

Title 15

BUILDINGS AND CONSTRUCTION

Chapters:

- 15.04 Adoption of State Building Code**
- 15.06 Moving of Buildings**
- 15.07 Building Demolition**
- 15.08 Motor Homes, Trailers, Recreational Vehicles and Junk Vehicles**
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Chapter 15.04

ADOPTION OF STATE
BUILDING CODE¹

Sections:

- 15.04.010 Construction administrative code adopted.
- 15.04.015 International Building Code adopted.
- 15.04.020 International Residential Code adopted.
- 15.04.025 International Residential Code amended.
- 15.04.030 International Fire Code adopted.
- 15.04.040 International Mechanical Code adopted.
- 15.04.045 Liquefied Petroleum Gas Code adopted.
- 15.04.050 National Fuel Gas Code (NFPA 54) adopted.
- 15.04.055 *Repealed.*
- 15.04.060 *Repealed.*
- 15.04.065 *Repealed.*
- 15.04.070 International Fuel Gas Code adopted.
- 15.04.080 Uniform Plumbing Code adopted.
- 15.04.090 *Repealed.*
- 15.04.095 Washington State Energy Code adopted.
- 15.04.100 Ventilation and Indoor Air Quality Code adopted.
- 15.04.110 Abatement of Dangerous Buildings Code adopted.
- 15.04.120 Documents to be filed and available for public inspection.
- 15.04.130 Violation – Penalty.
- 15.04.140 Building permits – On-site storm drainage systems included.
- 15.04.150 Preapplication conference.
- 15.04.160 Processing of permits.
- 15.04.170 New material – Additions to Section 104.2.8.
- 15.04.180 Landscape site and/or plan review.
- 15.04.190 Reflective roofing prohibited – Exceptions.

1. Prior legislation: Ords. 134, 539, 575 and 618.

15.04.010 Construction administrative
code adopted.CONSTRUCTION ADMINISTRATIVE
CODESECTION 101
GENERAL

101.1 Title. These regulations shall be known as the Construction Administrative Code of the City of Clyde Hill, hereinafter referred to as “this code.”

101.2 Scope. The provisions of this code shall apply to the administration of the technical codes as adopted by the State of Washington and:

1. 2006 International Fire Code – WAC 51-54 as amended by CHMC 15.04.090;
2. 2006 International Building Code – WAC 51-50 and appendices A, B and J;
3. 2006 International Residential Code – WAC 51-51 and appendices A, B, C, and G;
4. 2006 International Mechanical Code – WAC 51-52;
5. 2006 National Fuel Gas Code (NFPA 54) – WAC 51-52;
6. 2004 Liquefied Petroleum Gas Code (NFPA 58) – WAC 51-52;
7. 2006 International Fuel Gas Code – WAC 51-52;
8. 2006 Uniform Plumbing Code – WAC 51-56 and WAC 51-57; and
9. 1997 Edition of the Uniform Building Code for the Abatement of Dangerous Buildings as published by ICBO.

101.2.1 Exceptions. The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures.

101.2.2 Definitions. For the purpose of this chapter, certain terms, phrases,

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words and their derivatives shall have the meanings set forth in this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinary accepted meanings. 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.

1. "Action" means a specific response complying fully with a specific request by the jurisdiction.

2. "Building service equipment" means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.

3. "Complete response" means an adequate response to all requests from city staff in sufficient detail to allow the application to be processed.

4. "Dangerous Building Code" means the 1997 Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Council of Building Officials as adopted by the jurisdiction.

5. "Energy code" means the Washington State Energy Code promulgated by the Washington State Building Code Council as adopted by the jurisdiction.

6. "IBC" means the latest edition of the International Building Code promulgated by the International Code Council as adopted by this jurisdiction.

7. "CHMC" means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by this jurisdiction.

8. "IRC" means the latest edition of the International Residential Code for One- and Two-Family Dwellings promulgated by the International Code Council as adopted by this jurisdiction.

9. "NEC" means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association.

10. "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

11. "Shall" as used in this chapter, is mandatory.

12. "UPC" means the latest edition of the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by this jurisdiction.

13. Valuation – The city council shall set permit fees and costs for inspections or additional plan review by resolution. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total estimated current value of all labor, materials, contractor's overhead and profit, whether paid for or not, for the 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, on-site storm drainage systems and improvements, and any other permanent equipment.

14. "VIAQ" means the Washington State Ventilation and Indoor Air Quality Code promulgated by the Washington State Building Code Council, as adopted by the jurisdiction.

101.3 Appendices. Provisions in the appendices shall not apply unless specifically adopted.

101.4 Referenced Codes. The codes listed in Sections 101.5.1 through 101.5.6 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 International Building Code. The provisions of the International Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade in height with separate means of egress and their accessory structures shall comply with the International Residential Code.

101.4.2 International Residential Code. The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not

more than three stories in height with separate means of egress and their accessory structures.

101.4.3 Mechanical. These provisions of the International Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

Exceptions:

1. The International Fuel Gas Code – for all installations utilizing natural gas except those regulated by the IRC and those utilizing LPG;
2. International Residential Code – for all structures regulated by the IRC except LPG installations;
3. NFPA 54 and 58 – for all LPG installations.

101.4.4 Liquid Propane Gas. The provisions of the National Fuel Gas Code and Liquid Petroleum Gas Code (NFPA 54 and 58) shall apply to the installation of all materials and equipment utilizing liquid propane gas.

101.4.5 Natural Gas. The provisions of the International Fuel Gas Code shall apply to the installation of all materials and equipment utilizing natural gas except those regulated by the International Residential Code.

101.4.6 Plumbing. The provisions of the 2003 Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system.

SECTION 102
APPLICABILITY

102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern except that the hierarchy of the codes named in Chapter 19.27 RCW shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of References. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced Codes and Standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.5 Partial Invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

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, 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.

SECTION 103
ENFORCEMENT AGENCY

103.1 Creation of Enforcement Agency. The Building Department is hereby created and the official in charge thereof shall be known as the building official.

103.2 Appointment. The building official shall be appointed by the chief appointing authority of the jurisdiction.

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, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

SECTION 104
DUTIES AND POWERS OF
BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

104.2 Applications and Permits. The building official shall receive applications, review construction documents

and issue permits for the erection, alteration, demolition and moving of buildings, structures and building service equipment, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

104.3 Notices and Orders. The building official shall issue all necessary notices or orders to ensure compliance with this code.

104.4 Inspections. The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise at the applicant's expense.

104.5 Identification. The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

104.6 Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code, provided that if such structure or premises be occupied that credentials be presented to the occupant and en-

try requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

104.7 Department Records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

104.8 Approved Materials and Equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

104.8.1 Used Materials and Equipment. The use of used materials and building service equipment is permitted when approved by the building official.

104.9 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 the building official shall first find that 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 department. The building official is authorized to charge an additional fee to evaluate any proposed

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modification under the provisions of this section.

104.10 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 by 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 of the 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 building official is authorized to charge an additional fee to evaluate any proposed alternate material, design and or method of construction and equipment under the provisions of this section.

104.10.1 Research Reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.10.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve

the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

SECTION 105 PERMITS

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 engage in grading or construction of any storm drainage system either on- or off-site, including, but not limited to, detention/infiltration facilities, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, 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.

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 provided the projected roof area, including eaves and gutters, does not exceed 220 square feet.
2. Fences not over 6 feet (1,829 mm) high.
3. Oil derricks.
4. Retaining walls which are not over 4 feet (1,219 mm) 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 III-A liquids.

5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks, decks and driveways not more than 30 inches (762 mm) above grade and not over any basement or story below and which are not part of an accessible route or means of egress.
7. Painting, papering, tiling, carpeting, and similar finish work.
8. Temporary motion picture, television and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a One- and Two-Family Dwelling or Group R-3 occupancy, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
11. Swings, slides and other similar playground equipment.
12. Window awnings supported by an exterior wall of One- and Two-Family Dwellings or Group R-3, and Group U occupancies which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.
13. Movable cases, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.

Mechanical:

1. Portable heating, cooking, or clothes drying appliances.
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 which does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected.

Plumbing:

1. The stopping and/or repairing of leaks in drains, water, soil, waste or vent pipe provided, however, that should any concealed trap, drain pipe, water, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.
2. The clearing of stoppages.
3. Reinstallation or replacement of pre-fabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes.

105.2.1 Emergency Repairs. Where equipment replacements and equipment repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the building official.

105.2.2 Repairs. Application or notice to the building official is not required for ordinary repairs to structures, replacement of lamps or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, par-

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tion or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alternation of, replacement or relocation of any, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

105.3 Application for Permit. To obtain a permit, the applicant shall first file an application therefore in writing on a form furnished by the building department for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in Section 106.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

105.3.1 Action on Application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents

do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefore. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as practicable.

105.3.2 Time Limitation of Application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued; except that the building official is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

105.4 Validity of Permit. The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this jurisdiction.

105.5 Expiration. Unless otherwise provided for and approved in the original application, a building permit shall expire one year from the date issued, at which time the exterior of the struc-

ture shall be completely finished according to the plans and specifications. If not, a new permit must be applied for at twice the original fee and the fee shall be doubled each following year.

Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 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 180 days. Before such work can be recommenced, a new permit shall first be obtained to do so, and the fee therefore 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. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee and plan check fee.

Any permittee holding an unexpired permit may apply for an extension of the time within which work may commence under that permit when the permittee is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee not exceeding 180 days on written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once.

105.6 Suspension or Revocation. The building official is authorized to suspend or revoke a permit issued under

the provisions of this code wherever the permit is issued in error or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation or any of the provisions of this code.

105.7 Placement of Permit. The building permit or copy shall be kept on the site of the work until the completion of the project. For access to the permit for inspections, see Section 109.4.13.

