

Draft Bellevue City Code Amendments
Chapter 23.22 Uniform Housing Code
Strike-Draft September 4, 2020

1997 Uniform Housing Code

TABLE OF CONTENTS

Chapter 23.22

UNIFORM HOUSING CODE

Sections:

23.22.010 Purpose.
23.22.020 Scope.
23.22.030 Definitions specific to this uniform housing code chapter.
23.22.040 Responsibilities defined.
23.22.050 Unsafe structures, premises or equipment.
23.22.060 Violations.
23.22.070 Sanitation.
23.22.080 Structural requirements.
23.22.090 Mechanical requirements – heating, electrical and ventilation.
23.22.100 Exits.
23.22.110 Fire protection.
23.22.120 Unsafe buildings.

Chapter 1 TITLE AND SCOPE

SECTION 101 – TITLE

These regulations shall be known as the Uniform Housing Code, may be cited as such, and will be referred to herein as “this code.”

SECTION 102 – PURPOSE

23.22.010 Purpose.

The purpose of this code-chapter is to provide minimum standards to safeguard life ~~or limb~~, health, property, and public welfare by regulating and controlling the use and occupancy, ~~location~~, and maintenance of all residential buildings and structures within ~~this jurisdiction~~ the City of Bellevue.

Commented [A1]: BCC 23.10.010.D includes adoption and application of the 1997 Edition of the Uniform Housing Code as published by the International Conference of Building Officials, except Sections 104, 201.1, 201.2, 203, 302, and Chapters 12, 13, 14, 15 and 16. This Code will now be embedded in Chapter 23.22 BCC.

This redline strike-draft shows amendments to the 1997 Code.

Commented [A2]: Deleted for consistency with BCC structure.

Commented [A3]: Revised for consistency with BCC structure.

~~The purpose of this code is not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this code.~~

~~SECTION 103—SCOPE~~

23.22.020 Applicability.

The provisions of this ~~code chapter~~ shall apply to all residential uses, buildings or portions thereof used, or designed or intended to be used, for human habitation. Such occupancies in existing buildings may be continued as legally permitted or as provided ~~in Section 3401 or the Building Code~~ by the International Existing Building Code, except such structures as are found to be substandard ~~Unsafe~~ as defined in this ~~code chapter~~.

Where any building or portion thereof is used or intended to be used as a combination apartment house-hotel, the provisions of this ~~code chapter~~ shall apply to the separate portions as if they were separate buildings.

~~Rooming houses, cCongregate rResidences or and lLodging hHouses~~ shall comply with all the requirements of this ~~code chapter~~ for dwellings.

~~SECTION 401—DEFINITIONS~~

23.22.030 Definitions specific to this uniform housing code chapter.

~~For the purpose of this code, certain terms, phrases, words and their derivatives shall be construed as specified in either this chapter as specified in the Building Code. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third New International Dictionary of the English Language, Unabridged, copyright 1986, shall be considered as providing ordinary accepted meanings. Words 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.~~

~~BUILDING CODE~~ "Building Code" ~~is means the International Building Code and/or the International Existing Building Code, as applicable, promulgated by the International Conference of Building Officials Code Council, as adopted by now or as hereafter amended by this jurisdiction~~ the City of Bellevue.

"Building Official" means the officer or other designated authority charged with the administration and enforcement of this chapter, or a regularly authorized deputy thereof.

Commented [A4]: Revised for consistency with current codes.

Commented [A5]: Definitions section moved here for consistency with BCC structure. This section also revised for clarity and consistency with current codes.

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including fire marshal, health officer, and those individual employees of the City of Bellevue and King County who are designated with the official duties of such positions under the law, or their authorized administrative, inspection, engineering, and review personnel.

CONGREGATE RESIDENCE “Congregate Residence” is any building or portion thereof that contains facilities for living, sleeping and sanitation, as required by this ~~code~~chapter, and may include facilities for eating and cooking, for occupancy by other than a family. A congregate residence may be a convent, monastery, dormitory, fraternity or sorority house but does not include jails, hospitals, nursing homes, hotels or lodging houses.

“Dwelling Unit” means and refers to the definition of Dwelling Unit defined in Chapter 20.50 LUC.

~~EFFICIENCY DWELLING UNIT is a dwelling unit containing only one habitable room and meeting the requirements of Section 503.2 exception.~~

~~HEALTH OFFICER~~ “Health Officer” is the ~~legally designated head of the Department of Health of this jurisdiction.~~ Director of the Seattle-King County Department of Public Health, or the Director’s duly authorized representative.

