

EXHIBIT A-2

General Provisions

15.04.080 Violation – Penalty.

Unless another penalty is expressly provided by the chapters of this title, the codes adopted by this title, or other law any violation of this title shall be enforced pursuant to the provisions of Chapter 1.25 ACC. (Ord. 6601 § 3, 2016; Ord. 4502 § 14, 1991; Ord. 3609 § 4, 1981.)

15.04.090 Enforcement.

Pursuant to ACC 15.07.030 the building official is authorized to enforce the provisions of this title.

Recognizing the authority and responsibility vested in the director under the codes adopted by this title, the building official is authorized to promulgate such rules, policies and/or procedures as deemed necessary to carry out the intent of this title and provide for the efficient operation of the permit process as it may be administered by the building official and staff. In so doing, the building official may, from time to time, and notwithstanding other provisions of this title:

- A. Record with the county auditor's office notices of building permit and/or land use compliance related activity regarding a specific site, which, after reasonable efforts in working with a property owner, is not brought into conformance with the provisions of this title, or notices and orders as called for under the dangerous buildings code; and/or
- B. Call upon the auburn police chief to assist in the enforcement of this title. The chief or designee is authorized to issue criminal citations for violations of this title when criminal sanctions are appropriate under the Auburn City Code. (Ord. 5874 § 2, 2004.)


EXHIBIT B-2

International Codes

15.06.010 International codes and other standards adopted.

There is adopted by reference, upon the effective date of the ordinance codified in this chapter and upon filing with the city clerk one copy thereof, the following described chapters of the Washington Administrative Code, International Codes and standards, and Uniform Plumbing Code and standards together with appendix chapters, amendments, deletions and additions as set forth in this section or in the appropriate chapters in this code.

A. *International Building Code Adopted.* The 2018 Edition of the International Building Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-50](#) WAC, is adopted by reference with amendments, deletions and additions thereto as provided in Chapter [15.08A](#) ACC, Building Code.

B. *International Residential Code Adopted.* The 2018 Edition of the International Residential Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-51](#) WAC, is adopted by reference, cluding Chapter 11, “Energy Efficiency,” Chapters 25 through 33, “Plumbing,” and Chapters 34 through 43, “Electrical.”

C. *International Mechanical Code Adopted.* The 2018 Edition of the International Mechanical Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-52](#) WAC, is adopted by reference.

D. *International Fire Code Adopted.* The 2018 Edition of the International Fire Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-54A](#) WAC, is adopted by reference with amendments, deletions and additions thereto as provided in Chapter [15.36A](#) ACC, Fire Code.

E. *National Fuel Gas Code (NFPA 54) Adopted.* The 2018 Edition of ANSI Z223.1/NFPA 54 National Fuel Gas Code, as published by NFPA, as adopted and hereafter amended by the State Building Code Council in Chapter [51-52](#) WAC, is adopted by reference.

F. *Liquefied Petroleum Gas Code (NFPA 58) Adopted.* The 2018 Edition of the Liquefied Petroleum Gas Code, as published by NFPA, as adopted and hereafter amended by the State Building Code Council in Chapter [51-52](#) WAC, is adopted by reference.

G. *International Fuel Gas Code Adopted.* The 2018 Edition of the International Fuel Gas Code, as published by the International Code Council, as adopted and hereafter amended by the State Building Code Council in Chapter [51-52](#) WAC, is adopted by reference.

H. *Uniform Plumbing Code Adopted.* The 2018 Edition of the Uniform Plumbing Code, as published by the International Association of Plumbing and Mechanical Officials, as adopted and hereafter amended by the State Building Code Council in Chapter [51-56](#) WAC, is adopted by reference, including Chapter 12, “Fuel Piping,” Chapter 15, “Firestop Protection,” Appendix A, “Recommended Rules for Sizing the Water Supply System,” Appendix B, “Explanatory Notes on Combination Waste and Vent Systems,” Appendix C, “Alternate Plumbing Systems,” Appendix I, “Installation Standards,” and those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel-fired appliances as found in Chapter 5 and those portions of the code addressing building sewers.

I. *International Energy Conservation Code Adopted.* The 2018 Edition of the International Energy Conservation Code, as published by the International Code Council, as amended by the State Building Code Council in Chapters [51-11C](#) and [51-11R](#) WAC. The most current Washington State Energy Code as established under Chapter [19.27A](#) RCW (most recently amended in 2012). The Washington State Energy Code, as adopted and hereafter amended by the State Building Code Council in Chapters [51-11C](#) and [51-11R](#) WAC, is adopted.

J. *International Property Maintenance Code Adopted.* The 2018 Edition of the International Property Maintenance Code, as published by the International Code

Council, is adopted by reference subject to the deletions, exceptions and conditions in Chapter 15.20 ACC.



K. *International Swimming Pool and Spa Code Adopted.* The 2018 Edition of the International Swimming Pool and Spa Code, as published by the International Code Council, excluding Chapter 4, “Public Swimming Pools,” Chapter 5, “Public Spas and Public Exercise Spas,” and Chapter 6, “Aquatic Recreation Facilities,” is adopted by reference.