SECTION 106

CONSTRUCTION DOCUMENTS

106.1 Submittal Documents. Construction documents, special inspection and structural observation programs, and other data shall be submitted in one or more sets with each application for a permit. The construction documents shall be prepared by a registered design professional licensed under the provision of Chapters 18.08 or 18.43 RCW when new construction is over 4,000 square feet gross floor area or if construction is a substantial remodel as defined in CHMC 17.60.030(C)(1). Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

106.1.1 Information on Construction Documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media

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documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official.

The following information, documentation or plans are required at the time a building permit application is submitted:

	Description	Number of Copies
A.	1. Completed building permit application including property owner's name, address and phone number	1
	2. Statement of building valuation, including contractor's profit and overhead, whether paid for or not	1
B.	Plans and Drawings	2
	1. Site plan	2
	2. Topography plan showing original grade at 2'0" intervals	2
	3. Foundation plans	2
	4. Floor plans	2
	5. Roof and floor framing plans	2
	6. Structural cross sections and details	2
	7. Architectural cross sections and details	2
	8. Architectural elevations	2
	9. Structural plans and notes	2
	10. Door and window schedule	2
	11. Fireplace section	2
	12. Stair section	2
	13. WA State Energy Code data	2
	14. WA State Ventilation and Indoor Air Quality Code data	2

	Description	Number of Copies
C.	Other Forms and/or Information	
	1. Legal description and street address	1
	2. Prime contractor's business name, address, phone number, current state contractor registration number	1
	3. Structural calculations	2
	4. Certificate of sewer availability (these can be obtained from the city of Bellevue)	1
	5. Certificate of water availability (these can be obtained from the city of Bellevue)	1
	6. Copies of all recorded easements	1
	7. Name, address and phone number of the lender administering the interim construction financing, if any; or Name and address of the firm that issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than 50 percent of the total amount of the construction project.	1

All plans and drawings required under this section shall be submitted in the format, description, size and scale designated by the city.

106.2 Site Plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in ac-

cordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

106.3 Examination of Documents. The building official shall examine or cause to be examined the accompanying construction documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

106.3.1 Use of Consultants. Whenever review of a building permit application requires retention by the jurisdiction for professional consulting services, the applicant shall reimburse the jurisdiction, the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. The jurisdiction may require the applicant to deposit an amount with the jurisdiction estimated in the discretion of the building official to be sufficient to cover anticipated costs to retaining professional consultant services and to ensure reimbursement for such costs.

106.3.2 Approval of Construction Documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Approved, Subject To Field Inspection." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the

building official or a duly authorized representative.

106.3.3 Phased Approval. The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted, provided that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

106.4 Design Professional in Responsible Charge.

106.4.1 General. When it is required that documents be prepared by a qualified registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design

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of the building. Where structural observation is required by Section 1709 of the IBC, the inspection program shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also duties specified in Section 1704 of the IBC).

106.5 Deferred Submittals. For the purposes of this section, deferred submittals are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building official. The building official is authorized to charge an additional plan review fee to evaluate deferred submittals under the provisions of this section.

106.6 Amended Construction Documents. Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of construction documents. The building

official may authorize minor field changes subject to the approval of the field inspector.

106.7 Retention of Construction Documents. One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws.

SECTION 107 TEMPORARY STRUCTURES AND USES

107.1 General. The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

107.2 Conformance. 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 the public health, safety and general welfare.

107.3 Termination of Approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

SECTION 108 FEES

108.1 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.

108.2 Schedule of Permit Fees. On buildings, structures, grading, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority.

108.3 Plan Review Fees. The city council shall set permit fees and costs for inspections or additional plan review by resolution. The Building Official shall make the determination of value or valuation under any of the provisions of this Code.

108.4 Building Permit Valuations. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The value to be used in computing the building permit and building plan review fees shall be the total estimated current value of all labor, materials, contractor's overhead and profit, whether paid for or not, for the 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, on-site storm drainage systems and improvements, and any other permanent equipment.

108.5 Work Commencing Before Permit Issuance. Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a special investigation fee that shall be in addition to the required permit fees.

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

An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The minimum investigation fee shall be the same as the minimum fee set forth in the City Fee Schedule. 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.

SECTION 109
INSPECTIONS

109.1 General. Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

109.2 Preliminary Inspections. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

109.3 Manufacturer's Installation Instructions. Manufacturer's installation instructions, as required by this code,

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shall be available on the job site at the time of inspection.

109.4 Required Inspections. The building official, upon notification, shall make the inspections set forth in Sections 109.4.1 through 109.4.12.

109.4.1 Footing and Foundation Inspection. Footing and foundation inspections shall be made after excavations for footings are complete and any required reinforcing steel and hold-downs are in place. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

109.4.2 Concrete Slab and Under-Floor Inspection. Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, slab insulation, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

109.4.3 Exterior Wall Sheathing Inspection. Exterior wall sheathing shall be inspected after all wall framing is complete, strapping and shear wall nailing is properly installed but prior to being covered.

109.4.4 Roof Sheathing Inspection. The roof sheathing shall be inspected after all roof framing is complete. No roof coverings shall be installed until inspections are made and approved.

109.4.5 CHMC/IPC/GAS/NEC Rough In Inspection. Rough in mechanical, gas piping, plumbing and electrical shall be inspected when the rough in work is complete and if required, under

test. No connections to primary utilities shall be made until the rough in work is inspected and approved.

109.4.6 Frame Inspection. Framing inspections shall be made after the roof deck, wall sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, fire suppression piping, heating wires, pipes and ducts are approved and the building is substantially dried in.

109.4.7 Flashing and Exterior Weather Barrier Inspection. Flashing and exterior weather barrier inspections shall be made after flashing and weather barrier materials have been installed, but prior to any of the work being covered. Subject to the approval of the building official, periodic inspections may be made during the course of construction.

109.4.8 Lath Inspection and Gypsum Board Inspection. Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Exception: Gypsum board that is not part of a fire-resistance rated assembly or a shear assembly.

109.4.9 Fire-resistant penetrations. Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved.

109.4.10 Energy Efficiency Inspection.

109.4.10.1 Envelope.

1. Wall Insulation Inspection: To be made after all wall insulation and air vapor retarder sheet or film

materials are in place, but before any wall covering is placed.

2. Glazing Inspection: To be made after glazing materials are installed in the building.

3. Exterior Roofing Insulation: To be made after the installation of the roof insulation, but before concealment.

4. Slab/Floor Insulation: To be made after the installation of the slab/floor insulation, but before concealment.

109.4.10.2 Mechanical.

1. Mechanical Equipment Efficiency and Economizer: To be made after all equipment and controls required by this Code are installed and prior to the concealment of such equipment or controls.

2. Mechanical Pipe and Duct Insulation: To be made after all pipe, fire suppression piping and duct insulation is in place, but before concealment.

109.4.10.3 Lighting and Motors.

1. Lighting Equipment and Controls: To be made after the installation of all lighting equipment and controls required by this Code, but before concealment of the lighting equipment.

2. Motor Inspections: To be made after installation of all equipment covered by this Code, but before concealment.

109.4.11 Re-Inspection. The building official may require a structure or portions of work to be re-inspected. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which the inspection was requested is not complete; or when previous corrections called for are not made; or when duplicate inspections for the same work are requested which result in additional

time or resources expended; or when the approved plans and permit are not on site in a conspicuous or pre-approved location; or when the building is not accessible. In instances where re-inspection fees have been assessed, no additional inspection of the work shall be provided by the city until the required fees are paid.

109.4.12 Other Inspections. In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

109.4.13 Special Inspections. In addition to the inspections noted above, the building official is authorized to require special inspections for any type of work related to the technical codes by an approved agency at no cost to the jurisdiction.

109.4.14 Final Inspection. The final inspection shall be made after all work required by the building permit is completed. If more than 60 days has elapsed since the expiration of the permit, an additional inspection fee, as established by resolution of the City Council, shall be charged.

109.5 Inspection Agencies. The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

109.6 Inspection Requests. It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access

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to and means for inspections of such work that are required by this code.

109.7 Approval Required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

SECTION 110 CERTIFICATE OF OCCUPANCY

110.1 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 issued a certificate of occupancy therefore as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

110.2 Certificate Issued. After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building department, the building official shall issue a certificate of occupancy that contains the following:

1. The building permit number.
2. The address of the structure.
3. The name and address of the owner.
4. Project name.

5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the building official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy.
9. The type of construction.
10. The design occupant load.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

110.3 Temporary or Phased Occupancy. The building official is authorized to issue a temporary or phased certificate of occupancy before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied safely. The building official is authorized to require in addition to the completion of life safety building components, any or all accessibility components. The building official shall set a time period during which the temporary or phased certificate of occupancy is valid. The building official is authorized to require that a performance bond be posted with the city in an amount equal to 150% of the incomplete work as determined by the design professional. The bond shall be refundable upon inspection, final approval and a request in writing for the refund. It shall be the duty of the applicant to request the refund.

110.4 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis

of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

SECTION 111
SERVICE UTILITIES

111.1 Connection of Service Utilities. No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

111.2 Temporary Connection. The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

111.3 Authority to Disconnect Service Utilities. The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property, or when such utility connection has been made without the required approval. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

SECTION 112
BOARD OF APPEALS

112.1 General. Appeals of orders, decisions or determinations made by the

official relative to the application and interpretation of the provisions of this Code shall be directed to the Board of Adjustment of the City of Clyde Hill, and the decisions of such Board shall be final in all respects. Decisions and findings of said Board in respect to matters pertaining to this Code shall be in writing, with copies to the Building Official and the appellant. The Building Official shall attend all meetings of said Board at which appeals under this section are scheduled for hearing. The Board of Adjustment shall adopt reasonable rules and regulations for conducting its investigations and processing of appeals under this section.

112.2 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 there under 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 board of adjustment shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the jurisdiction.