HOT WATER “Hot Water” is water supplied to plumbing fixtures at a temperature not less than 120F (49C).

~~LODGING HOUSE~~ “Lodging House” ~~is any building or portion thereof containing not more than five guest rooms where rent is paid in money, goods, labor or otherwise.~~ means and refers to Rooming House and Bed and Breakfast, as those terms are defined and used in the Chapter 20.50 LUC.

~~MECHANICAL CODE~~ “Mechanical Code” ~~is the Uniform Mechanical Code promulgated by the International Conference of Building Officials, as adopted by this jurisdiction.~~ means the International Mechanical Code promulgated by the International Code Council as adopted by the city in Chapter 23.50 BCC.

NUISANCE “Nuisance” ~~means any of the following shall be defined as nuisances:~~

1. ~~Any public nuisance known at common law or in equity jurisprudence~~ defined in the Bellevue City Code;
2. ~~Any attractive nuisance that may prove detrimental to children whether in a building, on the premises of a building or on an unoccupied lot. This includes any abandoned wells,~~

~~shafts, basements or excavations; abandoned refrigerators and vehicles; any structurally unsound fences or structures; or any Lumber, trash, fences, debris or vegetation that may prove a hazard for inquisitive minors.~~

~~23. Whatever is dangerous to human life or is detrimental to health, as determined by the Health Officer;~~

~~34. Overcrowding a room with occupants;~~

~~45. Insufficient ventilation or illumination;~~

~~56. Inadequate or unsanitary sewage or plumbing facilities; or~~

~~67. Uncleanliness, as determined by the Health Officer.~~

~~8. Whatever renders air, food or drink unwholesome or detrimental to the health of human beings, as determined by the health officer.~~

~~PLUMBING CODE "Plumbing Code" is the Plumbing Code as adopted by this jurisdiction. means the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials, as adopted by the city in Chapter 23.60 BCC.~~

~~"Unsafe" refers to buildings, structures or equipment that are deemed unsafe by the Building Official pursuant to the International Existing Building Code.~~

Chapter 2 ENFORCEMENT

SECTION 201—GENERAL

~~201.1 NOT ADOPTED~~

~~201.2 NOT ADOPTED~~

201.3 Responsibilities defined

23.22.040 Responsibilities defined.

- A. ~~In addition to the provisions in Chapter 1.18 BCC, Owners remain liable for violations of duties imposed by this code chapter~~ even though an obligation is also imposed on the

occupants of the building, and even though the owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this ~~code~~chapter.

- B. Buildings and structures and parts thereof shall be maintained in a safe and sanitary condition. The owner or the owner's designated agent shall be responsible for such maintenance. To determine compliance with this ~~subsection~~chapter, the building may be re-inspected.
- C. Owners, in addition to being responsible for maintaining buildings in a sound structural condition, shall be responsible for keeping that part of the building or premises which the owner occupies or controls in a clean, sanitary and safe condition, including the shared public areas in a building containing two or more ~~d~~Dwelling ~~u~~Units.
- D. Owners shall, when required by this ~~code~~chapter, the ~~health ordinance~~city adopted health regulations, or the ~~h~~HHealth ~~e~~OOfficer, furnish and maintain such approved sanitary facilities as required, and shall furnish and maintain approved devices, equipment or facilities for the prevention of insect and rodent infestation, and when infestation has taken place, shall be responsible for the extermination of any insects, rodents or other pests when such extermination is not specifically made the responsibility of the occupant by law or ruling.
- E. Occupants of a ~~d~~Dwelling ~~u~~Unit, in addition to being responsible for keeping in a clean, sanitary and safe condition that part of the dwelling or ~~d~~Dwelling ~~u~~Unit or premises which they occupy and control, shall dispose of their rubbish, garbage and other organic waste in a manner required by the ~~health ordinance~~city adopted health regulations and approved by the ~~h~~HHealth ~~e~~OOfficer.
- F. Occupants shall, when required by this ~~code~~chapter, the ~~health ordinance~~city adopted health regulations, or the ~~h~~HHealth ~~e~~OOfficer, furnish and maintain approved devices, equipment or facilities necessary to keep their premises safe and sanitary.

~~Section 202 Substandard Buildings~~

23.22.050 Unsafe structures, premises or equipment.

Buildings ~~and premises~~, or portions thereof, ~~and equipment~~ that are determined to be ~~substandard~~Unsafe as defined in this ~~code~~chapter are hereby declared to be public nuisances and shall be abated by repair, rehabilitation, demolition or removal ~~consistent with applicable Building Code and~~ in accordance with the procedures ~~and provisions of specified in Chapter 1 of this code.~~ Chapter 1.18 BCC.

