

ORDINANCE NO. 875

CITY OF LACEY

AN ORDINANCE RELATING TO CODES AND REGULATIONS OF THE CITY GOVERNING BUILDING AND CONSTRUCTION ACTIVITIES AND REPEALING, ADDING TO AND AMENDING CERTAIN PORTIONS OF TITLE 14 OF THE LACEY MUNICIPAL CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, as follows:

Section 1. The following sections and chapters contained within Title 14 of the Lacey Municipal Code are hereby repealed: Section 14.04.010, Section 14.04.015, Section 14.04.017, Section 14.05.010, Section 14.06.010, Chapter 14.07, Chapter 14.08, Chapter 14.10, Section 14.13.030, Section 14.13.040, Section 14.13.060, Chapter 14.15, Chapter 14.16, Chapter 14.20 and Chapter 14.22.

Section 2. The following sections are adopted to constitute Chapter 14.03 of the Lacey Municipal Code adopting the Uniform Administrative Code:

"14.03.010 Adopted. There is adopted and by this reference made a part of this chapter as though fully set forth herein, at length, that certain code, known as the Uniform Administrative Code, 1988 edition, provided that tables 3-B, 3-E, and 3-F are not adopted."

"14.03.020 Violation deemed misdemeanor. Any violation of the provisions of the Uniform Administrative Code as herein adopted is a misdemeanor."

Section 3. The following sections are adopted as part of Chapter 14.04 of the Lacey Municipal Code which adopts the Uniform Building Code:

"14.04.010 Adopted. There is adopted and by this reference made a part of this chapter as though fully set forth herein, at length, that certain code, known as the Uniform Building Code, 1988 Edition, as modified by WAC 51-10 and WAC 51-16-030 including the Appendix Chapters 1, Divisions

I and II; 7; 11; 12, Divisions I and II; 23, Divisions I and II; 26; 32; 35; 38; 49; 55; 57; 70 therein, and the Uniform Building Code Standards, 1988 Edition, as the Building Code and standards of the City; provided that those sections of the Uniform Building Code set forth in Section 14.04.015 are amended to read as set forth in said Section."

"14.04.015 Amendments--Addition. The following sections of the Uniform Building Code as adopted in Section 14.04.010 are amended to read as follows:

Section 302(b) to have a new sentence added: All plans for construction, erection, enlargement, alteration or repairs of building or structures 4,000 square feet or over shall be designed, prepared and stamped by an architect licensed in the State of Washington.

Section 304(a) to have a sentence added: The value for commonly built structures shall be determined by using the most recently published Building Valuation Table in Building Standards, published by the International Conference of Building Officials.

Section 1204 to have a new paragraph added: Bedroom emergency egress and rescue windows below grade shall be provided with a window well with the following dimensions: (a.) minimum width equal to the width of the installed window: (b.) minimum height dimension of window sill height to 6 inches above grade, (c.) minimum clear depth of 3 feet measured from exterior plane of window to the nearest portion of the well parallel to the window.

Section 1807 (a) Scope. This section shall apply to all occupancies, A through R each having floors used for human occupancy located more than 50 feet above the lowest level of fire department vehicle access. Such buildings shall be provided with an approved automatic sprinkler system throughout in accordance with section 1807 (c).

Section 3802. Subsection (i) is added to read as follows:

Notwithstanding any less restrictive provision of this section, this code, or any other adopted code, standard automatic sprinkler systems shall be installed throughout all buildings 35 or more feet in height, or 10,000 or more square feet in gross floor area, provided, that one 4 hour fire area wall with no openings as defined by Uniform Fire Code Appendix III-A, Division III, number 2, may be used to maintain the maximum gross floor area stated herein."

Section 4. The following section is adopted as part of Chapter 14.05 of the Lacey Municipal Code which adopts the Uniform Mechanical Code:

"14.05.010 Adopted. There is adopted by this reference and made a part of this chapter as though full set forth herein, at length, that certain code, known as the Uniform Mechanical Code, 1988 Edition, published by the International Conference of Building Officials, including Chapter 22, Fuel Gas Piping, Appendix B and all other appendices, as the Mechanical Code of the City."