SECTION 113
VIOLATIONS

113.1 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.

113.2 Notice of Violation. The building official is authorized to serve a notice

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of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

113.3 Prosecution of Violation. If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the jurisdiction to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

113.4 Violation – Penalties. Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as set forth in CHMC Chapter 15.13.

SECTION 114 STOP WORK ORDER

114.1 Authority. Whenever the building official finds any work being performed in a manner either contrary to the provisions of this code or other pertinent laws or ordinances implemented through the enforcement of this code, the building official is authorized to issue a stop work order.

114.2 Issuance. The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order.

114.3 Investigation Fee. The building official is authorized to assess a special investigation fee for the issuance of a stop work order when work has started without the issuance of a permit.

114.4 Unlawful Continuance. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

SECTION 115 UNSAFE STRUCTURES AND EQUIPMENT

115.1 General. Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in the 1997 edition of the Uniform Code For The Abatement Of Dangerous Buildings or the 1997 edition of

the Uniform Housing Code. A vacant structure that is not secured against entry shall be deemed unsafe.

(Ord. 888 § 1, 2007; Ord. 874 § 1, 2005; Ord. 872 §§ 7, 8, 12, 2005; Ord. 866 § 3, 2004)

15.04.015 International Building Code adopted.

The 2006 International Building Code, as adopted by the State Building Code Council in Chapter 51-50 WAC, as published by the International Code Council, excluding Chapter 1, "Administration," and including Appendix J, is hereby adopted. (Ord. 888 § 2, 2007; Ord. 872 § 1, 2005; Ord. 866 § 3, 2004)

15.04.020 International Residential Code adopted.

The 2006 International Residential Code, as adopted by the State Building Code Council in Chapter 51-51 WAC, as published by the International Code Council, excluding Chapter 1, "Administration," is adopted, together with Appendices Chapter B and G, "Swimming Pools, Spas and Hot Tubs," and amending Section A.G.105.2 of Appendix G by adding a new Subsection 11 to read as follows:

A locking cover for hot tubs, approved by the Building Official, is acceptable in lieu of a barrier or fence.

(Ord. 888 § 3, 2007; Ord. 872 § 2, 2005; Ord. 866 § 3, 2004)

15.04.025 International Residential Code amended.

The International Residential Code adopted by CHMC 15.04.020 is hereby amended by adding a new subsection 310.1.5 to read as follows:

No cabinets or built-in facilities shall be constructed in such a way as to cause obstruction to doorways or passageways or to prevent the opening of any door.

(Ord. 872 § 11, 2005)

15.04.030 International Fire Code adopted.

The 2006 Edition of the International Fire Code, as adopted by the State Building Code Council in Chapter 51-54 WAC, as published by the International Code Council, is hereby adopted, including Appendix B. (Ord. 888 § 4, 2007; Ord. 873 § 1, 2005)

15.04.040 International Mechanical Code adopted.

The 2006 Edition of the International Mechanical Code, as adopted by the State Building Code Council in Chapter 51-42 WAC, as published by the International Code Council, is hereby adopted. (Ord. 888 § 5, 2007; Ord. 872 § 4, 2005; Ord. 866 § 3, 2004)

15.04.045 Liquefied Petroleum Gas Code adopted.

The 2004 Edition of the Liquefied Petroleum Gas Code (NFPA 54), as adopted by the State Building Code Council in Chapter 51-52 WAC, is hereby adopted. (Ord. 888 § 11, 2007)

15.04.050 National Fuel Gas Code (NFPA 54) adopted.

The 2006 National Fuel Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by NFPA is adopted. (Ord. 888 § 6, 2007; Ord. 866 § 3, 2004)

15.04.055 Amendment to Appendix Chapter 4.

Repealed by Ord. 866. (Ord. 736 § 2, 1995)

15.04.060 Liquefied Petroleum Gas Code (NFPA 58) adopted.

Repealed by Ord. 872. (Ord. 866 § 3, 2004)

15.04.065 Building permit application requirements.

Repealed by Ord. 866. (Ord. 742 § 2, 1996; Ord. 714 § 2, 1995; Ord. 646 § 1, 1991)

15.04.070

15.04.070 International Fuel Gas Code adopted.

The 2006 Edition of the International Fuel Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by the International Code Council, is hereby adopted. (Ord. 888 § 7, 2007; Ord. 872 § 5, 2005; Ord. 866 § 3, 2004)

15.04.080 Uniform Plumbing Code adopted.

The 2006 Edition of the Uniform Plumbing Code, as adopted by the State Building Code Council in Chapters 51-56 and 51-57 WAC, as published by the International Association of Plumbing and Mechanical Officials, is hereby adopted. (Ord. 888 § 8, 2007; Ord. 872 § 6, 2005; Ord. 866 § 3, 2004)

15.04.090 Section 903.2.10 of the International Fire Code amended.

Repealed by Ord. 873. (Ord. 861 § 2, 2004)

15.04.095 Washington State Energy Code adopted.¹

The 2006 Washington State Energy Code, as adopted by the State Building Code Council in Chapter 51-11 WAC, is adopted. (Ord. 888 § 9, 2007; Ord. 866 § 3, 2004)

15.04.100 Ventilation and Indoor Air Quality Code adopted.

The 2006 Washington State Ventilation and Indoor Air Quality Code, as adopted by the State Building Code Council in Chapter 51-13 WAC, is hereby adopted. (Ord. 888 § 10, 2007; Ord. 866 § 3, 2004)

1. Code reviser's note: CHMC 15.04.095 was added by Ord. 866 as CHMC 15.04.090. It has been editorially renumbered to prevent duplication.

15.04.110 Abatement of Dangerous Buildings Code adopted.

The 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings Code, as published by the International Council of Building Officials, is adopted except that references to the Uniform Codes shall be replaced with the appropriate technical codes and sections as adopted by this jurisdiction. (Ord. 866 § 3, 2004)

15.04.120 Documents to be filed and available for public inspection.

The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140. (Ord. 866 § 3, 2004)

15.04.130 Violation – Penalty.

A. Criminal Penalties. Any person, firm or corporation violating any of the provisions of this chapter shall, upon conviction, be guilty of a misdemeanor, and each such person, firm or corporation shall be guilty of a separate offense for each and every day or a portion thereof during which any violation of any of the provisions of this chapter is committed, continued or permitted. Upon conviction of such violation, such person, firm or corporation 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 for each separate offense.

B. Civil Infraction. Any person, firm or corporation who violates any provisions of this chapter shall be subject, in addition to other penalties hereunder, to a civil penalty of not more than \$250.00 per day or portion of a day for each violation of this chapter, plus payment of the city's reasonable attorneys' fees, witness fees, staff time and other costs incurred in enforcing said civil penalty. Notices of violation shall be issued by the building official. Any person who receives a notice of violation shall respond within 15 days from the date the

notice is served. The date of service is the date the notice of violation is either (1) served on the violator(s) personally, or by leaving a copy of the notice at the house of the violator's usual abode with some person of suitable age and discretion then resident therein, (2) deposited into the United States mail, postage prepaid, via first class and certified mail, return receipt requested, or (3) is otherwise received, whichever occurs first. Persons wishing to contest the notice of violation and people who do not wish to contest the notice of violation but wish to explain mitigating circumstances shall file a request for a hearing within 15 days of the date the notice of violation is served and, upon the city's receipt of a timely request, a hearing shall be scheduled.

1. All violations shall be scheduled before the mayor.

The determination by the mayor shall be final, binding and conclusive unless a judicial appeal is filed with the King County superior court within 21 days of the date of issuance of the written determination by the mayor. Failure to timely appeal the notice of violation results in the notice becoming the final binding order of the city.

C. In those instances where a civil penalty has been imposed for failure to obtain a permit required under this chapter, such permit shall not be issued until such time as the civil penalty has been paid and all other requirements have been met. As a condition of the final determination of the amount of the civil penalty to be imposed, the building official, or mayor, as the case may be, may require abatement of any nonpermitted construction.

D. Abatement. The building official may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes a violation of CHMC Title 15 when civil or criminal penalties are inadequate to effect compliance. (Ord. 866 § 3, 2004)

15.04.140 Building permits – On-site storm drainage systems included.

Permits Required. Except as specified in Section 105.2 of CHMC 15.04.010, no building or structure regulated by this code shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished unless a separate permit for each building or structure has first been obtained from the building official. All on-site storm drainage systems, including, but not limited to, detention/infiltration facilities, shall be encompassed within, and governed by, the building permit.

(Ord. 874 § 2, 2005; Ord. 866 § 2, 2004; Ord. 715 § 2, 1995; Ord. 646 § 1, 1991. Formerly 15.04.020)

15.04.150 Preapplication conference.

Prior to submitting an application for a building permit the applicant's architect or design representative shall undergo a preapplication permit review with the building official and/or the public works director whenever one or more of the following are proposed:

A. Construction of a new home;

B. Construction projects exceeding the limits in the provisions of CHMC 17.60.030; or

C. Any project where in the opinion of the building official or public works director a conference is warranted due to the complexity or inadequacy of the project or application.

One hour of the building official and/or the public works director's time shall be included within the permit plan check fee. In the event said review requires more than one hour of the building official and/or public works director's time, then additional charged at the rate established by the city's master fee resolution for additional work shall be charged to the applicant and paid before issuance of any permit under this title. (Ord. 872 § 9, 2005; Ord. 866 § 2, 2004; Ord. 834 § 1, 2001. Formerly 15.04.025)

15.04.160

15.04.160 Processing of permits.

Permits issued pursuant to CHMC Title 15 shall be processed as follows:

A. Building Permits.

1. Non-SEPA. Building permits not subject to the State Environmental Policy Act (“SEPA”), as adopted by the city in CHMC Title 18, shall be processed as Type I project permit applications, as described in the chart included in CHMC 19.01.003. Building permits not subject to SEPA are exempt from the project permit processing requirements, as described in CHMC 19.01.007.

