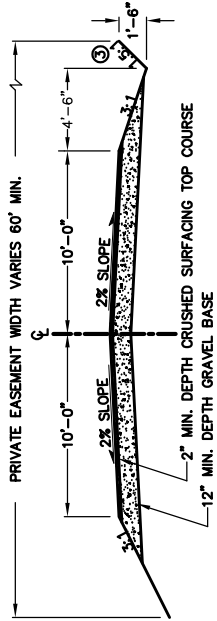
FOR SUBDIVISIONS & NEW DEVELOPMENT – MOBILE HOME, RV PARKS, & BINDING SITE PLANS

PRIVATE ROADS

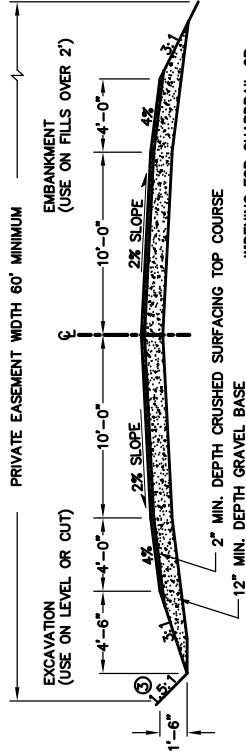


PRIVATE ROADWAY SECTION A

TO BE USED FOR ONE LOT



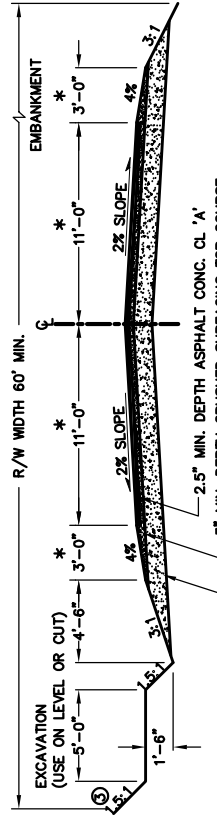
PRIVATE ROADWAY SECTION B



PRIVATE ROADWAY SECTION C

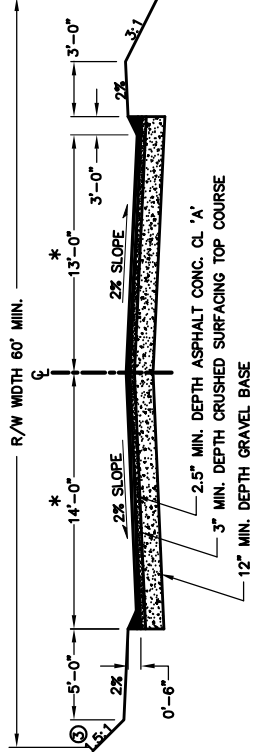
WIDENING FOR GUARDRAIL OR SHOULDER PROTECTION WHERE SPECIFIED (SEE DETAIL A)

PUBLIC ROADS & PRIVATE ROADS SERVING OVER 100 PARCELS



PUBLIC ROADWAY SECTION D

ADDITIONAL WIDTH MAY BE REQUIRED FOR HAZARD PROTECTION DEVICES (SEE DETAIL A)



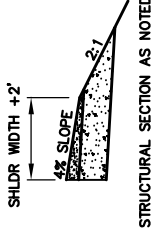
THICKENED EDGE SECTION E

(ALTERNATE FOR GRADES OVER 4% WITH ADT OF LESS THAN 2000)

* SEE CHART FOR MINIMUM PAVEMENT & ROADWAY WIDTHS FOR DESIGN CAPACITY REQUIRED.

PUBLIC ROAD SUBDIVISION STANDARDS		FOR PUBLIC SUBDIVISION ROADS OR PRIVATE ROADS SERVING OVER 100 PARCELS	
ADT	CURRENT	UNDER 400	400-2000
DHV	15 YRS HENCE	UNDER 400	400-2000
MINIMUM RADIUS (FT)	LEVEL ROLLING MOUNTAINOUS	465 250 250	760 465 250
MIN. STOPPING SIGHT DISTANCE (FT)	LEVEL ROLLING MOUNTAINOUS	305 200 200	425 305 200
DESIGN SPEED (MPH)	LEVEL ROLLING MOUNTAINOUS	40 30 30	50 40 30
NEW BRIDGES	WIDTH (CURB-CURB FT) DESIGN LOAD (AASHTO) VERTICAL CLEARANCE (FT)	28 HS-20 16.5	34 HS-20 16.5
MIN. PAVEMENT WIDTH (FT)		22	22
ROADWAY WIDTH (FT)		28	34
NUMBER OF LANES		2	2
RIGHT-OF-WAY WIDTH (FT)		60	60
			ADEQUATE

- MAXIMUM SUPERELEVATION RATE SHALL BE 8%.
- ALL BRIDGES TO MEET STATE AND AASHTO STANDARDS.
- FOR GUARDRAIL INSTALLATION, WIDTH OF SHOULDER TO BE ADDITIONAL TWO FEET. GEOMETRIC DESIGN STANDARDS FOR OVER 400 DHV SHALL BE DETERMINED FROM THE RESULTS OF AN ENGINEERING STUDY BASED ON AASHTO OR OTHER ACCEPTABLE STANDARDS.
- DESIGN LIFE - BRIDGES AND CULVERTS 50 YEARS, PAVEMENT 20 YEARS.
- MAXIMUM GRADE SHALL BE 12%.



DETAIL A

SHOULDER WIDENING FOR GUARDRAIL OR SHOULDER PROTECTION FOR SECTION B & C AS REQUIRED.
GUARDRAIL SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE STANDARDS.

NOTES

ALL MATERIALS AND WORKMANSHIP SHALL BE IN ACCORDANCE WITH STATE OF WASHINGTON, DEPT. OF TRANSPORTATION STANDARD SPECIFICATIONS FOR ROAD, BRIDGE, AND MUNICIPAL CONSTRUCTION, CURRENT EDITION.

NO CONSTRUCTION SHALL COMMENCE PRIOR TO APPROVAL OF PLANS AND PROFILE SHEETS BY THE COUNTY ENGINEER. ALL WORK SHALL BE UNDER THE SUPERVISION OF THE COUNTY ENGINEER.

PARKING - THESE SECTIONS DO NOT PROVIDE FOR PARKING. IF PROPOSED, ADEQUATE ADDITIONAL WIDTH SHALL BE REQUIRED.

ROAD NAMES - ALL ROAD NAMES MUST BE APPROVED BY GRAYS HARBOR COUNTY.

SIGNING - ALL SIGNING SHALL BE IN ACCORDANCE WITH THE MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES.

CUL-DE-SACS - WHEN REQUIRED, TURNAROUNDS SHALL BE PLACED AT THE END OF EACH ROAD WITH A 50 FOOT MINIMUM RADIUS RIGHT-OF-WAY & 35' RADIUS SURFACE PROVIDED.

DRAINAGE - NO SURFACE RUNOFF SHALL BE DIVERTED ONTO THE ROADWAY RIGHT-OF-WAYS. A SEPARATE EASEMENT WILL BE PROVIDED. CULVERTS CROSSING ROADWAYS SHALL BE A MINIMUM OF 18" IN DIAMETER, AND 12" MINIMUM DEPTH OF COVER.

ALL DRAINAGE SHALL BE IN ACCORDANCE WITH AN APPROVED DRAINAGE PLAN.

OBSTRUCTIONS - OTHER THAN WARNING AND PROTECTION, ALL DEVICES SHALL BE PLACED A MINIMUM OF 10 FEET FROM THE ROAD SHOULDER.

ENGINEERING AND PLANS - ALL PLANS REQUIRING PUBLIC ROAD STANDARDS, AND OTHERS DESIGNATED BY THE COUNTY, SHALL BE PREPARED BY A LICENSED CIVIL ENGINEER IN THE STATE OF WASHINGTON. REVIEW AND APPROVAL REQUIRED BY COUNTY ROAD ENGINEER.

