

**ORDINANCE NUMBER 3-2010**

**AN ORDINANCE FOR PROVIDING MINIMUM STANDARDS TO SAFEGUARD HEALTH, PROPERTY, AND PUBLIC WELFARE BY REGULATING AND CONTROLLING ALL ASPECTS OF CONSTRUCTION, OCCUPANCY, REPAIR, AND DESIGN WITHIN THIS JURISDICTION AND REPEALING ORDINANCE 7-2007 PASSED ON AUGUST 29, 2007.**

**WHEREAS**, the Board of Franklin County Commissioners is given authority to pass regulatory Ordinances under the Washington State Constitution Article 11, §11, RCW 36.32.120(7), and RCW 19.27; and

**WHEREAS**, the State of Washington has mandated in RCW 19.27 that the International Building Code with the amendments made by Washington State be adopted; and

**WHEREAS**, Franklin County has previously passed Ordinance 7-2007 which substantially adopted the 2006 International Building Code, the 2006 International Residential Code, the 2006 Uniform Plumbing Code, the 2006 International Mechanical Code, the 2006 International Fuel Gas Code, the 2006 Washington State Energy Code, the 2006 Washington State Ventilation and Indoor Air Quality Code, the 2006 Uniform Swimming Pool, Spa and Hot Tub Code, the 1997 Uniform Code for the Abatement of Dangerous Buildings, and the 2006 International Property Maintenance Code; and

**WHEREAS**, the International Building Code will provide for standards and specifications for making buildings/facilities accessible to and usable by physically disabled persons; and

**WHEREAS**, the International Building Code will permit the use of modern technical methods, devices and improvements; and

**WHEREAS**, the International Building Code will provide for standards and requirements in terms of performance and nationally accepted standards; and

**WHEREAS**, Ordinance Number 3-2010 shall be known as the Franklin County Building Code Ordinance; and

**WHEREAS**, Ordinance Number 7-2007 is to be repealed.

**NOW, THEREFORE, BE IT ORDAINED**, by the Board of Franklin County Commissioners as follows:

**ORDINANCE NUMBER: 3-2010  
FRANKLIN COUNTY BUILDING CODE**

**SECTIONS:**

1. Repeal
2. Adoption of the 2009 International Building Code
3. Adoption of the 2009 International Residential Code
4. Adoption of the 2009 Existing Building Code

5. Adoption of the 2009 Uniform Plumbing Code
6. Adoption of the 2009 International Mechanical Code
7. Adoption of the 2009 International Fuel Gas Code
8. Adoption of the 2006 Washington State Energy Code
9. Adoption of the 2009 Uniform Swimming Pool, Spa and Hot Tub Code
10. Adoption of the 2009 International Zoning Code – Chapter 10
11. Adoption of the 1997 Uniform Code for the Abatement of Dangerous Buildings
12. Snow Loads
13. Wind Loads
14. Seismic Design Category
15. Frost Depth
16. Architectural/Engineered Drawings
17. Site Plan
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28. Criminal Citation – Form – Contents
29. Criminal Citation – Filing – Franklin County District Court
30. Injunctive Relief
31. Conflicting Codes -- Superseded
32. Severability
33. Effective Date

**SECTION 1 - Repeal:**

Ordinance No. 7-2007, Franklin County Building Code is hereby repealed.

**SECTION 2 - Adoption of the International Building Code with Washington State Amendments:**

The 2009 edition of the International Building Code, as published by the International Code Council, is hereby adopted by reference with the following additions of Appendix Chapters: C, H, I, & J, as if fully set out in this Ordinance. The provisions of Chapter 51-50 WAC and RCW 19.27, copies of which are on file with the Franklin County Auditor's office, are hereby adopted by reference by the County of Franklin, as if fully set out in this Ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this Ordinance. Appendix Chapter H, (Signs), where there is a conflict with this chapter and the most current Franklin County Zoning Ordinance, as amended, and the Franklin County Sign Ordinance, as amended, the latter referenced ordinances shall govern.

