

ORDINANCE NO. 41

AN ORDINANCE OF THE COUNTY OF WALLA WALLA REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, MAINTENANCE, ELECTRICAL WIRING, AND PLUMBING OF ALL BUILDINGS AND/OR STRUCTURES IN DESIGNATED PORTIONS OF THE UNINCORPORATED AREA OF THE COUNTY OF WALLA WALLA AS DESCRIBED HEREIN; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTING FEES THEREFOR; PROVIDING PENALTIES FOR THE VIOLATION THEREOF: AMENDING AND REPEALING IN PART ORDINANCE NO. 26 OF THE COUNTY OF WALLA WALLA AND ALL OTHER ORDINANCES AND/OR RESOLUTIONS AND PARTS OF ORDINANCES AND/OR RESOLUTIONS IN CONFLICT HEREWITH.

The Board of County Commissioners of the County of Walla Walla does ordain as follows:

CHAPTER 1 - Title and Scope

Sec. 101.00 This ordinance shall be known as the Walla Walla County Building Code and may be cited as such, and will be referred to herein as "this Code".

Sec. 102.00 The purpose of this Code is to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within designated portions of the County described below and certain equipment specifically regulated herein.

Sec. 103.00 The provisions of this Code shall apply to the construction, alteration, moving, demolition, repair, plumbing, wiring, and use of any building or structure within the following described areas of the County, except work located primarily in a public way, public utility towers and poles, mechanical equipment not specifically regulated in this Code, and hydraulic flood control features.

Additions, alterations, repairs, and changes of use or occupancy in all buildings and structures shall comply with the provisions for new buildings and structures except that where such addition or alteration of an existing structure is minor, the building official may approve structural additions, or repairs to be made with the same material of which the building or structure is constructed.

Sec. 103.10 All materials and assemblies of materials; appliances and installations of appliances; arrangements of occupancies and segregation of occupancies; all exits, aisles, stairs, doors and appurtenances thereto in buildings or structures shall be so arranged, assembled and of such size and so protected as to hold to a minimum all exit, fire, and health hazards.

The quality of all materials, method of connecting or assembling such materials, stresses allowed and live and dead loads assumed in the design and construction of all buildings or structures shall be in accord with nationally recognized standards of quality and with generally recognized and well established methods of structural design and construction.

Compliance with all the provisions of the Uniform Building Code, 1958 Edition, as amended or as they may hereafter be amended, of the International Conference of Building Officials, and/or the National Electric Code, 1959 Edition, as amended or as they may hereafter be amended, of the National Fire Protection Association, and the Washington State Electric Code Rules and Regulations, 1954 Edition, as amended or as they may hereafter be amended, and/or the Uniform Plumbing Code, 1958 Edition, as amended or as may hereafter

be amended, of the Western Plumbing Officials Association, three copies each of which are on file with the Walla Walla County Auditor as a public record, shall be and is hereby declared to be prima facie evidence of the reduction of fire and exit hazards, acceptable quality of material and generally recognized and well established methods of structural, electrical wiring and plumbing design and construction.

Sec. 104.00 This Code shall apply within the following described unincorporated area of the County of Walla Walla and said area shall be known as the "Building Code Area":

"Beginning at the Northwest corner of Section 10, T. 7N., R. 35 E.W.M. and run thence East a distance of eight (8) miles to the Northeast corner of Section 11, T. 7N., R. 36 E.W.M.: thence South a distance of seven and one-half ($7\frac{1}{2}$) miles, more or less, to the point of intersection of the East line of Section 14, T. 6N. R. 36 E.W.M. with the Oregon-Washington State Boundary lines; thence West along said Boundary line a distance of eight (8) miles to the point of intersection of said Boundary line with the West line of Section 15, T. 6N., R. 35 E.W.M.; thence North a distance of seven and one-half ($7\frac{1}{2}$) miles, more or less, to the point of beginning."

Sec. 105.00 Buildings or structures moved into or within the Building Code Area shall comply with the provisions of this Code in the same manner as if they were new buildings or structures.

