

**FERRY COUNTY
BUILDING ORDINANCE #2008-10**

UPDATED

**ORDINANCE #2006-02
ORDINANCE #00-02
ORDINANCE #91-03**

FERRY COUNTY BUILDING ORDINANCE

Ordinance 2008-10

An Ordinance of the County of Ferry expressly adopting the State Building and related Codes, providing for enforcement by Ferry County, repealing and adding certain provisions:

BE IT ORDAINED BY THE COUNTY COMMISSIONERS OF FERRY COUNTY AS FOLLOWS:

SECTION A

THE FOLLOWING CODES ARE HEREBY ADOPTED:

1. 2003 International Building Code and Appendix C, published by the International Code Council. These regulations shall be known as the "International Building Code".
2. 2003 International Residential code published by the International Code Council. These regulations shall be known as the "International Residential Code".
3. 2003 International Mechanical Code.
4. 2003 International Fire Code
5. Except as provided in RCW 19.27.170, the Uniform Plumbing Code, and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials: PROVIDED that Chapters 11 and 12 of such Code are not adopted. These regulations shall be known as the "Uniform Plumbing Code".
6. The rules and regulations adopted by the Washington State Building Code Council establishing standards for making buildings and facilities accessible to and usable by the physically disabled or elderly persons as provided by RCW 70.92.100 through 70.92.160, and ICC ANSI 117.1 (Americans with Disabilities Act)
7. 2004 Washington State Energy Code adopted by the Washington State Building Code Council.

8. 2003 Washington State Ventilation and Indoor Air Quality Code adopted by the Washington State Building Code Council.

In case of conflict among the Codes enumerated in subsection (1), (2), (3) and (4) of this section, the first named Code shall govern over those following.

SECTION B

In conformity with the provisions of the State Building Code and Chapter 39.34 RCW, Interlocal Cooperation Act, Ferry County, upon proper procedures delineated under RCW 36.32.120 (Powers of Board), may provide for administration and enforcement of the State Building Code within its jurisdictional boundaries by establishing a local building department. Such administration and enforcement of the State Building Code by its building department shall include all of the Codes comprising the State Building Code enumerated in the previous section.

SECTION C

In conformity with the provisions of the State Building Code, the following Resolutions and Ordinances are hereby repealed.

Ferry County Ordinance No. 00-02

In addition, all other Resolutions and Ordinances enacted prior to the effective date of this Ordinance, or parts thereof, which are in conflict with, or inconsistent with this Ordinance are hereby repealed.

SECTION D

Except as exempted in the International Building or Residential Code, 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.

SECTION E

Building Permits

1. Any building project that does not qualify for an exemption or partial exemption requires a building permit, and the structure must comply with the aforementioned codes.

2. **Lot Boundary Line—Building:** Every building shall be entirely contained within a single separate lot, as defined below. Where a site plan indicates the intent to build across a lot boundary line, whether or not the contiguous lots are in common ownership, the building official shall require evidence that the owner has obtained and recorded a Boundary Line Adjustment per Ferry County Short Subdivision Ordinance 2000-06, Section 03.2.

Separate Lot: A physically separate and distinct lot, tract, site or parcel of property, for conveyance purposes, which was legally created in accordance with laws and ordinances in effect at the time the lot was created. The term "Separate Lot" does not apply to the definition of a unit of real property for which the boundaries have been segregated, aggregated, or otherwise defined for administrative purposes of the County Assessor's Office.

3. Prior to issuance of a Building Permit for a structure that will have, or requires drainage plumbing, or an addition or remodel project in which the number of bedrooms increases, the applicant must first gain approval from the NE Tri-County Health Department for the septic system. Prior to approving the NE Tri-County Health Department's application for a septic system, the building official shall verify that all components of the septic system are contained within the lot on which the building is to be constructed. If septic system components are proposed to be located on contiguous property, the building official shall require evidence that the owner has obtained and recorded a Boundary Line Adjustment per Ferry County Short Subdivision Ordinance 2000-06, Section 03.2.

Where no feasible alternative exists, components of the septic system and reserve drain field may be located on separate, non-contiguous property, whether or not in common ownership; but only when the owner of the proposed building site has obtained and recorded legal easements granting the use of the property, in perpetuity, to serve the septic system purpose.

A building permit shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

SECTION F

Work exempt from permit:

Building:

A Building Permit shall not be required for the following:

1. One story detached accessory structures, provided the floor area does not exceed 300 square feet, with maximum eave projections of 2 feet.

2. Fences not over 6 feet high.
3. Retaining walls that are not over 4 feet in height measured from the bottom of the footing to the top of the wall.
4. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1.
5. Platforms, walks and driveways not more than 30 inches above grade, and not over any basement or story below.
6. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
7. Prefabricated swimming pools that are less than 24 inches deep.
8. Swings and other playground equipment accessory to a one or two family dwelling.
9. Temporary motion picture, television and theatre stage sets.
10. Window awnings supported by an exterior wall, which do not project more than 54 inches from the exterior wall, and do not require additional support.