**SECTION 3 - Adoption of the International Residential Building Code with Washington State Amendments:**

The 2009 edition of the International Residential Code, as published by the International Code Council, is hereby adopted by reference with the following deletion of chapters 11 and 25-43 and additions of Appendix Chapters F, G, H & J, as if fully set out in this Ordinance. The provisions of Chapter 51-51 WAC and RCW 19.27, copies of which are on file with the Franklin County Auditor's office are hereby adopted by reference by the County of Franklin, as if fully set out in this Ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this Ordinance.

**SECTION 4 - Adoption of the International Existing Building Code with Washington State Amendments:**

The 2009 edition of the International Existing Building Code, as published by the International Code Council, is hereby adopted by reference, as if fully set out in this Ordinance. The provisions of Chapter 51-50 WAC and RCW 19.27, copies of which are on file with the Franklin County Auditor's office are hereby adopted by reference by the County of Franklin. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this Ordinance.

**SECTION 5 - Adoption of the Uniform Plumbing Code & Installation Standards with Washington State Amendments:**

The 2009 edition of the Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials, is hereby adopted by reference with the following additions of Appendix chapters of A, B, E and I and deleting T-1-1, Chapters 12 and 15, as if fully set out in this Ordinance. Provided further, that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel fired appliances as found in Chapter 5 and those portions of the Code addressing building sewers are not adopted. The provisions of Chapter 51-56 & 51-57 WAC, RCW 19.27, copies of which are on file with the Franklin County Auditor's office are hereby adopted by reference by the County of Franklin, as if fully set out in this Ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this Ordinance.

**SECTION 6 - Adoption of the International Mechanical Code with Washington State Amendments:**

The 2009 edition of the International Mechanical Code, published by the International Code Council, is hereby adopted by reference, as if fully set out in this Ordinance. The provisions of Chapter 51-52 WAC, RCW 19.27 copies of which are on file with the Franklin County Auditor's office are hereby adopted by reference by the County of Franklin, as if fully set out in this Ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this Ordinance.

**SECTION 7 - Adoption of the International Fuel Gas Code with Washington State Amendments:**

The 2009 edition of the International Fuel Gas Code, published by the International Code Council is hereby adopted by reference except that the standards for liquefied petroleum gas installations shall be the 2008 NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and the 2009 ANSI Z223.1/NFPA 54 (National Fuel Gas Code), as if fully set out in this Ordinance. The provisions of Chapter 51-52 WAC, RCW 19.27 copies of which are on file with the Franklin County Auditor's office are hereby adopted by reference by the County of Franklin, as if fully set out in this Ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this Ordinance.

**SECTION 8 - Adoption of the Washington State Energy Code:**

The 2006 edition of the Washington State Energy Code is hereby adopted by reference, as if fully set out in this Ordinance. The provisions of Chapter 51-11 WAC and RCW 19.27 which are on file with the Franklin County Auditor's office are hereby adopted by reference by the County of Franklin, as if fully set out in this Ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this Ordinance.

**SECTION 9 - Adoption of the Uniform Swimming Pool, Spa, and Hot Tub Code:**

The 2009 edition of the Uniform Swimming Pool, Spa, and Hot Tub Code, published by the International Association of Plumbing and Mechanical officials is hereby adopted by reference, with the deletions of Table 1-1, Schedule of Fees, Chapter 4 and Chapter 5, as if fully set out in this Ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this Ordinance.

**SECTION 10 - Adoption of the International Zoning Code – Chapter 10:**

The 2009 edition of the International Zoning Code – Chapter 10, published by the International Code Council, is hereby adopted by reference, as if fully set out in this Ordinance. This adoption by reference will also include any future amendments to codes and Washington statutes which are on file with the Franklin County Auditor's office as if fully set out in this Ordinance. The 2009 edition of the International Zoning Code – Chapter 10, where there is a conflict with this chapter and the most current Franklin County Zoning Ordinance, as amended, and the Franklin County Sign Ordinance, as amended, the latter referenced ordinances shall govern.

**SECTION 11 - Adoption of the Uniform Code for the Abatement of Dangerous Buildings:**

The 1997 edition of the Uniform Code for the Abatement of Dangerous Buildings, published by the International Conference of Building Officials is hereby adopted by reference, as if fully set out in this Ordinance.