INDUSTRIAL OR COMMERCIAL USE SUBDIVISIONS REQUIRE PUBLIC ROAD STANDARDS. ALL NEW ROADS WITHIN PUBLIC RIGHTS-OF-WAY SHALL BE CONSTRUCTED TO THE PUBLIC ROAD STANDARD.

GRAVEL BASE THICKNESS MAY BE REDUCED AT THE REQUEST OF THE DEVELOPER'S ENGINEER. SUCH REQUESTS MUST BE ACCOMPANIED BY AN ENGINEERING REPORT AND ANALYSIS, DEMONSTRATING THE STRUCTURAL ADEQUACY OF THE PROPOSED ROAD SECTION. CONSTRUCTION OF SUCH A MODIFIED SECTION MAY NOT BEGIN UNTIL THE COUNTY ENGINEER HAS REVIEWED THE SUPPORTING ANALYSIS AND ISSUED A WRITTEN NOTICE.

INTERSECTIONS SHALL BE BUILT IN ACCORDANCE WITH THE APPROPRIATE CITY, COUNTY, OR STATE STANDARDS. CONNECTIONS TO PUBLIC ROADS REQUIRE ADDITIONAL SEPARATE PERMITS.

ADOPTED THIS _____ DAY OF _____, 2006
GRAYS HARBOR COUNTY RESOLUTION #ORD. _____

PRIVATE ROAD STANDARDS						
FOR RESIDENTIAL USE ONLY						
PARCELS SERVED	MIN. EASEMENT WIDTH	ROADWAY SECTION	MAX. GRADE	MIN. SIGHT DISTANCE	MIN. DESIGN SPEED	CURVATURE MINIMUM (RADIUS)
1	30'	A	14%	125'	20 MPH	100'
2-9	60'	B	14%	125'	20 MPH	100'
10-20	60'	C	12%	150'	25 MPH	150'
21-50	60'	C	12%	150'	25 MPH	200'
ABOVE DEPENDING ON TRAFFIC PROJECTIONS - SEE PUBLIC ROAD STANDARDS.						
DESIGN LIFE 20 YEARS						

① CUL-DE-SAC OR TURNAROUND REQUIRED ON ALL DEAD END ROADS 500' OR LONGER WITH NO INTERVENING INTERSECTIONS. THE TURNAROUND SHALL HAVE A MINIMUM TURNING RADIUS OF THIRTY-FIVE (35) FEET AND A "T" INTERSECTION WITH A MINIMUM SEVENTY-FIVE (75) FOOT ROAD SECTION PERPENDICULAR TO THE MAIN ROAD.

② CUL-DE-SAC, MINIMUM DRIVING SURFACE RADIUS SHALL BE 35'. MINIMUM EASEMENT RADIUS SHALL BE 50'.

③ CUT SLOPES STEEPER THAN 1.5:1 REQUIRE AN ENGINEERING REPORT AND ANALYSIS.

④ GRADES OVER 12% SHALL HAVE PAVED SURFACE.

⑤ TOTAL PARCELS OR RESIDENCES SERVED (PLAT PLUS ADJACENT PARCELS).

NO	DATE BY APPR	REVISIONS

DEPARTMENT OF PUBLIC SERVICES
DIVISION OF ENGINEERING & CONSTRUCTION

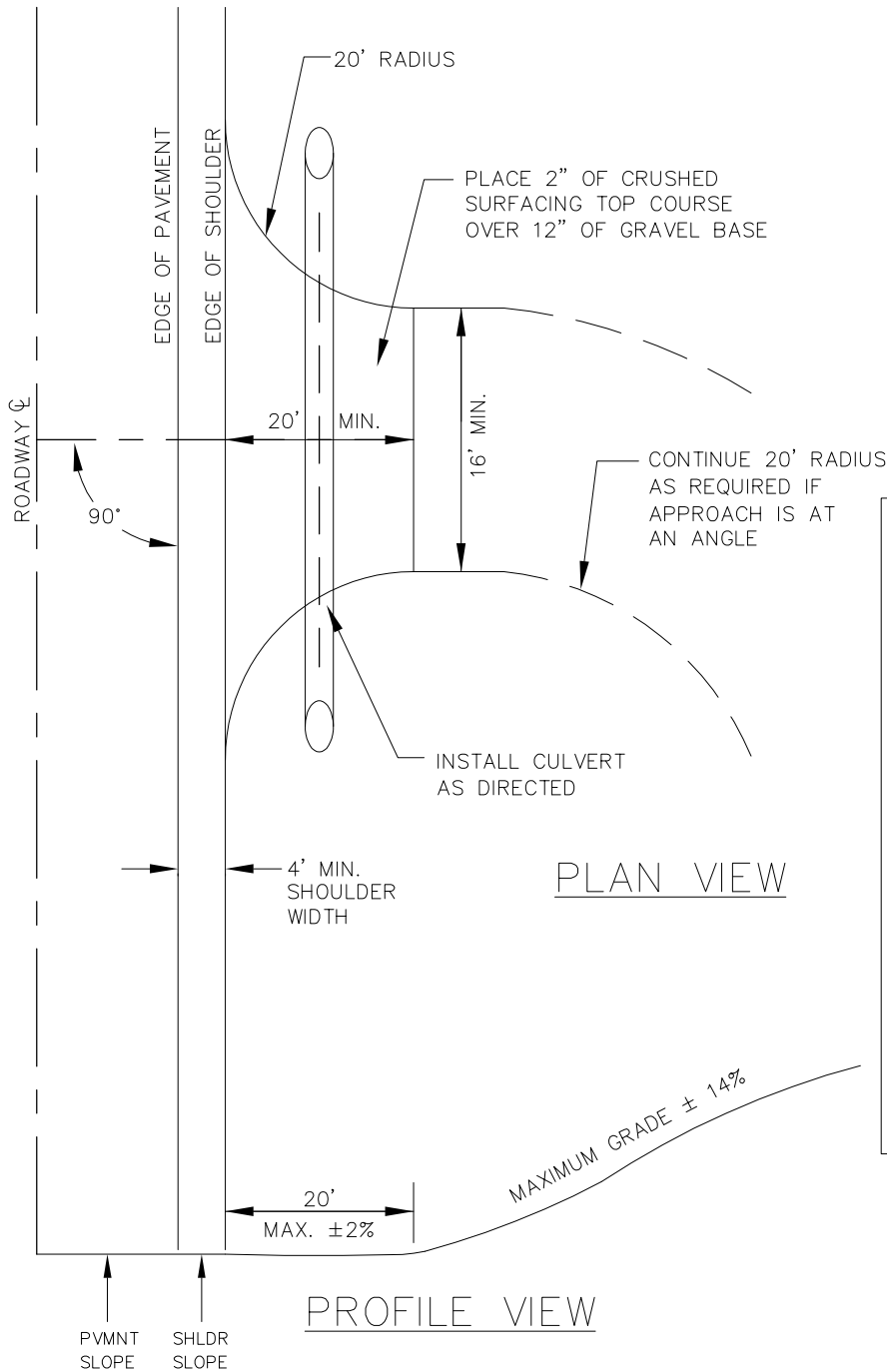
GRAYS HARBOR COUNTY
MONTESANO, WASHINGTON

DATE: RDE
DESIGNED BY: LKG
CHECKED BY: FJB
APPROVED: _____
DIRECTOR OF PUBLIC SERVICES
DATE: _____
CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

