

Chapter 15.08
UNIFORM CODES

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15.08.010 Adoption of Building Codes.

- A. All building and building-related codes as currently adopted, or as shall be adopted in the future enactments by the State of Washington pursuant to the Revised Code of Washington (RCW) 19.27.031, together with all amendments as currently enacted, or as shall be enacted by the State of Washington, are hereby adopted as, and are herein referred to as, the Building Codes for the City of Benton City, provided that all additions, deletions, and amendments as set forth in this title of the Benton City Municipal Code are also adopted.

For reference purposes only, the current Building Codes as of July 1, 2004, for the City of Benton City consist of the following:

1. The 2012 International Property Maintenance Code as published by the International Code Council.
2. The 2012 International Building Code, together with Appendix C, "Agricultural Building" and Appendix J, "Grading", except for Chapter 27, which is not adopted, as published International Code Council.
3. The 2012 International Residential Code, except for Chapters 11 and 25 through 42, which are not adopted, as published by the International Code Council.
4. The 2012 Edition of the Washington State Energy Code, WAC-51-11 as published by the State Building Code Advisory Council.
5. The 2012 Edition of the Washington State Ventilation and Indoor Air Quality Code, WAC 51-13 as published by the State Building Code Advisory Council.
6. The 2012 International Fire Code, together with Appendix B "Fire-flow Requirements for Buildings", Appendix C "Fire Hydrant Locations and Distribution", and Appendix D "Fire Apparatus Access Roads", as published by the International Code Council.
7. The 2012 Edition of the International Mechanical Code as published by the International Code Council.
8. The 2012 Edition Fuel Gas Code as published by the International Code Council.

9. The 2012 Edition of the Uniform Plumbing Code, together with Appendix A "Recommended Rules for Sizing the Water Supply System"; Appendix B "Explanatory Notes on Combination Waste and Vent Systems"; Appendix E "Manufactured/Mobile Home Parks and Recreational Vehicle Parks"; Appendix H "Recommended Procedures for Design, Construction, and Installation of Commercial Kitchen Grease Interceptors"; and Appendix I "Installation Standards" except for Chapters 12, 15 and for those requirements relating to venting and combustion air of fuel-fired appliances as found in Chapter 5, which is not adopted, as published by the International Association of Plumbing and Mechanical Officials.
 10. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, prepared by the International Conference of Building Officials, as hereinafter amended or revised, is adopted by the City as its official dangerous building code except:
 - a. Section 205 of the Uniform Code for the Abatement of Dangerous Buildings, which is deleted and, in its place, the Board of Appeals as provided in BCMC 15.08.040 is adopted in its place.
- B. The City does hereby adopt, by reference, all subsequent amendments of the above enumerated Codes upon approval and adoption of such Codes pursuant to RCW 19.27.031 by the State Building Code Council, with such amendments being effective upon the date of such adoption. Upon adoption, one copy of each of the Uniform and International Codes enumerated above shall be filed in the office of the City Clerk-Treasurer for use and examination by the public, as provided by BCMC 15.08.020. (Ord. 924, Sept 2013; Ord. 907, 2012; Ord. 790, 2005; Ord. 697, 2000; Ord. 569, 1992.)

15.08.011 Administration, Permits and Fees. Chapter 1 of the 2009 International Building Code and Chapter 1 of the 2009 International Residential Code are hereby amended by the following additions, deletions and exceptions. Section numbers referenced here are to the 2009 International Building Code with the 2009 International Residential Code referenced by "R" and the section number in parenthesis.

Notwithstanding these section numbers referenced from the current codes, all additions, deletions and exceptions as noted herein shall apply to all future codes adopted by the State of Washington and thence adopted as the Building Codes for the City of Benton City.

101.4.4 Plumbing. The provisions of the Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenance, and where connected to a water or sewage system and all aspects of a medical gas system.

101.4.7 Energy. The provisions of the Washington State Energy Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

105.1.1 Annual permit. Delete this entire subsection. Annual permits shall not be issued within the City of Benton City.

105.1.2 Annual permit records. Delete this entire subsection. Annual permit records shall not be valid within the City of Benton City.

105.2 (R105.2) Work exempt from permit.

Electrical: This entire subcategory is hereby deleted, including repairs and maintenance, radio and television transmitting devices and temporary testing systems, is hereby deleted. All electrical permits and permit exemptions shall be as set forth by the State of Washington, Department of Labor and Industries.

107.3 Temporary power. Delete this entire subsection. All electrical approvals shall be as set forth by the State of Washington, Department of Labor and Industries.