Section 5. The following sections are added to the Lacey Municipal Code to constitute Chapter 14.06 adopting the Uniform Plumbing Code:

"14.06.010 Adopted. The Uniform Plumbing Code, 1988 Edition, published by the international association of Plumbing and Mechanical Officials, including Appendix Chapters A, B, C, D, E, H, I, and the IAPMO installation standards, is adopted as the plumbing code for the City, provided that Section 1101(d) is amended to comply with the connection provisions in Chapter 13.08.030 read as follows: the public sewer may be considered as not being available when such public sewer or any building or any exterior drainage facility connected thereto, is located more than 250 feet from any proposed building or exterior drainage facility on any lot or

premised which abuts and is served by such public sewer; and provided further that Chapter 12 of said code is not adopted.

"14.06.015 Building sewer. The definition of "Building Sewer" as adopted by the Uniform Plumbing Code shall be amended to mean the following: the building sewer for which the property owner is responsible for maintaining shall be that portion of the line beginning two feet outside the outer foundation wall of the structure to the sanitary sewer main."

"14.06.020 Connection permit required. No person shall uncover, make any connection to, opening into, use, alter or disturb any public sewer or appurtenance thereto without first making an application and securing a right-of-way access permit pursuant to Chapter 12.16 from the administrative authority. Plan check, inspection fees and connection charges in an amount established by resolution of the City Council shall be paid prior to issuance of building sewer and right-of-way access permits."

"14.06.030 Building sewer in public right-of-way or easement. No building sewer located within the public right-of-way or easement shall be less than 6 inches in diameter. In no instance shall the building sewer pipe within the right-of-way be of smaller diameter than the pipe from the building to the right-of-way. ASTM D3034 pipe shall be used within the right-of-way or easement. Cleaning of the building sewer is the responsibility of the property owner."

"14.06.040 Violation deemed misdemeanor. Any violation of the provisions of the Uniform Plumbing Code as herein adopted constitutes a misdemeanor."

Section 6. The following sections are added to the Lacey Municipal Code to constitute Chapter 14.07 adopting the Uniform Fire Code:

"14.07.010 Adopted. There is adopted, except as amended in this Chapter, that certain Code known as the Uniform Fire Code, as adopted by WAC

51-16-050 other than Article 14; Appendices other than II-E, III-B, VI-A, and VI-C; and the Uniform Fire Code Standards, 1988 Edition, published by the International Conference of Building Officials and the Western Fire Chiefs Association, as the fire code of the City."

"14.07.015 Definitions. (a) Wherever the word "jurisdiction" is used in the Uniform Fire Code, it means the city of Lacey.

(b) Wherever the term "corporation counsel" is used in the Uniform Fire Code, it means the attorney for the city.

(c) "Fire department" means Thurston County Fire Protection District No. 3, a municipal corporation, which agency is under contract to provide fire protection, inspection, and other related services to the city.

(d) "Fire chief" means the fire chief of Thurston County Fire Protection District No. 3."

"14.07.020 Section 10.302 amended--portable fire extinguishers. There is added to Section 10.302 of the Uniform Fire Code adopted by this Chapter, Section 10.302(d) to read as follows: in addition to the maintenance requirements of Section 10.302(a), all portable fire extinguishers shall be subject to internal maintenance at least annually and at such additional times as shall be indicated by an inspection. However, internal maintenance is not required on portable CO2 fire extinguishers provided that they are maintained per Uniform Fire Code Standard 10-1, as adopted by this code."

"14.07.030 Section 10.306 amended--fire protection for combustibile storage. Section 10.306 of the Uniform Fire Code adopted by this Chapter is amended to read as follows: in buildings used for high-piled combustibile storage, fire protection shall be in accordance with Section 3802(h) of the Uniform Building Code is added by Lacey Municipal Code Section 14.04.015, except that one approved automatic fire extinguishing system shall be

required throughout the building when the contiguous area (minimum separation between storage areas is 60 feet) used for high-piled storage exceeds 5,000 square feet, inclusive of aisles."

"14.07.040 Storage of class I and class II liquids in above-ground storage tanks. The limits referred to in Section 79.501 of the Uniform Fire Code in which storage of class I and class II liquids outside in above-ground storage tanks is prohibited are established as all areas of the City."

"14.07.045 Storage of liquified petroleum gas. The limits referred to in Section 82.104(b) of the Uniform Fire Code in which liquified petroleum gas is restricted are established as all areas of the City with the Zoning designation other than that of Industrial when referring to above-ground containers."