**SECTION 12 - Snow Loads:**

Pursuant to Section 1608 of the 2009 edition of the International Building Code, the minimum Roof Snow Load for Franklin County is established at 20 pounds per square foot, provided that in those cases in which the Building Official determines that such minimum snow load should be increased, the Building Official may require such minimum snow load as he/she determines to be necessary, based upon analysis of local climate and topography and the current publication of Snow Load Analysis For Washington as published by the Association of Structural Engineers of Washington.

**SECTION 13 - Wind Load:**

Pursuant to Section 1609 of the 2009 edition of the International Building Code, a basic minimum wind speed for Franklin County is established as 85 mph 3-second gust speed and 71 mph fastest mile wind speed with Exposure 'C'.

**SECTION 14 – Seismic Design Category:**

Pursuant to Section 1613 of the 2009 International Building Code and section R301.2.2.1 of the 2009 International Residential Building Code, the minimum Seismic Design Category shall be a minimum of 'C', unless determined otherwise by a Geo-Technical Engineer or Engineering Geologist/Seismologist, Licensed in Washington State.

**SECTION 15 - Frost Depth:**

Pursuant to Section 1809 of the 2009 International Building Code, Frost Depth shall be a minimum of 24 inches below finish grade. Where a greater frost depth is indicated by a foundation investigation or by conditions where ground will be uncovered or compacted, such greater depth shall be used.

**SECTION 16 - Architectural/Engineered Drawings:**

When required, all construction drawings shall be drawn by a current Washington State Registered Architect/Engineer and shall be submitted for review to the Franklin County Building Department. The drawings shall be referred to as the "original" drawings, and shall be site specific showing the job site address, the signature, and original "wet stamp" of the Washington State Registered Architect/Engineer.

**SECTION 17 - Site Plan:**

The applicant for a building permit shall provide at applicant's own expense a legible site plan when required by the Franklin County Building Department. The site plan shall include the following drawn to scale: north direction, all property lines and dimensions all recorded easements and any adjacent utility access/easements, distances of proposed structure from all property lines, locations of all existing structures and distance between them, all road names bordering property, main private driveway and distance from centerline of private driveway to nearest front corner, all slopes greater than 10%, the location of private/community well, septic tank, drain field and replacement drain field area, when applicable. In addition, the site plan shall include the tax parcel number, scale specified, date and signature of person completing the site plan.

Due to the possibility for structural problems on structures being built on steep slopes, a site plan with appropriate contour intervals necessary to evaluate slope and grade shall be required for all units being placed on slopes greater than 10%. In some instances, an engineered drawing signed by a Washington State Architect/Engineer may be required subject to determination by the Building Official.

When increasing the foot print of structures on less than a (1) acre parcel served by an on site sewage system, an on site sewage evaluation shall be required by the Benton Franklin District Health Department and as also required for other allowed uses and occupancies, prior to issuance of a building permit.

**SECTION 18 - Fees:**

Pursuant to Section 109 of the 2009 International Building Code and Section R108 of the 2009 International Residential Code, the fee for each permit shall be as set forth in the following attached tables for valuations based upon the February 2010 Building Valuation Data as published by the International Code Council and as also amended, permit fee schedule, plumbing and mechanical fee schedule tables. A partial listing of current square footage values based upon occupancy utilizing exterior building dimensions are as follows:

<b>PERMIT FEES ARE BASED ON THE FOLLOWING VALUATIONS:</b>	
Single Family Residence/Addn.	\$97.00 SQ FT.
Heated/Unheated Basement	\$55.00 SQ. FT.
Remodel (S.F.R.)	\$40.00 SQ. FT.
Residential Attached Garage/Wood Framed (U-Occupancies)	\$37.00 SQ. FT.
Private Detached Wood Framed Shop/Garage (U-Occupancies) Unfinished/Unheated	\$25.00 SQ. FT.
Decks/Patios/Balconies/Exterior alterations, reframe roof etc.	\$15.00 SQ. FT.
Re-roofing: Residential Commercial	\$100.00 Based upon submitted Contract value
Enclosed Porch/Carports	\$20.00 SQ. FT.
Pole Buildings (unfinished/unheated, private) U- occupancies	\$15.00 SQ. FT.
Steel Buildings (unfinished/unheated, private) U- occupancies	\$20.00 SQ. FT.
Hay Shed	\$8.00 SQ. FT.
Ag Crop Storage/Shed	Per Building Valuation Data (Utility use)
Scales	\$20.00 SQ. FT.
In ground Pool	\$300.00
Above Ground Pool/Hot Tubs	\$100.00
Wood/Pellet Stoves/Inserts/. Other Mechanical Appliances (Per T-1-A 1997 UMC)	\$50.00
Demolitions (Commercial, based upon value of Work)	\$50.00

Foundations	Based upon submitted Contract value
House Move	\$35.00 SQ. FT. (Garage \$15.00 SQ. FT.)
Signs	Based upon submitted Contract value
Address Numbers (1 Set)	Address fee not to exceed actual cost of each individual number plate
Building Code Council (Plus an additional \$2.00 for each unit in a multi-family complex).	\$4.50
Special / Re-Inspection	\$75.00
Construction started without Permit	Permit Fee is to be doubled

Plumbing Fees = As per Plumbing Fee Table. (Amended 1997 UPC Fee Table)  
Mechanical Fees = As per Mechanical Fee Table. (Amended 1997 UMC Fee Table)

Grading and Excavation Fees shall be as set forth in the 1997 Uniform Building Code Appendix Chapter 33, Table A-33-A and Table A-33-B. Plan review fees shall be 65% of the building permit fee and shall be in addition to the building permit fee and shall be paid for reviewing building plans in occupancy group A through M inclusive, Group R-1, R-2, R-4 and Group S. Plan review fees shall be paid as well for Group U occupancies, tanks, towers and buildings over 3,000 square feet (except open hay sheds). All other building occupancies plan review fees shall be 5% of the building permit fee and shall be in addition to the building permit fee.

All other occupancies, which may not have a listed value, a signed contract bid may be required.

#### **BUILDING PERMIT FEE TABLE**

\$ 1.00 - 500	\$ 23.50	44001 - 45000	593.75
501 - 600	26.55	45001 - 46000	603.85
601 - 700	29.60	46001 - 47000	613.95
701 - 800	32.65	47001 - 48000	624.05
801 - 900	35.70	48001 - 49000	634.15
901 - 1000	38.75	49001 - 50000	644.25
1001 - 1100	41.80	50001 - 51000	650.75
1101 - 1200	44.85	51001 - 52000	657.75
1201 - 1300	47.90	52001 - 53000	664.75
1301 - 1400	50.95	53001 - 54000	671.75
1401 - 1500	54.00	54001 - 55000	678.75
1501 - 1600	57.05	55001 - 56000	685.75
1601 - 1700	60.10	56001 - 57000	692.75
1701 - 1800	63.15	57001 - 58000	699.75
1801 - 1900	66.20	58001 - 59000	706.75
1901 - 2000	69.25	59001 - 60000	713.75
2001 - 3000	83.25	60001 - 61000	720.75
3001 - 4000	97.25	61001 - 62000	727.75
4001 - 5000	111.25	62001 - 63000	734.75
5001 - 6000	125.25	63001 - 64000	741.75
6001 - 7000	139.25	64001 - 65000	748.75
7001 - 8000	153.25	65001 - 66000	755.75
8001 - 9000	167.25	66001 - 67000	762.75
9001 - 10000	181.25	67001 - 68000	769.75
10001 - 11000	195.25	68001 - 69000	776.75
11001 - 12000	209.25	69001 - 70000	783.75
12001 - 13000	223.25	70001 - 71000	790.75