108.2 (R108.2) Schedule of permit fees.

Building: Fees for building permits and related inspections shall be as set forth in Table 1-A from the 1997 Uniform Building Code as published by the International Code Council, Inc. The valuation of construction used for the calculation of the building permit fee from Table 1-A shall be the greater of either the declared valuation of construction from the applicant for the permit or based on the most current "Building Valuation Data" table as published in the Building Safety Journal by the International Code Council. The declared valuation shall include the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems, and any other permanent equipment.

Plan Review: Fees for review and examination of required construction plans and/or construction data shall be calculated at sixty-five percent (65%) for all other occupancy groups of the building permit fee as set forth in Table 1-A from the 1997 Uniform Building Code as published by the International Code Council. These plan review fees shall be in addition to the building permit fee and shall be payable at the time of first submittal of plans together with a completed application for permit. Additional plan review required by changes, additions, corrections or revisions made after the completion of the plan review or after issuance of the building permit shall be required to pay a fee as shown in Item (4) of Table 1-A.

Plumbing: Fees for plumbing permits and related inspections shall be as set forth in Table 1-1 of the 1997 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, except that plumbing work associated with current and active building permit shall not require any fee.

Mechanical: Fees for mechanical permits and related inspections shall be as set forth in Table 1-A of the 1997 Uniform Mechanical Code as published by the International Conference of Building Officials, except that mechanical work associated with a current and active and building permit shall not require any permit fee.

Grading: Fees for grading permits, for review of grading plans and for related inspections shall be as set forth in Table A-33-A and Table A-33-B of the 1997 Uniform Building Code, Appendix Chapter 33, as published by the International Code Council.

Factory-Assembled Structures: Notwithstanding any other provisions of the Benton City Municipal Code, fees for installation of a factory-assembled structure, including structures meeting the requirements of Title 20 of the Benton City Municipal Code for manufactured homes of designated manufactured homes, shall be one hundred twenty-five dollars (\$125.00) per installation. Fees for building permits for structures attached to a factory-assembled structure, including, but not limited to, garages that are not structurally dependent upon the factory-assembled structure for support, shall be as noted above for building permits and plan review based on valuation of construction. (Ord. 879, November 2010; Ord. 790, March 2005.)

15.08.015

Sign Code.

- A. Adoption of 1997 Edition Uniform Sign Code. The 1997 Uniform Sign Code, as amended, is hereby adopted by reference pursuant to RCW 35A.12.140.
- B. Amendments to Uniform Sign Code. The following section and subsections as designated of the Uniform Sign Code are hereby amended and shall read as follows: Section 103(b) Right of Entry. Whenever necessary to make an inspection to enforce any of the provisions of this code, or whenever the building official or his authorized representative has reasonable cause to believe that there exists any sign or any condition which makes such sign unsafe the building official or his authorized representative may enter the premises or building on which such sign is located at all reasonable times to inspect the sign or to perform any duty imposed upon the building official by this code; provided that, if such building or premises on which the sign is located be occupied, he shall first present property credentials and demand entry; and if such building or premises be unoccupied, he shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry. If such entry is refused, the building official or his authorized representative shall have recourse to every remedy provided by law to secure entry.

No owner or occupant or any other person having charge or control of any building or premises shall fail or neglect, after proper demand is made as herein provided, to promptly permit entry therein by the building official or his authorized representative for the purpose of inspection and examination pursuant to this Code.

SECTION 103(e). Any person, firm or corporation violating any of the provisions of this Code shall be guilty of a misdemeanor and each such person shall be deemed guilty of a separate offense 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 of not more than ninety (90) days, or by both such fine and

imprisonment.

SECTION 301. No sign shall hereafter be erected, re-erected, constructed, or altered except as provided by this Code and a permit for the same has been issued by the building official. A separate permit shall be required for a sign or signs for each business entity and a separate permit shall be required for each group of signs on a single supporting structure. No portable sign shall be located on any property until such time as a building permit has been issued. No building permit shall be issued until a compliance with other codes and ordinances of the City of Benton City have been met, and the Washington State Department of Labor & Industries has approved the method of electrical power for such portable sign.

SECTION 303 (3). Subsection 3 of Section 303 exempting signs under six feet above grade is hereby deleted.

SECTION 305. Every sign shall be maintained in good structural condition at all times. All signs, together with all of their supports braces, guys, and anchors shall be kept in repair and in proper state of preservation. The display surfaces of all signs shall be kept neatly posted at all times. The building official, or his authorized representative, shall inspect and have the authority to order the owner to paint, repair, alter, or remove the signs which have become dilapidated or which constitute a physical hazard to the public safety.