"14.07.050 Appendix III-A.3. Modifications, amended. Appendix III-A.3. Modifications amended as follows: the two published paragraphs are hereby omitted and replaced with the following, the fire flow requirement shall be adjusted based on the occupancy classification as specified in the new table III-A-B:

TABLE III-A-B  
OCCUPANCY FIRE FLOW MODIFIERS

Percentage of Base

<u>Fire Flow</u>	<u>Occupancy Groups</u>
Credits:	
-25%	B-4, 1-1, 1-2, 1-3, R-1
-20%	E-3, A-1, A-2, A-2.1, A-3
-15%	E-1, E-2

-10%	A-4, B-2 (Office)
Surcharges:	
10%	B-1, B-2 (High-Piled Stock)
15%	B-3, H-4
20%	H-3
25%	H-1, H-2, H-5, H-6"

"14.07.060 Appendix III-A.4. Fire flow requirements for buildings, amended. Appendix III-A,4. Fire flow requirements for buildings, first paragraph amended to read as follows: The minimum fire-flow requirements for one- and two-family dwelling shall be 750 gallons per minute. The second exception, amended to read as follows: EXCEPTION: the required fire flow may be reduced up to 50% when the building is provided with an approved automatic sprinkler system, but in no case less than 1500 gallons per minute."

"14.07.070 Appendix III-C.1. Testing (a) Intervals, amended. Appendix III-C,1. Testing (a) Intervals, amended to read as follows: (a) INTERVALS. Tests of systems or devices herein regulated shall be conducted at least annually for automatic sprinkler systems and at least every 5 years for stand pipes or when an inspection by the Chief indicates that there is reason to believe that the system or device would fail to operate properly in an emergency."

"14.07.080 Violation--misdemeanor. Any person who violates any of the provisions of this Chapter or the Uniform Fire Code adopted herein or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by

the City Council, or by a court of competent jurisdiction, within the time fixed therein, is for each and every violation or failure to comply, guilty of a misdemeanor. The imposition of a criminal penalty shall not excuse the violation or permit it to continue and shall not be held to prevent the enforced removal of prohibited conditions. All such persons shall be required to correct or remedy such violations or defects within a reasonable time. When not otherwise specified by the Uniform Fire Code, each 10 days that prohibited conditions are maintained constitutes a separate offense."

Section 7. The following sections are adopted to constitute Chapter 14.10 of the Lacey Municipal Code adopting the Uniform Fire Alarm Code:

"14.10.010 Adopted. There is adopted, for the purpose of prescribing regulations governing the installation, use and maintenance of fire alarm systems within the City, that certain document entitled "1988 City of Lacey Fire Alarm Code"."

"14.10.020 Violation deemed misdemeanor. Any person who violates any provisions of this Chapter incorporating the 1988 Fire Alarm Code for the City, or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, within the time fixed therein, is, for each and every violation or failure to comply, guilty of a misdemeanor. The imposition of a criminal penalty shall not excuse the violation or permit it to continue and shall not be held to prevent the enforced removal of prohibited conditions. All such persons shall be required to correct or remedy such violations or defects within a reasonable time. Each ten days that prohibited conditions are maintained constitutes a separate offense."

Section 8. The following sections are adopted to constitute Chapter 14.12 of the Lacey Municipal Code adopting the Uniform Sign Code:



"14.12.010 Adopted. There is adopted and by this reference made a part of this Chapter as though fully set forth herein, at length, that certain code, known as the Uniform Sign Code, 1988 Edition, provided that those sections set forth in Section 14.14.015 are amended to read as set forth in that Section."

"14.12.015 Amendments. The following sections of the Uniform Sign Code as adopted in Section 14.14.010 are amended to read as follows:

Section 303, EXCEPTIONS, 3. is omitted in its entirety.

Section 304, is amended to read as follows: a sign permit fee and a plan checking fee shall be paid in accordance with the schedule established by resolution of the City Council.

Section 402(f) amended by addition of the following sentence: maximum of sign faces shall be as specified in Chapter 16.75 of this Code.

Section 403 amended by the addition of a new subsection (g) reading as follows: (g) Sign Location and Height Requirements. Notwithstanding any other requirements or allowances of this section, the location and maximum heights of signs in the City shall be governed by Chapter 16.75 of this Code.

Chapter 8, Roof Signs, omitted in its entirety.

Chapter 14, Temporary Signs, omitted in its entirety."

"14.12.020 Violations deemed misdemeanor. Any violations of the provisions of the Uniform Sign Code as herein adopted constitute a misdemeanor."