Commented [A6]: Revised for clarity and consistency with Chapter 1.18 BCC.

Commented [A7]: Revised for clarity and consistency with current codes.

SECTION 203 — NOT ADOPTED

SECTION 204 — VIOLATIONS

23.22.060 Violations.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure or cause or permit the same be done in violation of this ~~code 301~~chapter. A violation of this chapter is a civil violation as provided for in Chapter 1.18 BCC. A person responsible for the violation of any provision of this chapter may be assessed a monetary penalty and may be required to perform abatement as provided for in Chapter 1.18 BCC.

Commented [A8]: Revised for consistency with Chapter 1.18 BCC.

Chapter 3
PERMITS AND INSPECTIONS

Commented [A9]: Deleted because this section is duplicative of Chapter 23.05 BCC for permit/inspection/occupancy requirements.

SECTION 301 — GENERAL

~~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 in the manner and according to the applicable conditions prescribed in Section 106 of the Building Code.~~

SECTION 302 — NOT ADOPTED

SECTION 303 — INSPECTION

~~Buildings or structures within the scope of this code and all construction or work for which a permit is required shall be subject to inspection by the building official in accordance with and in the manner provided by this code and Sections 108 and 1701 of the Building Code.~~

Chapter 5
SPACE AND OCCUPANCY STANDARDS

SECTION 501 — LOCATION ON PROPERTY

~~All buildings shall be located with respect to property lines and to other buildings on the same property as required by Section 503 and Chapter 6 of the Building Code.~~

Commented [A10]: Deleted because this section is duplicative of and/or inconsistent with requirements in other codes.

SECTION 502 — YARDS AND COURTS

Commented [A11]: Deleted because this section is duplicative of and/or inconsistent with requirements in other codes.

502.1 Scope. This section shall apply to yards and courts having required window openings therein.

502.2 Yards. Every yard shall not be less than 3 feet (914 mm) in width for one- and two-story buildings. For buildings more than two stories in height, the minimum width of the yard shall be increased at the rate of one foot (305 mm) for each additional story. Where yards completely surround the building, the required width may be reduced by one foot (305 mm). For buildings exceeding 14 stories in height, the required width of yard shall be computed on the basis of 14 stories.

502.3 Courts. Every court shall not be less than 3 feet (914 mm) in width. Courts having windows opening on opposite sides shall not be less than 6 feet (1829 mm) in width. Courts bounded on three or sides by the walls of the building shall not be less than 10 feet (3048 mm) in length unless bounded on one end by a public way or yard. For buildings more than two stories in height, the court shall be increased one foot (305 mm) in width and 2 feet (610 mm) in length for each additional story. For buildings exceeding 14 stories in height, the required dimensions shall be computed on the basis of 14 stories.

Adequate access shall be provided to the bottom of all courts for cleaning purposes. Every court more than two stories in height shall be provided with a horizontal air intake at the bottom not less than 10 square feet (0.93 m²) in area and leading to the exterior of the building unless abutting a yard or public way. The construction of the air intake shall be as required for the court walls of the building, but in no case shall be less than one-hour fire-resistive.

SECTION 503 — ROOM DIMENSIONS

503.1 Ceiling Heights. Habitable space shall have a ceiling height of not less than 7 feet 6 inches (2286 mm) except as otherwise permitted in this section. Kitchens, halls, bathrooms and toilet compartments may have a ceiling height of not less than 7 feet (2134 mm) measured to the lowest projection front of the ceiling, where exposed beam ceiling members are spaced at less than 48 inches (1219 mm) or more on center, ceiling height shall be measured to the bottom of these members. Where exposed beam ceiling members are spaced at 48 inches (1219 mm) or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottom of the members is not less than 7 feet (2134 mm) above the floor.

If any room in a building has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half the area thereof. No portion of the less than 5 feet (1524 mm) from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof.

Commented [A12]: Deleted because this section is duplicative of and/or inconsistent with requirements in other codes.

If any has a furred ceiling, the prescribed ceiling height is required in two thirds the area thereof, but in no case shall the height of the furred ceiling be less than 7 feet (2134 mm).

503.2 Floor Area. Dwelling units and congregate residences shall have at least one room that shall have not less than 120 square feet (11.2 m²) of floor area. Other habitable rooms, except kitchens, shall have an area of not less than 70 square feet (6.5 m²). Where more than two persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of 50 square feet (4.65 m²) for each occupant in excess of two.