SECTION 307 - ABANDONED SIGNS (New Section). Any sign located on a property which becomes vacant or unoccupied or which is related to a use which has been terminated shall be considered abandoned and shall be removed or otherwise be made conforming within thirty (30) days of abandonment.

SECTION 402(b)(3). All metal components shall be galvanized, cadmium plated, enameled, painted, or provided with equivalent protection on all surfaces. Copper, stainless steel and similar materials having inherent resistance to atmospheric corrosion need not be additionally protected.

SECTION 403(b) - CLEARANCE FROM HIGH VOLTAGE LINES. Clearance from high voltage power lines shall be in accordance with the Codes of the State of Washington. (Ord. 790, February 2005; Ord. 517, August 1988.)

SECTION 1301 – GENERAL. Electric signs shall be constructed of noncombustible material, except as provided in Chapter 4. The enclosed shell of electric signs shall be watertight, except that service holes fitted with covers shall provide access into each compartment of the sign.

Illumination from any or upon any sign shall be shaded, shielded, directed or reduced so as to avoid undue brightness, glare or reflection of light on private or public property in the surrounding area and so as to avoid unreasonable distraction of pedestrians or motorists. "Undue brightness" is illumination in excess of that which is reasonably necessary to make the sign reasonably visible to the average person on an adjacent street.

No sign may contain or utilize any of the following:

1. Any exposed incandescent lamp with a wattage in excess of 25 watts.
2. Any exposed incandescent lamp with an internal or external reflector.
3. Any continuous or sequential flashing operation.
4. Except for changing message centers, any incandescent lamp inside internally lighted signs.
5. External light sources directed towards or shining on vehicular or pedestrian traffic or on a street.
6. Internally lighted signs using 800-milliamp ballasts if the lamps are spaced closer than 12 inches on center.
7. Internally lighted signs using 425-milliamp ballasts if the lamps are spaced closer than six inches on center. (Ord. 991, Jan. 2019; Ord. 790, Feb. 2005; Ord. 517, Aug. 1988.)

15.08.016 **Additions to Uniform Sign Code - - Temporary Signs.** Chapter 14 of the Uniform Sign Code is amended by the addition of the following provisions:

- A. SECTION 1403 – TEMPORARY SIGNS. Temporary signs may be displayed prior to the related event and shall be removed within thirty (30) days after said event. (Ord. 991, Jan. 2019; Ord. 820, August 2007.)

15.08.020 **Copies filed with City Clerk.** One copy of each of the uniform and international codes designated in Section 15.08.010 shall be filed in the office of the city clerk-treasurer for use and examination by the public. (Ord. 790, February 2005; Ord. 397 S1 (part), 1981.)

15.08.030 **Unlawful Acts and Violation - - Penalty.**

- A. **Unlawful Acts.** It is unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use, occupy or maintain any building or structure or cause to permit the same to be done in violation of this Code.
- B. **Violation - - Penalty.** Any person who violates the provision of this Code or fails to comply with any of its requirements, or who erects, constructs, alters or repairs the building or a structure in violation of the approved construction documents, directive of the building official, or a permit or certificate issued under the provisions of the Code, shall be subject to penalties set forth in Section 9.50.060, or as otherwise provided by law. (Ord. 830, April 2008; Ord. 790, February 2005; Ord. 397 S1 (part), 1981.)

15.08.040 **Board of Appeals.** In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretation of the provisions of each of the codes designated in section 15.08.010, there is created a Board of Appeals, to be known as the Mid Columbia Building Appeals Commission, consisting of seven members who are qualified by experience and training to pass upon matters pertaining to building construction. The Board of Appeals shall be jointly appointed by the Mayors of Pasco, Kennewick, Richland, West Richland and Benton City and the Chairmen of the Boards of County Commissioners of Benton and Franklin Counties. The membership of

the Board shall consist of a representative of Franklin County, a representative of Benton County, a civil engineer, an architect, a general contractor, a specialty contractor and a fire specialist. The term of membership on the Board shall be for a period of five years. The Building officials of each appointing agency shall be ex-officio members of the Board and shall serve as Secretary of the Board on a rotating basis. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to all the Building Officials and Fire Officials with duplicate copy to the Appellant and may recommend to the City Councils and/or Boards of County Commissioners such new legislations as is consistent therewith. (Ord. 790, February 2005; Ord 556, December 1991.)