Section 9. The following sections are added to Chapter 14.13 of the Lacey Municipal Code which adopts the Electrical Code:

"14.13.030 Right of entry. The Building Official, inspector, or authorized designee or an authorized member of the fire prevention bureau as outlined in section 2.107 of the Uniform Fire Code adopted by Chapter 14.08 shall have the same right of entry to any building to enforce or inspect

pursuant to this chapter as is set forth for the Building Official in Section 202(c) of the Uniform Building Code adopted in Chapter 14.04 of this code."

"14.13.040 Permit--Requirements. It is unlawful for any person to place or install, or cause to be placed or installed, any wires or equipment that convey electric current or equipment to be operated by electric current, in, on, or about buildings or structures, except for telephone, telegraph, radio and television wires and equipment, and television antenna installations, signal strength amplifiers, and coaxial installations pertaining thereto without being in strict conformance with this chapter, the statutes of the State of Washington and the state adopted National Electrical Code and without being in conformity with approved methods of construction for safety to life and property, and without first obtaining a written permit to do so. Such a permit shall state the kind of work to be done thereunder, and it is unlawful for any person to do or perform, or cause or allow to be done or performed, any work other than that designated in said permit. Such permit shall also state the location by street and number where such work is to be done and shall be valid only for the location so stated. A separate permit shall be issued for each building. Before granting a permit for any electrical work, the inspector shall require the applicant to establish to the inspector's satisfaction that the applicant has complied with all state laws, city ordinances and rules adopted pursuant thereto applicable to the installation of electrical wiring, and has paid to the City the required permit and inspection fees."

"14.13.060 Wiring plan contents. Three sets of electrical plans and specifications or a wiring schedule, giving the following information, shall be filed before the issuance of a permit for the installation of electrical wiring intended to supply a service of limited voltage, fire or burglar

alarm wiring, a service of greater than 200 amperes, single phase; or at least 150 amperes, 3 phase. Every plan shall be drawn to scale on substantial paper and shall be of sufficient clarity to indicate the location, nature and extent of the work proposed, and showing in detail that it will conform to the provisions of the Electrical Code and all other relevant laws, ordinances, rules and regulations. Specifications for such plans may be shown either thereon or provided separately. The Building Official shall require plans, computations and specifications to be prepared and designed by an electrical engineer licensed by the State to practice as such. The wiring plan or schedule required shall contain the following information:

- A. The type, rating and location of any new service equipment;
- B. A feeder diagram or schedule listing each feeder and showing:
  - 1. The size of feeder over current device;
  - 2. The size of feeder conductors;
  - 3. The size of feeder raceway;
  - 4. The location of panel boards or load center served;
  - 5. The type of occupancy;
  - 6. The area served and all special loads;
  - 7. The total computed load of lighting, appliances and motors determined as specified in the National Electrical Code as adopted under this Chapter.
- C. A panel board or load center schedule showing for each panel:
  - 1. Bus-bar capacity;
  - 2. Voltage rating and phase;
  - 3. Number and type of circuit protective devices;
  - 4. Short circuit and fault currents shall be shown on riser

diagrams to indicate compliance with the Electrical Code Sections 110-9, 110-10, 230-98 and 240.1."

"14.13.170 Violation Deemed Misdemeanor. Any violation of this Chapter or the codes adopted herein shall constitute a misdemeanor."

Section 10. The following sections are adopted to constitute Chapter 14.15 of the Lacey Municipal Code adopting the Uniform Building Security Code:

"14.15.010 Adopted. There is adopted and by its reference made a part of this Chapter as though fully set forth herein, at length, that certain code known as the Uniform Building Security Code, 1988 Edition, published by the International Conference of Building Officials."

"14.15.020 Violations deemed misdemeanor. Any violations of the provisions of the Uniform Building Security Code as herein adopted constitute a misdemeanor."

Section 11. The following sections are adopted to constitute Chapter 14.16 of the Lacey Municipal Code adopting the Uniform Housing Code:

"14.16.010 Adopted. There is adopted and by its reference made a part of this Chapter as though fully set forth herein, at length, that certain code, known as the Uniform Housing Code, 1988 Edition, published by the International Conference of Building Officials."

"14.16.020 Violations deemed misdemeanor. Any violations of the provisions of the Uniform Housing Code as herein adopted constitute a misdemeanor."

Section 12. The following sections are adopted to constitute Chapter 14.17 of the Lacey Municipal Code adopting the Uniform Code for Abatement of Dangerous Buildings:

"14.17.010 Adopted. There is adopted and by its reference made a part of this Chapter as though fully set forth herein, at length, that

certain Code known as the Uniform Code for the Abatement of Dangerous Buildings, 1988 Edition, published by the International Conference of Building Officials."