PROJ. NO.:
ACAD CREF # RDSTND1
SCALE: AS SHOWN
SHEET: 1 OF 1

MINIMUM ROAD STANDARDS

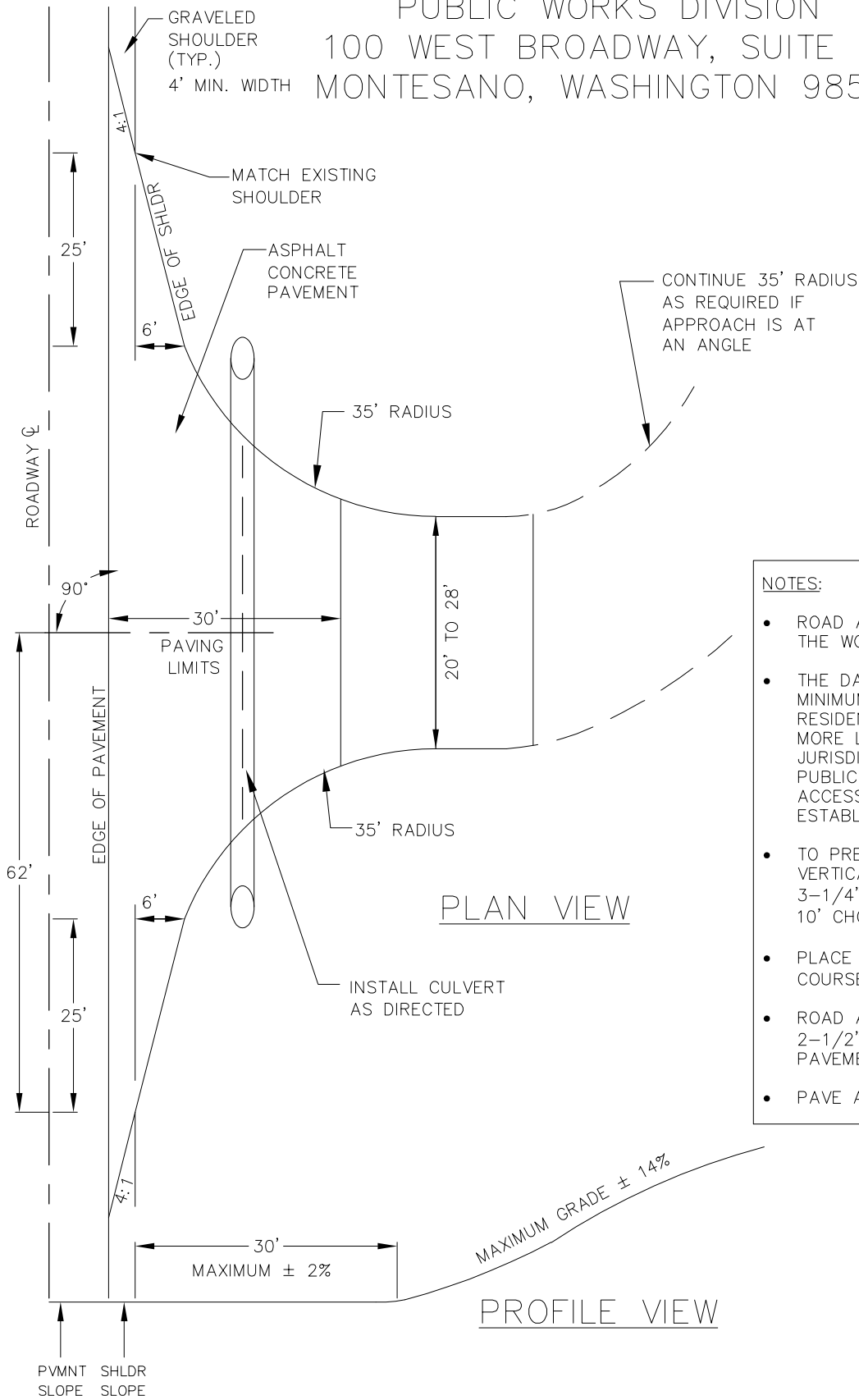
GRAYS HARBOR COUNTY
 PUBLIC WORKS DIVISION
 100 WEST BROADWAY, SUITE 31
 MONTESANO, WASHINGTON 98563



- NOTES:
- ROAD ACCESS PERMIT AUTHORIZES ONLY THE WORK SHOWN ON THIS DRAWING
 - THE DATA SHOWN HEREON INDICATES MINIMUM REQUIREMENTS FOR SINGLE RESIDENTIAL APPROACH ON ROADS UNDER THE JURISDICTION OF GRAYS HARBOR COUNTY, PUBLIC WORKS DIVISION, WHERE SUCH ACCESS IS PERMITTED CONSISTENT WITH ESTABLISHED REGULATIONS.
 - TO PREVENT CENTER AND OVERHANG DRAG, VERTICAL CURVES ARE NOT TO EXCEED A 3-1/4" HUMP OR A 2" DEPRESSION IN A 10' CHORD.
 - PLACE 2" OF CRUSHED SURFACING TOP COURSE OVER 12" OF GRAVEL BASE.
 - 12' MINIMUM WIDTH ALLOWED BEYOND 20' RADIUS APPROACH.
 - PAVE ALL GRADES THAT EXCEED 12%

SINGLE RESIDENTIAL ACCESS
STANDARD ROAD APPROACH

GRAYS HARBOR COUNTY
 PUBLIC WORKS DIVISION
 100 WEST BROADWAY, SUITE 31
 MONTESANO, WASHINGTON 98563



NOTES:

- ROAD ACCESS PERMIT AUTHORIZES ONLY THE WORK SHOWN ON THIS DRAWING.
- THE DATA SHOWN HEREON INDICATES MINIMUM REQUIREMENTS FOR COMMERCIAL OR RESIDENTIAL APPROACHES OF TWO OR MORE LOTS ON ROADS UNDER THE JURISDICTION OF GRAYS HARBOR COUNTY, PUBLIC WORKS DIVISION, WHERE SUCH ACCESS IS PERMITTED CONSISTENT WITH ESTABLISHED REGULATIONS.
- TO PREVENT CENTER AND OVERHANG DRAG, VERTICAL CURVES ARE NOT TO EXCEED A 3-1/4" HUMP OR A 2" DEPRESSION IN A 10' CHORD.
- PLACE 2" OF CRUSHED SURFACING TOP COURSE OVER 12" OF GRAVEL BASE.
- ROAD APPROACH SHALL BE PAVED WITH 2-1/2" MINIMUM DEPTH ASPHALT CONCRETE PAVEMENT
- PAVE ALL GRADES THAT EXCEED 12%

COMMERCIAL OR TWO PLUS RESIDENTIAL ACCESS
 STANDARD ROAD APPROACH

Section 2. Section 12.02.060 of the Grays Harbor County Code is hereby amended to read as follows:

12.02.060. Road identification.

- A. The road name shall be the official county road name on file with the public works division. At each road origin and each major intersection, there shall be a road identification sign which shall be size, color and location as specified by public works division standards. The county has sole responsibility for county road name signage.
- B. Private road signage shall be defined and governed as follows:
 - 1. As used in this chapter, private roads mean all non-public roads that are capable of vehicular travel and serve as access to four or more dwelling units or parcels.
 - 2. All private roads which serve four or more dwellings or parcels as described above shall have a road name approved by the county. Upon designation of a road name, the property owners whose property the private road serves and has created the condition necessary for the private road signage shall erect and maintain a road name sign. Initial posting of a private road name sign shall be completed not later than thirty days following approval and notification of the road name by the county.
 - 3. Within the county, but excluding municipalities, federal land and Indian reservations, all privately-owned roads shall be named and shall have the suffix designation "LANE."

(Ord. No. 468, § 4, 2-22-2022)

Section 3. Section 12.16.010 of the Grays Harbor County Code is hereby amended to read as follows:

12.16.010. County addressing system.

Current official county road names shall be used for road identification. There shall be a building identification number reserved approximately every 33 feet along all roads, with numbering to begin at zero at each road origin, as defined by Grays Harbor County, and even numbers assigned along the right and odd numbers assigned along the left. Whenever feasible, as determined by the county, the building identification system in place within the corporate boundary of a city shall be extended into the unincorporated area by a distance of at least one-half mile. This chapter also recognizes in-place addressing systems in rural areas such as Central Park and Grayland.

(Ord. 147 § 1, 1991)

(Ord. No. 468, § 12, 2-22-2022)

Section 4. Section 12.16.030 of the Grays Harbor County Code is hereby amended to read as follows:

12.16.030. Building identification.

For the purposes of this chapter, a building shall be defined as a structure that serves as a dwelling, multiple dwellings, commercial or industrial operations, warehouses and the like. In the case of multiple buildings on a single parcel ownership that is addressed, each separate building may be required to be further identified by a building number as described in Section 12.16.040, all as determined by the Grays Harbor County building official.