L. *International Existing Building Code Adopted.* The 2018 Edition of the International Existing Building Code, as published by the International Code Council, and hereafter amended by the State Building Code Council in WAC [51-50-480101](#), is adopted.

M. *International Green Construction Code Adopted.* The 2018 Edition of the International Green Construction Code, as published by the International Code Council, is adopted by reference as an optional reference for developers who choose to utilize elements of the code for guidance.

N. *National Healthy Housing Standard Adopted.* The 2014 edition of the National Healthy Housing Standard, as published by the National Center for Healthy Housing, is adopted by reference as a guideline and expression of intent to assist interpretation of the codes adopted in this Chapter.

(Ord. 6744; Ord. 6615 § 17, 2016; Ord. 6601 § 4, 2016; Ord. 6469 § 1, 2013; Ord. 6310 § 1, 2010; Ord. 6104 § 1, 2007; Ord. 5874 § 3, 2004; Ord. 5184 § 2, 1998; Ord. 4754 § 2, 1995; Ord. 4566 § 5 (Exh. A), 1992.)

EXHIBIT C-2

Construction Administrative Code

15.07.010 General.

A. *Title.* These regulations shall be known as the Construction Administrative Code of the city of Auburn.

B. *Scope.* The provisions of this chapter shall apply to the administration of the technical codes adopted in ACC 15.06 and by the state of Washington, and as listed:

1.
 - a. 2018 International Building Code – Chapter [51-50](#) WAC;
 - b. 2018 International Residential Code – Chapter [51-51](#) WAC;
 - c. 2018 International Mechanical Code – Chapter [51-52](#) WAC;
 - d. 2018 International Fire Code – Chapter [51-54A](#) WAC;
 - e. 2018 National Fuel Gas Code (NFPA 54) – Chapter [51-52](#) WAC;
 - f. 2018 Liquefied Petroleum Gas Code (NFPA 58) – Chapter [51-52](#) WAC;
 - g. 2018 International Fuel Gas Code – Chapter [51-52](#) WAC;
 - h. 2018 Uniform Plumbing Code – Chapter [51-56](#) WAC;
 - i. 2018 International Energy Conservation Code – Chapters [51-11C](#) and [51-11R](#) WAC;
 - j. 2018 International Property Maintenance Code;
 - k. 2018 International Swimming Pool and Spa Code;
 - l. 2018 International Existing Building Code;
 - m. 2018 International Green Construction Code;

n. 2014 ed. National Healthy Housing Standard.

2. *Exceptions.* The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures.

3. *Definitions.* For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this subsection. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinary accepted meanings. Words used 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; provided, that any reference to "fire department" in this title or the codes adopted hereunder shall be understood to include the Valley Regional Fire Authority. (Ord. 6601 § 5, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 2, 2010; Ord. 6104 § 2, 2007; Ord. 5874 § 4(101), 2004.)

15.07.020 Conflicts between codes and applicability.

A. General. In case of conflict between codes referenced in ACC 15.07.010, where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the hierarchy of the codes named in Chapter [19.F27](#) RCW shall govern. Otherwise, the most restrictive provision shall govern, or where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. In the case of a conflict between the International Green Construction Code and the City of Auburn design standards, surface water manage manual, or construction standards, the City of Auburn standards shall govern.

B. Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

C. Application of References. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

D. Referenced Codes and Standards – Conflict with chapter. The codes and standards referenced in this code shall be considered part of the requirements of this code to the

prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

E. *Partial Invalidity.* In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions. (Ord. 6469 § 2, 2013; Ord. 6310 § 3, 2010; Ord. 6104 § 3, 2007; Ord. 5874 § 4(102), 2004.)

15.07.030 Enforcement.

A. *Enforcement agency.* The department of community development is designated as the agency responsible for enforcement of building codes, and the official in charge thereof shall be known as the building official, and Section 103 of Chapter 1 of the 2018 International Building Code is amended consistent therewith.

B. *Venue.* Unless specifically directed or assigned otherwise, violations of or failures to comply with any of the codes referenced by this chapter shall be prosecutable in the court of limited jurisdiction authorized to hear cases of the city.

C. *Penalties by class and category of offenses.* Unless a different city penalty is specifically provided for a violation of or failure to comply with any of the codes adopted by the chapters of this title, violations of and failures to comply with the requirements of the codes adopted by this chapter shall constitute offenses of the same description, class and category of offense as are indicated in the adopted code. The penalty for any such offense identified or identifiable as a misdemeanor for which no penalty is specifically provided shall be punishable by imprisonment in the appropriate city or county jail for a period of up to 90 days and a fine of up to \$1,000, or by both such fine and imprisonment. The penalty for any such offense identified or identifiable as a gross misdemeanor for which no penalty is specifically provided shall be punishable by imprisonment in the appropriate city or county jail for a period of up to one year and a fine of up to \$5,000, or by both such fine and imprisonment. The penalty for any such offense identified or identifiable as an infraction for which no penalty is specifically provided shall be punishable in accordance with ACC 1.25.050.