2. SEPA. Building permits subject to SEPA shall be processed as Type II project permit applications, as described in the chart included in CHMC 19.01.003.

B. Grading Permits. Grading permits shall be processed in the same manner as building permits in subsection (A) of this section.

C. Mechanical Permits. Mechanical permits shall be processed as Type I project permit applications, as described in the chart included in CHMC 19.01.003. (Ord. 866 § 2, 2004; Ord. 743 § 1, 1996. Formerly 15.04.035)

15.04.170 New material – Additions to Section 104.2.8.

Section 104.2.8 of the Uniform Building Code is amended to add the following new sections:

Cabinets and built-ins. Sec. 104.2.8. No cabinets or built-in facilities shall be constructed in such a way as to cause obstruction to doorways or passageways or to prevent the opening of any door.

(Ord. 866 § 2, 2004; Ord. 715 § 6, 1995; Ord. 667 § 3, 1992; Ord. 646 § 1, 1991. Formerly 15.04.060)

15.04.180 Landscape site and/or plan review.

A. On-site landscaping review shall be available to any property owner within the city upon request. Said review shall be for the purpose of determining conformity of the trees or other vegetation in any landscape plan with the city’s list of recommended plantings and recommendations from the city’s urban forestry program developed pursuant to Chapter 8.21 CHMC.

B. On-site landscaping review shall be mandatory for those properties for which a building permit has been applied for involving any of the following:

1. Change in the footprint of the house or other building on the property; or
2. Any exterior changes to the house or other building on the property; or
3. Modification of landscaping is a part of the project for which a permit is being obtained.

C. The landscape plan and/or site review with the property owner, contemplated by this section, shall take place prior to final inspection of the work under the building permit. Where the property owner intends to plant trees or vegetation that may cause damage to streets, sidewalks, overhead or underground utility lines or which may impact views, the reviewer will suggest alternatives from the city’s list of recommended trees and vegetation and explain the benefits of such alternatives. (Ord. 866 § 2, 2004; Ord. 685 § 1, 1993. Formerly 15.04.110)

15.04.190 Reflective roofing prohibited – Exceptions.

A. Any and all buildings constructed, reconstructed and/or reroofed subsequent to the effective date of the ordinance codified in this section shall not have an exterior roof surface consisting of any of the following materials:

1. Unpainted galvanized or clear-coated metal; or

2. White or aluminized reflective roof covering or coating.

B. The applicant may apply to the building official for permission to install prohibited roofing materials. The building official may allow such installation based upon the applicant satisfying the following criteria:

1. The roof will not create a safety hazard to passing motorists or pedestrians; and

2. The roof will not adversely affect neighboring property owners within a maximum radius of 300 feet, as measured from the applicant's property line. In ascertaining whether the proposed roof will have an adverse impact upon neighbors, the building official may seek oral or written input from the neighboring property owners within the affected area. (Ord. 866 § 2, 2004; Ord. 762 § 1, 1997. Formerly 15.04.120)

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Chapter 15.06**MOVING OF BUILDINGS¹**

Sections:

- 15.06.010 Permit required.
- 15.06.020 Permit application.
- 15.06.030 Fees.
- 15.06.040 Performance bond.
- 15.06.050 Notice to adjoining property owners.
- 15.06.060 Permit – Grounds for refusal.
- 15.06.070 Liability insurance required.
- 15.06.080 Revocation.
- 15.06.090 Permit application – Expiration.
- 15.06.100 Moving regulations generally.
- 15.06.110 Duties of permittee.
- 15.06.120 Inspection by building official.

15.06.010 Permit required.

It is unlawful for any person to move a building along or across any public place or street without a permit to do so from the city building official. Building moving permits are exempt from project permit processing, as described in CHMC 19.01.007. (Ord. 743 § 3, 1996; Ord. 650 § 1, 1991)

15.06.020 Permit application.

In addition to other information reasonably required by the building official, all applications for a permit to move a building shall provide a certificate of ownership or other evidence of authority to move the building; state the location of the building to be moved, its dimensions and its principal materials; describe the route over which the building is to be moved and shall include a map showing the route; describe the length of time that will be required to move it, the proposed date and time of the move and the proposed destination. (Ord. 650 § 1, 1991)

15.06.030 Fees.

The cost of the permit to move a building shall be a minimum of \$150.00 and for such additional amounts as determined by the building official to cover the actual costs to the city including but not limited to the cost of a police escort to include at least one officer. If the move requires additional officers, the applicant shall pay the extra cost involved with a four hour minimum on labor and equipment charges. (Ord. 650 § 1, 1991)

15.06.040 Performance bond.

The applicant shall post with the city a bond of at least \$2,500 to assure compliance with the provisions of this chapter including specifically that the streets and the site are restored to a clean and orderly condition. The amount required of the bond may be increased by the building official if the estimated costs of assuring compliance are in excess of \$2,500. The bond shall be released by the building official upon final inspection. (Ord. 650 § 1, 1991)

15.06.050 Notice to adjoining property owners.

The building official shall mail notice of the proposed move to adjoining property owners, provided that failure to do so shall not give rise to any liability on the part of the city. (Ord. 650 § 1, 1991)

15.06.060 Permit – Grounds for refusal.

The building official shall refuse to issue a permit if he finds that:

- A. Any application requirement or any fee or bond requirement has not been complied with;
- B. The building is too large to move without endangering persons or property in the city;
- C. The building is in such a state of deterioration, disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the city;

1. Prior legislation: Ords. 498 and 509.

15.06.070

D. The building is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the city;

E. The applicant's equipment is unsafe and persons and property would be endangered by its use;

F. The zoning code, building code, fire code or other ordinances would be violated by the building in its new location or that the applicant has failed to obtain the necessary permits for all work required in order to comply with such ordinances;

G. For any other reason persons or property in the city would be endangered by the moving of the building. (Ord. 650 § 1, 1991)

15.06.070 Liability insurance required.

No permit to move a building shall be issued unless the applicant has furnished the city clerk a certificate of insurance evidencing liability coverage for this move and a copy of the endorsement showing proof that the city is named as an additional insured on the applicant's public liability insurance policy. The insurance policy shall provide for a limit of not less than \$1,000,000 combined single limit per occurrence. The insurance shall state that the city clerk must be given a minimum of 20 days notice of any material change, cancellation or expiration of such insurance policy. (Ord. 650 § 1, 1991)

15.06.080 Revocation.

In the event anyone granted a permit under this chapter fails to comply with the terms and conditions of the permit or this chapter, the permit may be revoked by the building official after notice to the permit holder. (Ord. 650 § 1, 1991)

15.06.090 Permit application – Expiration.

A complete application with all insurance, bonds and fees necessary for a permit to move a building must be submitted to the city a minimum of at least 14 days prior to the actual moving of the building.

The permit shall expire 90 days after date of issue. (Ord. 650 § 1, 1991)

15.06.100 Moving regulations generally.

All house moves are to be accomplished between the hours of 10:00 p.m. and 6:00 a.m. Speed is to be reasonable and prudent as determined by the police department. Red or amber flashing lights shall be displayed on all four corners of the load. Pilot cars shall follow immediately ahead and behind, displaying amber lights and signs describing a load. Flagmen shall be available to control traffic where required by the city. There shall be no Saturday, Sunday or holiday moving, except as approved by the city building official. (Ord. 650 § 1, 1991)

15.06.110 Duties of permittee.

Every permittee under this chapter shall:

A. Use Designated Streets. Move a building only over streets designated for such use in the written permit.

B. Notify of Revised Moving Time. Notify the building official in writing of a desired change in moving date and hours as proposed in the application.

C. Notify of Damage. Notify the building official in writing of any and all damage done to property belonging to the city within 24 hours after the damage or injury has occurred.

D. Overhead Utilities. Assume all responsibility for protection of overhead utilities and structures and obtain any necessary permission from the utilities involved.

E. Street Occupancy Period. Remove the building from the city streets and rights of way after two days of such occupancy, unless an extension is granted by the building official.

F. Comply with Governing Law. Within six months from the date of issuance of the permit, comply with the city building, fire and zoning ordinances, and all other applicable ordinances and laws upon relocating the building in the city. The applicant shall obtain all necessary

permits for such compliance prior to moving the building from its original site.

G. Clear Old Premises. Within 48 hours of the building move, shall remove all rubbish and materials and fill all excavations to exist-ing grade at the original building site and do such other things as directed by the building official so that the premises are left in a safe and sanitary condition. (Ord. 650 § 1, 1991)

15.06.120 Inspection by building official.

All equipment being used to move the build-ing shall be subject to inspection by the build-ing official prior to the move. The building official shall also inspect after the move to make sure there is no damage to roads and that the area is clean. (Ord. 650 § 1, 1991)

Chapter 15.07

BUILDING DEMOLITION

Sections:

15.07.010 Permit required.

15.07.020 Application, investigation and permit issuance.

15.07.030 Demolition.

15.07.010 Permit required.

No building or structure shall be demolished unless: (1) an application is made for a sepa-rate permit as set forth in CHMC 15.04.020; (2) all necessary information has been submit-ted to the building official as provided in this chapter; and (3) a permit has been issued. Building demolition permits are exempt from project permit processing, as described in CHMC 19.01.007. (Ord. 743 § 4, 1996; Ord. 674 § 1, 1993)

15.07.020 Application, investigation and permit issuance.

A. Application Contents. An application shall be filed with the building official for a demolition permit, and/or for the use of street or walk area deemed necessary for building demolition operations. The application shall specify the period of time needed to complete demolition, and the period of time the applicant desires to use the public areas. In addition, the application shall be accompanied by a plan for demolition, which shall depict the property upon which the demolition operations will take place, and any other abutting public or private area which may be affected by these opera-tions. The plan shall demonstrate that adequate measures will be taken by the permittee for silt and drainage runoff protection to adjacent pub-lic and private properties, both during and after demolition operations have terminated.