Each building within Grays Harbor County shall have a numerical designation. In heavily populated areas adjacent to municipalities, the system of numerical designation shall be a continuation of that municipality's numbering system, as stipulated in Section 12.16.010.

In sparsely populated areas or areas not close to municipalities, the building numerical designation shall be as follows:

Each building along the right hand side of a road (facing away from the origin of that road) shall be assigned a number that is the nearest even number approximately 33 feet from that road's origin. Each building along the left hand side of a road shall be assigned a number that is the nearest odd decameter from that road's origin.

The owner of each building shall conspicuously display on that building its numerical designation. The numerals shall be four inches or more in height and of a contrasting color to their background. If a building is not clearly visible from the road used to access the property, the numerical designation shall be clearly displayed near the main entrance from the road. The numerical designation shall be legible from vehicles approaching from either direction along the access road and shall be in conformance with address display standards as established by the county.

(Ord. 147 § 3, 1991)

(Ord. No. 468, § 14, 2-22-2022)

Section 5. Section 12.16.070 of the Grays Harbor County Code is hereby amended to read as follows:

12.16.070. Enforcement.

The Grays Harbor County building official or his or her designee shall be responsible for enforcement of this chapter. Upon issuance of a building permit or on request by a property owner, the building official or his or her designee shall be responsible for assigning a county address in accordance with this chapter. Addresses shall only be assigned for properties that have legal access to a road that is in compliance with the minimum road standards pursuant to Chapter 12.02 or its successor.

Should the building official or his or her designee become aware that a building number or private road name has become missing, illegible or incorrect, he or she shall notify the property owner or owners in writing and require that the correction be made in accordance with this chapter, said correction to be made within thirty days of such notice.

Any person, firm or corporation that violates any portion of this chapter shall be subject to an administrative penalty consisting of a fine in the amount of two hundred fifty dollars per day. The fine may be appealed by the property owner(s) to the board of county commissioners, provided that such appeal be in writing and filed with the clerk of the board within thirty days of receipt of the notice by the owner(s).

(Ord. 147 § 7, 1991)

(Ord. No. 468, § 18, 2-22-2022)

Section 6. Section 13.04.010 of the Grays Harbor County Code is hereby amended to read as follows:

13.04.010. Scope.

Water mains and fire hydrants shall be provided in accordance with this chapter for the protection of buildings, or portions of buildings, hereafter constructed. The procedure for determining fire flow requirements for buildings or portions of buildings hereafter constructed shall be in accordance with this chapter. This chapter does not apply to non-building structures.

(Ord. 320 § 1 (part), 2004)

Section 7. Section 13.04.020 of the Grays Harbor County Code is hereby amended to read as follows:

13.04.020. Definitions.

Unless otherwise provided in this section, the definitions in the International Fire Code, as adopted by the State Building Code Act, and in the rules and regulations of the State Health Department regarding public water systems shall apply to this chapter.

"Approved" or "approval" means that the requirement, condition, system, modification or standard is subject to the director's approval or authorization.

"Building Code" means the International Building Code, as adopted by Chapter 15.04 of this code.

"Chief of police" or "police department," where used in the International Fire Code, means the Grays Harbor County sheriff or sheriff's department.

"Chief" or "chief of the fire department," where used in the International Fire Code, means the Grays Harbor County planning and building division director except as related to fire suppression, and in such case the chief will be the chief of the fire authority responsible for the suppression of fire in that area.

"Contiguous subdivision" means those subdivisions that are within three hundred (300) feet of another residential, commercial or industrial structure, or other subdivision.

"Department of fire code prevention" means the planning and building division.

"Director" means the Grays Harbor County planning and building division director or their designated representative.

"Fire area" means the aggregate floor area enclosed and bounded by fire walls, fire barriers, exterior walls, or fire-resistant-rated horizontal assemblies of a building.

"Fire code official" means the planning and building division director or his or her designated representative.

"Fire district" or "chief of fire district" means the fire authority normally responsible for fire suppression in a specified area.

"Fire flow" is the flow rate of a water supply, measured at a residual pressure of twenty (20) pounds per square inch for a specified duration, that is available for firefighting purposes.

"Fire flow calculation area" means the floor area, in square feet, used in the determination of fire flow.

"Supervised" when applied to a fire protection system, means that the system is under constant monitoring by an approved central station.

"Water main" means piping used to deliver water to any fire hydrant or to one or more individual service connections.

(Ord. 344 § 1, 2006; Ord. 320 § 1 (part), 2004)

Section 8. Section 13.04.030 of the Grays Harbor County Code is hereby amended to read as follows:

13.04.030. Application.

- A. Subdivisions are required to be provided with water mains, fire hydrants, and fire flow consistent with Grays Harbor County and State Department of Health requirements for water system design. Plans for such water mains and hydrants shall be submitted to and approved by the director, and shall be a condition of final plat or short plat approval.
- B. All structures or additions erected pursuant to a building permit or mobile home permit shall be served by operational water mains, fire hydrants, and fire flows consistent with county standards. Prior to issuance of a building or mobile home permit, plans for such water mains and hydrants shall be submitted to the director. Construction or installation shall not be commenced until such plans for water mains and hydrants are approved by the director.

- C. Mobile home parks and recreational vehicle parks shall be required to provide water mains, fire hydrants, and fire flow consistent with Grays Harbor County and State Department of Health standards for water system design. Prior to issuance of a mobile home park or recreational vehicle park permit, plans for such water mains and hydrants shall be submitted to the director. Construction or installation shall not be commenced until such plans for water mains and fire hydrants are approved by the director, and shall be a condition of the final site plan.
- D. Uses not involving a structure shall be regulated at the discretion of the director, and plans for such water mains, fire hydrants, and fire flows, if any are required, shall be submitted to the director. Construction or installation of uses shall not be commenced until such plans are approved by the director.
- E. All new water mains and all additions and extensions to existing water mains shall meet the requirements of this chapter.
- F. All changes in occupancy, as defined in the International Building Code, shall meet the requirements of this chapter when it has been found by the director that the degree of hazard is increased.

(Ord. 344 § 2, 2006; Ord. 320 § 1 (part), 2004)

Section 9. Section 13.04.040 of the Grays Harbor County Code is hereby amended to read as follows:

13.04.040. Exemptions.

- A. The following permits or approvals are exempt from the fire hydrant, water main, and fire flow requirements of this chapter:
 - 1. All subdivisions consisting of lots that are each one acre or larger in size;
 - 2. All long subdivisions that contain ten lots or less when not contiguous with another subdivision and within the boundaries of a fire district, if the district can provide a tender or tanker of water in the amount of two hundred fifty gallons per minute for a duration of one-half hour, provided further that subdivisions with five or more lots within one thousand feet of an approved water system shall be required to connect to that system;
 - 3. Short subdivisions not contiguous to other long or short subdivisions;
 - 4. All existing subdivisions previously approved by the board of commissioners and recorded without the requirement to provide water mains and fire hydrants as a condition of subdivision approval;
 - 5. Lot located in a residential zone district that is one acre or larger in size, including parks, open space, or agricultural land;
 - 6. All:
 - (a) One- and two-family dwellings and mobile homes, including attached garages and covered porches, not greater than 5,000 square feet in fire area;
 - (b) Detached garages;
 - (c) Accessory buildings, any of which are less than five thousand square feet in fire area.
 - 7. Agricultural buildings that are:
 - (a) Less than twelve thousand square feet in fire area; or
 - (b) Open on all four sides.
 - 8. Buildings containing an area less than one thousand square feet.
- B. All subdivisions, whether long or short, are as defined in Title 16 of this code, as amended.

- C. The director is authorized to impose conditions, including but not limited to, increased setbacks, use of fire retardant materials and/or drafting ponds on permits, where necessary to mitigate identified fire hazards.

