

CITY COUNCIL STUDY SESSION

Building and fire code updates as required by state law and incorporation of the Abatement of Dangerous Buildings Code and Uniform Housing Code, with amendments, as new chapters in the Bellevue City Code.

Mike Brennan, Director, 452-4113
Gregg Schrader, Building Official, 452-6451
Trisna Tanus, Consulting Attorney, 452-2970
Development Services Department

Jerome Hagen, Fire Chief, 452-6895
Ken Carlson, Fire Marshal, 452-6874
Fire Department

Matt McFarland, Asst. City Attorney, 452-5284
Chad Barnes, Asst. City Attorney, 452-2061
City Attorney's Office

DIRECTION NEEDED FROM COUNCIL

DIRECTION

Staff is seeking direction to bring back Ordinances amending the City of Bellevue Construction Codes (Bellevue City Code (BCC) Chapters 23.05, 23.10, 23.11, 23.12, 23.13, 23.16, 23.30, 23.50, 23.60, and 23.85), which adopt the 2018 model construction codes and 2020 model electrical code, including Washington State amendments and certain City of Bellevue technical and administrative amendments, and incorporating the Abatement of Dangerous Buildings Code and the Uniform Housing Code, with clarifying and conformance amendments, as new Chapters 23.20 BCC and 23.22 BCC.

RECOMMENDATION

Move to direct staff to bring back Ordinances amending Chapters 23.05, 23.10, 23.11, 23.12, 23.13, 23.16, 23.30, 23.50, 23.60, and 23.85 BCC, which adopt the 2018 model construction codes and 2020 model electrical code, including Washington State amendments and certain City of Bellevue technical and administrative amendments, and incorporating Abatement of Dangerous Buildings Code and the Uniform Housing Code, with clarifying and conformance amendments, as new Chapters 23.20 and 23.22 BCC.

BACKGROUND & ANALYSIS

This set of six code update Ordinances would become effective in two phases due to different mandatory dates required by different state laws and state agencies. Phase 1 includes two Ordinances with a proposed effective date of October 29, 2020, and phase 2 includes four Ordinances with a proposed effective date of February 1, 2021.

Effective October 29, 2020, all cities and counties that administer electrical inspection programs are required by WAC 296-46B and the Washington State Department of Labor and Industries to implement the 2020 National Electrical Code. Also, several Fire Code changes are proposed for October 29, 2020 implementation, which include administrative provisions and technical amendments related to the firefighter air replenishment systems (FARS), elevator maintenance and in-building radio systems.

Administrative and technical provisions of the Fire Code, along with the 2020 National Electrical Code, are proposed for adoption October 29, 2020 and are needed to: make minor fee adjustments; provide a level of certainty for developers and align with Fire Department operational needs for FARS; provide the Fire Department with tools necessary to ensure operational elevators; and modify in-building radio system requirements that were developed with the intention of ensuring consistent requirements throughout King County and provide building owners with lower cost options for ongoing testing.

In addition, effective February 1, 2021, the State Building Code Act, Chapter 19.27 RCW, and the WAC Chapters listed below, requires all cities and counties to begin enforcing the 2018 model construction codes, as adopted and amended by the State of Washington. The State Building Code Act allows cities and counties (with some exceptions) to amend the codes, provided that such amendments do not diminish the performance standards or objectives outlined in the State Building Code Act. The proposed technical amendments primarily bring forward current code requirements related to firefighting operations and high-rise construction. The new administrative and technical code amendments are described specifically below.

The model construction, electrical, and fire codes proposed for adoption include the following, as amended by the State of Washington:

- | | |
|--|---------------------------------|
| • 2018 International Building Code (IBC) | 23.10 BCC & WAC 51-50 |
| • 2018 International Energy Conservation Code | 23.10 BCC & WAC 51-11C / 51-11R |
| • 2018 International Fire Code (IFC) | 23.11 BCC & WAC 51-54A |
| • 2018 International Residential Code (IRC) | 23.12 BCC & WAC 51-51 |
| • 2018 International Existing Building Code (IEBC) | 23.13 BCC & WAC 51-50 |
| • 2020 National Electrical Code (NEC) | 23.30 BCC & WAC 296-46B |
| • 2018 International Mechanical Code (IMC) | 23.50 BCC & WAC 51-52 |
| • 2018 Uniform Plumbing Code (UPC) | 23.60 BCC & WAC 51-56 |

As part of the City's code update, three public outreach meetings were conducted from September – November 2019. Notification of the open houses was sent to all applicants who obtained permits in the prior one-year period of August 2018 – August 2019, and to the following organizations:

- American Institute of Architects
- Bellevue Chamber of Commerce
- Building Owners and Managers Association / Seattle – King County
- Master Builders Association of King and Snohomish Counties
- Structural Engineers Association of Washington – Seattle Chapter

A diverse group of architects, building owners, engineers, contractors, homebuilders, and developers attended the meetings. The topic generating by far the most questions were changes to the

Washington State Energy Code and the impact on construction projects, including new single-family homes as well as high-rise office and residential. The outreach meetings provided the opportunity for staff to inform attendees regarding how they can participate in and influence the Washington State code development process.