B. Investigation. The building official shall inspect the area of demolition prior to permit issuance, and the public areas adjacent to the place of demolition to determine the traffic carried by the adjacent roadway and walks,

15.07.030

and to determine the inconvenience and hazard to the public. Another inspection shall be done by the building official after demolition to determine the permittee's compliance with the terms of the permit, to thereby release any bond required under subsection (D) of this section.

C. Limits of Use of Public Property. The building official has the discretion to limit the use of any public or street area, where individual circumstances would make such use of the public or street area hazardous to the public.

D. Permit Issuance. Upon completion of the investigation of the proposed demolition and/or use of the public area, the building official may grant the requested permit, subject to the applicant's furnishing public liability insurance and a cash deposit and/or surety bonds as said official deems necessary to protect the city from any claims for damages to persons or injury to public utilities or any cause arising out of the use of the public area. The building official may revise the applicant's or permittee's plans and confine the use of the walk or street area to the area the official finds to allow the greatest safety to the public. The building official may alter conditions of the permit at any time said official finds that such use may cause damage to persons or things, or to any improvements of the city. The building official shall judge the adequacy of protective devices installed in any street area to safeguard utility and traffic facility devices.

E. Permit Expiration. Any demolition permit issued under this chapter shall automatically expire 30 days after the date of issuance. (Ord. 674 § 1, 1993)

15.07.030 Demolition.

Demolition operations shall be conducted in accordance with all applicable local, state and federal law, including, but not limited to, CHMC 8.10.030(E). Any permit issued under this chapter shall further be conditioned on the permittee's compliance with the following:

A. Removal of Earth and Debris. Earth taken from excavations and rubbish from buildings shall not be stored on the sidewalk or other street area, but shall be removed daily as rapidly as produced. Where such materials are dry and apt to produce dust when handled, they shall be kept sufficiently moist to prevent the wind blowing the same about. The permittee shall keep all walks and street areas clean and free from mud and debris as required by the building official.

B. Clean Premises. The permittee shall remove all rubbish and materials and fill all excavations to existing grade at the original building site, and accomplish such other tasks as directed by the building official so that the premises are left in a safe and sanitary condition.

C. Disconnection and Capping of Utilities. Prior to demolition operations, the permittee shall disconnect and cap off all utilities (including, but not limited to, sanitary sewer, gas lines and water lines). The location of remaining, capped utilities shall be clearly marked by the permittee on the site.

D. Removal of Underground Tanks. In conjunction with the demolition operations, the permittee shall remove and properly dispose of all underground tanks (including, but not limited to, oil and gas tanks) as required by all applicable local, state and federal law.

E. Drainage. The permittee shall protect the adjacent private and public properties from silt and drainage runoff both during and after demolition operations, all as provided in the plans submitted with the application, and to the satisfaction of the building official. The release of any cash deposit or surety bonds required by the building official under CHMC 15.07.020 (D) may be conditioned upon the permittee's compliance with this condition.

F. Pedestrian Protection and Traffic Control. The permittee shall comply with all safety requirements imposed by the building official on work adjacent to public walks and streets, including but not limited to, the use of flag per-

sons to direct traffic as necessary for trucks on site, the use of appropriate safety signs, barricades and other protective devices. (Ord. 674 § 1, 1993)

Chapter 15.08

MOTOR HOMES, TRAILERS, RECREATIONAL VEHICLES AND JUNK VEHICLES

Sections:

- 15.08.010 Title.
- 15.08.020 Purpose.
- 15.08.030 Definitions – Generally.
- 15.08.035 Junk vehicles – Defined.
- 15.08.040 Definitions – Specifically.
- 15.08.050 *Repealed.*
- 15.08.060 Time limitation for parking or storing certain vehicles within the city.
- 15.08.070 Location and screening.
- 15.08.080 Purpose of advertising or repairing.
- 15.08.090 Carport or garage storage.
- 15.08.100 *Repealed.*
- 15.08.110 *Repealed.*
- 15.08.120 Sale or display prohibited.
- 15.08.130 *Repealed.*
- 15.08.140 Parking or storage prohibited.
- 15.08.150 *Repealed.*
- 15.08.160 Parking restrictions.
- 15.08.170 *Repealed.*
- 15.08.180 Habitation uses prohibited.
- 15.08.190 Occupancy exceptions.
- 15.08.200 *Repealed.*
- 15.08.210 Service connections.
- 15.08.220 Mobility.
- 15.08.230 Pickup coach.
- 15.08.240 Storage generally – Permanent foundations prohibited.
- 15.08.250 Application – Procedure.
- 15.08.260 Application – Information.
- 15.08.270 Conditions.
- 15.08.280 Hearing.
- 15.08.290 Screening.
- 15.08.300 Recordkeeping.
- 15.08.310 Cancellation.
- 15.08.320 Enforcement and penalty – Impoundment of vehicle.

15.08.010 Title.

This chapter shall be known as the “Clyde Hill Motor Home, Trailer, Recreational Vehicle and Junk Vehicle Ordinance,” and will

15.08.020

hereinafter be referred to as “this chapter.” (Ord. 788 § 2, 1998; Ord. 290 § 1, 1971)

15.08.020 Purpose.

The purpose of this chapter is to provide a means of regulating motor homes, trailers, recreational vehicles, junk vehicles, and other vehicles within the city, and to promote the health, safety, and general welfare and aesthetics of the city. (Ord. 788 § 3, 1998; Ord. 290 § 2, 1971)

15.08.030 Definitions – Generally.

A. “Motor vehicle” means any vehicle which is self-propelled but not operated upon rails, and which is required to be registered and titled under RCW Title 46.

B. “Vehicle” means all items capable of movement by means of wheels, skids, tracks or runners of any kind, or by air or water, along roadways, paths, watercourses or other ways of any kind, specifically including, but not limited to, forms of motor vehicles, buses, cars, vans, trailers, boats and mobile homes even though they may be at any time immobilized in any way and for any period of time of whatever duration.

C. “Adjoining property” means any parcel of property that shares a property line with the property at issue. For purposes of determining whether a property line is shared, streets, rights-of-way, access easements and private roads shall not be considered. (Ord. 799 § 1, 1999; Ord. 290 § 3(A), 1971)

15.08.035 Junk vehicles – Defined.

A “junk vehicle” is defined as a vehicle which meets at least three of the following requirements:

- A. Is three years old or older;
- B. Is extensively damaged, such damage including, but not limited to, any of the following: a broken window or windshield, or missing wheels, tires, motor or transmission;
- C. Is apparently inoperable;

D. Has an approximate fair market value equal only to the value of scrap in said vehicle. (Ord. 788 § 4, 1998)

15.08.040 Definitions – Specifically.

A. “Animal trailer” means any trailer or semitrailer constructed and/or designed primarily to transport or carry animals.

B. “Boat” means any watercraft used or capable of being used as a means of transportation on the water, however, boat does not include canoes, kayaks, or other human-powered watercraft that are 12 feet in length or less.

C. “Boat trailer” means any trailer or semitrailer constructed and/or designed primarily to transport or carry boats.

D. “Cargo trailer” means any trailer or semitrailer constructed and/or designed primarily to transport or carry cargo.

E. “Commercial vehicle” means any vehicle designed and/or used for commercial purposes or for advertising. However, a motor vehicle shall not be classified as a “commercial vehicle” solely on the basis that it contains a business name on the side door(s) of the vehicle when such business name does not exceed two square feet per side.

F. “Motor home” means any self-propelled vehicle designed or constructed so as to permit occupancy thereof as a dwelling or sleeping unit.

G. “Pickup coach” means a structure designed in such a manner so as to be mounted on a pickup or truck chassis or other vehicle and capable of being used for travel, vacation and recreational purposes, and/or for temporary occupancy. This includes, but is not limited to, the item commonly termed a “camper.”

H. “Recreational vehicle” means a travel trailer, motor home, or pickup coach that is primarily designed and used as temporary living quarters, is either self-propelled or mounted on or drawn by another vehicle, is transient, is not occupied as a primary residence, and is not

immobilized or permanently affixed to a foundation.

I. "Semitrailer" is any vehicle without motive power designed for being drawn by or used in connection with a motor vehicle and constructed so that an appreciable portion of its weight rests upon or is carried by such vehicle.

J. "Trailer" is any vehicle without motive power designed for being drawn by or used in connection with a motor vehicle and constructed so that no appreciable portion of its weight rests upon or is carried by such motor vehicle.

K. "Travel trailer" means a vehicular dwelling used for travel, vacation or recreation purposes. Such vehicles are not normally designed for permanent occupancy.

L. "CHMC 15.08.040 item" means any and all items that are described in this section. (Ord. 799 § 2, 1999; Ord. 788 § 5, 1998; Ord. 290 § 3(B), 1971)

15.08.050 Prohibited.

Repealed by Ord. 788. (Ord. 290 § 4, 1971)

15.08.060 Time limitation for parking or storing certain vehicles within the city.

A. It is unlawful to park or store any junk vehicle or CHMC 15.08.040 item on private property in any zone within the limits of the city for longer than the following time periods unless parked or stored as provided in this chapter:

1. Fourteen consecutive days in any calendar year; and
2. Forty-eight hours during any 30-day period.

B. It is unlawful to park or store any junk vehicle or any CHMC 15.08.040 item on any public street, street right-of-way, roadway, path, other way of any kind, or upon any city-owned property within the limits of the city for:

1. Displaying the vehicle or item for sale;
2. Advertising purposes;
3. Repairing such vehicle or item (except for repairs of an emergency nature); or
4. Between-use storage in excess of 48 hours during any 30-day period. (Ord. 799 § 3, 1999; Ord. 788 § 7, 1998; Ord. 290 § 5(A), 1971)

15.08.070 Location and screening.

A. A junk vehicle or CHMC 15.08.040 item may be stored in that portion of the side yard or rear yard of any residence where structures or accessory buildings may be legally constructed (as set forth in CHMC Title 17); provided, that such junk vehicles or items are either stored within a carport or garage in accordance with CHMC 15.08.090, or suitably screened from the view of adjoining property owners and from the adjacent public right-of-way in accordance with CHMC 15.08.290.

