

## **Title 15**

### **BUILDINGS AND CONSTRUCTION**

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- 15.12 Substantial Development Permits**
- 15.16 Satellite and Microwave Receiving Systems**
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## Chapter 15.04

### BUILDING CODES\*

#### Sections:

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- 15.04.020 Additional provisions adopted.
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\*Prior legislation: Ords. 467, 537 and 571.

#### **15.04.010 Adoption of the State Building Code.**

All construction activity and construction materials shall be governed by the State Building Code as adopted in Chapter 96, Laws of 1974, as amended by SHB 1734, which updates the State Building Code to include the 2009 editions of the following codes with amendments: International Building Code; ICC/ANSI A117.1-03, Accessible and Usable Buildings and Facilities; International Residential Code; International Mechanical Code; Liquefied Petroleum Gas Code (NFPA 58); National Fuel Gas Code (NFPA 54) for LP Gas; International Fire Code; Uniform Plumbing Code; Washington State Energy Code; International Existing Buildings Code;

National Electrical Code (NFPA 70). All codes referenced in this state legislation are hereby adopted by reference and included as if set forth in their entirety. This adoption shall include all other related codes, standards, and amendments to the referenced codes adopted by the State Building Code Council and enacted by the Washington State Legislature. (Ord. 613 § 1, 2010)

#### **15.04.020 Additional provisions adopted.**

The following optional provisions are adopted:

A. Appendix J of the International Building Code is hereby adopted and incorporated into the body of the International Building Code as though it were included therein outright. All administrative and enforcement provisions of the IBC shall apply to this appendix in the same way that they apply to other elements of the code. Also adopted by reference are all future amendments and revisions to Appendix Chapter J.

B. Appendix B, Fire Flow Requirements for Buildings, and Appendix C, Fire Hydrant Locations and Distribution, are hereby adopted and incorporated into the body of the International Fire Code as though they were included therein outright. All administrative and enforcement provisions of the International Fire Code shall apply to these appendices in the same way that they apply to other elements of the code. Also adopted by reference are all future amendments and revisions to Appendices A and B.

C. International Residential Code Appendix C, Exit Terminals of Mechanical Draft and Direct-Venting Systems; Appendix H, Patio Covers; and Appendix R, Dwelling Unit Fire Sprinkler Systems of WAC 51-51-60105, are hereby adopted into the International Residential Code as though they were included outright. All administration and enforcement provisions of the International Residential

Code shall apply to these appendices in the same way they apply to other elements of the code. (Ord. 613 § 1, 2010)

**15.04.030 Work exempt from permit.**

Subsection 105.2, Building, of the IBC and subsection R105.2, Building, of the IRC, which list work of a building nature that is exempt from building permit requirements, are hereby amended to read as follows:

**Building:**

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet.
2. A building permit is required for fences to be built within the setback area as defined in the Yarrow Point Zoning Code and for any fence six feet in height or over, wherever it is located on the property. This exemption shall not apply to structure designed or used for sound attenuation purposes.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or IIIA liquids.
4. Sidewalks and driveways not more than 30 inches above adjacent grade, and not over any basement or story below and are not part of an accessible route.
5. A. Temporary motion picture, television and theater stage sets and scenery limited to thirty (30) days.  
B. Temporary, prefabricated or mobile structures to be used on-site during construction and removed upon completion of the project.

6. Swings and other playground equipment accessory to detached one and two family dwellings and not affecting the structural coverage allowance of the lot.

7. Interior and exterior trim, painting, papering, tiling, cabinets, counter tops, carpeting, finished flooring and other similar finish work for which inspection to verify code compliance is not required.

8. Pre-fabricated swimming pools located above grade that contain water not over twenty-four (24) inches in depth.

9. Ornamental or decorative ponds or pools that contain water not over twenty-four (24) inches in depth.

10. Non-fixed and moveable fixtures, cases, racks, counters and partitions not over five (5) feet nine (9) inches in height.

11. Any work not regulated by provisions of this code or any elements of the State Building Code.

(Ord. 613 § 1, 2010)

**15.04.040 Expiration.**

Section 105.5 of the International Building Code and Section R105.5 of the International Residential Code are hereby amended to add the following:

All work authorized by permit shall be completed and final inspections made within eighteen months from the date of permit issuance, at which time the exterior of the structure shall be completely finished according to the plans and specifications.

All permits shall finally expire by limitation eighteen months from date of issue.