Sec. 105.10 All buildings or structures both existing and new, and all parts thereof, shall be maintained in a safe and sanitary condition. All devices or safeguards which are required by this Code in a building or structure when erected, altered, or repaired, shall be maintained in good working order. The owner or his designated agent shall be responsible for the maintenance of buildings and structures.

Sec. 106.00 Whenever there is insufficient evidence of compliance with the provisions of this Code or evidence that any material or any construction does not conform to the requirements of this Code, or in order to substantiate claims for alternate materials or methods of construction, the building official may require tests as proof of compliance to be made at the expense of the owner or his agent by an approved agency.

CHAPTER 2 - ORGANIZATION AND ENFORCEMENT

Sec. 201.00 There is hereby established in the County the "Building Department" which shall be under the jurisdiction of the Building official designated by the Board of County Commissioners.

Sec. 202.00 General. The building official is hereby authorized and directed to enforce all the provisions of this Code. For such purpose he shall have the powers of a police officer.

Sec. 202.10 Deputies. The Board of County Commissioners may, at the request of the building official, appoint and/or deputize such number of officers, inspectors and assistants, and other employees as may be necessary from time to time. Such employees and/or deputies shall have the same powers as the building official who shall be responsible for their actions.

Sec. 202.20 Reports and Records. The building official shall submit a report to the Board of County Commissioners not less than once a year, covering

the work of the department during the preceding period. He shall incorporate in said report a summary of his recommendations as to desirable amendments to this Code.

The building official shall keep a permanent, accurate account of all fees and other moneys collected and received under this Code, the names of the persons upon whose account the same were paid, the date and amount thereof, together with the location of the building or premises to which they relate.

Sec. 202.30 Right of Entry. Upon presentation of proper credentials the building official or his duly authorized representatives may enter at reasonable times any building, structure, or premises in the County to perform any duty imposed upon him by this Code.

Sec. 202.40 Stop Orders. Whenever any building work is being done contrary to the provisions of this Code, the building official may order the work stopped by notice in writing served on any persons engaged in the doing or causing such work to be done, and any such persons shall forthwith stop such work until authorized by the building official to proceed with the work.

Sec. 202.50 Occupancy violations. Whenever any structure is being used contrary to the provisions of this Code, the building official may order such use discontinued and the structure, or portion thereof, vacated by notice served on any person causing such use to be continued. Such person shall discontinue the use within 10 days after receipt of such notice or make the structure, or portion thereof, comply with the requirements of this Code; provided, however, that in the event of an unsafe building Section 203 shall apply.

Sec. 202.60 Liability. The building official or any employee charged with the enforcement of this Code, acting in good faith and without malice for the County in the discharge of his duties, shall not thereby render himself liable personally and he is hereby relieved from all personal liability for any damage that may accrue to persons or property as a result of any act required or by reason of any act or omission in the discharge of his duties. Any suit brought against the building official or employee, because of such act or omission performed by him in the enforcement of any provisions of this Code shall be defended by the legal department of the County until final determination of the proceedings.

Sec. 203.00 General. All buildings or structures which are structurally unsafe or not provided with adequate egress, or which constitute a fire hazard, or are otherwise dangerous to human life, or which in relation to existing use constitute a hazard to safety or health, or public welfare, by reason of inadequate maintenance, dilapidation, obsolescence, or abandonment, as specified in this Code or any other effective ordinance or resolution of the County, are, for the purpose of this Section, unsafe buildings. All Such unsafe buildings are hereby declared to be public nuisances and shall be abated as such if Sections 203.10 and 203.20 are not complied with.

Sec. 203.10 Notice to Owner. The building official shall examine or cause to be examined every building or structure or portion thereof reported as dangerous or damaged and, if such is found to be an unsafe building as defined in Section 203.00, the building official shall give to the owner of such building or structure written notice stating the defects thereof. This notice may require the owner or person in charge of the building or premises, within 48 hours, to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof, and all such work shall be completed within 90 days from date of notice, unless

otherwise stipulated by the building official. If necessary, such notice shall also require the building, structure, or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected, and approved by the building official.