D. *Non-exclusive remedy.* The penalty provisions hereof are in addition to other enforcement and remedy provisions of the codes adopted by the chapters of this title. (Ord. 6601 § 6, 2016; Ord. 6469 § 2, 2013; Ord. 5874 § 4(103), 2004.)

15.07.050 Permits.

A. *Application for Permit.* Applicants shall file an application in writing on a form furnished by the department of community development for that purpose. Applications determined by the building official to be in compliance with this section shall be deemed as complete. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done with the tax parcel number assigned pursuant to RCW [84.40.160](#), and the street address, when available.
3. Indicate the use, occupancy, and construction type for which the proposed work is intended.
4. Be accompanied by construction documents and other information as required in this code.
5. State the valuation of the proposed work.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as required by the building official.
8. Include the property owner's name, address, and phone number.
9. Include the prime contractor's business name, address, phone number, current state contractor registration number and city business license.

B. The information required on the building permit application of this section shall be set forth on the building permit, approved construction documents, or on the inspection record card which shall be posted at the construction site;

1. The information required by this section and information supplied by the applicant after the permit is issued shall be kept on record in the office where building permits are issued and made available to any person on request in a manner consistent with public disclosure requirements of the state.
2. If any of the information required by this section is not available at the time the application is submitted, the applicant shall note what information is not available. The unavailability of that information shall not cause the application to be deemed incomplete for the purposes of vesting under this section. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information. (Ord. 6601 § 7, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 4, 2010; Ord. 6266 § 1, 2009; Ord. 6104 § 4, 2007; Ord. 5874 § 4(105), 2004.)

15.07.080 Fees.

A. *Work Performed without a Permit.* An investigation fee, in addition to the permit fee, may be collected. The investigation fee shall be equal to either the amount of the permit fee required by this code or the cost of the labor to perform the investigation. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code nor from any penalty prescribed by law.

B. *Plan Review and Permit Fees.*

1. When submittal documents are required by ACC [15.07.050](#), a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The building official and/or the fire code official may have the option to charge a deposit in lieu of the full plan review fee, if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in IBC Section 107.3.4.2, an additional plan review fee shall be charged at the rate shown in the fee code established by the jurisdiction.

2. *Stock Plan Program.* When plans are submitted under the “stock plan program,” a plan review fee shall be paid at the time of application for each stock plan. The building official may have the option to charge a partial deposit, in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review. Valuations used to compute the permit fees shall include all options submitted with a registered plan. When a registered plan consists of a number of plan options that can produce any number of similar but different buildings, the building official may charge plan review fees based on each different building configuration. Plan review fees shall be paid for at the time of application for a building permit. The plan review fees specified in this subsection are separate fees from the permit fees specified in the fee code, and are in addition to the permit fees.

C. *Refunds.*

1. *Application Fee Before Permit Issuance.* The building official may authorize refunding of not more than the full amount of the application or plan review fee paid, less the current rate of the additional re-submittal fee adopted by the city of Auburn fee schedule in effect at the time of request when an application for a permit for which such fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee no later than 180 days after the date of application.

2. *Permit Fee Before Permit Issuance.* The building official may authorize refunding of not more than the full amount of the permit fee paid, less the current rate of the additional re-submittal fee adopted by the city of Auburn fee schedule in effect at the time of request when an application for a permit for which such fee has been paid is withdrawn or canceled prior to issuance. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee no later than 180 days after the date of payment.

3. *Permit Fee After Permit Issuance.* The building official may authorize refunding of any fee paid hereunder, which was erroneously paid or collected. When no work has been done under a permit issued in accordance with this code, the building official may authorize refunding of not more than the full amount of the permit fee

paid, less the current rate of the additional resubmittal fee adopted by the city of Auburn fee schedule; except that no refunds will be processed for permits 180 days from date of issuance where no work has been done. (Ord. 6601 § 9, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 6, 2010; Ord. 6104 § 5, 2007; Ord. 5874 § (108), 2004.)

15.07.090 Inspections.

The city will conduct inspections as prescribed in the latest adopted copy of the International Building Code with the exceptions as noted below:

A. *IMC/UPC/IFGC/NEC Rough – in Inspection.* Rough-in mechanical, gas piping, plumbing and electrical shall be inspected when the rough-in work is complete and under test. No connections to primary utilities shall be made until the rough-in work is inspected and approved.

B. *Energy Efficiency Inspection – Envelope.*

1. *Wall Insulation Inspection.* To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.

2. *Glazing Inspection.* To be made after glazing materials are installed in the building.

3. *Exterior Roofing Insulation.* To be made after the installation of the roof insulation, but before concealment.

4. *Slab/Floor Insulation.* To be made after the installation of the slab/floor insulation, but before concealment.

C. *Special Inspections.* In addition to the inspections specified above, the building official is authorized to make or require special inspections above the requirements as stated in Chapter 17 of the 2015 International Building Code for any type of work related to the technical codes by an approved agency at no cost to the jurisdiction. (Ord. 6601 § 10, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 7, 2010; Ord. 6104 § 6, 2007; Ord. 5874 § 4(109), 2004.)