13001 - 14000	237.25	71001 - 72000	797.75
14001 - 15000	251.25	72001 - 73000	804.75
15001 - 16000	265.25	73001 - 74000	811.75
16001 - 17000	279.25	74001 - 75000	818.75
17001 - 18000	293.25	75001 - 76000	825.75
18001 - 19000	307.25	76001 - 77000	832.75
19001 - 20000	321.25	77001 - 78000	839.75
20001 - 21000	335.25	78001 - 79000	846.75
21001 - 22000	349.25	79001 - 80000	853.75
22001 - 23000	363.25	80001 - 81000	860.75
23001 - 24000	377.25	81001 - 82000	867.75
24001 - 25000	391.25	82001 - 83000	874.75
25001 - 26000	401.85	83001 - 84000	881.75
26001 - 27000	411.95	84001 - 85000	888.75
27001 - 28000	422.05	85001 - 86000	895.75
28001 - 29000	432.15	86001 - 87000	902.75
29001 - 30000	442.25	87001 - 88000	909.75
30001 - 31000	452.35	88001 - 89000	916.75
31001 - 32000	462.45	89001 - 90000	923.75
32001 - 33000	472.55	90001 - 91000	930.75
33001 - 34000	482.65	91001 - 92000	937.75
34001 - 35000	492.75	92001 - 93000	944.75
35001 - 36000	502.85	93001 - 94000	951.75
36001 - 37000	512.95	94001 - 95000	958.75
37001 - 38000	523.05	95001 - 96000	965.75
38001 - 39000	533.15	96001 - 97000	972.75
39001 - 40000	543.25	97001 - 98000	979.75
40001 - 41000	553.35	98001 - 99000	986.75
41001 - 42000	563.45	99001 - 100000	993.75
42001 - 43000	573.55		
43001 - 44000	583.65		

**OVER \$100,000 TO \$1,000,000 – \$993.75 FOR THE FIRST \$100,000 PLUS \$7.00 FOR EACH ADDITIONAL \$1,000 OR FRACTION.**

**\$1,000,000 AND UP - \$7,293.75 FOR THE FIRST \$1,000,000 PLUS \$5.00 FOR EACH ADDITIONAL \$1,000 OR FRACTION.**

**PLUMBING PERMIT FEE TABLE**

1. Permit.....\$30.00

**UNIT FEE SCHEDULE (In addition to item 1 above)**

- |  |         |
|--|---------|
| 2. For each plumbing fixture on 1 trap or a set of fixtures on 1 trap (including water, drainage piping and back flow protection therefore.              | \$10.00 |
| 3. Rainwater Systems – per drain (inside building).  | \$7.00  |
| 4. For each building sewer and each trailer park sewer.  | \$20.00 |
| 5. For each water heater and or vent.  | \$10.00 |
| 6. For each industrial waste pretreatment interceptor including its trap and vent, except kitchen-type grease interceptors functioning as fixture traps. | \$10.00 |
| 7. For each installation, alteration or repair of water piping and/or water treating equipment each.   | \$10.00 |
| 8. For each repair or alteration of drainage or vent piping, each fixture.   | \$10.00 |

9.	For each lawn sprinkler system on any 1 meter, including Backflow protection devices therefore.	\$10.00
10.	For atmospheric-type vacuum breakers not included in Item #9 above –	
	1-5:	\$10.00
	Over 5 each:	\$2.00
11.	For each backflow protective device other than atmospheric type vacuum breakers –	
	2” and smaller:	\$10.00
	Over 2”:	\$15.00
12.	For each Medical gas piping system serving 1-5 inlets/outlets for a specific gas –	\$50.00
	For each additional medical gas inlet/out:	\$5.00
13.	Building Fire Extinguishing Systems –	\$132.00
	& Per suppression head:	\$.65
14.	Spray Finishing Fire Extinguishing Systems –	\$66.00
	& Per Suppression head:	\$.65
15.	Hood & Duct Fire Extinguishing Systems –	\$33.00
	& Per Suppression head:	\$.65
16.	Fire Alarm Systems	\$132.00

\*\*\*Other allowed plumbing systems which may be allowed per the WA State amended Uniform Plumbing Code - fees will be based upon the value(s) of the work.