B. No junk vehicles or CHMC 15.08.040 items may be stored in the front yard of any residence, in the side yard setback, or in the rear yard accessory building setback. (Ord. 799 § 4, 1999; Ord. 788 § 8, 1998; Ord. 290 § 5(B), 1971)

15.08.080 Purpose of advertising or repairing.

No person shall park or store a junk vehicle or CHMC 15.08.040 item on residential property for advertising purposes. No person shall park or store a junk vehicle or CHMC 15.08.040 item on residential property for the purpose of repairing such item for commercial purposes. Further, no person shall park or store a junk vehicle or CHMC 15.08.040 item on residential property for noncommercial repairs (except for repairs of an emergency nature), unless such junk vehicle or item is stored in accordance with CHMC 15.08.070. The time limitation for locating a junk vehicle or CHMC 15.08.040 item on a residential property for the purpose of emergency repairs is seven consec-

15.08.090

utive days. (Ord. 799 § 5, 1999; Ord. 290 § 5(C), 1971)

15.08.090 Carport or garage storage.

Any junk vehicle or CHMC 15.08.040 item may be parked or stored in a carport or garage that is fully enclosed on at least three sides; provided, that the parking of such vehicle or item complies with parking regulations set forth in CHMC Title 17. (Ord. 799 § 6, 1999; Ord. 290 § 5(D), 1971)

15.08.100 Abandonment prohibited.

Repealed by Ord. 788. (Ord. 290 § 5(E), 1971)

15.08.110 Time limitation.

Repealed by Ord. 788. (Ord. 290 § 6(A), 1971)

15.08.120 Sale or display prohibited.

No person shall park or store a junk vehicle or CHMC 15.08.040 item on commercial property to display the junk vehicle or item for sale or for advertising purposes. Further, no person shall park or store a junk vehicle or CHMC 15.08.040 item on commercial property for repair of such junk vehicle or CHMC 15.08.040 item for a period in excess of seven days. Parking or storing of such junk vehicle or items on commercial property shall conform to the setback restrictions as provided in CHMC Title 17, as amended. (Ord. 799 § 7, 1999; Ord. 290 § 6(B), 1971)

15.08.130 Abandonment prohibited.

Repealed by Ord. 788. (Ord. 290 § 6(C), 1971)

15.08.140 Parking and storage prohibited.

It is unlawful to park or store any junk vehicle or CHMC 15.08.040 item on any public right-of-way except as provided in this chapter. (Ord. 799 § 8, 1999; Ord. 290 § 7(A), 1971)

15.08.150 Prohibitions designated.

Repealed by Ord. 788. (Ord. 290 § 7(B), 1971)

15.08.160 Parking restrictions.

When official signs are erected prohibiting parking along either side of certain streets or portions thereof, or adjacent to schools, it shall be unlawful to park any CHMC 15.08.040 item in violation of such signs. (Ord. 290 § 7(C), 1971)

15.08.170 Abandonment prohibited.

Repealed by Ord. 788. (Ord. 290 § 7(D), 1971)

15.08.180 Habitation uses prohibited.

No CHMC 15.08.040 item shall be used for habitation within the boundaries of the city except as provided in this article. (Ord. 290 § 8, 1971)

15.08.190 Occupancy exceptions.

Any CHMC 15.08.040 item may be occupied on private residential property for a period not to exceed 15 days in any calendar year when the owner or user of the vehicle is a nonresident of the city visiting a resident. (Ord. 788 § 14, 1998; Ord. 290 § 8(A), 1971)

15.08.200 Temporary use.

Repealed by Ord. 788. (Ord. 290 § 8(B), 1971)

15.08.210 Service connections.

No CHMC 15.08.040 item shall have a connected gas, water or sewer service. Such vehicle may, however, be connected to electrical service. (Ord. 788 § 16, 1998; Ord. 290 § 9, 1971)

15.08.220 Mobility.

A CHMC 15.08.040 item may be parked or stored in compliance with this chapter provided such vehicle remains in a mobile condition. Tires and wheels may be removed for

maintenance or repair. Complete immobility, including but not limited to removal of axles, undercarriage, tongue, hitch, wheels or other running gear is forbidden. (Ord. 290 § 10, 1971)

15.08.230 Pickup coach.

A pickup coach may be removed from its conveyance and stored or parked provided it complies with other provisions of this chapter and other ordinances. (Ord. 290 § 10(A), 1971)

15.08.240 Storage generally – Permanent foundations prohibited.

It is unlawful to place any CHMC 15.08.040 item on a permanent foundation, or to add a permanent addition to it for living or storage. Skirting shall not be added around the base of the item. No CHMC 15.08.040 item shall be stored in such a manner as to become a fire, health or safety hazard. Jacks or stabilizers may be used to provide leveling and stability. (Ord. 290 § 10(B), 1971)

15.08.250 Application – Procedure.

An application for any variance from the provisions of this chapter is a Type III application. All applications made under this section shall be made in writing at least 35 days in advance of any meeting of the board of adjustment. The fee for such application shall be set by resolution of the city council. (Ord. 788 § 17, 1998; Ord. 293 § 2, 1972; Ord. 290 § 14(A), 1971)

15.08.260 Application – Information.

The application shall include statements by the applicant on the following items:

A. Reason why compliance is impractical or why additional time is needed for compliance;

B. A diagram with pertinent dimensional information relative to property boundaries, location of existing structures, proposed storage location of vehicle(s), size and type of

vehicle(s), ownership of vehicle(s) and property;

C. Screening to be provided, and elevation relationship to stored vehicle(s) and property;

D. Duration of time for which the variance is requested. (Ord. 293 § 2, 1972; Ord. 290 § 14(B), 1971)

15.08.270 Conditions.

The board of adjustment may, in its discretion, grant a variance from the provisions of this chapter when it has determined that:

A. The period of variance will be temporary and will not be a continual visual nuisance for a period in excess of 90 days; or

B. The degree of variance is sufficiently demonstrated to be within the spirit of compliance with this chapter and CHMC Title 17, although not in strict compliance; or

C. Compliance with this chapter is delayed due to undue economic hardship to the property owner; provided, that the property owner is taking all reasonable measures to bring the owner's property into compliance with this chapter by a specified future date certain which is acceptable to the board.

D. In granting a variance to the provisions of this chapter, the board shall require any items stored in the rear or side yard setback areas to be suitably screened to preserve the aesthetic values of the community. This means these items would be generally inconspicuous when viewed from adjoining property or from the adjacent right-of-way. (Ord. 799 § 9, 1999; Ord. 788 § 18, 1998; Ord. 293 § 2, 1972; Ord. 290 § 14(C), 1971)

15.08.280 Hearing.

The board of adjustment shall conduct a public hearing upon any application made under this chapter. Notice of such hearing shall comply with the notice requirements of Chapter 19.03 CHMC for Type III applications. (Ord. 788 § 19, 1998; Ord. 293 § 2, 1972; Ord. 290 § 14(G), 1971)

15.08.290

15.08.290 Screening.

A. Intent. The intent of this section is to provide guidelines on how to suitably screen junk vehicles and CHMC 15.08.040 items that are stored or parked inside the city boundaries. In order to store or park these vehicles or items in compliance with the screening provision of this chapter, such vehicles or items must be screened or wholly enclosed within a building such that these vehicles or items are hidden from view. If such screening or enclosure is not possible, the vehicles or items cannot be stored or parked in the city.

B. Suitable Screening Defined. "Suitable screening" of a junk vehicle or CHMC 15.08.040 item shall consist of vegetation, a wall, a fence or other barrier that is densely packed during all seasons such that the vehicle or item cannot be seen from adjoining properties or from the adjacent public rights-of-way. Said screening must comply with the fencing and height requirements set forth in CHMC Title 17. Use of a tarp or other covering placed on or over the subject vehicle or item shall not be considered "suitable screening".

C. Carports. This section shall not be construed so as to require the screening of carport entrances, if the other three sides of the carport are fully enclosed. (Ord. 799 § 10, 1999; Ord. 293 § 2, 1972; Ord. 290 § 14(F), 1971)

15.08.300 Recordkeeping.

The board of adjustment shall keep on file all active variances. (Ord. 293 § 2, 1972; Ord. 290 § 14(D), 1971)

15.08.310 Cancellation.

Variances are subject to immediate cancellation where conditions have been altered from the terms stated in the originally granted variance. (Ord. 293 § 2, 1972; Ord. 290 § 14(E), 1971)

15.08.320 Enforcement and penalty – Impoundment of vehicle.

Any vehicle which is located within the city in violation of the provisions of this chapter shall be subject to impound or removal, under the following procedures:

A. Vehicles Located on Public Property. If a junk vehicle or CHMC 15.08.040 item is located on public property in violation of this chapter, it may be impounded at the owner's expense.

1. Twenty-four hours prior to impound, a notice of violation shall be placed conspicuously on the vehicle and shall include a reference to this chapter and provide notice that if the vehicle is not removed within 24 hours it will be impounded at the owner's expense.

2. Redemption of vehicles impounded under this chapter shall be permitted in accordance with RCW 46.55.120, which is hereby adopted by reference, as it now exists or is hereafter amended.

3. Vehicles impounded shall not be released without prior payment of the impound and storage charges.

4. A registered owner of a vehicle impounded under this section may request a hearing on the validity of the impoundment in accordance with RCW 46.55.120, which is hereby adopted by reference, as it now exists or is hereafter amended.