15.07.100 Certificate of occupancy.

A. *Use and Occupancy.* No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion of the building or structure shall be made until the building official has issued a certificate of occupancy as provided for in this section. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of this jurisdiction.

B. *Exception.* Certificates of occupancy are not required for work exempt from permits under Section 105.2 of the 2015 International Building Code and 2015 International Residential Code or for R-3 and U occupancies.

C. The building official is authorized under ACC [12.66.080](#) to evaluate the condition of public improvements that service and/or are adjacent to the lot upon which the building has been constructed. For development projects that require public improvements and the improvements remain incomplete or when the building activity has damaged adjacent public sidewalks, landscaping, streets or utilities the building official is authorized to withhold final inspection approval until the facilities are corrected and completed. The building official with the city engineer's approval may accept a bond or other financial security to guarantee repair or completion of required public improvements under special circumstances as determined by the city.

D. Section 111 of Chapter 1 of the 2015 International Building Code and International Residential Code is hereby amended consistent therewith. (Ord. 6601 § 11, 2016; Ord. 6469 § 2, 2013; Ord. 6310 § 8, 2010; Ord. 5874 § 4(110), 2004.)

15.07.110 Maintenance.

A. *Maintenance of Safeguards.* Whenever or wherever any device, equipment, system, condition, arrangement, level of protection, or any other feature is required for compliance with the provisions of this code, or otherwise installed, such device, equipment, system, condition, arrangement, level of protection, or other feature shall thereafter be continuously maintained in accordance with this code and applicable referenced standards. Such device, equipment, system, condition, arrangement, level of protection, or any other feature shall be maintained in accordance with the currently

adopted International Property Maintenance Code and associated adopted codes. (Ord. 6469 § 2, 2013; Ord. 5874 § 4(111), 2004.)

15.07.130 Appeals – Hearing examiner.

In order to hear and decide appeals of orders, decisions or determinations made by the building official or fire code official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of the city of Auburn's appointed hearing examiner.

A. Appeal to Hearing Examiner.

1. *Appointment and Term.* In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, except as provided in Chapter [70.92](#) RCW, a hearing examiner shall be appointed by the mayor as provided elsewhere in this code.
2. *Duties.* The examiner shall conduct an appeal hearing as provided herein, enter findings of fact and conclusions of law based upon those facts and a decision which is final action subject to appeal as provided herein.
3. *Conflict of Interest.* The examiner shall not conduct or participate in any hearing or decision in which the examiner has a direct or indirect personal interest which might exert such influence upon the examiner that might interfere with their decision-making process. Any actual or potential conflict of interest shall be disclosed by the hearing examiner to the parties immediately upon discovery of such conflict. Participants in the hearing process have the right, insofar as possible, to have the examiner free from personal interest or pre-hearing contacts on issues considered by them. It is recognized that there is a countervailing public right to free access to public officials on any matter. If such personal or pre-hearing interest contact impairs the examiner's ability to act on the matter, the hearing examiner shall state and shall abstain therefrom to the end that the proceeding is fair and has the appearance of fairness, unless all parties agree in writing to have the matter heard by said examiner. If all parties do not agree and the hearing examiner must abstain, the mayor shall be notified and the mayor shall appoint a hearing examiner pro tem to sit in the hearing examiner's stead.

4. *Freedom from Improper Influence.* No council member, city official, or any other person shall attempt to interfere with or improperly influence the examiner or examiner pro tempore in the performance of their designated duties.

5. *Duties of the Examiner – Applications and Decisions.* For cases and actions as prescribed by ordinance, the examiner shall receive and examine available information, conduct public hearings, prepare a record thereof, and enter findings of fact, conclusions based upon those facts, and a decision. As provided herein, such decision is final action subject to appeal as provided herein.

6. *Application of Appeal and Filing Fee – Form of Appeal.* Any person receiving a decision or determination made by the building official relative to the application and interpretation of this code may appeal such determination or decision under this code within 20 calendar days of receipt of the decision, or by the end of the following business day when the 20th day falls on a non-business day, by paying the filing fee as set forth in the city of Auburn fee schedule and filing with the department of community development a written application of appeal containing:

- a. A heading in the words: "Before the Hearing Examiner of the City of Auburn."
- b. A caption reading: "Appeal of Building Official or Fire Code Official Decision or Determination," giving the names of all appellants participating in the appeal.
- c. A brief statement setting forth the legal interest of each of the appellants in the building or the land involved in the determination or decision.
- d. A brief statement in ordinary and concise language of the specific action protested, together with any material facts claimed to support the contentions of the appellant.
- e. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the protested action should be reversed, modified or otherwise set aside.
- f. The signatures of all parties named as appellants and their official mailing addresses.

g. The verification (by declaration under penalty of perjury) of at least one appellant as to the truth of the matters stated in the appeal.