**MECHANICAL PERMIT FEE TABLE**

1.	Permit.....	..\$30.00
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**UNIT FEE SCHEDULE (In addition to Item 1 above)**

2.	Furnaces; for the installation or relocation of each forced-air gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h (29.3 kW) –	\$20.00
	Over 100,000 Btu/h (29.3kW):	\$24.00
3.	For the installation or relocation of each floor furnace, including vent.	\$20.00
4.	For the installation or relocation of each suspended heater, recessed wall heater or floor mounted unit heater.	\$20.00
5.	Appliance Vents; For the installation, relocation or replacement of each vent installed and not included in an appliance permit.	\$ 8.00
6.	Repairs, additions or alterations to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption or evaporative cooling system, including installation of controls regulated by the Mechanical Code.	\$15.00
7.	Boilers, Compressors and Absorption systems; for the installation up to and including 15 horsepower (52.7 KW) or each absorption system up to 500,000 Btu/h (146.6 KW).	\$30.00

- |     |  |          |
|-----|--|----------|
| 8.  | Boilers, Compressors and Absorption systems; for the installation over 15 horsepower (52.7 kW) to an including 50 horsepower (176 KW) or each absorption system over 500,000 Btu/h (146.6 KW) up to and including 1,750,000 Btu/h (512.9 KW).  | \$60.00  |
| 9.  | Boilers, Compressors and Absorption systems; for the installation over 50 horsepower (176 KW) or each absorption system over 1,750,000 Btu/h (512.9 KW).   | \$95.00  |
| 10. | For each air handling unit to and including 10,000 (cfm) (4719 L/s), including ducts attached thereto –  | \$13.00  |
|     | For each air handling unit over 10,000 (cfm) 4719 L/s):  | \$20.00  |
|     | <b>Note:</b> This fee does not apply to an air-handling unit which is a portion of a factory assembled appliance for which a permit is required elsewhere in the Mechanical Code.  |          |
| 11. | Evaporative coolers other than portable type   | \$12.00  |
| 12. | Exhaust and ventilation fans connected to a single ducts   | \$8.00   |
| 13. | Gas Piping Systems regulated by the Mechanical Code/Fuel Gas Code, 1-4 outlets –   | \$5.00   |
|     | For each additional outlet over 4:   | \$1.25   |
| 14. | Flammable and Combustible Liquid Storage Tanks and Compressed Gas Tank Set; 1-300 Gallons –  | \$60.00  |
|     | 301-600 Gallons:   | \$71.00  |
|     | 601-1000 Gallons:  | \$83.00  |
|     | 1001-3,000 Gallons:  | \$100.00 |
|     | 3,001 Gallons and up: permit fee based upon value  |          |
|     | <b>Note:</b> Up to a 3,000 gallon tank, support systems must comply with manufacturer's specifications. When not available, and above a 3,000 gallon tank, submittal of Washington State Engineered plans will be required. 65% Plan Review Fees in addition to Permit Fees are required for tanks over 3,000 gallons. |          |
| 15. | For each appliance or piece of equipment regulated by the Mechanical Code but not classed in other appliance categories, or for which no other fee is listed in the table.   | \$15.00  |

**SECTION 19 - Fee Refunds:**

The Franklin County Planning & Building Department Director or designee may authorize the refunding of any fee paid hereunder which was erroneously paid or collected.

The Franklin County Planning & Building Department Director or designee may authorize refunding of not more than 80% of the permit fee paid when no work has been done under a permit issued in accordance with this code.

The Franklin County Planning & Building Department Director or designee shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

**SECTION 20 - Road Approach:**

When required, the Road Approach application shall be approved by the Franklin County Public Works Department prior to issuance of a building or placement permit by the Franklin County Planning & Building Department.

**SECTION 21 - Certificate Of Occupancy:**

When required, all inspections per the most recently adopted editions of the International Building Code (IBC), International Residential Code (IRC), Uniform Plumbing Code (UPC), International Mechanical Code (IMC), International Fuel Gas Code (IFGC) and International Fire Code (IFC) shall have been requested and approved prior to the issuance of a Certificate of Occupancy. Other final approvals prior to issuance of a Certificate of Occupancy will apply when electrical installations are installed (permitted and inspected by WA State Department of Labor & Industries) and Benton Franklin District Health Department approvals when applicable.