(Ord. 344 § 3, 2006; Ord. 320 § 1 (part), 2004)

(Ord. No. 474, § 1, 6-28-2022)

Section 10. Section 13.04.060 of the Grays Harbor County Code is hereby amended to read as follows:

13.04.060. Fire hydrant requirements.

A. General Requirements.

1. Fire hydrants shall conform to standards prescribed by the American Water Works Association, and otherwise meet sound engineering practices as presented by a licensed engineer.
 2. Fire hydrants shall have an auxiliary gate valve sufficient to permit repair or replacement, without disruption of water services.
 3. Fire hydrants shall have (a) a minimum five-inch main valve opening, (b) two two and one-half-inch outlets and a four and one-half-inch steamer port with a five-inch or four-inch pumper port connection as per local fire district requirement, (c) a one-quarter turn quick connect Storz adapter, and (d) all such outlets and ports shall have National Standard Threads.
 4. Fire hydrants shall stand plumb and be set to finished grade. The center of the lowest outlet shall be no less than eighteen (18) inches, and no more than twenty-eight (28) inches, above grade. There shall be not less than a thirty-six (36) inch radius of clear area surrounding the outlets and control valve, to permit the operation of a hydrant wrench. The steamer or pumper port shall face the street or, if there is no street, the most likely route of emergency approach.
 5. Fire hydrants shall have breakaway features, which allow the fire hydrant to break away from the water main without substantial damage to the water main.
 6. Fire hydrants shall be painted as follows:
 - a. Barrel: any bright, highly visible color;
 - b. Tops and outlets:
 - i. Blue: one thousand five hundred (1,500) gallons per minute or more,
 - ii. Green: one thousand (1,000) gallons per minute to one thousand four hundred ninety-nine (1,499) gallons per minute,
 - iii. Orange: five hundred (500) gallons per minute to nine hundred ninety-nine (999) gallons per minute,
 - iv. Red: four hundred ninety-nine (499) gallons per minute or less.
 7. Flush-type fire hydrants are not allowed, except with written approval of the director.
 8. No material or item shall be placed or stored in proximity to a fire hydrant that would hinder the immediate observation of or access to the hydrant.
 9. Fire hydrants shall be located at street intersections whenever practical.
- B. Parking Prohibited Near Fire Hydrants. No person shall park any vehicle within fifteen (15) feet of a fire hydrant.

- C. Physical Protection. Where fire hydrants are subject to impact by motor vehicles, guard posts or other means of protection shall be installed as provided by the International Fire Code.
 - D. Location of Fire Hydrants Serving One- and Two-Family Dwellings. Fire hydrants serving one- and two-family dwellings on individual lots shall be located not more than seven hundred (700) feet apart; provided, however, that no lot is more than three hundred fifty (350) feet from a hydrant.
 - E. Location of Fire Hydrants Serving Uses Other than One- and Two-Family Dwellings. Fire hydrants serving any use other than one- and two-family dwellings on individual lots shall be located not more than three hundred (300) feet apart; provided that no structure or use is more than one hundred fifty (150) feet from a hydrant.
 - F. Location and Number of Fire Hydrants. The director, based on the International Fire Code and National Fire Protection Association standards, may specify the number and location of fire hydrants where more than one is required for a premise.
- (Ord. 344 § 4, 2006: Ord. 320 § 1 (part), 2004)

Section 11. Section 13.04.070 of the Grays Harbor County Code is hereby amended to read as follows:

13.04.070. Fire flow requirements.

- A. General Requirements. Compliance with this section shall be considered compliance with the fire flow requirements of the adopted version of the International Fire Code, as amended.
 - 1. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities, buildings or portions of buildings are hereafter constructed within or moved into the county.
 - 2. On-site fire hydrants and mains capable of supplying the required fire flow shall be provided, when required by the director, when a building is in excess of one hundred fifty (150) feet from a water supply on a public street, with such distance measured from any portion of the structure's first floor exterior wall.
- B. Minimum Fire Flow. The following contains the minimum fire flow requirements for individual structures:
 - 1. The minimum fire flow requirement for one- and two-family dwellings greater than five thousand (5,000) square feet in fire area shall be in accordance with Table A of this chapter.

Exception: The one- and two-family dwelling may be granted a full fire flow requirement credit by installing a National Fire Protection Association 13-D sprinkler system.
 - 2. The minimum fire flow requirement for buildings, other than a one- and two-family dwelling, shall be in accordance with Table A of this chapter. Fire flow requirements for structures other than buildings shall be as determined by the director.

Table A
Modified Fire Flow Guide for Buildings

Construction Type					Fire Flow
I-A and I-B*	II-A and III-A*	IV and V-A*	II-B and III-B*	V-B*	Duration (GPM)
Area of Structure					30 min.
5,500	3,700	2,600	2,100	1,600	500
7,800	5,000	3,500	2,700	2,000	750
1,100	6,800	4,700	3,500	2,400	1,000
15,900	9,300	6,200	4,500	2,900	1,250
22,750	12,700	8,200	5,900	3,600	1,500
Area of Structure					1 hr.
30,200	17,000	10,900	7,900	4,800	1,750
38,700	21,800	12,900	9,800	6,200	2,000
48,300	24,200	17,400	12,600	7,700	2,250
59,000	33,200	21,300	15,400	9,400	2,500
70,900	39,700	25,500	18,400	11,300	2,750
83,700	47,100	31,100	21,800	13,400	3,000
97,700	54,900	35,200	25,900	15,600	3,250
Area of Structure					2 hr.
112,700	63,400	40,600	29,300	18,000	3,500
128,700	72,400	46,400	33,500	20,600	3,750
145,900	82,100	52,500	37,900	23,300	4,000
164,200	92,400	59,100	42,700	26,300	4,250
183,400	103,100	66,000	47,700	29,300	4,500
203,700	114,600	73,300	53,000	32,600	4,700
225,200	126,700	81,100	58,600	36,000	5,000
247,700	139,400	89,200	65,400	39,600	5,250
271,200	152,600	97,700	70,600	43,400	5,500
295,900	166,500	106,500	77,000	47,400	5,750
Area of Structure					4 hr.
Unlimited	Unlimited	115,800	83,700	51,500	6,000
Unlimited	Unlimited	125,500	90,600	55,700	6,200
Unlimited	Unlimited	135,500	97,900	60,200	6,500
Unlimited	Unlimited	145,800	106,800	64,800	6,750
Unlimited	Unlimited	156,700	113,200	69,600	7,000
Unlimited	Unlimited	167,900	121,300	74,600	7,250
Unlimited	Unlimited	179,400	129,600	79,800	7,500
Unlimited	Unlimited	191,400	138,300	85,100	7,750
Unlimited	Unlimited	Unlimited	Unlimited	Unlimited	8,000

The value obtained from Table A may be reduced by up to twenty-five (25) percent for occupancies having a low fire hazard or may be increased by up to twenty-five (25) percent for occupancies having a high fire hazard.