7. *Processing Application of Appeal.* Upon receipt of any application of appeal filed pursuant to this section together with the filing fee in the amount as set forth in the city of Auburn fee schedule, the building official or fire code official shall, within two working days of receipt of an application, determine whether the application is complete. If complete, the application shall be accepted. If not complete, the building official or fire code official shall request that the applicant provide additional information as necessary to complete the application. The applicant shall be advised of the date of acceptance of the application.

8. *Scheduling and Noticing Appeal for Hearing.* As soon as practicable after acceptance of the written application of appeal, the examiner shall fix a date, time and place for the hearing of the appeal. Such date shall be not less than 10 days nor more than 90 days from the date the application of appeal was filed with the building official or fire code official. Written notice of the time and place of the hearing shall be given at least 10 days prior to the date of the hearing to each appellant by the examiner either by causing a copy of such notice to be delivered to the appellant personally or by mailing a copy thereof, postage prepaid, addressed to the appellant at their address shown on the appeal.

9. *Effect of Failure to Appeal.* Failure of any person to file an appeal in accordance with provisions of this section shall constitute a waiver of any right to an administrative hearing and adjudication of the building official's or fire code official's decisions or determinations.

10. *Scope of Hearing on Appeal.* Only those matters or issues specifically raised by the appellant shall be considered in the hearing of the appeal.

11. *Hearing Procedures.*

a. *Record.* A record of the entire proceedings shall be made by tape recording or by any other means of permanent recording determined to be appropriate by the examiner.

b. *Reporting.* The proceedings at the hearing shall also be reported by a phonographic reporter if requested by any party thereto. A transcript of the

proceedings shall be made available to all parties upon request and upon payment of the fee prescribed therefor. Such fees may be established by the examiner, but shall in no event be greater than the cost involved.

c. *Continuances.* The examiner may grant continuances for good cause shown.

d. *Oaths – Certification.* In any proceedings under this section, the examiner has the power to administer oaths and affirmations and to certify to official acts.

e. *Reasonable Dispatch.* The examiner shall proceed with reasonable dispatch to conclude any matter before it. Due regard shall be shown for the convenience and necessity of any parties or their representatives.

f. *Notice of Hearing.* The notice to appellant shall be substantially in the following form, but may include other information: “You are hereby notified that a hearing will be held before (name of hearing examiner) at _____ on the ____ day of _____, 20__ at the hour of _____, upon the notice and order served upon you. You may be present at the hearing. You may present any relevant evidence and will be given full opportunity to cross-examine all witnesses testifying against you. You may request the issuance of subpoenas to compel the attendance of witnesses and the production of books, documents or other things by filing an affidavit therefor with (name of hearing examiner).”

g. *Subpoenas.*

i. The examiner may issue subpoenas for the attendance of witnesses or the production of other evidence at a hearing upon the written demand of any party. The issuance and service of such subpoena shall be obtained upon the filing of an affidavit therefor which states the name and address of the proposed witness; specifies the exact things sought to be produced and the materiality thereof in detail to the issues involved; and states that the witness has the desired things in their possession or under their control. A subpoena need not be issued when the affidavit is defective in any particular.

ii. *Penalties.* Any person who refuses without lawful excuse to attend any hearing or to produce material evidence in their possession or under their control as required by any subpoena served upon such person as provided for herein shall be guilty of a misdemeanor punishable as provided in ACC [1.24.010](#).

h. *Conduct of Hearing.*

i. *Rules.* Hearings need not be conducted according to the technical rules relating to evidence and witnesses.

ii. *Oral Evidence.* Oral evidence shall be taken only on oath or affirmation.

iii. *Hearsay Evidence.* Hearsay evidence may be used for the purpose of supplementing or explaining any direct evidence, but shall not be sufficient in itself to support a finding unless it would be admissible over objection in civil actions in courts of competent jurisdiction in this state.

iv. *Admissibility of Evidence.* Any relevant evidence shall be admitted if it is the type of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions in courts of competent jurisdiction in this state.

v. *Exclusion of Evidence.* Irrelevant and unduly repetitious evidence shall be excluded.

vi. *Rights of Parties.* Each party shall have these rights among others:

(A) To call and examine witnesses on any matter relevant to the issues of the hearing;

(B) To introduce documentary and physical evidence;

(C) To cross-examine opposing witnesses on any matter relevant to the issues of the hearing;

(D) To impeach any witness regardless of which party first called them to testify;

- (E) To rebut the evidence against them;
- (F) To represent themselves or to be represented by anyone of their choice who is lawfully permitted to do so.

vii. *Official Notice.*

(A) *What May Be Noticed.* In reaching a decision, official notice may be taken, either before or after submission of the case for decision, of any fact which may be judicially noticed by the courts of this state or official records of departments and ordinances of the city.

(B) *Parties to Be Notified.* Parties present at the hearing shall be informed of the matters to be noticed, and these matters shall be noted in the record, referred to therein, or appended thereto.

(C) *Opportunity to Refute.* Parties present at the hearing shall be given a reasonable opportunity, on request, to refute the official noticed matters by evidence or by written or oral presentation of authority, the manner of such refutation to be determined by the hearing examiner.