Proper service of such notice shall be by personal service upon the owner of record, if he shall be found within the limits of the County, in the same manner as provided by law for service of process in civil actions. If he is not found within the limits of the County, such service may be made upon said owner by certified mail; provided, that if such notice is by certified mail, the designated period within which said owner or person in charge is required to comply with the order of the building official shall begin as of the date he received such notice.

Sec. 203.20 Posting of Signs. The building official shall cause to be posted at each entrance to such building a notice to read: "DO NOT ENTER, UNSAFE TO OCCUPY. Building Department, County of Walla Walla." Such notice shall remain posted until the required repairs, demolition, or removal are completed. Such notice shall not be removed without written permission of the building official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building.

Sec. 204.00 In order to determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this Code, there shall be and is hereby created a Board of Appeals, consisting of five members who are qualified by experience and training to pass upon matters pertaining to building construction. The building official shall be an ex officio member and shall act as Secretary of the Board of Building Appeals. The Board of Building Appeals shall be appointed by the Board of County Commissioners and shall hold office at their pleasure. The Board of Building Appeals shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the building official with a duplicate copy to the appellant and may recommend to the Board of County Commissioners such new legislation as is consistent therewith.

Sec. 205.00 It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, wire, rewire, plumb, replumb or demolish, equip, use, occupy, or maintain any building or structure in the County or cause the same to be done, contrary to or in violation of any of the provisions of this Code.

Any person, firm, or corporation violating any of the provisions of this Code shall be deemed guilty of a misdemeanor, and each such person shall be deemed guilty of a separate offence for each and every day or portion thereof during which any violation of any of the provisions of this Code is committed, continued, or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than \$300.00, or by imprisonment for not more than 90 days, or by both such fine and imprisonment.

CHAPTER 3 - PERMITS AND INSPECTIONS

Sec. 301.00 Permits Required. No person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, wire, rewire, plumb, replumb, or demolish any building or structure in the Building Code Area or cause the same to be done, without first obtaining a separate permit for each such building or structure from the building official.

Sec. 301.10 Application. To obtain a permit the applicant shall first file an application therefor in writing on a form furnished for that purpose.

Every such application shall:

1. Describe the land on which the proposed work is to be done by lot, block, tract, and house and street address, or similar description that will readily identify and definitely locate the proposed building work;
2. Show the use or occupancy of all parts of the building;
3. Be accompanied by plans and specifications as required by Section 301.20 below;
4. State the valuation of the proposed work;
5. Be signed by the permittee, or his authorized agent, who may be required to submit evidence to indicate such authority;
6. Give such other information as reasonably may be required by the building official.

Sec. 301.20 Plans and Specifications. With each application for a building permit, and when required by the building official for enforcement of any provisions of this Code, two sets of plans and specifications shall be submitted. The building official may require plans and specifications to be prepared and designed by an engineer or architect licensed by the state to practice as such.

Sec. 301.30 Information on Plans and Specifications. Plans and specifications shall be drawn to scale upon substantial paper or cloth and shall be of sufficient clarity to indicate the nature and extent of the work proposed and show in detail that it will conform to the provisions of this Code and all relevant laws, ordinances, rules, and regulations. The first sheet of each set of plans shall give the house and street address of the work and the name and address of the owner and person who prepared them. Plans shall include a plot plan showing the location of the proposed building and of every existing building on the property. In lieu of detailed specifications, the building official may approve references on the plans to a specific section or part of this Code or other ordinances, resolutions or laws.

Computations, stress diagrams, and other data sufficient to show the correctness of the plans, shall be submitted when required by the building official.

Sec. 302.00 Issuance. The application, plans, and specifications filed by an applicant for a permit shall be checked by the building official. Such plans may be reviewed by other departments of the County to check compliance with the laws, resolutions and ordinances under their jurisdiction. If the building official is satisfied that the work described in an application for permit and the plans filed therewith conform to the requirements of this Code and other pertinent laws, resolutions and ordinances, and the fee specified in Section 303.00 below has been paid, he shall issue a permit therefor to the applicant.

When the building official issues the permit, he shall endorse in writing or stamp on both sets of plans and specifications "APPROVED". Such approved plans and specifications shall not be changed, modified, or altered without authorization from the building official, and all work shall be done in accordance with the approved plans.