* Measured in square-footage of Fire Area

C. Modification of Fire Flow Requirement.

1. General Requirements.
 - a. Fire flow requirements may be decreased by the director for isolated buildings or a group of buildings in rural areas or small communities where the development of full fire flow requirements is impractical. The director may base a fire flow decrease upon one of the following: type of occupancy, type of construction, location on property, floor area, height and number of stories, drafting ponds, clear yards as defined by the International Building Code, fire walls, and the fire fighting capabilities of the local fire district.
 - b. Fire flow may be increased by the director where conditions indicate an unusual susceptibility to group fires or conflagrations. An increase shall not be more than twice that required for the building under consideration. The director may base increased modification to fire flow on the following: type of occupancy, type of construction, location on property, floor area, height and number of stories, clear yards as defined by the International Building Code, fire walls, and the fire fighting capabilities of the local fire district.
2. Modification Allowed for Automatic Sprinkler System.
 - a. Up to a fifty (50) percent reduction in fire flow may be granted dependent on the type of construction and the hazards of the contents, for an approved automatic sprinkler system designed and approved by a state licensed fire protection engineer.
 - b. Up to a seventy-five (75) percent reduction in fire flow may be granted, dependent on the type of construction and the hazards of the contents for a fully-supervised, approved automatic sprinkler system reviewed and approved by the Washington Survey and Rating Bureau.
3. Modification Allowed for Fire Alarm.
 - a. The director may grant a reduction in fire flow for an Underwriters Laboratory (UL) listed fire alarm system, as approved by the National Fire Protection Association that is monitored by an approved central receiving station.
 - b. A National Fire Protection Association-approved fire alarm system may be granted up to five hundred (500) gallons per minute for one hour credit in fire flow.
 - c. A modified approved fire alarm system may be granted up to three hundred (300) gallons per minute for thirty (30) minutes credit in fire flow.
4. Modification Allowed for Fire District with a Water Tanker or Water Tender. The director may grant a modification to the fire flow requirements if the building or structure is located within a fire district that owns and operates a water tanker tender truck.
5. Modification Allowed for Fire Wells. The director may allow for a modification to fire flow requirements if a pressured or non-pressured fire well is installed. Such fire flow credits may be as follows:

- a. Pressured fire well: up to five hundred (500) gallons per minute for one hour fire flow credit;
 - b. Non-pressured fire well located within a fire district: up to five hundred (500) gallons per minute for one hour fire flow credit.
- D. Limits to Modifications. In no event shall the fire flow be less than that required by WAC 246-293 as amended, and as follows:
- 1. Residential. Lot sizes less than one acre, including mobile home parks and recreational vehicle parks, one- and two-family dwellings five thousand (5,000) square feet or more in fire area: five hundred (500) gallons per minute for thirty (30) minutes.
 - 2. Commercial and Multi-family residential: Seven hundred fifty (750) gallons per minute for sixty (60) minutes.
 - 3. Industrial. One thousand (1,000) gallons per minute for sixty (60) minutes.
- (Ord. 344 § 5, 2006; Ord. 320 § 1 (part), 2004)

Section 12. Section 13.04.080 of the Grays Harbor County Code is hereby amended to read as follows:

13.04.080. Alternate methods of compliance.

- A. The director shall have the authority to issue a written administrative variance from the standards established pursuant to this chapter when documentation is provided that results in a finding that:
 - 1. Strict compliance would require unreasonable water main, fire hydrant locations, or fire flow requirements; and
 - 2. Alternate requirements would not unreasonably affect adequate fire protection to the area or structures served.
- B. The director is authorized to issue a written administrative variance, except as provided in subsection D of this section, for connections to one- and two-family dwellings served by an existing water system that provides a minimum fire flow of at least five hundred (500) gallons per minute when documentation is provided that results in a finding that:
 - 1. The administrative variance would not unreasonably affect fire protection; and
 - 2. The purveyor's approved water system plan includes a method for increasing the fire flow to current standards.
- C. Notice of the administrative variance decision shall be given in at least one publication in a newspaper of general circulation in the county not more than ten (10) working days from the date of the final decision.
- D. The director shall not issue an administrative variance that results in a violation of Washington Administrative Code 246-293 as amended, without prior written approval of the State Department of Health.

(Ord. 344 § 6, 2006; Ord. 320 § 1 (part), 2004)

Section 13. Section 13.04.090 of the Grays Harbor County Code is hereby amended to read as follows:

13.04.090. Enforcement.

The director shall enforce provisions of this chapter and any rules and regulations promulgated thereunder as provided by enforcement and penalty provisions of the International Fire Code. The director may impose a civil penalty of not more than one thousand dollars (\$1,000.00) per day for violation of this chapter. Any person violating any

requirements of this chapter shall be guilty of a misdemeanor and upon conviction thereof be fined not more than one thousand dollars (\$1,000.00) per day or imprisoned for not more than ninety (90) days, or both.

(Ord. 344 § 7, 2006; Ord. 320 § 1 (part), 2004)

Section 14. Section 15.04.020 of the Grays Harbor County Code is hereby amended to read as follows:

15.04.020. International Building Code amended.

The following sections of the International Building Code adopted in Section 15.04.010 of this chapter are amended as follows:

A. Section 101.4 is amended to read as follows:

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.6 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. References to the International Property Maintenance Code, the International Private Sewage Disposal Code, and the International Electrical Code shall not apply.

B. Sections 101.4.3 Plumbing and 101.4.4 Property Maintenance are not adopted.

C. Section 101.4.6 Energy is amended to read as follows:

101.4.6 Energy. The provisions of the Washington State Energy Code WAC 51-11 shall apply to all matters governing the design and construction of buildings for energy efficiency.

D. Section 102.6 is amended to read as follows:

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public. Legal occupancy shall mean a structure or use for which a certificate of occupancy has been issued by the County.

E. Section 103.3 is amended to read as follows:

103.3 Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plans examiners and other employees. Such employees shall have powers as delegated by the building official.

F. Section 104.8 is amended to read as follows:

104.8 Liability. The building official, member of the building codes advisory council or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed

by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

G. Section 104.10 is amended to read as follows:

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided that the building official shall first find that the special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the planning and building division.

The request for modification shall be submitted in writing to the building official and shall contain the following information:

- (a) The applicable code section.
- (b) A detailed description of the prescriptive path required by the applicable code section.
- (c) The purpose of the prescriptive path.
- (d) A description of the modification request, including detailed documentation that includes the following:
 - (1) The practical difficulty involved in implementing the specific provision of the code.
 - (2) The specific reason that makes the application of the code impractical. Impractical is defined as a code requirement that is incapable of being accomplished without extreme hardship. Extreme hardship may include expense, but this specific form of hardship shall be supported by documentation supporting the assertion.
 - (3) That the modification is in compliance with the intent and purpose of the code. Documentation in support of the request shall be provided from nationally recognized standards referenced in IBC Chapter 35 and IFC Chapter 47.
 - (4) That the modification does not lessen health, accessibility, life and fire safety, or structural code requirements.

This section is not intended to encourage setting aside or ignoring a specific code provision; rather, it is intended to provide for the acceptance of equivalent protection. Such modifications shall not extend to actions that are necessary to correct violation of the code. A code violation, or the expense of correcting a code violation, shall not constitute a practical difficulty.

H. Section 104.11 is amended to read as follows:

104.11 Alternative materials, design and methods of construction. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed in this code, provided that any such alternative has been approved by the building official. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent and 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.

The request for the use of alternative materials, design, and methods of construction and equipment shall be submitted in writing to the building official and shall contain the following information:

- (a) The applicable code section.
- (b) A detailed description of the prescriptive path required by the applicable code section.
- (c) The purpose of the prescriptive path.
- (d) A description of the alternative material, design, and/or method of construction and equipment request, including detailed documentation that includes the following:
 - (1) Demonstrates that the alternative request addresses the safety of the building occupants.
 - (2) Demonstrates that the alternative offers equivalent performance as required by the code.
 - (3) A report in support of the request containing evidence of equivalency. This report shall be consistent with the direction provided in IBC section 104.11.1.
 - (4) The alternative provides an equivalent level of protection for the public health, safety and welfare as required by this code.

This section is not intended to encourage setting aside or ignoring a specific code provision; rather, it is intended to provide a basis for the approval of an increasing number of newly-developed innovative materials, systems and methods for which no code text or referenced standards yet exist while providing for the acceptance of an equivalent level of public health, safety and welfare as required by this code.

Such alternative materials, design and methods of construction shall not extend to actions necessary to correct violations of the code. A code violation, or the expense of correcting a code violation, shall not constitute a finding in support of a request for alternative materials, design and methods of construction.

I. Section 105.1 is amended to read as follows:

105.1 Required. Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

J. Section 105.1.1 Annual permit is amended to read as follows:

105.1.1 Annual permit. In lieu of an individual permit for each alteration to an already approved gas, mechanical or plumbing installation, the building official is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified trade persons in the building, structure or on the premises owned or operated by the applicant for the permit.

