

ORDINANCE NO. 13-20

AN ORDINANCE of the City of Richland amending Section 21.01.020 of the Richland Municipal Code related to administration, permits and fees.

WHEREAS, the City has need, from time to time, to amend the Richland Municipal Code to bring it into alignment with best practices; and

WHEREAS, for years, the City has administrated a no fee fence permit in an attempt to successfully regulate the construction of fences throughout the City; and

WHEREAS, given low compliance rates and the frequency with which applicants obtain permits based on incomplete, inaccurate or misrepresented information, the no fee fence permit is not the effective regulatory tool it was believed to be when it was first introduced; and

WHEREAS, the best interests of the City are served by eliminating the no fee fence permit from the Richland Municipal Code; and

WHEREAS, property owners erecting fences in the City of Richland are required to comply with fence regulations found in the Richland Municipal Code regardless of whether a fence permit is required.

NOW, THEREFORE, BE IT ORDAINED by the City of Richland as follows:

Section 1. Richland Municipal Code Section 21.01.020, entitled Administration, permits and fees, as first enacted by Ordinance No. 77, and last amended by Ordinance No. 01-11, is hereby amended to read as follows:

**21.01.020 Administration, permits, and fees.**

Chapter 1 of the International Building Code and Chapter 34 of the International Building Code and Chapter 1 of the International Residential Code are hereby amended by the following additions, deletions, and exceptions. Section numbers referenced here are to the International Building Code with the 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 Richland.

A. 101.4.5 Fire Prevention. This subsection shall be amended to add the following paragraph:

Table 20.05.020 from RMC Title 20 shall be considered as if they were integral to and part of this code. All affected chapters and sections of this code regarding fire sprinklers and fire alarms are hereby amended to include Table 20.05.020, including Chapter 34 requirements which are amended as noted below under sub-section 3401.3.

B. 103.2 (R103.2) Appointment. This subsection shall be amended to read as follows:

The building official shall be the person appointed by the City of Richland to fill the position of Building Inspection Supervisor or its subsequent renamed position title acting in the same capacity.

C. 105.1.1 Annual Permit. This subsection shall not be adopted. Annual permits shall not be issued within the city of Richland.

D. 105.1.2 Annual Permit Records. This subsection shall not be adopted. Annual permit records shall not be valid within the city of Richland.

E. 105.2 (R105.2) Work Exempt from Permit.

1. Building. Items (1) ~~and (2)~~ of this subcategory of Section 105.2 (R105.2) ~~are~~ is hereby amended as shown below, and items (14) and (15) are hereby added to this subcategory of Section 105.2 (R105.2). For the International Residential Code, items (14) and (15) as noted below shall be numbered and referenced as items (11) and (12).

1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 200 square feet, are exempted from the requirements for a building permit. A permit for location placement of such exempt structures shall be issued by the City of Richland prior to construction or erection of these structures. The location placement permit shall be based upon a scalable site plan provided by the applicant and shall show all existing structures on the property together with the distances from all structures to property lines and to other structures, all existing easements and property lines, and all new structure or building proposals. The location placement permit shall be binding upon the applicant for location placement of the structure for all purposes and requirements of Title 23 of the Richland Municipal Code. The location placement permit shall not require payment of any permit fees. Fees associated with any other aspect of the structure or building proposal including, but not limited to, easement encroachment permits and right-of-way construction permits, shall be as currently enacted in the Richland Municipal Code.

~~2. Fences not over six (6) feet high are exempted from the requirements for a building permit. A permit for location placement of all fences shall be issued by the City of Richland prior to construction or erection of any fence or fences. The location placement permit shall be based upon a scalable site plan provided by the applicant for said permit and shall show all existing structures on the property, all existing easements and property lines, and all new fence proposals. The location placement permit shall be binding upon the applicant for all purposes and requirements of Title 23 of the Richland Municipal Code. The location placement permit shall not require payment of any permit fees. Fees associated with any other aspect of the fence proposal including, but not limited to, easement encroachment permits and right-of-way construction permits, shall be as currently enacted in the Richland Municipal Code.~~

10. In the International Residential Code, the entire item shall be amended to read as, "Decks that are not more than 30 inches above grade." In the International Building Code, this item remains as stated.

14. (Item 11 for International Residential Code). Radio, television antennas or antenna towers of light weight construction intended for domestic use only, and not to exceed thirty-five (35) feet in height.