EXCEPTION: Nothing in this section shall prohibit the use of an efficiency living unit within an apartment house meeting the following requirements:

- A. The unit shall have a living not less than 220 square feet (20.4 m²) of superficial floor area. An additional 100 square feet (9.3 mm) of superficial floor area shall be provided for each occupant of such unit in excess of two.
- B. The unit shall be provided with a separate closet.
- C. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.
- D. This unit shall be provided with a separate bathroom containing a water closet, lavatory, and bathtub or shower.

503.3 Width. No habitable room other than a kitchen shall be less than 7 feet (2134 mm) in any dimension.

Each water closet stool shall be located in a clear space not less than inches (762 mm) in width and a clear space in front of the water closet stool of not less than 24 inches (610 mm) shall be provided.

Section 504 — LIGHT AND VENTILATION

504.1 General. For the purpose of determining the light or ventilation required by this section, any room may be considered as a portion of an adjoining room when one half of the area of the common wall is open and unobstructed and provides an opening of not less than one tenth of the floor area of the interior or 25 square feet (2.3 m²), whichever is greater.

Commented [A13]: Deleted because this section is duplicative of and/or inconsistent with requirements in other codes.

Exterior openings for natural light or ventilation required by this section shall open directly onto a public way or a yard or court located on the same lot as the building.

~~EXCEPTIONS: 1. Required windows may open into a roofed porch where the porch:~~

~~1.1 Abuts a public way, yard or court;~~

~~1.2 Has a ceiling height of not less than 7 feet (2134 mm); and~~

~~1.3 Has a longer side at least 65 percent open and unobstructed.~~

~~2. Skylights.~~

504.2 Light. ~~Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural light by means of exterior glazed openings with an area not less than one-tenth of the floor area of such rooms with a minimum of 10 square feet (0.93 m²).~~

504.3 Ventilation. ~~Guest rooms and habitable rooms within a dwelling unit or congregate residence shall be provided with natural ventilation by means of openable exterior openings with an area of not less than $\frac{1}{20}$ of the floor area of such rooms with a minimum of 5 square feet.~~

~~In lieu of required exterior openings for natural ventilation, a mechanical ventilating system may be provided. Such systems shall be capable of providing two air changes per hour in all guest rooms, dormitories, habitable rooms and in public corridors. One fifth of the air supply shall be taken from the outside.~~

~~Bathrooms, water closet compartments, laundry rooms and similar rooms shall be provided with natural ventilation by means of openable exterior openings with an area not less than $\frac{1}{20}$ of the floor area of such rooms with a minimum of $1\frac{1}{2}$ square feet.~~

~~In lieu of required exterior openings for natural ventilation in bathrooms containing a bathtub, shower or combination thereof; laundry rooms; and similar rooms, a mechanical ventilation system connected directly to the outside capable of providing five air changes per hour shall be provided. The point of discharge of exhaust air shall be at least 3 feet (914 mm) from any opening into the building. Bathrooms that contain only a water closet, lavatory or combination thereof, and similar may be ventilated with an approved mechanical recirculating fan or similar device designed to remove odors from the air.~~

~~504.4 Hallways.~~ All public hallways, stairs and other exitways shall be adequately lighted at all times in accordance with Section 1003 of the Building Code.

~~SECTION 505—SANITATION~~

23.22.070 Sanitation.

A. ~~505.1 Dwelling Units, Lodging Houses and Congregate Residences.~~ Dwelling Units, Lodging Houses and Congregate Residences. Dwelling units, lodging houses and congregate residences shall be provided with or access to a bathroom equipped with facilities, ~~consisting of a water closet, lavatory, and either a bathtub or shower.~~

~~505.2 Hotels.~~ Hotels or subdivisions thereof where both sexes are accommodated shall contain at least two separate toilet facilities that are conspicuously identified for male or female use, each which contains at least one water closet.

~~—EXCEPTION: Hotel guest rooms that have one unidentified toilet facility.~~

~~Additional water closets shall be provided on each floor for each sex at the rate of one for every additional guest, or fractional part thereof, in excess of 10.~~

B. ~~505.3 Kitchen—Kitchen.~~ Each ~~d~~Dwelling ~~u~~Unit shall be provided with a kitchen. Every kitchen shall be provided with a kitchen sink. Wooden sinks or sinks of similarly absorbent material shall not be permitted.

C. 505.4 Fixtures—Fixtures.

1. All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system. All plumbing fixtures shall be connected to an approved system of water supply and provided with hot and cold running water necessary for its normal operation.
2. All plumbing fixtures shall be of an approved glazed earthenware type or of a similarly nonabsorbent material.