"14.17.020 Violations deemed misdemeanor. Any violations of the provisions of the Uniform Code for the Abatement of Dangerous Buildings as herein adopted constitute a misdemeanor."

Section 13. The following sections are adopted to constitute Chapter 14.18 of the Lacey Municipal Code containing provisions generally applicable to all uniform codes:

"14.18.010 Conflict of uniform codes. If there exists or should arise a conflict between the provisions or interpretations of the various uniform codes adopted in those Chapters of this Title preceding this Chapter, the provisions of Chapter 14.04 shall prevail, and any sections or provisions of other codes in conflict therewith shall be considered to be amended to be in conformity with Chapter 14.04, provided, however, that in case of conflict between the ventilation requirements of Sections 605, 705, 905 and 1205 of the Uniform Building Code and the ventilation requirements of the City's energy code contained in Chapter 14.09 LMC, said Chapter 14.09 shall govern and in case of conflict between the duct insulation requirements of Section 1005 of the Uniform Mechanical Code and the duct insulation requirements of Chapter 14.09 LMC, the provisions of Chapter 14.09 shall govern."

"14.18.020 Permits--Term--Extension. Every permit issued under the provisions of the codes adopted by those Chapters of this Title preceding this Chapter, shall expire and become null and void if the building or work authorized by such permit is not commenced within one hundred eighty days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work has commenced

for a period of one hundred eighty days. For the purposes of this Section, the one hundred eighty days will be deemed to have expired if no inspections have been called for within one hundred eighty days of the date of permit issuance or within one hundred days after a called inspection. Before such work can be recommenced, a new permit shall first be obtained and the fee therefor shall be one-half of the amount required for a new permit for such work provided no changes have been made or will be made in the original plans and specifications for such work and, provided further, that such suspension or abandonment has not exceeded one year. Any permittee holding an unexpired permit may apply for an extension of time within which he may commence work under that permit, when he is unable to commence work within the time required by this section for good and satisfactory reasons satisfactory to the building official. The building official, for all permits authorized by prior chapters of this Title except Chapter 14.07, Fire Code, or the fire chief, for all fire code permits authorized by Chapter 14.07 of this Code, may extend the time for action by the permittee for a period not exceeding one hundred eighty days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. The permittee shall pay a new full permit fee except for such fire code permits for which no fee is charged. All permits expire after eighteen months and must be renewed if the work is not yet completed."

"14.18.030 Appeals board--Powers and duties. There is created a board of appeals consisting of five appointed members and the building official and the fire marshal as ex officio members. The appointed members of the board of appeals shall be appointed by the city manager, who shall select such members in a manner which will bring a range of construction expertise to said board. The building official shall be an ex officio

member and shall act as secretary of the board in any appeals relating to any of the Chapters of this Title preceding this Chapter with the exception of appeals relating to the Uniform Fire Code adopted in Chapter 14.07 in which case the fire marshal shall act as secretary of the board. The board of appeals shall advise those officials charged with enforcement of the codes adopted by those chapters of this title, preceding this chapter, as to the suitability of alternate materials and methods of construction. In addition, the board of appeals shall hear and decide all appeals arising from the rulings, interpretations or enforcement actions of those officials charged with enforcing said codes. The board of appeals shall have no authority relative to interpretation of the administrative provisions of this Code nor shall the board be empowered to waive requirements of this code. The term of the appointed members of the board of appeals shall be four years from the date of their appointment or until their successors are duly appointed. The board shall adopt rules of procedure for conducting its business and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official."

Section 14. The following sections are adopted to constitute Chapter 14.19 of the Lacey Municipal Code adopting the Standards for Parking Lot Construction:

"14.19.010 Permit required. Prior to the construction and/or paving of any parking lot or parking area or access thereto not covered by another review or permit process, such as site plan review, the owner of the real property involved shall obtain a parking lot construction permit from the city."

"14.19.020 Permit--Application. The application for a permit shall be accompanied by plans and specifications to be approved by the city engineer or the city engineer's representative with respect to requirements

for storm drainage discharge and on site retention or detention, matching street and/or sidewalk grades, access locations, and in order to conform with future street improvements and zoning regulations of the City."