K. Section 105.2 is amended to read as follows:

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Permits shall not be required for the following:

Building:

- (1) One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed two hundred square feet, and provided the structure complies with the building setback requirements set forth in Title 17 of this code governing zoning and Title 18 of this code governing critical area protection.
- (2) Fences not over seven feet high.
- (3) Oil derricks.
- (4) Retaining walls that are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
- (5) Water tanks supported directly on grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter or width does not exceed 2:1.
- (6) Sidewalks and driveways not more than thirty inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
- (7) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.
- (8) Temporary motion picture, television and theater stage sets and scenery.

- (9) Prefabricated swimming pools accessory to a Group R-3 occupancy that are less than twenty-four inches deep, do not exceed five thousand gallons and are installed entirely above ground.
- (10) Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.
- (11) Swings and other playground equipment accessory to detached one- and two-family dwellings.
- (12) Window awnings in Group R-3 and U occupancies, supported by an exterior wall that do not project more than fifty-four inches from the exterior wall and do not require additional support.
- (13) Non-fixed and movable fixtures, cases, racks, counters and partitions not over five feet, nine inches in height.
- (14) Cargo containers, except any use of the container for purposes other than private storage. The placement of the container shall comply with the building setback requirements set forth in Title 17 of this code governing zoning and the critical protection area requirements set forth in Title 18 of this code.
- (15) Freestanding signs less than seven feet in height as measured from existing grade, provided that the structure complies with the building setback and use requirements set forth in Title 17 of this code governing zoning. Freestanding signs greater than seven feet in height and all other signs not exempt pursuant to Title 17 shall require the issuance of a building permit and shall conform to the provisions of Section H105 in Appendix H of the IBC.
- (16) Fill and grade activities associated with forest practices and agriculture.
- (17) Agricultural buildings designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products; provided, however, that:
 - a. It complies with the building setback requirements set forth in Title 17 of this code governing zoning, Chapter 18.06 of this code governing critical areas protection, and Chapter 8.16 of this code governing on-site sewage system;
 - b. It shall not be a place of human habitation, but may be used for occasional or seasonal processing, treating or packaging of agricultural or forest products;
 - c. It shall not be a place used by the public;
 - d. It is located in the A-1, A-2, G-1 or G-5 zone district;
 - e. It is no greater than one-story in height and no larger than 5,500 square feet in area; and
 - f. The owner of the property submits to the Planning and Building Division, a notarized affidavit document certifying a. through e. above.

Gas:

- (1) Portable heating appliance.
- (2) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

- (1) Portable heating appliance.
- (2) Portable ventilation equipment.
- (3) Portable cooling unit.
- (4) Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.
- (5) Replacement of any part that does not alter its approval or make it unsafe.
- (6) Portable evaporative cooler.
- (7) Self-contained refrigeration system containing ten pounds or less of refrigerant and actuated by motors of one horsepower or less.

Plumbing:

- (1) The stopping of leaks in drains, water, soil, waste or vent pipe, provided, however, that if any concealed: trap, drain pipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
- (2) The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

L. Section 107.1 General is amended to read as follows:

107.1 General. Submittal documents consisting of construction documents, statement of special inspections, geotechnical report and other data shall be submitted in two sets with each permit application. The construction documents shall be prepared by a registered design professional where required by the statutes of the jurisdiction in which the project is to be constructed. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

A Washington State-licensed architect shall prepare construction drawings where required by Revised Code of Washington 18.08.410.

M. Section 108.1 General is amended to read as follows:

108.1 General. The building official is not authorized to issue a permit or an extension of the permit expiration date for temporary structures and temporary uses, except as provided below in the listed exceptions. Such permits shall be limited as to time of service.

Exceptions.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure public health, safety and general welfare.

- (1) The building official may authorize unheated tents and yurts under five hundred square-feet accommodating an R-1 occupancy for recreational use as a temporary structure and allow for them to be used indefinitely. The construction and use of unheated tents and yurts under five hundred square-feet in size shall only be allowed in a licensed park, as defined in section 8.20.030 of this code, and as permitted by Titles 16 and 17 of this code.
- (2) The building official may authorize the installation and use of a Washington State-certified black label commercial coach for a period of time not to exceed one hundred eighty days, provided that a performance bond for the sum of two thousand dollars is provided to the County to cover the cost of removing the unit from the site by the County.

N. Section 108.3 Temporary power is amended to read as follows:

108.3 Temporary power. The building official is authorized to give permission to temporarily supply and use power in part of an electric installation before such installation has been fully completed and the final certificate of completion has been issued. The part covered by the temporary certificate shall comply with the requirements specified for temporary lighting, heat or power in National Fire Protection Association (NFPA) 70.

O. Section 109.1 Payment of fees is amended to read as follows:

109.1 Payment of fees. A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

P. Section 109.4 is amended to read as follows:

109.4 Work commencing before permit issuance. Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee that shall be in addition to the required permit fees.

The investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. 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.

Q. Section 109.6 is amended to read as follows:

109.6 Refunds. The building official may authorize refunding not more than eighty percent of the permit fee paid provided no work has been performed under a permit issued in accordance with this code. The applicant shall submit a written request for refund within one hundred eighty days from the date of permit issuance.

The building official may authorize refunding of not more than eighty percent of the plan review fee paid, provided that the application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review is conducted. The applicant shall provide a request for refund in writing within one hundred eighty days from the date of application payment.

R. Section 110.3.7 is amended to read as follows:

110.3.7 Energy efficiency inspections. Inspections shall be made to determine compliance with the Washington State Energy Code and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

S. Section 113 is amended to read as follows:

SECTION 113

APPEALS TO BUILDING CODES ADVISORY COUNCIL

113 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, the Building Codes Advisory Council shall serve as a board of appeals. The council shall adopt rules of procedure for conducting its business.

An appeal of any administrative decision of this code shall be processed as set forth in the provisions of Chapter 2.14 and Chapter 15.16 of this code.

T. Section 114.1 is amended to read as follows:

114.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code: or cause same to be done, in conflict with or in violation of any of the provisions of this code.

No building permit(s) shall be issued for work upon property until all outstanding violations of record attached to the subject property have been resolved, or when otherwise approved by the building official or his or her designee. For purposes of this section, a violation becomes "of record" when a property owner has been notified in writing of the presence of a violation upon a property.

(Ord. 367 § 3, 2007; Ord. 344 § 10, 2006; Ord. 330 (part), 2005; Ord. 320 § 2 (part), 2004; Ord. 243 § 11.01.020, 1998)

(Ord. No. 396, § 2, 11-15-2010; Ord. No. 405, § 2, 6-24-2013; Ord. No. 417, § 1, 4-13-2015)

Section 15. Section 15.04.030 of the Grays Harbor County Code is hereby amended to read as follows:

15.04.030. International Residential Code amended.

The following sections of the International Residential Code adopted in section 15.04.010 of this chapter are amended as follows:

A. Section R102.7 is amended to state as follows:

R102.7 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code or the International Fire Code, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public. Legal occupancy shall mean a structure or use for which a final inspection has been completed by the County.

B. Section R103.1 is amended to state as follows:

R103.1 Creation of enforcement agency. The planning and building division is hereby designated the enforcement agency for this code and the official in charge thereof shall be known as the building official.

C. Section R104.8 is amended to state as follows:

R104.8 Liability. The building official, member of the building codes advisory council or employee charged with the enforcement of this code, while acting for the jurisdiction in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

D. Section R104.10 is amended to state as follows:

R104.10 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that the special individual reason makes the strict letter of this code impractical and the modification does not lessen health, life and fire safety, or structural requirements. The details of action granting modifications shall be entered in the files of the planning and building division.