In order to renew action on a building permit after expiration, the permittee shall obtain a new permit and pay a permit fee based upon the building official's determination of percentage of inspection completion, and the current permit fee schedule. The fee shall be not less than 25% of the current permit fee.

In order to renew a permit other than a building permit, a new permit application shall be made and new permit obtained at a full new fee.

(Ord. 613 § 1, 2010)

#### **15.04.050 Work commencing before permit issuance.**

Section 109.4 of the International Building Code and Section 108.6 of the International Residential Code are hereby amended as follows:

Any person who commences work requiring a permit on a building, structure, electrical, gas or plumbing system before obtaining the necessary permits shall be subject to an investigation and administration fee equal to the amount of the permit fee. This fee is in addition to all other fees that may apply to the project.

(Ord. 613 § 1, 2010)

#### **15.04.060 Certificate of occupancy.**

When a series of related permits, such as site development, swimming pool, site retaining walls, fencing, or permits for separate accessory buildings, are issued in conjunction with a building permit for the renovation, reconstruction, or new construction of a residence; the certificate of occupancy for the residence shall not be issued until all regulated work

under all related permits and all work included in the scope of work identified in the city's construction mitigation review has been completed, inspected, and approved and all fees and charges have been paid. (Ord. 613 § 1, 2010)

#### **15.04.070 Temporary certificate of occupancy.**

Section 111.3 of the International Building Code and Section R110.4 of the International Residential Code are hereby amended as follows:

The building official is authorized, but is not required to issue a temporary certificate of occupancy before completion of the entire work covered by the permits issued, provided that such portion or portions shall be occupied safely. A temporary certificate of occupancy may only be issued in association with a valid building permit. A cash financial guarantee shall be required in the amount of one-half (1/2) of the permit fee, or \$10,000 whichever amount is the lesser. A temporary certificate of occupancy is valid for a period not to exceed ninety (90) days from the date of issuance. Administration fees for costs incurred by the city to process the temporary certificate of occupancy will be assessed.

(Ord. 613 § 1, 2010)

#### **15.04.080 Definition of chief or fire code official.**

All references to "chief" or "fire code official" within this chapter and within the International Fire Code shall refer to the chief of the Bellevue fire department or to such members of the Bellevue fire department to whom he/she may designate the functions or responsibilities described in this chapter or in the International Fire Code. (Ord. 613 § 1, 2010)

**15.04.090 Building permit plans – Compliance with International Fire Code.**

Prior to submittal of a building permit application to the building department for a new residence or new accessory structure or for an improvement to an existing residence or accessory structure which improvement constitutes reconstruction under the codes of this jurisdiction, the applicant shall submit plans and data to the fire marshal for review and determination of compliance with the International Fire Code. The submittal shall contain sufficient data as the fire marshal shall require to make such determination. (Ord. 613 § 1, 2010)

**15.04.100 Building permit plans – Fire marshal determination.**

When the fire marshal has determined the proposed project meets the requirements of the International Fire Code or finds that the proposed project is acceptable under the code subject to stipulated conditions, he/she shall approve two sets of plans. The approved plan sets shall be included in the building permit application documents at time of submittal by the applicant to the building department and shall be incorporated into the approved set of building permit documents together with all conditions and inspection requirements noted or required by code. (Ord. 613 § 1, 2010)

**15.04.110 Review and inspections by fire department – Fees.**

Under provisions of the International Building Code, costs for review and inspections by the fire department shall be charged to the project on the basis of cost incurred by the jurisdiction for such service by the fire department. (Ord. 613 § 1, 2010)

**15.04.120 Appeals.**

International Building Code Section 113.1 and International Residential Code Section R112.1 are amended as follows:

Appeals of all decisions of the Building Official or Fire Code Official related to his/her decision on the interpretation, enforcement or application of this Code shall be before the Town of Yarrow Point Hearing Examiner.

An application for appeal shall be based on a claim that the true intent of the subject code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The Town of Yarrow Point hearing examiner shall have no authority to waive requirements of the State Building Code.

(Ord. 613 § 1, 2010)

**15.04.130 Violation – Penalty.**

It shall be a misdemeanor, punishable by fine not to exceed \$1,000 and/or imprisonment for more than 90 days, for any person or entity to violate any terms or provisions of this chapter. (Ord. 613 § 1, 2010)

## Chapter 15.08

### SIGNS\*

Sections:

- 15.08.010 General.
- 15.08.020 Definitions.
- 15.08.030 Regulations.
- 15.08.040 Violation.