"14.19.030 Materials and workmanship. Materials and workmanship for all parking lot construction regardless if a parking lot construction permit is required, must comply with City adopted standards and specifications as set forth in Chapter 14.20.010. Parking lot surfacing materials shall satisfy the requirement for a permanent all weather surface. Asphalt concrete pavement and cement concrete pavement satisfy this requirement and are approved materials. Gravel surfaces are not acceptable or approved surface material types. Combination grass/paving systems are approved surface material types, however, their use requires submittal of an overall parking lot paving plan showing the limits of the grass/paving systems and a description of how the systems will be irrigated and maintained. If the city engineer determines the grass/paving system is not appropriate for the specific application, alternate approved surfacing materials shall be utilized."

Other types of surfacing materials will be considered subject to the approval of the city engineer prior to construction.

"14.19.040 Permit fees. A permit fee for a parking lot construction permit, shall be established by resolution of the City Council."

"14.19.050 Noncompliance--Removal--Lien. In the event that the construction covered under this chapter is not performed in accordance with the established specifications and the construction is not corrected as directed by the city engineer, such construction may be removed and/or corrected by the city. Upon the failure of the owner to take such corrective steps as outlined within thirty days of notice in writing by the city engineer, costs of such removal and/or correction or reconstruction as



performed by the city shall be charged to the owner of the real property involved and shall become a lien against the premises until paid."

"14.19.060 Violation deemed misdemeanor. All persons violating this Chapter are guilty of a misdemeanor."

Section 15. The following sections are adopted to constitute Chapter 14.20 of the Lacey Municipal Code adopting the regulations relating to Public Works Construction:

"14.20.010 Standard specifications adopted. The 1988 Standard Specifications for Road, Bridge and Municipal Construction, written and promulgated by the Washington State Chapter of the American Public Works Association, the Washington State Department of Transportation and when so designated such standards as amended by the APWA Amendments or city amendments to the Washington State/APWA Standard Specifications for Road, Bridge and Municipal Construction and, as all of such standards may be further amended or updated by said organizations in the future, are adopted as the standard specifications for public works construction in the city."

"14.20.020 Performance bond required. Plans submitted to the Public Works Department for review and approval, for the construction of any public works improvements, shall comply with the specifications in Section 14.20.010. The fee to be paid to the city by the applicant for reviewing the plans and inspecting the construction shall be charged at rates established by resolution of the City Council. No building permit shall be issued until the improvements are completed or, with the approval of the director of public works, a performance bond with a surety qualified to do business in this state, a cash deposit, assigned savings account or other security acceptable to the city, in an amount equal to 150 percent of the cost of the public works improvements is posted with the city. No certificate of occupancy shall be issued until all public works improvements

are completed and approved unless otherwise allowed by the director of public works."

"14.20.025 Maintenance bond required. Prior to the commencement of work, the permittee or the contractor for the permittee shall post with the city a maintenance bond for guarantee of such public works improvements with a surety qualified to do business in this state, a cash deposit, an assigned savings account or other security acceptable to the city in an amount equal to 20 percent of the estimated cost of the public works improvements for a period of one year after the completed job is accepted by the city. Release of bond or other security will occur one year from city acceptance if all maintenance has been accepted by the city."

Section 16. The following sections are adopted to constitute Chapter 14.22 of the Lacey Municipal Code adopting provisions governing Plan Checking Fees:

"14.22.010 Applicability. The fees required by this chapter to be paid to the city for the performance of plan checking and inspection services shall apply to all public facilities within the city and/or other facilities which are connected to a city system that require plan checking and inspection services."

"14.22.020 Definitions. For purposes of this chapter, the following terms shall have the meanings set forth:

(a) "Facilities" may include any or all of the following:

Water: Public water facilities constructed within the city or connected to the city water system(s).

Sewer: Public sewage facilities constructed within the city or connected to the city sewerage system and/or discharging into or through the city's sewage system(s).

**Drainage:** Public drainage facilities constructed within the city or connected to the city drainage system and/or discharging into or through the city's drainage system(s).

**Streets:** Public streets constructed within public right-of-way or public easements within the city.

**Curb, gutter and sidewalk:** Public curb, gutter and sidewalk constructed within public right-of-way within the city.

**Lighting:** Street lighting facilities constructed within public right-of-way within the city.

**Signals:** Public traffic signals constructed within public right-of-way within the city and other traffic signals for which the city shall assume maintenance responsibility.

**Other:** Any other public facilities within the city or facilities connected to a city system.

(b) "Plan checking": The process performed by the city to check the completeness and accuracy of any drawings, calculations and other information submitted for public works approval and to review and confirm the facility satisfies and meets the intent of all city and other requirements.