D. ~~505.5 Water Closet Compartments—Lavatory.~~ Walls and floors of ~~water closet compartments~~lavatories, except in dwellings, shall be finished in accordance with ~~Section 807 of~~ the Building Code.

E. ~~505.6 Room Separations.~~ Room separations. Every water closet, bathtub or shower required by this ~~code chapter~~ shall be installed in a room that will afford privacy to the occupant.

F. ~~505.7 Installation and Maintenance.~~ Installation and maintenance. All sanitary facilities shall be installed and maintained in a safe and sanitary condition and in accordance with applicable requirements the Plumbing Code.

Commented [A14]: Revised for clarity and consistency with current codes.

Chapter 6 **STRUCTURAL REQUIREMENTS**

SECTION 601 – GENERAL

23.22.080 Structural requirements

A. ~~601.1 General.~~ General. Buildings or structures may be of any type of construction permitted by the Building Code. Roofs, floors, walls, foundations and all other structural components of buildings shall be capable of resisting any and all forces and loads to which they may be subjected. All structural elements shall be proportioned and joined in accordance with the stress limitations and design criteria as specified in the appropriate sections of the Building Code.

Buildings of every permitted type of construction shall comply with the applicable requirements of the Building Code.

B. ~~601.2 Shelter.~~ Shelter. Every building shall be weather protected to provide shelter for the occupants against the elements and to exclude dampness.

C. ~~601.3 Protection of Materials.~~ Protection of materials. All wood shall be protected against termite damage and decay as provided in the Building Code.

Commented [A15]: Revised for consistency with BCC structure.

Chapter 7 **MECHANICAL REQUIREMENTS**

SECTION 701 – HEATING AND VENTILATION

23.22.090 Mechanical requirements – heating, electrical and ventilation.

A. ~~701.1 Heating.~~ Heating. Dwelling units, ~~Lodging Houses, guest~~ and ~~Congregate~~ ~~Residences~~ shall be provided with heating facilities capable of maintaining a room temperature of 70 F (21.1 C) at a point 3 feet (914 mm) above the floor in all habitable rooms. Such facilities

shall be installed and maintained in a safe condition and in accordance with ~~Section 3102 of~~ the Building Code, the Mechanical Code and all other applicable laws. Unvented fuel-burning heaters are not permitted. All heating devices or appliances shall be of an approved type.

~~B. 701.2 Electrical Equipment.~~ Electrical equipment. All electrical equipment, wiring and appliances shall be installed and maintained in a safe manner in accordance with all applicable laws, including the National Electrical Code. All electrical equipment shall be of an approved type.

Where there is electrical power available within 300 feet (91440 mm) of any building, such building shall be connected to such electrical power. Every habitable room shall contain at least two electrical convenience outlets or one convenience outlet and one electric light fixture. Every water closet compartment, bathroom, laundry furnace room and public hallway shall contain at least one electric light fixture.

~~C. 701.3 Ventilation.~~ Ventilation. Ventilation for rooms and areas and for fuel-burning appliances shall be provided as required in the Mechanical Code and in this ~~code~~ chapter. Where mechanical ventilation is provided in lieu of the natural ventilation ~~required by Section 504 of this code~~, such mechanical ventilating system shall be maintained in operation during the occupancy of any building or portion thereof.

Commented [A16]: Revised for clarity and consistency with current codes.

Chapter 8 **EXITS**

~~SECTION 801—GENERAL~~

23.22.100 Exits.

Dwelling units ~~or guest rooms~~ shall have access directly to the outside or to a public corridor. All buildings or portions thereof shall be provided with exits, exitways and appurtenances as required by ~~Chapter 10 of~~ the Building Code.

Sleeping rooms below the fourth story shall have at least one operable window or exterior door approved emergency escape or rescue. The units shall be operable from the inside to provide a full clear opening without the use of separate tools.

Commented [A17]: Revised for clarity and consistency with current codes.

Chapter 9 **FIRE PROTECTION**

SECTION 901 — GENERAL

23.22.110 Fire protection

All buildings or portions thereof shall be provided with the degree of fire-resistive construction as required by the Building Code for the appropriate occupancy, type of construction and location on property, and shall be provided with the appropriate fire-extinguishing systems or equipment required by ~~Chapter 9 of the~~ Building Code.

Commented [A18]: Revised for consistency with current codes.