(D) *Inspection of the Premises.* The hearing examiner may inspect any building or premises involved in the appeal during the course of the hearing; provided, that (1) notice of such inspection shall be given to the parties before the inspection is made, (2) the parties are given an opportunity to be present during the inspection, and (3) the hearing examiner shall state for the record upon completion of the inspection the material facts observed and the conclusions drawn therefrom. Each party then shall have a right to rebut or explain the matters so stated by the hearing examiner.

viii. *Limitation of Testimony.* The examiner has the right to limit the time a witness may testify.

12. *Form and Effective Date of Decision.* The decision shall be in writing and shall contain findings of fact, conclusions of law, a determination of the issues presented, and the requirements to be complied with. A copy of the decision shall be delivered

to the appellant personally or sent to them by certified mail, postage prepaid, return receipt requested. The effective date of the decision shall be as stated therein.

13. *Rights Granted – Right to Appeal.* Nothing in this section shall be construed as granting any right of judicial review which does not previously exist in law. The decision of the examiner or examiner pro tem shall be final and exclusive. A writ of review must be sought in the superior court of King or Pierce County, if at all, by an aggrieved party or person.

14. *Limitations of Authority.* The examiner shall have no authority relative to interpretation of the administrative provisions of this code or the technical codes nor shall the examiner be empowered to waive requirements of this code or the technical codes. (Ord. 6469 § 2, 2013; Ord. 6104 § 7, 2007; Ord. 5874 § 4, 2004.)

EXHIBIT D-2

Building Code

15.08A.011 Adoption of international building code.

The 2018 International Building Code, as adopted and hereafter amended by the State Building Code Council, and included in Chapter [51-50](#) WAC, is adopted as the building code of the city; provided, that the amendments, deletions and additions thereto as provided in this chapter shall govern over the published provisions of the International Building Code. (Ord. 6601 § 12, 2016; Ord. 6469 § 3, 2013; Ord. 6310 § 10, 2010; Ord. 6104 § 9, 2007; Ord. 5874 § 6, 2004.)

15.08A.051 Section 516 added – Recyclable materials and solid waste storage.

A new Section 516 and Table No. 5-F are added to Chapter 5 of the International Building Code to read as follows:

A. Recyclable Materials and Solid Waste Storage.

1. For the purpose of this section, the following definition shall apply: Recycled Materials means those solid wastes that are separated for recycling or reuse, such as papers, metals and glass.
2. All new buildings shall provide space in accordance with Table No. 5-F for the storage of recycled materials and solid waste; EXCEPTION: Group R, Division 3 and Group U Occupancies.
3. The storage area shall be designed to meet the needs of the occupancy, efficiency of pick-up, and shall be available to occupants and haulers.
4. Storage and Handling of Recyclables and Solid Waste shall comply with the 2003 Edition of the International Fire Code, Chapter 3, Section 304.

**TABLE NO. 5-F – RECYCLABLE MATERIALS AND SOLID WASTE
STORAGE AREA REQUIREMENT**

OCCUPANCY	AREA REQUIREMENTS
OFFICE	2 SF Per 1,000 SF of Gross Floor Area
RETAIL	5 SF Per 1,000 SF of Gross Floor Area
WHOLESALE	3 SF per 1,000 SF of Gross Floor Area
WAREHOUSE	3 SF per 1,000 SF of Gross Floor Area
INDUSTRIAL	3 SF Per 1,000 SF of Gross Floor Area
EDUCATIONAL	2 SF per 1,000 SF of Gross Floor Area
INSTITUTIONAL	2 SF Per 1,000 SF of Gross Floor Area
RESIDENTIAL	Min. 12 SF Plus 1.5 SF Per Unit; One Collection Area Per 30 Units located within 200 feet

(Ord. 5874 § 6, 2004.)

15.08A.051 Section 903.1 amended – General.

International Building Code Section 903.1 is amended to read as follows:

Section 903.1 General. Fire extinguishing systems required in this code shall be installed in accordance with the requirements of this section and Auburn City

Code [15.36A](#).

(Ord. 5874 § 6, 2004.)

EXHIBIT E-2

Fire Code

15.36A.011 Adoption.

The 2018 Edition of the International Fire Code, as published by the International Code Council, and as adopted and amended by the State Building Code Council in Chapter [51-54A](#) WAC including Appendix D, “Fire Apparatus Access Roads,” Appendix E, “Hazard Categories,” Appendix H, “Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions,” and Appendix L, “Requirements for Fire Fighter Air Replenishment,” is adopted by reference with the amendments, additions, and deletions provided in this chapter. Chapter [15.38A](#) ACC and this chapter shall be controlling within the jurisdiction of the city. The manufacture, storage, handling, sale, and use of fireworks shall be governed by Chapter [70.77](#) RCW and by Chapter [212-17](#) WAC and Chapter [8.24](#) ACC, Fireworks, consistent with Chapter [212-17](#) WAC. (Ord. 6601 § 17, 2016; Ord. 6469 § 5, 2013; Ord. 6310 § 13, 2010; Ord. 6104 § 11, 2007; Ord. 5874 § 10, 2004.)