B. Junk Vehicles Located on Private Property.

1. The civil infraction procedure set forth in CHMC 15.13.010 may be used in combination with this section for removal of junk vehicles which are located on private property in violation of this chapter.

2. When the city seeks removal of the junk vehicle at issue, the notice and order shall be mailed to the last registered owner of record of the vehicle and to the property owner of record where the vehicle is located. The notice and order shall specify the date for appealing the notice and order and provide notice that failure to either timely appeal the notice and

order or remove the vehicle may result in the city removing the vehicle at the cost of the registered owner of the vehicle, if the identity of the owner can be determined (unless the owner in the transfer of ownership of the vehicle has complied with RCW 46.12.101 as it now exists or is hereafter amended), or against the owner of the property upon which the vehicle was stored, placed or located.

3. The costs of impoundment of a vehicle under this section shall be assessed as follows:

a. Against the registered owner of the vehicle if the identity of the owner can be determined, unless the owner in the transfer of ownership of the vehicle has complied with RCW 46.12.101 as it now exists or is hereafter amended; or

b. Against the owner of the property upon which the vehicle was stored, placed or located.

4. If a timely appeal is received, the city shall mail via certified mail, with a five-day return receipt requested, a notice of the date and time for the hearing to the owner of record of the land and legal owner of record of the vehicle, unless the vehicle is in such condition that identification numbers are not available to determine vehicle ownership.

5. The owner of the land upon which the vehicle is located may appear in person at the appeal hearing or present a written statement, made under oath, in time for consideration at the hearing, and deny responsibility for the presence of the vehicle on the land, with the reasons for the denial. If it is determined at the appeal hearing that the vehicle was placed on the land without the consent of the landowner and that the landowner did not subsequently acquiesce to its presence, then no costs of administration or removal of the vehicle shall be assessed against the property upon which the vehicle is located.

6. After notice of the intent to remove and dispose of the vehicle has been given by the city as provided above, and after the appeal

hearing, if any, has concluded and a decision issued, the vehicle shall be removed at the request of the chief of police or the chief's designee. Notice of the removal shall be sent to the Washington State Patrol and the State Department of Licensing stating that the vehicle has been wrecked. The city may make final disposition of such vehicle or parts thereof, and may transfer such vehicle or parts to another governmental body provided such disposal shall be only as scrap.

7. This subsection shall not apply to:

a. Any vehicle which is completely enclosed within a building in a lawful manner where such vehicle is not visible from the street or other public or private property; or

b. A vehicle that is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced in accordance with RCW 46.80.130, which is hereby adopted by reference, as it now exists or is hereafter amended.

C. The penalties set forth in this section are in addition to the penalties set forth in CHMC 15.13.010. (Ord. 788 § 21, 1998)

Chapter 15.10

DRAINAGE

Sections:

15.10.010 Drainage.

15.10.010 Drainage.

A. During the development, improvement, use or construction within and/or upon a lot, site, parcel, plat or other area, the following shall be required:

1. All natural contours shall be maintained to the extent that natural drainage flow from or onto adjacent public or private property shall not be disrupted, blocked, increased, redirected or otherwise made detrimental to the use or maintenance of adjacent property; and

2. This restriction shall not prevent the installation and maintenance of a covered storm sewer under or across private property along a natural drainage course for the purpose of generally improving a particular property, in conformance with specifications and plans meeting the approval of the city engineer and consistent with the city's publication entitled "Preparation and Submittal of Drainage Control Plans," as it now exists or may hereafter be amended.

B. Collected waters, including but not limited to, such waters as may be collected from roof downspout drains, surface drains, driveways, patios, yard area drains or foundation drains, shall be discharged into storm sewer facilities where connection thereto will not cause significant disruption of public streets. Installation of storm sewer facilities in the public right-of-way shall be performed in accordance with Chapter 12.08 CHMC.

C. Where the storm sewer facilities are not available, other means as may be approved by the city engineer shall be provided for disposal of collected waters. Collected waters shall not be permitted to discharge onto adjacent public or private property.

D. A storm detention system shall be required when a net total of 750 square feet or more of additional impervious surface area is added to a lot. In calculating the impervious surface area, the surface of the water of swimming pools shall not be included, unless the public works director determines that such pool contributes to water runoff.

E. When a lot is newly developed or redeveloped, or when the main structure thereon is deemed "substantially damaged or destroyed" or "substantially remodeled" as defined in CHMC 17.60.030, a storm detention system shall be required to capture, store and release storm water at the rates allowed by the city's publication described in subsection (A)(2) of this section. (Ord. 838 § 1, 2001)

Chapter 15.11**FLOOD HAZARD REDUCTION**

Sections:

- 15.11.010 Definitions.
- 15.11.020 General provisions.
- 15.11.030 Administration.
- 15.11.040 Provisions for flood hazard reduction.

15.11.010 Definitions.

“Appeal” means a request for a review of the interpretation of any provision of this chapter or a request for a variance.

“Area of special flood hazard” is the land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year. Designation on maps always includes the letters A or V.

“Base flood” means the flood having a one percent chance of being equaled or exceeded in any given year (also referred to as the “100-year flood”). Designated on flood insurance rate maps by the letters A or V.

“Basement” means any area of the building having its floor sub-grade (below ground level) on all sides.

“Development” means any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials located within the area of special flood hazard.

“Elevated building” means, for insurance purposes, a nonbasement building that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns.

“Flood” or “flooding” means a general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters; and/or
2. The unusual and rapid accumulation of runoff of surface waters from any source.

“Flood insurance rate map (FIRM)” means the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazard and the risk premium zones applicable to the community.

“Flood insurance study (FIS)” means the official report provided by the Federal Insurance Administration that includes flood profiles, the flood insurance rate maps, and the water surface elevation of the base flood.

“Floodway” means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

“Lowest floor” means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access, or storage in an area other than a basement area, is not considered a building’s lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable nonelevation design requirements of this chapter found at CHMC 15.11.040(B) (i.e., provided there are adequate flood ventilation openings).

“Manufactured home” means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured home” does not include a recreational vehicle.

“New construction” means structures for which the start of construction commenced on or after the effective date of the ordinance codified in this chapter.

“Recreational vehicle” means a vehicle:

1. Built on a single chassis;
2. Four hundred square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living

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quarters for recreational, camping, travel, or seasonal use.

“Start of construction” includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was within 180 days of the permit date. The “actual start” means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

“Structure” means a walled and roofed building, including a gas or liquid storage tank that is principally above ground.

“Substantial damage” means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

“Substantial improvement” means any repair, reconstruction, or improvement of a structure the cost of which equals or exceeds 50 percent of the market value of the structure either:

1. Before the improvement or repair is started; or

2. If the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure.

The term can exclude:

1. Any project for improvement of a structure to correct pre-cited existing violations of state or local health, sanitary, or safety code specifications which have been previously identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or

2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

“Variance” means a grant of relief from the requirements of this chapter that permits construction in a manner that would otherwise be prohibited by this chapter. (Ord. 892 § 1, 2008; Ord. 891 § 1, 2008)

15.11.020 General provisions.

A. Lands to Which This Chapter Applies. This chapter shall apply to all areas of special flood hazard within the city of Clyde Hill.

B. Basis for Establishing the Areas of Special Flood Hazard. Areas of special flood hazard within the city shall be those areas that may be identified by the Federal Insurance Administration in a scientific and engineering report entitled “The Flood Insurance Study for the City of Clyde Hill,” and any revisions thereto, with an accompanying flood insurance rate map (FIRM), and any revisions thereto, which documents are hereby adopted by reference and declared to be a part of this chapter. Any such flood insurance study and the FIRM shall be maintained on file at the City Hall, 9605 NE 24th Street, Clyde Hill, Washington 98004. The best available information for flood hazard area identification as outlined in CHMC

15.11.030(C)(2) shall be the basis for regulation until a FIRM is issued that incorporates data utilized under CHMC 15.11.030(C)(2).

C. Warning and Disclaimer of Liability. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damages. This chapter shall not create liability on the part of the city, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder. (Ord. 892 § 1, 2008; Ord. 891 § 1, 2008)

15.11.030 Administration.

A. Establishment of Development Permit.

1. Development Permit Required. A development permit shall be obtained before construction or development begins within any area of special flood hazard established in CHMC 15.11.020(B). The permit shall be for all structures and for all development including fill and other activities.

2. Application for Development Permit. Application for a development permit shall be made on forms furnished by the city and may include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the following information is required:

a. Elevation in relation to mean sea level of the lowest floor (including basement) of all structures recorded on a current elevation certificate (FF 81-31) with Section B completed by the local official;

b. Elevation in relation to mean sea level to which any structure has been flood-proofed;

c. Certification by a registered professional engineer or architect that the flood-proofing methods for any nonresidential structure meet floodproofing criteria in CHMC 15.11.040(B)(2);

d. Description of the extent to which a watercourse will be altered or relocated as a result of proposed development.

B. Designation of the Local Administrator. The city engineer is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

C. Duties and Responsibilities of the Local Administrator. Duties of the local administrator shall include, but not be limited to:

1. Permit Review.

a. Review all development permits to determine that the permit requirements of this chapter have been satisfied.

b. Review all development permits to determine that all necessary permits have been obtained from those federal, state, or local governmental agencies from which prior approval is required.

c. Review all development permits to determine if the proposed development is located in the floodway. If located in the floodway, assure that the encroachment provisions of CHMC 15.11.040(D)(1) are met.

2. Use of Other Base Flood Data (in A and V Zones). When base flood elevation data has not been provided (in A or V Zones) in accordance with CHMC 15.11.020(B), Basis for Establishing the Areas of Special Flood Hazard, the city engineer shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a federal, state or other source, in order to administer CHMC 15.11.040(B), Specific Standards, and 15.11.040(D), Floodways.