Chapter 10 **SUBSTANDARD BUILDINGS**

SECTION 1001 — DEFINITION

23.22.120 Unsafe buildings

A. ~~1001.1 General.~~General. Any building or portion thereof that is determined to be an ~~Unsafe~~ building in accordance with ~~Section 102 of the Building Code, Chapter 23.20 BCC,~~ or any building or portion thereof, including any ~~Dwelling Unit, guest room or suite of rooms,~~ or the premises on which the same is located, in which there exists any of the conditions referenced in this section to an extent that endangers the life, ~~limb,~~ health, property, safety or welfare of the public or the occupants thereof, shall be deemed and hereby are declared to be ~~substandard~~Unsafe buildings.

B. ~~1001.2 Inadequate Sanitation.~~Inadequate sanitation. Buildings or portions thereof shall be deemed ~~substandard~~Unsafe when they ~~are insanitary~~have inadequate sanitation. Inadequate sanitation shall include, but not be limited to, the following:

1. Lack of or improper water closet, lavatory, bathtub or shower in a ~~Dwelling Unit, or~~ Lodging House, or Congregate Residence.
2. ~~Lack of or improper water closets, lavatories, and bathtubs or showers per number of guests in a hotel.~~
3. Lack of or improper kitchen sink in a ~~Dwelling Unit~~.
4. ~~Lack of hot and cold running water to plumbing fixtures in a hotel.~~
5. Lack of hot and cold running water to plumbing fixtures ~~in a dwelling unit or lodging house.~~

~~46.~~ Lack of adequate heating facilities.

~~57.~~ Lack of or improper operation of required ventilating equipment.

~~68.~~ Lack of minimum amounts of natural light and ventilation ~~required by this code required at the time the building or the affected portion of the building was permitted and constructed.~~

~~79.~~ Room and space dimensions less than ~~the amount required by this code at the time the building or the affected portion of the building was permitted and constructed.~~

~~810.~~ Lack of required electrical lighting.

~~911.~~ Dampness of habitable rooms.

~~102.~~ Infestation of insects, vermin or rodents as determined by the ~~H~~Health ~~O~~fficer.

~~113.~~ General dilapidation or improper maintenance.

~~124.~~ Lack of connection to required sewage disposal systems.

~~135.~~ Lack of adequate garbage and rubbish storage and removal facilities as determined by the ~~H~~Health ~~O~~fficer.

C. ~~1001.3 Structural Hazards.~~ ~~Structural hazards.~~ Buildings or portions thereof shall be deemed ~~substandard~~Unsafe when they are or contain structural hazards. Structural hazards shall include, but not be limited to the following:

1. Deteriorated or inadequate foundations.
2. Ineffective or deteriorated flooring or floor supports.
3. Flooring or floor supports of insufficient size to carry imposed loads with safety.
4. Members of walls, partitions or other vertical supports that split, lean, list or buckle due to defective material or deterioration.
5. Members of walls, partitions or other vertical supports that are of insufficient size to carry imposed loads with safety.

6. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that sag, split or buckle due to defective material or deterioration.
7. Members of ceilings, roofs, ceiling and roof supports, or other horizontal members that are of insufficient size to carry imposed loads with safety.
8. Fireplaces or chimneys that list, bulge or settle due too defective material or deterioration.
9. Fireplaces or chimneys that are of insufficient size or strength to carry imposed loads with safety.

D. ~~1001.4 Nuisance.~~ Nuisance. Buildings or portions thereof in which there exists any nuisance as defined in this ~~code~~chapter are deemed ~~substandard~~Unsafe buildings.

E. ~~1001.5 Hazardous Electrical Wiring.~~ Hazardous electrical wiring. Electrical wiring that was installed in violation of code requirements in effect at the time of installation or electrical wiring not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not being used in a safe manner shall be considered ~~substandard~~Unsafe.

F. ~~1001.6 Hazardous Plumbing.~~ Hazardous plumbing. Plumbing that was installed in violation of code requirements in effect at the time of installation of plumbing or not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good condition or that is not free of cross-connections or siphonage between fixtures shall be considered ~~substandard~~Unsafe.

G. ~~1001.7 Hazardous Mechanical Equipment.~~ Hazardous mechanical equipment. Mechanical equipment that was installed in violation of code requirements in effect at the time of installation or mechanical equipment not installed in accordance with generally accepted construction practices in areas where no codes were in effect or that has not been maintained in good and safe condition shall be considered ~~substandard~~Unsafe.