**SECTION 22 - Permit Expiration and Revalidation:**

Section 105.5 of the International Building Code and of the International Residential Code shall be amended to read as follows:

"A building permit shall be obtained from the Franklin County Planning and Building Department. The permit shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of permit issuance, 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, but in any case, the permit shall expire by limitation two (2) years from the date of issuance. Prior to expiration of the building permit, a final inspection shall be requested from the Franklin County Planning and Building Department. In the event the building permit expires prior to the final inspection and approval by the Franklin County Planning and Building Department, **a revalidation permit at 25% of the original permit fee**, shall be paid prior to any further inspections, approvals, or the issuance of a Certificate of Occupancy by the department. No more than one revalidation permit shall be issued upon the expiration of a valid building permit. A revalidation permit shall be valid for no more than one (1) year. A six (6) month permit extension may be issued upon the expiration of the revalidation permit. The six (6) month permit extension is authorized with the permit condition that upon completion of the initial six (6) month extension, the exterior of the structure is complete, and in the opinion of the Building Official, the outward appearance of the building/structure is that of being complete and finished (including compliance with the requirements of the Landscaping and Screening Chapter of the Franklin County Zoning Ordinance, as amended). Extension Permits may be further extended in six (6) month increments provided that the remaining interior work authorized by such permit is commenced and verified at least once within the six (6) month permit extension timeline. The six (6) month permit extensions will not be charged a permit fee, but rather be charged the \$75.00 Special Inspection/Re-Inspection fee for each and every requested site inspection visit by the Planning and Building Department personnel."

**SECTION 23 - Board of Appeals:**

Section 112 of the International Building Code and the International Residential Code shall be amended to read as follows:

"In order to determine the suitability of alternate materials and methods of construction and to provide interpretation of the provisions of this code, there shall be and is hereby created, a Board of Appeals, consisting of seven members who are qualified by experience and training to pass upon matters pertaining to building construction. The Board of Appeals shall be jointly appointed by the mayors of the cities of Pasco, Kennewick, Richland, West Richland, Benton City and the Chairpersons of the Boards of County Commissioners, Benton and Franklin Counties, and shall serve at their pleasure. The Building Official of each appointing agency shall be an ex-officio member of the Board, and shall serve as Secretary to the Board on a rotating basis. The board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to all the Building Officials, with a duplicate copy to the Appellant, and may recommend to the City Councils and/or Board of County Commissioners such a new legislation as is consistent therewith."

**SECTION 24 – Duty to Enforce – Inspections – Duty to Comply:**

(A) It shall be the duty of the "officer" to enforce the chapters, titles, or sections of this ordinance or code. "Officer" shall be defined as any commissioned law enforcement officer, prosecuting or deputy prosecuting attorney, or commissioned Franklin County official with the authority and charged responsibility to ensure compliance with all state laws and/or county code and ordinances as adopted by the Board of Franklin County Commissioners.

(B) The chapters, titles, or sections of this ordinance or code shall be enforced for the benefit of the general public and citizens of Franklin County, including their health, safety, welfare, and public properties, but not for the benefit of any particular person or class of persons.

(C) It is the intent of this ordinance or code to place the obligation of compliance with the provisions herein upon any person responsible for the act or acts regulated by this ordinance.

(D) No provisions of or terms used herein this ordinance or code is intended to impose any duty upon law enforcement officers, Franklin County, or any of its officers or employees which would subject them to damages in a civil action.

**SECTION 25 – Violations and Penalties:**

(A) In accordance with RCW 36.32.120(7) and RCW 36.43.040, it shall be unlawful for;

(1) any person to maintain, erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by this ordinance, or cause the same to be done, in conflict with or in violation of any of the provisions of this ordinance or code; or

(2) any person to fail to comply with a non-compliance notice & correction order issued hereunder the authority of this ordinance or code.

(B) Any person found to have violated any provision of this ordinance or code, or as amended and adopted by the Board of Franklin County Commissioners, or who continues to work after a "stop work order" has been issued, shall be guilty of a misdemeanor, and

unless otherwise prescribed by law, shall be punished by a fine not to exceed \$1,000, or by imprisonment not to exceed 90 days, or both such fine and imprisonment. Each day of violation shall constitute a separate offense.