The request for modification shall be submitted in writing to the building official and shall contain the following information:

- (a) The applicable code section.
- (b) A detailed description of the prescriptive path required by the applicable code section.
- (c) The purpose of the prescriptive path.
- (d) A description of the modification request, including detailed documentation that includes the following:

- (1) The practical difficulty involved in implementing the specific provision of the code.
- (2) The specific reason that makes the application of the code impractical. Impractical is defined as a code requirement that is incapable of being accomplished without extreme hardship. Extreme hardship may include expense, but this specific form of hardship shall be supported by documentation supporting the assertion.
- (3) That the modification is in compliance with the intent and purpose of the code. Documentation in support of the request shall be provided from nationally recognized standards referenced in IBC Chapter 35 and IFC Chapter 47.
- (4) That the modification does not lessen health, accessibility, life and fire safety, or structural code requirements.

This section is not intended to encourage setting aside or ignoring a specific code provision; rather, it is intended to provide for the acceptance of equivalent protection. Such modifications shall not extend to actions that are necessary to correct violation of the code. A code violation, or the expense of correcting a code violation, shall not constitute a practical difficulty.

R104.10.1 Areas prone to flooding. The building official shall not grant modifications to any provision related to areas prone to flooding as established by Table R301.2(1) without the granting of a variance to such provisions by the board of adjustment pursuant to the provisions of chapter 18.06 of this code.

E. Section R104.11 is amended to state as follows:

R104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed in this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent and 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. Compliance with the specific performance-based provisions of the adopted Code in lieu of specific requirements of this code shall also be permitted as an alternative.

The request for the use of alternative materials, design, and methods of construction and equipment shall be submitted in writing to the building official and shall contain the following information:

- (a) The applicable code section.
- (b) A detailed description of the prescriptive path required by the applicable code section.
- (c) The purpose of the prescriptive path.
- (d) A description of the alternative material, design, and/or method of construction and equipment request, including detailed documentation that includes the following:

- (1) Demonstrates that the alternative request addresses the safety of the building occupants.
- (2) Demonstrates that the alternative offers equivalent performance as required by the code.
- (3) A report in support of the request containing evidence of equivalency. This report shall be consistent with the direction provided in IBC section 104.11.1.
- (4) The alternative provides an equivalent level of protection for the public health, safety and welfare as required by this code.
 - (a) This section is not intended to encourage setting aside or ignoring a specific code provision; rather, it is intended to provide a basis for the approval of an increasing number of newly-developed innovative materials, systems and methods for which no code text or referenced standards yet exist while providing for the acceptance of an equivalent level of public health, safety and welfare as required by this code.
 - (b) Such alternative materials, design and methods of construction shall not extend to actions necessary to correct violations of the code. A code violation, or the expense of correcting a code violation, shall not constitute a finding in support of a request for alternative materials, design and methods of construction.

F. Section R105.2 is amended to state as follows:

R105.2 Work exempt from permit. Permits shall not be required for the following: Exemption from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

- (1) One-story detached accessory structures, provided:
 - a. It complies with the building setback requirements set forth in Title 17 of this code governing zoning, Chapter 18.06 of this code governing critical areas protection, and Chapter 8.16 of this code governing on-site sewage system;
 - b. It shall not be a place of human habitation;
 - c. It shall not be a place used by the public; and,
 - d. The floor area does not exceed 800 square feet.
- (2) Fences not over seven feet high.
- (3) Retaining walls that are not over four feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
- (4) Water tanks supported directly upon grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter or width does not exceed 2 to 1.
- (5) Sidewalks and driveways.
- (6) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work.

- (7) Prefabricated swimming pools that are less than twenty-four inches in depth.
- (8) Swings and other playground equipment.
- (9) Window awnings supported by an exterior wall which do not project more than fifty-four inches from the exterior wall and do not require additional support.
- (10) Decks that are not more than thirty inches above grade at any point, are not attached to a dwelling, and do not serve the exit door required by Section R311.4.
- (11) Roof covering replacement (re-roofing), not including the repair or replacement of the roof sheathing or other structural components.
- (12) Siding replacement, not including the repair or replacement of structural components.
- (13) Window replacement, provided that the replacement does not include structural modifications, and further provided that the replacement windows shall comply with the requirements of the Washington State Energy Code for thermal efficiency, IRC Section R310 for emergency escape and rescue openings and with IRC Section R308.4 for hazardous locations.
- (14) Cargo containers for storage only. The placement of the container shall comply with the building setback requirements set forth in Title 17 of this code governing zoning and Chapter 18.06 of this code governing critical areas protection.

Electrical:

Repairs and maintenance: A permit shall not be required for minor repair work, including the replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles.

Gas:

- (1) Portable heating, cooking or clothes drying appliances.
- (2) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (3) Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

- (1) Portable heating appliances.
- (2) Portable ventilation appliances.
- (3) Portable cooling units.
- (4) Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

- (5) Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
- (6) Portable evaporative coolers.
- (7) Self-contained refrigeration systems containing ten pounds or less of refrigerant or that are actuated by motors of one horsepower or less.
- (8) Portable-fuel-cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

G. Section R105.3.1.1 is amended to state as follows:

R105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. The building official shall render any determination of substantially improved or substantially damaged existing buildings in flood hazard areas as provided in chapter 18.06 of this code.

H. Section R107, Temporary structures and uses, is deleted.

I. Section R108.5 is amended to state as follows:

R108.5 Refunds. The building official may authorize refunding not more than eighty percent of the permit fee paid, provided that no work has been performed under a permit issued in accordance with this code. The applicant shall provide a request for refund in writing within one hundred eighty days from the date of permit issuance.

The building official may authorize refunding of not more than eighty percent of the plan review fee paid, provided that the application for a permit for which a plan review fee has been paid is withdrawn or cancelled before any plan review is conducted. The applicant shall provide a request for refund in writing within one hundred eighty days from the date of application payment.

J. Section R108.6 is amended to state as follows:

R108.6 Work commencing before permit issuance. Any person who commences work requiring a permit on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to an investigation fee that shall be in addition to the required permit fees.

The investigation fee, in addition to the permit fee, shall be collected whether or not a permit is subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. 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.

K. Section R110.1 is amended to state as follows:

R110.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the building official has completed a final inspection as provided herein. The completion of the final inspection shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. A final inspection presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

Exception: Final inspections are not required for work exempt from permits under Section R105.2.

L. Section R112 is amended to state as follows:

R112.1 General. The County Building Codes Advisory Council shall decide appeals of orders, decisions, or determinations of the building official and code text amendments as set forth in IBC section 113 and chapter 2.14 of this code.

R112.2 Limitations on 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 equally good or better form of construction is proposed. The council shall have no authority to waive requirements of this code.

R112.2.1 Determination of substantial improvement in areas prone to flooding. The building official shall render any determination of substantial improvement in areas prone to flooding as provided in chapter 18.06 of the county code.

R112.3 Qualifications. The building codes advisory council shall consist of members who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction.

R112.4 Administration. The building official shall take immediate action in accordance with the decision of the council.

M. Section R113.1 is amended to state as follows:

R113.1 Unlawful acts. It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

No building permit(s) shall be issued upon property until all outstanding violations of record attached to the subject property have been resolved, or when otherwise approved by the building official or his or her designee. For purposes of this section, a violation becomes "of record" when a property owner has been notified in writing of the presence of a violation upon the property.

(Ord. 367 § 4, 2007)

(Ord. No. 396, § 3, 11-15-2010; Ord. No. 405, § 3, 6-24-2013; Ord. No. 409, § 1, 2-3-2014)

Section 16. Corrections. The codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Section 17. Ratification. Any act consistent with the authority and prior to the effective date of this ordinance is hereby ratified and affirmed.

Section 18. Severability. The provisions of this ordinance are declared separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this ordinance or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of the ordinance, or the validity of its application to other persons or circumstances.

Section 19. Effective Date. This ordinance shall become effective immediately after passage and approval as provided by law.

ADOPTED this _____ day of _____, 2024.

BOARD OF COUNTY COMMISSIONERS
GRAYS HARBOR COUNTY, WASHINGTON

Kevin Pine, Chair, District 2

Jill Warne, Commissioner, District 1

Vickie Raines, Commissioner, District 3

ATTEST:

Clerk of the Board

APPROVED AS TO FORM:

Deputy Prosecuting Attorney