As part of the ongoing effort to create a consistent permitting and inspection experience for builders and developers working in our region, staff have worked over the last year with representatives of the MyBuildingPermit.com regional partnership and fire departments throughout the region to create relative alignment between member cities.

Staff will also be working through the partnerships to create and disseminate public information identifying upcoming code changes, and with this goal in mind, staff has been sponsoring common training for both staff and customers.

The proposed amendments to the Bellevue City Code are designed to accomplish these key tasks:

1. Adopt by reference the model codes, including Washington State amendments, as required by state law;
2. Amend provisions in the Construction Code Administration (Chapter 23.05 BCC), which provides for the administration, organization, and enforcement of the construction codes adopted by the City, to provide clarity and consistency between codes and with other cities;
3. Amend technical provisions in the Construction, Electrical, and Fire Codes (Chapters 23.10, 23.11, 23.12, 23.13, 23.16, 23.30, 23.50, 23.60, and 23.85 BCC) to support firefighting operations and address increasing complexity of construction.

Updates to the model construction codes happen on a three-year cycle through a process managed by the International Code Council and two similar national organizations. The updated codes are then evaluated by the Washington State Building Code Council, and Washington State Labor and Industries for the electrical code, where amendments to the model codes are considered and approved when deemed appropriate for the State of Washington. The final step in the update process is consideration by cities and counties and the application of local amendments. The significant code changes that originated in the national and state update processes are described below, along with the local amendments proposed for the City of Bellevue.

Significant National Code Updates:

- Wood Buildings now allowed in high-rise buildings up to 18 stories
- Increased seismic load due to research findings
- Exterior electrical service disconnection and surge protection required for dwellings
- Mobile food truck regulations (IFC)
- On-demand fueling (IFC)

Significant WA State Code Updates:

- Energy Code update (revised to achieve higher level of energy conservation in buildings)
- Fire sprinklers required for townhouses with 5 or more attached units
- Electrical readiness (power supply and space) required for gas water heaters and dryers

- Solar readiness required for 40 percent of roof areas for buildings less than 20 stories

Significant Proposed City of Bellevue Updates:

- In-Building Radio Systems
- Elevator maintenance
- Firefighter Air Replenishment Systems (FARS)

In addition, staff is proposing two Ordinances to incorporate code language and requirements from the currently adopted 1997 Abatement of Dangerous Buildings Code and the 1997 Uniform Housing Code as new Chapters 23.20 and 23.22 BCC. Previously, BCC 23.10.010 adopted these codes by reference. The Ordinances include amendments for conformance with the other BCC provisions and structure, which are not substantive changes.

The complete list of proposed Ordinances is indicated below:

| Effective Date: | Code: | BCC Chapter: |
|------------------|--|--|
| October 29, 2020 | Construction and Electrical Codes (FARS and NEC) | 23.10 & 23.30 |
| October 29, 2020 | Fire Code (fees, radio system, elevator maintenance, FARS) | 23.11 |
| February 1, 2021 | Construction Codes | 23.05, 23.10, 23.12, 23.13, 23.16, 23.50, 23.60, & 23.85 |
| February 1, 2021 | Fire Code | 23.11 |
| February 1, 2021 | Abatement of Dangerous Buildings Code | 23.20 |
| February 1, 2021 | Uniform Housing Code | 23.22 |

POLICY & FISCAL IMPACTS

Policy Impact

The proposed elevator maintenance provisions provide a balance for elevator-dependent occupants and building owners, particularly when the building is served by a single elevator. There are currently few immediate remedies available short of ordering the building vacated.

Fiscal Impact

There is a minor fiscal impact resulting from the amendments to the City's Construction Codes due to staff training and in order to update public information, but it is anticipated that this minor fiscal impact will be fully absorbed under the existing budget. There are no additional requirements or programs imposed by this code change requiring additional staff or budget resources.

OPTIONS

1. Direct staff to bring back Ordinances amending Chapters 23.05, 23.10, 23.11, 23.12, 23.13, 23.16, 23.30, 23.50, 23.60, and 23.85 BCC, which adopt the 2018 model construction codes and 2020 model electrical code, including Washington State amendments and certain City of Bellevue technical and administrative amendments, and incorporating the Abatement of Dangerous Buildings Code and the Uniform Housing Code, with clarifying and conformance amendments, as new Chapters 23.20 and 23.22 BCC.
2. Provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENTS

Phase 1:

- A. Strike-draft of Construction Codes (Chapters 23.10 and 23.30 BCC) October 29, 2020 implementation
- B. Strike-draft of Fire Code (Chapter 23.11 BCC) October 29, 2020 implementation

Phase 2:

- C. Strike-draft of Construction Codes (Chapters 23.05, 23.10, 23.12, 23.13, 23.16, 23.50, 23.60, and 23.85 BCC) February 1, 2021 implementation
- D. Strike-draft of Fire Code (Chapter 23.11 BCC) February 1, 2021 implementation
- E. Strike-draft of Abatement of Dangerous Buildings Code Amendments (Chapter 23.20 BCC) February 1, 2021 implementation
- F. Strike-draft of Uniform Housing Code Amendments (Chapter 23.22 BCC) February 1, 2021 implementation

AVAILABLE IN COUNCIL LIBRARY

N/A