\*Prior legislation: Ord. 431.

#### 15.08.010 General.

No signs of any kind shall be erected and/or displayed and maintained within the town except in accordance with this chapter. (Ord. 613 § 1, 2010; Ord. 485 § 1, 1999)

#### 15.08.020 Definitions.

For the purpose of interpretation of this chapter, the following definitions shall apply:

“Commercial sign” means any sign which is used to advertise a business.

“Community-interest sign” means any sign used by a community-based organization to publicize a public event or to notify residents of items of general interest or need.

“Contractor sign” means any sign used by a contractor to identify a job site and/or advertise.

“Political sign” means any sign which pertains to an upcoming election.

“Private-event sign” means any sign used by a resident to provide notice of or direction to a private event, including garage sales.

“Real estate directional sign” means any portable sign used to provide directions to a real estate open house.

“Real estate sign” means any sign used to advertise real estate that is for sale, lease or rent.

“Residential sign” means any sign used to identify a residence.

“Sign” means any medium which is used or intended to be used to attract attention to its subject matter for advertising or any other purpose.

“Temporary notice” means any noncommercial notice posted to communicate items of general interest or need. (Ord. 613 § 1, 2010; Ord. 485 § 1, 1999)

#### 15.08.030 Regulations.

The following rules shall govern the use of signs within the town:

##### A. Permitted and Prohibited Signs.

1. Contractor, real estate, real estate directional, residential, community-interest, private-event signs, political signs and temporary notices are permitted subject to the regulations of this chapter.

2. Commercial signs are prohibited.

##### B. Size Limits.

1. All contractor, real estate, real estate directional, community-interest, private-event and political signs are limited to a maximum width of two feet and a maximum area of six square feet, including all attachments.

2. Temporary notices shall be paper no larger than eight and one-half by 11 inches.

3. Residential signs above two feet in height shall have a width limit of two feet and the area shall be limited to that required to accommodate all names and/or addresses. Heights are limited by subsection (B)(4) of this section. Residential signs below two feet in height shall have a maximum width of four feet, maximum area of eight square feet.

4. Maximum sign height is limited to six feet.

##### C. Posting and Placement.

1. No signs or notices may be posted to utility poles, trees, municipal sign posts or structures, except temporary notices may be posted on the ends of pagodas.

2. Signs may be located on private property or in the town’s right-of-way as long as the signs do not interfere with vehicle safety,

interfere with parking, impede safe use of the right-of-way by pedestrians or interfere with town maintenance of the right-of-way.

D. Contractor Signs.

1. One contractor sign is allowed for the duration of the job.

2. Properties not abutting a public right-of-way may have a single additional contractor sign on the right-of-way.

E. Real Estate Signs.

1. Real estate for sale signs are allowed only for properties actively for sale. A pending sale sign may overlay the for sale sign; provided, that the combined for sale sign and the overlay of pending sale sign shall not exceed the total size limitations set forth in subsection (B)(1) of this section. No additional signage is allowed.

2. Properties not abutting a public right-of-way may have an additional real estate sign on the right-of-way if a similar sign is on the property.

3. Waterfront properties may have an additional real estate sign on the waterfront side of the property.

4. Real estate directional signs may be used only during open house hours.

F. Residential Signs. Residences abutting private lanes may have an additional residential sign on the public right-of-way; however, all residential signs for residences on a given lane must be posted together and in aggregate cannot exceed the width and height limits for a single residential sign.

G. Community-Interest Signs. Community-interest signs are allowed from 14 days prior to the event being publicized and shall be removed the day after the event.

H. Private-Event Signs. Private-event signs are allowed only on the day of the event.

I. Political Signs. Political signs are allowed on town rights-of-way.

J. Temporary Notices. Temporary notices are allowed for a maximum of 14 days. They shall be dated and are to be promptly removed when no longer applicable.

K. Municipal Signs. The provisions of this chapter shall not apply to any sign or temporary notice erected or placed by the town for any municipal purpose. (Ord. 613 § 1, 2010; Ord. 573 § 1, 2007; Ord. 485 § 1, 1999)

**15.08.040 Violation.**

Signs posted in violation of this chapter may be taken down and/or disposed of by any employee of the town. No notice shall be required to authorize immediate removal of any sign after its applicability has expired or any sign posted in violation of this chapter. (Ord. 613 § 1, 2010; Ord. 485 § 1, 1999)

**Chapter 15.12****SUBSTANTIAL DEVELOPMENT  
PERMITS**

Sections:  
15.12.010 Fees.