H. ~~1001.8 Faulty Weather Protection.~~ Faulty weather protection. Buildings or portions thereof shall be considered ~~substandard~~Unsafe when they have faulty weather protection, which shall include, but not be limited to, the following:

1. Deteriorated, crumbling or loose plaster.

2. Deteriorated or ineffective waterproofing of exterior walls, roof, foundations or floors, including broken windows or doors.
3. Defective or lack of weather protection for exterior wall coverings, including lack of paint, or weathering due to lack of paint or other approved protective covering.
4. Broken, rotted, split or buckled exterior wall coverings or roof coverings.

I. ~~1001.9 Fire Hazard~~ Fire hazard. Any building or portion thereof, device, apparatus, equipment, combustible waste, or vegetation that, in the opinion of the chief or fire marshal of the fire department, is in such a condition as to cause a fire or explosion or provide a ready fuel to augment the spread and intensity of fire or explosion arising from any cause shall be considered ~~substandard~~ Unsafe.

J. ~~1001.10 Faulty Materials of Construction~~ Materials of construction. The use of materials of construction, except those that are specifically allowed or approved by this ~~code~~ chapter and the Building Code, and that have been adequately maintained in good and safe condition, shall cause a building to be ~~substandard~~ Unsafe.

K. ~~1001.11 Hazardous or Insanitary Premises~~ Hazardous or insanitary premises. The accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborage, stagnant water, combustible materials, and similar materials or conditions on a premises constitutes fire, health or safety hazards that shall be abated in accordance with the procedures ~~specified in Chapter 11~~ of this ~~code~~ chapter and Chapter 1.18 BCC.

L. ~~1001.12 Inadequate Exits~~ Inadequate exits. Except for those buildings or portions thereof that have been provided with adequate exit facilities conforming to the provisions of this ~~code~~ chapter, buildings or portions thereof whose exit facilities were installed in violation of code requirements in effect at the time of their construction or whose exit facilities have not been increased in number or width in relation to any increase in occupant load due to alterations, additions or change in use or occupancy subsequent to the time of construction shall be considered ~~substandard~~ Unsafe.

Notwithstanding compliance with code requirements in effect at the time of their construction, buildings or portions thereof shall be considered ~~substandard~~ Unsafe when the ~~Building~~ Official finds that an ~~Unsafe~~ condition exists through an improper location of exits, a lack of an adequate number or width of exits, or when other conditions exist that are dangerous to human life.

M. ~~1001.13 Inadequate Fire Protection or Firefighting Equipment.~~ Inadequate fire-protection or firefighting equipment. Buildings or portions thereof shall be considered ~~substandard~~ Unsafe when they are not provided with the fire-resistive construction or fire-extinguishing systems or equipment required by this ~~code~~ chapter, except those buildings or portions thereof that conformed with all applicable laws at the time of their construction and whose fire-resistive integrity and fire-extinguishing systems or equipment have been adequately maintained and improved in relation to any increase in occupant load, alteration or addition, or any change in occupancy.

N. ~~1001.14 Improper Occupancy.~~ Improper occupancy. All buildings or portions thereof occupied for living, sleeping, cooking or dining purposes that were not designed or intended to be used for such occupancies shall be considered ~~substandard~~ Unsafe.

Chapter 11

NOTICES AND ORDERS OF THE BUILDING OFFICIAL

SECTION 1101 – GENERAL

~~1101.1 Commencement of Proceedings.~~ When the building official has inspected or caused to be inspected a building and has found and determined that such building is a substandard building, the building official shall commence proceedings to cause the repair, rehabilitation, vacation or demolition of the building.

~~1101.2 Notice and Order.~~ The building official shall issue a notice and order directed to the record owner of the building. The notice and order shall contain the following:

- ~~1. The street address and a legal description sufficient for identification of the premises upon which the building is located.~~
- ~~2. A statement that the building official has found the building to be substandard, with a brief and concise description of the conditions found to render the building dangerous under the provisions of Section 202 of this code.~~
- ~~3. A statement of the action required to be taken as determined by the building official.~~
 - ~~3.1 If the building official has determined that the building or structure must be repaired, the order shall require that all required permits be secured therefor and the work physically commenced within such time (not to exceed 60 days from the date of the order) and completed within such time as the building official shall determine is reasonable under all of the circumstances.~~

Commented [A19]: Revised for clarity and consistency with current codes.

Commented [A20]: Deleted because this section is duplicative of Chapter 1.18 BCC.