(c) "Inspection" means the field verification and documentation by the city of the construction of any facility.

d) "Third submittal" shall mean the third and any subsequent submittal of construction drawings, specifications, drainage calculations, and/or other information that requires additional plan checking pertaining to the construction of city facilities."

"14.22.030 Amounts designated. The fees to be paid to the city for the city's plan checking, and inspection services shall be established by resolution of the city council. All plan checking fees shall be paid to the

city upon submittal of the plans and specifications. Inspection fees shall be paid to the city prior to the commencement of actual construction."

Section 17. Section 14.24.160 of the Lacey Municipal Code is hereby amended to read as follows:

"14.24.160 Substantive authority. A. The policies and goals set forth in this chapter are supplementary to those in the existing authorization of the city.

B. The city may attach conditions to a permit or approval for a proposal so long as:

1. Such conditions are necessary to mitigate specific probably significant adverse environmental impacts identified in environmental documents prepared pursuant to this chapter;

2. Such conditions are in writing;

3. The mitigation measures included in such conditions are reasonable and capable of being accomplished;

4. The city has considered whether other local, state or federal mitigation measures applied to the proposal are sufficient to mitigate the identified impacts;

5. Such conditions are based on one or more policies in subsection D of this section and cited in the license or other decision document.

C. The city may deny a permit or approval for a proposal on the basis of SEPA so long as:

1. A finding is made that approving the proposal would result in probably significant adverse environmental impacts that are identified in a final EIS or final supplemental EIS prepared pursuant to this chapter;

2. A finding is made that there are no reasonable mitigation measures capable of being accomplished that are sufficient to mitigate the identified impact;

3. The denial is based on one or more policies identified in subsection D of this section and identified in writing in the decision document.

D. The city designates and adopts by reference the following policies as the basis for the city's exercise of authority pursuant to this section:

1. The city shall use all practicable means, consistent with other essential considerations of state policy, to improve and coordinate plans, functions, programs, and resources to the end that the state and its citizens may:

a. Fulfill the responsibilities of each generation as trustee of the environment for succeeding generations;

b. Assure for all people of Washington safe, healthful, productive, and aesthetically and culturally pleasing surrounding;

c. Attain the widest range of beneficial uses of the environment without degradation, risk to health or safety, or other undesirable and unintended consequences;

d. Preserve important historic, cultural, and natural aspects of our national heritage;

e. Maintain, wherever possible, an environment which supports diversity and variety of individual choice;

f. Achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities;

g. Enhance the quality of renewable resources and approach the maximum attainable recycling of depletable resources.

2. The city recognizes that each person has a fundamental and inalienable right to a healthful environment and that each person has a responsibility to contribute to the preservation and enhancement of the environment.

3. The city adopts by reference the policies in the following city codes, ordinances and plans:

- a. Lacey zoning ordinance;
- b. Lacey comprehensive plan and associated elements;
- c. Lacey platting and subdivision ordinance;
- d. Six-year street plan;
- e. Shoreline master program for the Thurston region;
- f. Transportation system plan for the Thurston metropolitan area;
- g. Uniform Building Code (as adopted by the city);
- h. Lacey bikeway plan;
- i. Comprehensive plan for outdoor recreation;
- j. Land clearing code (Chapter 14.32 of Lacey Municipal Code).

4. The City establishes the following additional policies:

The City may apply any mitigation conditions necessary to properly mitigate identified adverse environmental impacts associated with license or permit applications. In implementation of this policy for each individual license application the City shall review all of the elements of the environment listed in WAC 197-11-444 and shall attempt to apply conditions as appropriate to mitigate identified adverse environmental impacts under all elements of the environment. Mitigation conditions may include but shall not be limited to: timing and scheduling of construction and

operation, modification of site design, project design or location, modification of the physical environment, installation of physical and vegetative improvements, mitigation of pollution sources, installation of pollution abatement equipment or safety equipment or improvements, providing of or upgrading of on- and off-site infrastructure improvements, preservation or protection of specified habitat and species of flora and fauna, provision for buffers and open spaces, layout and design of open space including centralization and consolidation, provision of safe and attractive pedestrian improvements, provision of bus stop improvements to Intercity Transit and North Thurston School District Standards, site restoration and improvements after surface mining or mineral extraction or other activity, and provision for lot owners or homeowners maintenance associations."