NEW SECTION 15.36A.015 Section 105.3.2 Extensions amended


Chapter 1 of the International Fire Code entitled “Scope and Administration” is adopted with the following amendment:


A. Section 105.3.2 Extensions. is deleted in its entirety and is replaced with the following: 105.3.2 Extensions. The *fire code official* is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.


15.36A.031 Fire service features.

Chapter 5 of the International Fire Code, entitled “Fire Service Features,” is adopted with the following amendments:

A. *Fire Apparatus Access Roads*. Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by substituting subsections 503.2, 503.3 and 503.4 with the following subsections:


 **Sec. 503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with the City of Auburn Engineering Design Standards as applicable based on the type of access.

 **Sec. 503.3 Marking.** Fire apparatus access roads may be established or relocated at the time of plan review, pre-construction site inspection, and/or post construction site inspection as well as any time during the life of the occupancy. Fire apparatus access roads shall be identified in accordance with ACC [10.36.175](#). Means of identification shall be maintained in clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

 **Sec. 503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. Widths and clearances established by the City of Auburn Engineering Design Standards shall be maintained at all times.

 **Sec. 503.4.1 Traffic calming devices.** This section is not adopted.



 **B. Premises Identification.** Section 505 of the International Fire Code, entitled “Premises Identification” is amended by substituting subsection 505.1 with the following subsection:

Sec. 505.1 Address identification. New and existing buildings shall be provided with approved address identification in accordance with ACC 15.52.

C. *Fire Protection Water Supplies – Where Required.* Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by substituting subsection 507.5.1 with the following:

Sec. 507.5.1 Where required. Where a portion of a building or structure hereafter constructed or moved into the city is more than 150 feet in vehicular travel from a hydrant, as measured by an approved route, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exception: For Group R-3 and Group U occupancies, the distance requirement shall be 450-feet.

D. *Clear Space around Hydrants.* Section 507 of the International Fire Code, entitled “Clear Space Around Hydrants,” is amended by substituting subsection 507.5.5 with the following:

Sec. 507.5.5 Clear space around hydrants. A 5-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved. (Ord. 6601 § 18, 2016; Ord. 6310 § 14, 2010; Ord. 5874 § 10, 2004.)

NEW SECTION E. Section 510 amended - Emergency Responder Radio Coverage

E. Emergency Responder Radio Coverage. Section 510 of the International Fire Code, entitled “Emergency Responder Radio Coverage” is amended by substituting the following:

510.1 Emergency responder radio coverage in new buildings. Approved radio coverage for emergency responders shall be provided within the buildings meeting any of the following conditions:

1. High rise buildings;
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more; or
4. There are floors used for human occupancy more than 30 feet below the finished floor of the lowest level of exit discharge.
5. Buildings or structures where the Fire or Police Chief determines that in-building radio coverage is critical because of its unique design, location, use or occupancy.

The radio coverage system shall be installed in accordance with Sections 510.4 through 510.5.5 of this code and with the provisions of NFPA 1221 (2019). This section shall not require improvement of the existing public safety communication systems.

Exceptions:

1. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1 without the use of a radio coverage system.
2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the *fire marshal* shall have the authority to accept an automatically activated emergency responder radio coverage system.
3. One- and two-family dwellings and townhouses.

510.2 Emergency responder radio coverage in existing buildings. Existing buildings shall be provided with approved radio coverage for emergency responders as required in Chapter 11.

510.3 Permit required. A construction permit for the installation of or modification to emergency responder radio coverage systems and related equipment is required as specified in Section 105.7.6. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

510.4 Technical requirements. Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with Sections 510.4.1 through 510.4.2.8.

510.4.1 Emergency responder communication enhancement system signal strength. The building shall be considered to have acceptable emergency responder communications enhancement system coverage when signal strength

measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements in Sections 510.4.1.1 through 510.4.1.3.

Exception: Critical areas, such as the fire command center(s), the fire pump room(s), interior exit stairways, exit passageways, elevator lobbies, standpipe cabinets, sprinkler sectional valve locations, and other areas required by the fire marshal, shall be provided with 99 percent floor area radio coverage.

[W]510.4.1.1 Minimum signal strength into the building. The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire marshal. The inbound signal level shall be a minimum of -95dBm in 95% of the coverage area and 99% in critical areas and sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology for either analog or digital signals.

510.4.1.2 Minimum signal strength out of the building. The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire marshal. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an equivalent SINR applicable to the technology for either analog or digital signals. A minimum signal strength of -95 dBm shall be received by the King County Regional 800 MHz Radio System when transmitted from within the building.

510.4.1.3 System performance. Signal strength shall be sufficient to meet the requirements of the applications being utilized by public safety for emergency operations through the coverage area as specified by the radio system manager in Section 510.4.2.2.

510.4.2 System design. The emergency responder radio coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1221 (2019).

510.4.2.1 Amplification systems and components. Buildings and structures that cannot support the required level of radio coverage shall be equipped with systems and components to enhance the public safety radio signals and achieve the required level of radio coverage specified in Sections 510.4.1 through 510.4.1.3. Public safety communications enhancement systems utilizing radio-frequency-emitting devices and cabling shall be allowed by the Public Safety Radio System Operator. Prior to installation, all RF-emitting devices shall have the certification of the radio licensing authority and be suitable for public safety use.