15. (Item 12 for International Residential Code). Amusement devices and structures, including Merry-go-rounds, ferris wheels, rotating conveyances, slides, similar devices, and accessory structures whose use is necessary for operation of such amusement devices and structures, any accessory structure included in the provisions of this sub-section shall be limited to a cover or roof over each device; but shall not include any storage building or detached structure which is not an integral part of the device.

2. Electrical. This entire subcategory, including repairs and maintenance, radio and television transmitting devices, and temporary testing systems, shall not be adopted. All electrical permits and permit exemptions shall be as set forth by the State of Washington Department of Labor and Industries.

3. Plumbing. Items (1) and (2) of this subcategory shall not be adopted. All plumbing permits and plumbing permit exemptions shall be as set forth in the adopted plumbing code.

F. 105.8 (R105.8). This subsection shall be amended to add the following paragraph:

All contractors and sub-contractors shall have a valid and current business license to conduct business within the City of Richland pursuant to Title 5 of the Richland Municipal Code and shall have a valid and current contractor's license and registration with the State of Washington, Department of Labor and Industries, prior to commencing any actual construction work within the City of Richland.

G. 109.2 and 109.3 (R108.2 and R108.3) Schedule of Permit Fees and Building Permit Valuations. Shall adopt the code of these subsections as stated in both the International Building Code and the International Residential Code; in addition, the following subsection language shall be added as clarification to fees and valuations:

**Building.** Fees for building permits and related inspections shall be as set forth in Table 1-A from the 1997 Uniform Building Code as previously 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 valuation noted in Supplemental Table 1-B or the declared valuation of construction from the applicant for the permit. 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. Valuations not shown in Supplemental Table 1-B shall be based on the "Building Valuation Data" as published in the Building Safety Journal by the International Code Council, Inc., or shall be as determined by the building official to reflect 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. The Supplemental Table 1-B shall be updated on January 1st of each year and shall incorporate changes from the "Building Valuation Data" as published in the Building Safety Journal by the International Code Council, Inc., except that those mathematical formulas presented in the "Building Valuation Data" which calculate fees shall not be incorporated or adopted.

**Plan Review.** Fees for review and examination of required construction plans and/or construction data shall be calculated at sixty-five percent (65%) of the building permit fee as set forth in Table 1-A from the 1997 Uniform Building Code as previously published by the International Code Council, Inc. 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. There shall be no fee required for the review and examination of plans for any detached, single-family dwelling construction; attached, two-family dwelling construction; or construction of accessory buildings to or additions to such one- and two-family dwellings; except for additional review and examination of changes made to plans for such one- and two-family dwellings, additions, or accessory buildings after completion of the plan review or after issuance of the building permit, all of which will be required to pay a fee as shown in item (4) of Table 1-A. Additional plan review required by changes, additions, corrections, or revisions made to the

plans after 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 previously published by the International Association of Plumbing and Mechanical Officials, Inc., except that plumbing work associated with a current and active building permit shall not require any permit fee. Fees for review and examination of plumbing plans and/or construction data shall be calculated at twenty-five percent (25%) of the plumbing permit fee as set forth in Table 1-1, except that plumbing plans associated with a submittal of building plans shall not require any plan review fee or additional plan review fee. Additional plan review required by changes, additions, corrections, or revisions to the plans after completion of the plan review or after issuance of the permit shall be required to pay a fee as shown in item (4) of Table 1-1 or as shown in item (4) of Table 1-A of the 1997 Uniform Building Code for plumbing work associated with a building permit.

**Mechanical.** Fees for mechanical permits and related inspections shall be as set forth in Table 1-A of the 1997 Uniform Mechanical Code as previously published by the International Conference of Building Officials, Inc., except that mechanical work associated with a current and active building permit shall not require any permit fee. Fees for review and examination of mechanical plans and/or construction data shall be calculated at twenty-five percent (25%) of the mechanical permit fee as set forth in Table 1-A, except that mechanical plans associated with a submittal of building plans shall not be required to pay any plan review fee or additional plan review fee. Additional plan review required by changes, additions, corrections, or revisions to the plans after completion of the plan review or after issuance of the permit shall be required to pay a fee as shown in item (4) of Table 1-A or as shown in item (4) of Table 1-A of the 1997 Uniform Building Code for mechanical work associated with a building permit.

**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 previously published by the International Code Council, Inc.

**Factory-Assembled Structures.** Notwithstanding any other provision of the Richland Municipal Code, fees for installation of a factory-assembled structure, including structures meeting the requirements of Title 23 of the Richland Municipal Code for manufactured homes or designated manufactured homes, shall be one hundred fifty dollars (\$150.00) 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. Where a conflict exists between the fee noted here and fees described in other titles of the Richland Municipal Code, the fee noted here shall apply. Factory-assembled structures constructed prior to June 15, 1976, shall be required to undergo inspection and approval by the State of Washington, Department of Labor and Industries, prior to issuance of the installation permit.