**15.12.010 Fees.**

Fees for substantial development permits and substantial development permit exemptions shall be established by town council resolution. (Ord. 613 § 1, 2010; Ord. 427 § 1, 1994; Ord. 264 § 1, 1982)

**Chapter 15.16****SATELLITE AND MICROWAVE  
RECEIVING SYSTEMS**

Sections:  
15.16.010 Purpose.  
15.16.020 Permit required – Fee.  
15.16.030 General regulations.

**15.16.010 Purpose.**

The purpose of this chapter is to minimize the adverse visual and physical impact of satellite/microwave receiving systems, referred to in this chapter as “antennas.” All other antennas are exempt from this section. (Ord. 613 § 1, 2010; Ord. 336 § 1, 1988)

**15.16.020 Permit required – Fee.**

A building permit shall be required for installation of satellite/microwave receiving systems. The town building official shall review and approve all applications and develop specific conditions of approval. A fee in the amount of \$100.00 shall be charged to the applicant at the time of filing the application. (Ord. 613 § 1, 2010; Ord. 336 § 2, 1988)

**15.16.030 General regulations.**

The building official shall use, but not be limited to, the following criteria in developing appropriate conditions for the installation of satellite/microwave receiving systems:

A. Mesh antennas shall be used instead of the solid type;

B. Antennas shall be painted colors that will blend with their backgrounds;

C. Antennas shall not be greater than 10 feet in diameter;

D. Ground-mounted antennas, including their bases, shall be no higher than 12 feet at their highest point, above the existing grade;

E. Antennas larger than 24 inches in any dimension shall be screened if visible from streets or surrounding properties within 300 feet;

F. Antennas shall not be located on any easements;

G. Installations shall meet all applicable construction codes;

H. If guy lines are used, they should be confined within a fenced area;

I. Antennas shall comply with all applicable construction codes. The town assumes no responsibility to administer these regulations;

J. Antennas greater than 24 inches in any dimension shall not be roof-mounted unless the antenna will not be visible from any streets or surrounding properties within 300 feet, and shall not exceed the highest point of the existing roof;

K. Antennas shall not be located in the setback area. The board of adjustment may allow positioning of antennas in setback areas if it will achieve a result superior to that which would be achieved by strictly following the standards. (Ord. 613 § 1, 2010; Ord. 336 § 3, 1988)

## Chapter 15.20

### RADON MEASURING DEVICES

#### Sections:

15.20.010 Building department responsibility.

15.20.020 Fee.

15.20.030 Installation – Maintenance.

15.20.040 Applicability.

#### **15.20.010 Building department responsibility.**

The building department shall be responsible for obtaining and delivering radon measuring devices to each new single-family residence consistent with the provisions of Chapter 132, Laws of 1992. (Ord. 613 § 1, 2010; Ord. 396 § 1, 1992)

#### **15.20.020 Fee.**

The building department shall charge each applicant receiving a radon measuring device a fee equal to the town's cost of purchasing the device, which cost shall include postage, testing costs and instructions, plus the department's overhead charge used in calculating building permit fees. This fee is due at the time of permit issuance or prior to final inspection for permits issued prior to July 1, 1992. (Ord. 613 § 1, 2010; Ord. 396 § 2, 1992)

#### **15.20.030 Installation – Maintenance.**

The owner of any single-family residence receiving a radon measuring device shall be solely responsible for installing, maintaining and removing the device per the instructions provided and shall be solely responsible for returning the radon measuring device to the appropriate testing laboratory in accordance with the instructions provided with the device. (Ord. 613 § 1, 2010; Ord. 396 § 3, 1992)

**15.20.040 Applicability.**

This chapter shall apply to all new single-family residences which have not obtained final building inspections as of July 1, 1992. (Ord. 613 § 1, 2010; Ord. 396 § 4, 1992)

**Chapter 15.30****CONSTRUCTION STANDARDS AND SPECIFICATIONS MANUAL**

## Sections:

15.30.010 Construction standards and specifications manual incorporated by reference.

**15.30.010 Construction standards and specifications manual incorporated by reference.**

A. The copy of the construction standards and specifications manual attached to the ordinance codified in this section and marked as "Exhibit A" is incorporated herein as though fully set forth.

B. A copy of the construction standards and specifications manual shall be maintained in the office of the clerk-treasurer and shall be available for inspection and review during normal working hours of the town of Yarrow Point. (Ord. 622 § 1, 2011)