Sec. 302.10 Validity. The issuance or granting of a permit or approval of plans and specifications shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this Code. No permit presuming to give authority to violate or cancel the provisions of this Code shall be valid, except insofar as the work or use which it authorizes is lawful.

The issuance of a permit based upon plans and specifications shall not

prevent the building official from thereafter requiring the correction of errors in said plans and specifications or from preventing building operations being carried on thereunder when in violation of this Code or of any other ordinance, law or resolution of the County.

Sec. 302.20 Expiration. Every permit issued by the building official under provisions of this Code shall expire by limitation and become null and void, if the building or work authorized by such permit is not commenced within 60 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 120 days. Before such work can be recommenced a new permit shall be first obtained so to do, and the fee therefor shall be one-half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and provided, further, that such suspension or abandonment has not exceeded one year.

Sec. 302.21 Expiration of Existing Permits. Each and every permit validly issued heretofore under the provisions of Ordinance No. 26 of the County of Walla Walla applicable to property lying within the designated portions of the County to which this Code shall apply shall expire by limitation and become null and void if the building or work authorized by such permit is not completed within a period of 180 days after the effective date of this Code.

Sec. 302.30 (See page 97)

Sec. 303.00 Building Permit Fees. A fee for each building permit shall be paid to the building official as set forth in Table No. 303.

The determination of value or valuation under any of the provisions of this Code shall be made by the building official.

Where work for which a permit is required by this Code is started or proceeded with prior to obtaining said permit, the fees above specified shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this Code in the execution of the work nor from any other penalties prescribed herein.

TABLE NO. 303 - BUILDING PERMIT FEES

<u>Total Valuation</u>	<u>Fees</u>
Up to and including \$100.00	\$1.00
More than \$100.00 to and including \$400.00	3.00
More than \$400.00 to and including \$700.00	5.00
More than \$700.00 to and including \$1,000.00	6.00
Each additional \$1,000.00 or fraction thereof to and including \$15,000.00	2.50
Each additional \$1,000.00 or fraction thereof to and including \$50,000.00	2.00
Each additional \$1,000.00 or fraction thereof to and including \$100,000.00	1.50
Each additional \$1,000.00 or fraction thereof more than \$100,000.00	1.00

Sec. 303.10 Plan-Checking Fees. When the valuation of the proposed construction exceeds one thousand dollars (\$1,000.00) and a plan is required to be submitted by Section 301.20, a plan-checking fee shall be paid to the building official at the time of submitting plans and specifications for checking. Said plan-checking fee shall be equal to one-half of the building permit fee as set forth in Table No. 303.

Sec. 302.30 Suspension or Revocation. The building official may, in writing, suspend or revoke a permit issued under provisions of this Code whenever the permit is issued in error or on the basis of incorrect information supplied, or in violation of any ordinance, resolution or regulation or any of the provisions of this Code.

Sec. 304.00 General. All construction or work for which a permit is required shall be subject to inspection by the building official, and certain types of construction shall have continuous inspection by special inspectors, as specified in Section 305.00.

Sec. 304.10 Lot Survey. A survey of the lot may be required by the building official to verify compliance of the structure with approved plans.

Sec. 304.20 Called Inspections. No reinforcing steel or structural framework of any part of any building or structure shall be covered or concealed in any manner whatever without first obtaining the approval of the building official.

The building official upon notification from the permit holder or his agent shall make the following inspections of wood frame buildings and shall either approve that portion of the construction as completed or shall notify the permit holder or his agent wherein the same fails to comply with the law.

1. FOUNDATION INSPECTION: To be made after trenches are excavated and forms erected and when all materials for the foundation are delivered on the job. Where concrete from a central mixing plant (commonly termed "transit mixed") is to be used, materials need not be on the job.
2. FRAME INSPECTION: To be made after the roof, all framing, fire-blocking, and bracing are in place and all pipes, chimneys, and vents are complete.
3. FINAL INSPECTION: To be made after building is completed and ready for occupancy.