Gas:

1. Portable heating, cooking or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliances.
2. Portable ventilation appliances.
3. Portable cooling unit.
4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code.

5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self contained refrigeration systems containing 10 pounds or less of refrigerant or that are actuated by motors of 1 horsepower or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Exemption or partial exemption from the permit requirements of these codes shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of these codes or any other laws or ordinances of this jurisdiction.

SECTION G

Partial Exemption (Group U, Division 1 occupancies)
Partial Exemption Permit required.

1. Private garages, carports, sheds and agricultural buildings.
2. Fences over 6 feet high. If used for agricultural purposes, fences up to 8 feet high are exempt.

Partial exemption buildings require only site plan review, and optional construction plan review. No Building Department inspections will be made. Applicants whose plot plan shows type 1, 2 or 3 waters within 150 feet of the proposed structure will require a mandatory site inspection to verify that the required setback will be maintained.

Partial Exemption buildings must be started within 1 year from the date the permit is issued, and completed within 3 years from the date the permit was issued.

In order to qualify for a partial exemption, the building must meet the requirements of **subsections 1 through 7 below.**

1. The building must be no larger than 1,000 square feet.
2. The building must have eave projections no greater than 2 feet.
3. The building must be one story in height. (Maximum eave height of 12 feet above the finished ground level at any point, and in the case of a mono-pitch roof, 16

feet above the finished ground level at any point along the high side of the roof, with an average height of not more than 12 feet above the finished ground level.)

4. The building shall not be located closer to any property line, or other building on the same property than the greater of the following.
 - a. 20 feet for fire protection.
 - b. The height of the building plus 5 feet for lateral collapse.
5. There must be a residential structure on the property or on contiguous property under the same ownership prior to obtaining a Partial Exemption Permit. If there is no residential structure on the property, a permit to construct a residence, or install a mobile or manufactured home must be obtained from the Building Department prior to obtaining a Partial Exemption Permit. (If there is no residential structure on the property, and the owner wants to build a storage building, then a Building Permit must be obtained, rather than a Partial Exemption Permit.)
6. There shall be no drainage plumbing in the building. Cold water supply plumbing, for stock watering etc. and foundation drains are permissible. Hot water supply plumbing is not permitted. No plumbing fixtures shall be installed in Partial Exempt buildings. Overflow drains for stock watering tanks are permissible.
7. The building shall not be a place of human habitation or a place of employment, nor shall it be used by the public.
8. Additions to Partial Exempt buildings will require a building permit if the addition will bring the building out of compliance with any of the provisions of this section. If the addition will bring the building out of compliance with this section, it will be necessary to obtain a building permit for the entire structure. It may be necessary for an applicant who wants to add on to a Partial Exemption building, and that addition will bring the building out of compliance with this section, to employ a structural engineer to verify that the existing structure meets the structural requirements of the Code. Additions that do not bring the existing building out of compliance with this section will only need a Partial Exemption permit for the addition. Additions to a Partial Exemption building must be a U-1 Occupancy.
9. Any change in occupancy or use will require a Building Permit for the entire structure. It may be necessary for an applicant who wants to change the use of a Partial Exemption building to employ a structural engineer to verify that the existing structure meets the structural requirements of the Code.
10. Future building projects on the same property must not bring the building out of compliance with subsection 4 above. (For example, a person has a singlewide mobile home on the property when he obtains a partial exemption permit for a

shop. Later, he decides to install a doublewide mobile home. The doublewide mobile home must be at least as far from the partial exemption building as required above. If not, building permits will be required for both structures, and it may be necessary to make corrections to the partial exemption building to bring it up to code.)

Any non-exempt building that is started, or constructed without benefit of either a Partial Exemption Permit, or a Building Permit will require the applicant to pay an investigative fee equal to the Building Permit fee. If the building meets the qualifications of a Partial Exemption, it will be the owner's option of obtaining a Partial Exemption Permit, or a Building Permit. In either case, the investigative fee will be charged in addition to the Partial Exemption Permit fee, or the Building Permit fee. (The investigative fee shall be equal to the **BUILDING PERMIT FEE**, not the partial exemption fee.)

Exemption or partial exemption from the permit requirements of this Code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this Code or any other laws or ordinances of this jurisdiction.

Unless otherwise exempted, separate electrical and mechanical permits may be required for the above partially exempted items. If drainage plumbing is installed in a Partial Exemption building, it will be necessary to obtain a Building Permit and bring all aspects of the building into compliance with the above mentioned codes.

SECTION H

Suggested setbacks for all buildings.

Road right of way.	25 feet
Side property lines	5 feet for each story, or each 10 feet of height or fraction thereof measured at the highest projection of the building.
Rear property lines.	25 feet
Electrical lines	Setbacks from electrical transmission lines shall be as required by the utility.
Water frontage	As recommended in the Ferry County Critical Areas Ordinance

No portion of section H shall be construed to supersede private land covenants. (Homeowners Associations etc.)