E. The legislative appeals authorized by RCW 43.21C.060 are eliminated from this chapter."

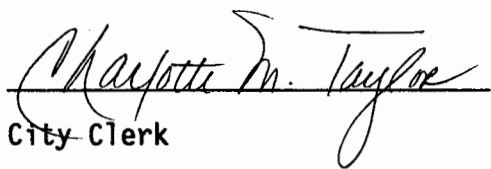
Section 18. A summary of this ordinance, which is attached hereto, is approved for publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF LACEY, WASHINGTON, this 8th day of February, 1990.

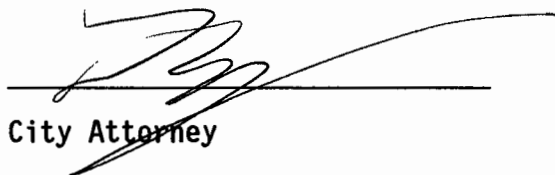
CITY COUNCIL

By Kay M. Boyd  
Mayor

Attest:

  
City Clerk

Approved as to form:

  
City Attorney

Published: February 12, 1990

ka01/cm



SUMMARY FOR PUBLICATION  
ORDINANCE NO. 875

CITY OF LACEY

The City Council of the City of Lacey, Washington, passed, on February 8, 1990, Ordinance 875 entitled "AN ORDINANCE RELATING TO CODES AND REGULATIONS OF THE CITY GOVERNING BUILDING AND CONSTRUCTION ACTIVITIES AND REPEALING, ADDING TO AND AMENDING CERTAIN PORTIONS OF TITLE 14 OF THE LACEY MUNICIPAL CODE."

A section by section summary of this Ordinance is as follows:

Section 1 repeals various sections and chapters contained within Title 14 of the Lacey Municipal Code. The sections and chapters that are repealed are either replaced by new sections and chapters within later sections of this ordinance or have been repealed because they are covered by other codes or regulations of the city. The repealing provisions of this section as well as the amendments and additions contained within the remaining sections of this ordinance all result from a comprehensive review and rewriting of Title 14 of the Lacey Municipal Code.

Section 2 adds a new chapter, 14.03 to the Lacey Municipal Code adopting the Uniform Administrative Code.

Section 3 adopts Lacey Municipal Code Section 14.04.010 and 14.04.015, the effect of which is to adopt the most recent state approved version of the Uniform Building Code.

Section 4 adopts Lacey Municipal Code Section 14.05.010 adopting the most recent state approved version of the Uniform Mechanical Code.

Section 5 adopts new sections to constitute Lacey Municipal Code Chapter 14.06 the purpose of which is to adopt the most recent versions of the Uniform Plumbing Code.

Section 6 adopts several sections constituting Lacey Municipal Code Chapter 14.07 the purpose of which is to adopt the most recent version of the Uniform Fire Code with certain amendments.

Section 7 adopts a new Lacey Municipal Code Chapter 14.10 for the purpose of adopting a revised version of the Lacey Fire Alarm Code.

Section 8 adopts Lacey Municipal Code Chapter 14.12 for the purpose of adopting the Uniform Sign Code.

Section 9 adopts sections to be added to Lacey Municipal Code Chapter 14.13 which chapter adopts the city's Electrical Code.

Section 10 adopts Lacey Municipal Code Chapter 14.15 for the purpose of adopting the Uniform Building Security Code.

Section 11 adopts Lacey Municipal Code Chapter 14.16 for the purpose of adopting the Uniform Housing Code.

Section 12 adopts Lacey Municipal Code Chapter 14.17 for the purpose of adopting the Uniform Code for Abatement of Dangerous Buildings.

Section 13 adopts Lacey Municipal Code Chapter 14.18 which is a modification of provisions previously contained within the Code and containing provisions which are of general applicability to all of the Uniform Codes adopted by all of the previous chapters contained within Title 14 of the Lacey Municipal Code.

Section 14 adopts Lacey Municipal Code Chapter 14.19 for the purpose of adopting the Standards for Parking Lot Construction.

Section 15 adopts Lacey Municipal Code Chapter 14.20 for the purpose of adopting new regulations relating to Public Works Construction.

Section 16 adopts Lacey Municipal Code Chapter 14.22 which adopts provisions of the city governing Plan Checking Fees.

Section 17 amends Lacey Municipal Code Section 14.24.160 by adding additional stated policies of the city which constitute a portion of the city's environmental protection policy.

Section 18 approves this summary.

A copy of the full text of this Ordinance will be mailed without charge to any person requesting the same from the City of Lacey.

Published: February 12, 1990.