~~3.2 If the building official has determined that the building or structure must be vacated, the order shall require that the building or structure shall be vacated within a certain time from the date of the order as determined by the building official to be reasonable.~~

~~3.3 If the building official has determined that the building or structure must be demolished, the order shall require that the building be vacated within such time as the building official shall determine reasonable (not to exceed 60 days from the date of the order), that all required permits be secured therefor within 60 days from the date of the order and that the demolition be completed within such time as the building official shall determine is reasonable.~~

~~4. Statements advising that if any required repair or demolition work (without vacation also being required) is not commenced within the time specified, the building official (i) will order the building vacated and posted to prevent further occupancy until the work is completed and (ii) may proceed to cause the work to be done and charge the costs thereof against the property or its owner.~~

~~5. Statements advising (i) that any person having any record title or legal interest in the building may appeal from the notice and order or any action the building official to the housing advisory and appeals board, provided the appeal is made in writing as provided in this code, and filed with the building official within 30 days from the date of service of such notice and order, and (ii) that failure to appeal will constitute a waiver of all right to an administrative hearing and determination of the matter.~~

1101.3 Service of Notice and Order. The notice and order, and any amended or supplemental notice and order, shall be served upon the record owner, and posted on the property; and one copy thereof shall be served on each of the following if known to the building official or disclosed from official public records: the holder of any mortgage or deed of trust or other lien or encumbrance of record, the owner or holder of any lease of record, and the holder of any other estate or legal interest of record in or to the building or the land on which it is located. The failure of the building official to serve any person required herein to be served shall not invalidate any proceedings hereunder as to any other person duly served or relieve any such person from any duty or obligation imposed by the provisions of this section.

1101.4 Method of Service. Service of the notice and order shall be made upon all persons entitled thereto either personally or by mailing a copy of such notice and order by certified mail, postage prepaid, return receipt requested, to each such person at their address as it appears on the last equalized assessment roll of the county or as known to the building official. If no address of any such person so appears or is known to the building official, then a copy of

the notice and order shall be so mailed, addressed to such person, at the address of the building involved in the proceedings. The failure of any such person to receive such notice shall not affect the validity of any proceedings taken under this section. Service by certified mail in the manner herein provided shall be effective on date of mailing.

1101.5 Proof of Service. Proof of service of the notice and order shall be certified to at the time of service by a written declaration under penalty of perjury executed by the person effecting service, declaring the time, date and manner in which service was made. The declaration, together with any receipt card returned in acknowledgement of receipt by certified mail, shall be affixed to the copy of the notice and order retained by the building official.

SECTION 1102 — RECORDATION OF NOTICE AND ORDER

If compliance is not had with the order within the time specified therein, and no appeal has been properly and timely filed, the building official shall file in the office of the county recorder a certificate describing the property and certifying (i) that the building is a substandard building and (ii) that the owner has been so notified. Whenever the corrections ordered shall thereafter have been completed or the building demolished so that it no longer exists as a substandard building on the property described in the certificate, the building official shall file a new certificate with the county recorder certifying that the building has been demolished or all required corrections have been made so that the building is no longer substandard, whichever is appropriate.

SECTION 1103 — REPAIR, VACATION AND DEMOLITION

The following standards shall be followed by the building official (and by the housing advisory and appeals board if an appeal is taken) in ordering the repair, vacation or demolition of any substandard building or structure:

1. Any building declared a substandard building under this code shall be made to comply with one of the following:
 - 1.1 The building shall be repaired in accordance with the current Building Code or other current code applicable to the type of substandard conditions requiring repair.
 - 1.2 The building shall be demolished at the option of the building owner.
 - 1.3 If the building does not constitute an immediate danger to the life, limb, property or safety of the public, it may be vacated, secured and maintained against entry.
2. If the building or structure is in such condition as to make it immediately dangerous to the life, limb, property or safety of the public or of the occupants, it shall be ordered to be vacated.

~~SECTION 1104 — NOTICE TO VACATE~~

~~1104.1 Posting.~~ Every notice to vacate shall, in addition to being served as provided in Section 1101.3, be posted at or upon each exit of the building, and shall be in substantially the following form:

**~~DO NOT ENTER
UNSAFE TO OCCUPY~~**

~~It is a misdemeanor to occupy this building, or to remove or deface this notice.~~

**~~Building Official
City of Bellevue~~**

~~1104.2 Compliance.~~ Whenever such notice is posted, the building official shall include a notification thereof in the notice and order issued under Section 1101.2, reciting the emergency and specifying the conditions that necessitate the posting. No person shall remain in or enter any building that has been so posted, except that entry may be made to repair, demolish or remove such building under permit. No person shall remove or deface any such notice after it is posted until the required repairs, demolition or removal have been completed and a certificate of occupancy issued pursuant to the provisions of the Building Code. Any person violating this subsection shall be guilty of a misdemeanor.