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3. Information to Be Obtained and Maintained.

a. Where base flood elevation data is provided through the flood insurance study, FIRM, or required as in subsection (C)(2) of this section, obtain and record the actual (as-built) elevation (in relation to mean sea level of the lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement. Recorded on a current elevation certificate (FF 81-31) with Section B completed by the local official.

b. For all new or substantially improved floodproofed nonresidential structures where base flood elevation data is provided through the FIS, FIRM, or as required in subsection (C)(2) of this section:

i. Obtain and record the elevation (in relation to mean sea level) to which the structure was floodproofed.

ii. Maintain the floodproofing certifications required in subsection (A)(2) of this section.

c. Maintain for public inspection all records pertaining to the provisions of this chapter.

4. Alteration of Watercourses.

a. Notify adjacent communities and the Department of Ecology prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration.

b. Require that maintenance be provided within the altered or relocated portion of said watercourse so that the flood carrying capacity is not diminished.

D. Conditions for Variances.

1. Generally, the only condition under which a variance from the elevation standard may be issued is for new construction and substantial improvements to be erected on a small or irregularly shaped lot contiguous to and surrounded by lots with existing structures constructed below the base flood level. As the lot

size increases, the technical justification required for issuing the variance increases.

2. Variances shall not be issued within a designated floodway if any increase in flood levels during the base flood discharge would result.

3. Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

4. Variances shall only be issued upon:

a. A showing of good and sufficient cause;

b. A determination that failure to grant the variance would result in exceptional hardship to the applicant;

c. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

5. Variances as interpreted in the National Flood Insurance Program are based on the general zoning law principle that they pertain to a physical piece of property; they are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. They primarily address small lots in densely populated residential neighborhoods. As such, variances from flood elevations should be quite rare.

6. Variances may be issued for nonresidential buildings in very limited circumstances to allow a lesser degree of floodproofing than watertight or dry floodproofing, where it can be determined that such action will have low damage potential, complies with all other variance criteria except subsection (D)(1) of this section, and otherwise complies with CHMC 15.11.040(A)(1), (3) and (4) of the general standards.

7. Any applicant to whom a variance is granted shall be given written notice that the permitted structure will be built with its lowest

floor below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk. (Ord. 892 § 1, 2008; Ord. 891 § 1, 2008)

15.11.040 Provisions for flood hazard reduction.

A. General Standards. In all areas of special flood hazard, the following standards are required:

1. Anchoring.

a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

b. All manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.

2. Construction Materials and Methods.

a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.

c. Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding. Locating such equipment below the base flood elevation may cause annual flood insurance premiums to be increased.

3. Utilities.

a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;

b. Water wells shall be located on high ground that is not in the floodway;

c. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharges from the systems into floodwaters;

d. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

4. Subdivision Proposals.

a. All subdivision proposals shall be consistent with the need to minimize flood damage;

b. All subdivision proposals shall have public utilities and facilities, such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;

c. All subdivision proposals shall have adequate drainage provided to reduce exposure to flood damage;

d. Where base flood elevation data has not been provided or is not available from another authoritative source, it shall be generated for subdivision proposals and other proposed developments which contain at least 50 lots or five acres (whichever is less).

5. Review of Building Permits. Where elevation data is not available either through the flood insurance study, FIRM, or from another authoritative source (CHMC 15.11.030(C)(2), applications for building permits shall be reviewed to assure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. Failure to elevate at least two feet above the highest adjacent grade in these zones may result in higher insurance rates.

B. Specific Standards. In all areas of special flood hazard where base flood elevation data has been provided as set forth in CHMC 15.11.020(B), Basis for Establishing the Areas

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of Special Flood Hazard, or CHMC 15.11.030(C)(2), Use of Other Base Flood Data. Additional standards were clarified in FEMA Technical Bulletin 11-01 to allow crawlspace construction for buildings located in the special flood hazard areas; however, adopting this provision can result in a 20 percent increase in flood insurance premiums. The following provisions are required:

1. Residential Construction.

a. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated one foot or more above the base flood elevation (BFE).

b. Fully enclosed areas below the lowest floor that are subject to flooding are prohibited, or shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or must meet or exceed the following minimum criteria:

i. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

ii. The bottom of all openings shall be no higher than one foot above grade.

iii. Openings may be equipped with screens, louvers, or other coverings or devices; provided, that they permit the automatic entry and exit of floodwaters.

2. Nonresidential Construction. New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated one foot or more above the base flood elevation; or, together with attendant utility and sanitary facilities, shall:

a. Be floodproofed so that below one foot or more above the base flood level the structure is watertight with walls substantially impermeable to the passage of water;

b. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

c. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the official as set forth in CHMC 15.11.030(C)(3)(c);

d. Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in subsection (B)(1)(b) of this section.

Applicants who are floodproofing nonresidential buildings should be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as one foot below). Floodproofing the building an additional foot will reduce insurance premiums significantly.

3. Manufactured Homes. All manufactured homes in the floodplain to be placed or substantially improved on sites shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated one foot or more above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse and lateral movement.

4. Recreational Vehicles. Recreational vehicles placed on sites are required to either:

a. Be on the site for fewer than 180 consecutive days; or

b. Be fully licensed and ready for highway use, on wheels or jacking system, attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or

c. Meet the requirements of subsection (B)(3) of this section and the elevation and

anchoring requirements for manufactured homes.

C. AE and A1-30 Zones with Base Flood Elevations but No Floodways. In areas with base flood elevations (but a regulatory floodway has not been designated), no new construction, substantial improvements, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community's FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.

D. Floodways. Located within areas of special flood hazard established in CHMC 15.11.020(B) are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that can carry debris and increase erosion potential, the following provisions apply:

1. Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless certification by a registered professional engineer is provided, demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.

2. Construction or reconstruction of residential structures is prohibited within designated floodways, except for (a) repairs, reconstruction, or improvements to a structure which do not increase the ground floor area; and (b) repairs, reconstruction or improvements to a structure, the cost of which does not exceed 50 percent of the market value of the structure either (i) before the repair, or reconstruction is started, or (ii) if the structure has been damaged, and is being restored, before the damage occurred. Any project for improvement of a structure to correct existing

violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or to structures identified as historic places, may be excluded in the 50 percent.

3. If subsection (D)(2) of this section is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of this section. (Ord. 892 § 1, 2008; Ord. 891 § 1, 2008)

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Chapter 15.12**INSTALLATION OF UNDERGROUND
UTILITIES – ELECTRICAL
CONSTRUCTION**

Sections:

- 15.12.010 Required.
- 15.12.020 Permit.
- 15.12.030 Compliance.

15.12.010 Required.

All electrical and/or communication facilities, including but not limited to wires or cables, incidental to use and/or occupancy of any area of real property within the city shall be installed underground. (Ord. 200 § 1, 1966)

15.12.020 Permit.

Prior to commencement of any electrical construction work within the city a permit therefor must be obtained from the Department of Labor and Industries of the state, Electrical Division. (Ord. 200 § 3, 1966)

15.12.030 Compliance.

All electrical construction work hereafter performed within the city shall be in accordance with the National Electrical Code and all applicable laws of the state. (Ord. 200 § 2, 1966)

Chapter 15.13**VIOLATION – PENALTY**

Sections:

- 15.13.010 Violation – Penalty.

15.13.010 Violation – Penalty.

A. Criminal Penalties. Any person, firm or corporation violating any of the provisions of this title shall, upon conviction, be guilty of a misdemeanor, and each such person, firm or corporation shall be guilty of a separate offense for each and every day or a portion thereof during which any violation of any of the provisions of this chapter is committed, continued or permitted. Upon conviction of such violation, such person, firm or corporation 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 for each separate offense.

B. Civil Infraction. Any person, firm or corporation who violates any provisions of this title shall be subject, in addition to other penalties hereunder, to a civil penalty of not more than \$250.00 per day or portion of a day for each violation of this title, plus payment of the city's reasonable attorneys' fees, witness fees, staff time and other costs incurred in enforcing said civil penalty. Notices of violation shall be issued by the building official. Any person who receives a notice of violation shall respond within 15 days from the date the notice is served. The date of service is the date the notice of violation is either (1) served on the violator(s) personally, or by leaving a copy of the notice at the house of the violator's usual abode with some person of suitable age and discretion then resident therein, (2) deposited into the United States mail, postage prepaid, via first class and certified mail, return receipt requested, or (3) is otherwise received, whichever occurs first. Persons wishing to contest the notice of violation and people who do not wish to contest the notice of violation but wish to explain mitigating circumstances, shall file

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a request for a hearing within 15 days of the date the notice of violation is served and, upon the city's receipt of a timely request, a hearing shall be scheduled as follows:

1. A notice of violation issued for failure to obtain a building permit without a prior approved variance shall be scheduled before the board of adjustment.

2. All other violations shall be scheduled before the mayor.

The determination by the mayor or board of adjustment, as the case may be, shall be final, binding and conclusive unless a judicial appeal is filed with the King County superior court within 21 days of the date of issuance of the written determination by the mayor or board of adjustment. Failure to timely appeal the notice of violation results in the notice becoming the final binding order of the city.

C. In those instances where a civil penalty has been imposed for failure to obtain a permit required under this title, such permit shall not be issued until such time as the civil penalty has been paid and all other requirements have been met. As a condition of the final determination of the amount of the civil penalty to be imposed, the building official, mayor or board of adjustment, as the case may be, may require abatement of any nonpermitted construction.

D. Abatement. The building official may seek legal or equitable relief to enjoin any acts or practices and abate any condition which constitutes a violation of CHMC Title 15 when civil or criminal penalties are inadequate to effect compliance. (Ord. 784 § 1, 1998; Ord. 781 § 1, 1998; Ord. 762 § 2, 1997; Ord. 662 § 2, 1992; Ord. 516, 1985)