**SECTION 26 – Investigation -- Non-Compliance Notice – Criminal Citation:**

(A) The officer may investigate any circumstance of a person, firm, or corporation causing or permitting non-compliance or a violation of any provision of this ordinance or code within Franklin County.

(B) Whenever the officer determines that a non-compliance or violation of the ordinance or code herein has occurred there shall be served upon the responsible person either:

- (1) A non-compliance notice & correction order; or
- (2) A criminal citation for a violation.

**SECTION 27 – Non-Compliance Notice -- Criminal Citation – Service:**

The officer may issue a non-compliance notice and/or criminal citation if the officer has probable cause to believe that a provision of the applicable chapters, titles, or sections of this ordinance or code has been violated. An officer shall serve a non-compliance notice and criminal citation as follows:

(A) The officer shall personally serve a criminal citation on the person named therein at the time of issuance; or

(B) The officer shall file the criminal citation with Franklin County District Court, in which case the court shall have the criminal citation served, either personally or by mail, postage prepaid, on the person named in the criminal citation at their address. If the criminal citation is served by mail and is returned to the court as undeliverable, the court shall issue a summons.

(C) The officer shall have a non-compliance notice and correction order served, either personally or by mail, postage prepaid, on the person named in the notice at their address.

**SECTION 28 – Criminal Citation – Form – Contents:**

The form and contents of the criminal citation shall be in substantial compliance with Rule 2.1 of the Criminal Rules for Courts of Limited Jurisdiction.

**SECTION 29 – Criminal Citation – Filing – Franklin County District Court:**

A criminal citation shall be filed in Franklin County District Court within two (2) days after issuance of the criminal citation, excluding Saturdays, Sundays, and holidays. Franklin County District Court shall have jurisdiction to hear and determine these criminal citations.

**SECTION 30 - Injunctive Relief:**

Notwithstanding the existence or use of any other remedy or means of enforcement of the provisions hereof, Franklin County may seek legal or equitable relief to enjoin any acts or practices which constitutes a violation of any of the provisions hereof.

**SECTION 31 – Conflicting Codes -- Superseded:**

Whenever the adopted codes reference the International Plumbing Code, it will be interpreted to reference the Uniform Plumbing Code as adopted by the State of Washington. Wherever the adopted codes reference the International Energy Conservation Code, it shall be interpreted to reference the Washington State Energy Code.

Any and all terms governing violations, enforcement, and penalties within the 2009 International Building Code, 2009 International Residential Code, 2009 Uniform Plumbing Code, 2009 International Mechanical Code, 2009 International Fuel Gas Code, 2006 Washington State Energy Code, 2009 Washington State Ventilation and Indoor Air Quality Code, 2009 Uniform Washington State Ventilation and Indoor Air Quality Code, 2009 Uniform Swimming Pool, Spa, and Hot Tub Code, 1997 Uniform Code for the Abatement of Dangerous Buildings, or other regulations herein, including any future amendments to such codes or regulations, are hereby superseded by Sections 23 through Section 28 of this ordinance which are deemed controlling as to violations, enforcement, and penalties.

**SECTION 32 - Severability:**

The invalidity of any article, section, subsection, provision, clause, or portion thereof or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this code, or the validity of its application to other persons or circumstances.

**SECTION 33 - Effective Date:**

This ordinance shall be in force and in effect after its passage and publication as required by law.

PASSED this 7<sup>th</sup> day of July 2010.

BOARD OF COUNTY COMMISSIONERS  
FRANKLIN COUNTY, WASHINGTON

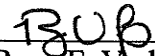
ATTEST:

  
Clerk of the Board

  
Brad Peck, Chairman

APPROVED AS TO FORM:

  
Rick Miller, Chair Pro Tem

By:   
Ryan E. Verhulp, Chief Civil Deputy  
Prosecuting Attorney's Office

R.E. Koch - Absent  
Robert E. Koch, Member