SECTION I

Definitions:

Eave projections: For the purpose of Section G above, shall mean any portion of the building that extends horizontally beyond the vertical plane of the foundation or wall.

Eave height: For the purpose of Section G above shall mean the projecting overhang at the lower edge of a roof, or in the case of a mono-pitch roof, the average height between the overhang at the lower and upper edges.

Plumbing fixtures: For the purpose of Section G above shall mean any fixture that requires drainage plumbing, or is designed to be connected to drainage plumbing. Overflow drains for stock watering tanks are permissible.

Residential Structure For the purpose of Section G above shall mean a mobile home, manufactured home, or residence constructed or installed prior to 1972 without benefit of permit, or a residence permitted after 1972. Specifically, recreational vehicles, and illegally occupied buildings will not be considered a residential structure. (Illegally occupied buildings are dwellings, mobile or manufactured homes, that were either constructed or installed after 1972 without a permit, or buildings that were permitted as other than residences, but are currently lived in.)

SECTION J

Fees

Building Permit A fee schedule shall be set by and at the discretion of the Building Official to reflect reasonable costs incurred subject to approval by motion of the Board of Commissioners. Such fee schedule is subject to change without notice.

Exempt buildings	No Fee
Partial exempt buildings (Plot plan review)	\$35.00
Construction Plan Review (Optional)	\$30.00 (*)
Mechanical	\$30.00 (**)

(Wood stove / other heating systems)

Investigative fee
(Work without permit)

Equal to building permit fee

Other Inspections
(Shorelines, wetlands, floodplain, mandatory site inspections, etc.)

\$30.00 (***)

(*) Buildings that require a Building Permit or buildings that qualify for the Partial Exemption but the owner chooses to obtain a building permit are not subject to plan review fees. The building permit fee covers those costs.

(**) Buildings that require a Building Permit or buildings that qualify for the Partial Exemption but the owner chooses to obtain a building permit are not subject to mechanical inspection fees. The building permit fee covers those costs.

(***) Buildings that require a Building Permit or buildings that qualify for the Partial Exemption but the owner chooses to obtain a building permit are not subject to "other inspection" fees. The building permit fee covers those costs.

SECTION K

Expiration

Expiration of Application

Applications for which no permit is issued within 180 days following the date of application shall expire by limitation, and plans and other data submitted for review may thereafter be returned to the applicant, or destroyed by the Building Official. The Building Official may extend the time for action by the applicant for a period not exceeding 180 days on a request by the applicant. Applications may only be extended once.

Expiration of permit

Once a permit is issued, the applicant will have one year from the date that the permit was issued to start construction. The permit will remain valid as long as the permit holder continues to make progress on the project in every one-year period, except that partial exemption buildings must be completed within three years of permit issuance. Permits may be extended for an additional year, if a written request for extension is received while a permit is still active. Permits may be extended once, for a one-year period.

SECTION L

Should any section, paragraph, sentence or word of this Ordinance or of the Codes hereby adopted be declared for any reason to be invalid, it is the intent of the Board of Ferry County Commissioners that it would have passed all other portions of this Ordinance and of the Codes hereby adopted, independent of the elimination herefrom of any such portion as may be declared invalid, and accordingly, such declaration of invalidity shall not effect the validity of the Ordinance as a whole nor any part thereof other than the part so declared to be invalid.

SECTION M

Any person violating a portion of this Ordinance shall be deemed guilty of a misdemeanor. Each such violation shall constitute a separate offence and shall be punishable by imprisonment in the County Jail for a term not to exceed thirty days, and/or payment of a fine not exceeding five hundred dollars (\$500.00). Each day during which a violation continues it shall be deemed a separate offence and separate penalties may be assessed for each separate offence.

SECTION N

Nothing in this Ordinance is meant to require Ferry County or any officer to perform regular fire inspections under the Uniform Fire Code.

SECTION O

The burden of determining whether the applicant will violate any Federal, State or County or other law by execution of his plan to build is upon the applicant. The purpose of review by the County Departments above listed is primarily for protection of the public and secondarily to provide guidance to the applicant.

This ordinance, being necessary to the general health, safety, welfare of the citizens of Ferry County, shall take effect and be in force immediately upon adoption.

ADOPTED at Republic Washington, this 20th day of October, 2008

Ferry County Board of Commissioners
Ferry County, Washington



Ronald J. Bond
Ronald J. (Joe) Bond, Chairman

ABSENT
Mike L. Blankenship, Member

Brad L. Miller
Brad L. Miller, Member

ATTEST
Debbie Bechtol
Debbie Bechtol, Clerk of the Board

APPROVED AS TO FORM:
Michael Sandona
Michael Sandona, Prosecuting Attorney