Sec. 305.00 In addition to the inspections to be made as specified in Sec. 304.20, the owner or his agent shall employ a special inspector who shall be present at all times during special construction or work involving unusual hazards or requiring constant inspection, said special inspector being a qualified person approved by the building official.

Sec. 306.00 Use or Occupancy. No new 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 issued a Certificate of Occupancy therefor.

CHAPTER 4 - DEFINITIONS

Sec. 401.00 General. For the purpose of this Code, certain abbreviations, terms, phrases, words, and their derivatives shall be construed as specified in this chapter. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine, and the feminine the masculine.

Sec. 402.00 AGRICULTURAL BUILDING. is a building located on agricultural property and used to shelter farm implements, hay, grain, poultry, livestock, or other farm produce, in which there is no human habitation, and which is not used by the public.

Sec. 402.10 ALLEY is any public space, public park, or thoroughfare less than sixteen feet (16') but not less than ten feet (10') in width which has been dedicated or deeded to the public for public use.

Sec. 402.20 APPROVED as to materials and types of construction, refers to approval by the building official as the result of investigation and tests

conducted by him, or by reason of accepted principles or tests by national authorities, technical or scientific organizations.

Sec. 403.00 BASEMENT. is that portion of a building between floor and ceiling, which is partly below and partly above grade (as defined in this Chapter), but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

Sec. 403.20 BUILDING is any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind.

Sec. 403.30 BUILDING, EXISTING. is a building erected prior to the adoption of this Code, or one for which a legal building permit has been issued.

Sec. 403.40 BUILDING OFFICIAL is the officer charged with the administration and enforcement of this Code, or his regularly authorized deputy.

Sec. 403.50 BOARD OF COUNTY COMMISSIONERS of the County of Walla Walla, State of Washington.

Sec. 404.00 COUNTY is the County of Walla Walla, specifically, the unincorporated area of said County.

Sec. 405.00 DEAD LOAD in a building is the weight of the walls, permanent partitions, framing, floors, roofs, and all other permanent stationary construction entering into and becoming a part of the building.

Sec. 405.10 DWELLING is any building or any portion thereof, which is not an "Apartment House" or a "Hotel", which contains one or more "Apartments" or "Guest Rooms," used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or which are occupied for living purposes.

Sec. 406.00 EXIT is a continuous and unobstructed means of egress to a public way, and shall include intervening doorways, corridors, ramps, stairways, smokeproof enclosures, horizontal exits, exterior courts and yards.

Sec. 407.00 FLOOR AREA is the area included within surrounding walls of a building (or portion thereof), exclusive of vent shafts and courts.

Sec. 408.00 LIVE LOADS are all loads except dead and lateral loads.

Sec. 409.00 OCCUPANCY is the purpose for which a building is used or intended to be used. The term shall also include the building or room housing such use. Change of occupancy is not intended to include change of tenants or proprietors.

Sec. 410.00 REPAIR is the reconstruction or renewal of any part of an existing building for the purpose of its maintenance. The word "Repair" or "Repairs" shall not apply to any change of construction.

Sec. 411.00 SHALL as used in this Code, is mandatory.

Sec. 412.00 STREET is any thoroughfare or public park not less than sixteen feet (16') in width which has been dedicated or deeded to the public for public use.

Sec. 413.00 STRUCTURE is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Sec. 414.00 VALUE or VALUATION of a building shall be the estimated cost to replace the building in kind, based on current replacement costs, as determined in Sec. 303.00.

CHAPTER 5 - LEGISLATIVE

Sec. 501.00 If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of County Commissioners hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Sec. 502.00 Ordinance No. 26 of the County of Walla Walla, insofar as it does not apply to the Building Code Area, and as hereby amended, shall remain in full force and effect.

Sec. 503.00 This Ordinance shall be, and is hereby declared to be in full force and effect, from and after 30 days from its date of final passage and approval.

Recommended by the Walla Walla County Planning Commission this 7th day of October, 1959.

Ward Gardner
Chairman

Edward G. Watson
Attest

Adopted and passed by the Board of County Commissioners this 9th day of November, 1959.

Preston Hanson Commissioner

Howard Reser Commissioner

Orin M. Walker Commissioner