**Energy Code (NREC).** Fees for review of plans and inspection of the construction work related to sections of the Washington State Energy Code that prescribe requirements for non-residential buildings, previously referred to as the Non-Residential Energy Code (NREC), shall be as set forth in the following table. This fee shall not be applied to mechanical permits where mechanical equipment is being replaced with equipment of the same fuel source as the existing equipment.

<b>TOTAL VALUATION</b>	<b>NREC FEE</b>
\$1 to \$20,000	\$100
\$20,001 to \$300,000	\$100 for the first \$20,000 plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$300,000.
\$300,001 to \$800,000	\$940 for the first \$300,000 plus \$1.00 for each additional \$1,000 or fraction thereof, to and including \$800,000.

\$800,001 to \$1,020,000	\$1,440 for the first \$800,000 plus \$0.50 for each additional \$1,000 or fraction thereof, to and including \$1,020,000.
\$1,020,001 or more	\$1,550 maximum

H. 111.1 (R110.1) Use and Occupancy. This subsection shall be amended to add the following paragraph:

The building official shall not issue a certificate of occupancy until approval has been obtained from all City of Richland departments and divisions and from all State of Washington and Federal agencies having jurisdiction or authority over the building project. The finance manager, or currently designated person responsible for finances and accounting, of the City of Richland is authorized and directed to deny any requests for utility services, including, but not limited to, electrical service, solid waste removal, water service, and sewer service, on a permanent-user basis, unless the applicant demonstrates that the building for which such service is requested has been issued a certificate of occupancy or temporary certificate of occupancy by the building official. Provisional utility services may be provided to the extent necessary for construction of the building prior to issuance of such a certificate so long as the building is not used or occupied.

I. 113.1 (R112.1) General. The Board of Appeals as described in this section shall mean the Mid-Columbia Board of Appeals as currently established by the jurisdictions of the City of Richland, the City of Kennewick, the City of West Richland, the City of Pasco, Benton County, and Franklin County, together with such other jurisdictions as currently constitute the Mid-Columbia Board of Appeals. The Board of Appeals as described in other codes adopted herein as the Building Codes for the City of Richland shall also mean the Mid-Columbia Board of Appeals. The code enforcement board as established in RMC Title 2 shall not constitute the Board of Appeals as described here.

J. 3401.3 Existing Buildings or Structures. This subsection shall be amended to add the following paragraph:

Pursuant to the requirement of RMC Title 20, Section 20.05.010(B) concerning conflict of codes, in cases where the valuation for calculating the application of Table 20.05.020 to additions or alterations of existing buildings pursuant to RMC Title 20 results in conflicting requirements compared to requirements based on the application of Chapter 34 with Table 20.05.020 included as part of this code, the more restrictive requirements shall apply. Notwithstanding the valuation requirements described here and in RMC Title 20, any building which proposes an addition or change-of-use or change-of-occupancy where the existing building currently exceeds the square footage or occupant loads shown in RMC Title 20, Table 20.05.020, and any building which will exceed the square footage or occupant loads shown in those tables after the proposed addition(s) shall comply with those requirements for fire alarms, fire sprinklers, and/or fire areas.

Section 2. This Ordinance shall take effect the day following its publication in the official newspaper of the City of Richland.

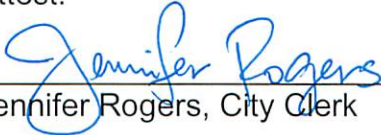
Section 3. Should any section or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, that decision shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part so declared to be invalid.

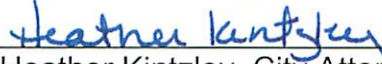
Section 4. The City Clerk and the codifiers of this Ordinance are authorized to make necessary corrections to this ordinance, including but not limited to the correction

of scrivener's errors/clerical errors, section numbering, references, or similar mistakes of form.

PASSED by the City Council of the City of Richland, Washington, at a regular meeting on the 7<sup>th</sup> day of July, 2020.

  
\_\_\_\_\_  
Ryan Lukson, Mayor

Attest:  
  
\_\_\_\_\_  
Jennifer Rogers, City Clerk

Approved as to form:  
  
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Heather Kintzley, City Attorney

Date Published: July 12, 2020