510.4.2.2 Technical criteria. The Public Safety Radio System Operator shall provide the various frequencies required, the location of radio sites, the effective radiated power of radio sites, the maximum propagation delay in microseconds, the applications being used and other supporting technical information necessary for system design upon request by the building owner or owner's representative.

510.4.2.3 Power supply sources. Emergency responder radio coverage systems shall be provided with dedicated standby batteries or provided with 2-hour standby batteries and connected to the facility generator power system in accordance with Section 1203. The standby power supply shall be capable of operating the emergency responder radio coverage system at 100-percent system capacity for a duration of not less than 12 hours.

[W]510.4.2.4 Signal booster requirements. If used, signal boosters shall meet the following requirements:

1. All signal booster components shall be contained in a National Electrical Manufacturer's Association (NEMA) 4, IP66-type waterproof cabinet or equivalent.

Exception: Listed battery systems that are contained in integrated battery cabinets.

2. Battery systems used for the emergency power source shall be contained in a NEMA 3R or higher-rated cabinet, IP65-type waterproof cabinet or equivalent.
3. Equipment shall have FCC or other radio licensing authority certification and be suitable for public safety use prior to installation.
4. Where a donor antenna exists, isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.
5. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall be fitted with anti-oscillation circuitry and per-channel AGC.
6. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall be fitted with anti-oscillation circuitry and per-channel AGC.
7. The installation of amplification systems or systems that operate on or provide the means to cause interference on any emergency responder radio coverage networks shall be coordinated and approved by the Public Safety Radio System Operator.
8. Unless otherwise approved by the Public Safety Radio System Operator, only channelized signal boosters shall be permitted.

Exception: Broadband BDA's may be utilized when specifically authorized in writing by the Public Safety Radio System Operator.

510.4.2.5 System monitoring. The emergency responder radio enhancement system shall include automatic supervisory and trouble signals that are monitored by a supervisory service and are annunciated by the fire alarm system in accordance with NFPA The following conditions shall be separately annunciated by the fire alarm system, or, if the status of each of the following conditions is individually displayed on a dedicated panel on the radio enhancement system, a single automatic supervisory signal may be annunciated on the fire alarm system indicating deficiencies of the radio enhancement system:

1. Loss of normal AC power supply.
2. System battery charger(s) failure.
3. Malfunction of the donor antenna(s).
4. Failure of active RF-emitting device(s).
5. Low-battery capacity at 70-percent reduction of operating capacity.
6. Active system component malfunction.
7. Malfunction of the communications link between the fire alarm system and the emergency responder radio enhancement system.

510.4.2.6 Additional frequencies and change of frequencies.

The emergency responder radio coverage system shall be capable of modification or expansion in the event frequency changes are required by the FCC or other radio licensing authority, or additional frequencies are made available by the FCC or other radio licensing authority.

510.4.2.7 Design documents. The fire marshal shall have the authority to require “as-built” design documents and specifications for emergency responder communications coverage systems. The documents shall be in a format acceptable to the fire marshal.

510.4.2.8 Radio communication antenna density. Systems shall be engineered to minimize the near-far effect. Radio enhancement system designs shall include sufficient antenna density to address reduced gain conditions.

Exceptions:

1. Class A narrow band signal booster devices with independent AGC/ALC circuits per channel.
2. Systems where all portable devices within the same band use active power control.

[W]510.5 Installation requirements. The installation of the public safety radio coverage system shall be in accordance with NFPA 1221 and Sections 510.5.1 through 510.5.7.

510.5.1 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the Public Safety Radio System Operator.

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid FCC-issued general radio telephone operators license.
2. Certification of in-building system training issued by an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.

510.5.3 Acceptance test procedure. Where an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the

building is in accordance with Section 510.4.1. The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas, with a maximum test area size of 6,400 square feet. Where the floor area exceeds 128,000 square feet, the floor shall be divided into as many approximately equal test areas as needed, such that no test area exceeds the maximum square footage allowed for a test area.
2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for each of the test grids. A diagram of this testing shall be created for each floor where coverage is provided, indicating the testing grid used for the test in Section 510.5.3(1), and including signal strengths and frequencies for each test area. Indicate all critical areas.
3. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire marshal. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets shall be tested and recorded in the grid square diagram required by section 510.5.3(2): each grid square on each floor; between each critical area and a radio outside the building; between each critical area and the fire command center or fire alarm control panel; between each landing in each stairwell and the fire command center or fire alarm control panel.
4. Failure of more than 5% of the test areas on any floor shall result in failure of the test.

Exception: Critical areas shall be provided with 99 percent floor area coverage.

5. In the event that two of the test areas fail the test, in order to be more statistically accurate, the floor shall be permitted to be divided into 40 equal test areas. Failure of not more than two nonadjacent test areas shall not result in failure of the test. If the system fails the 40-area test, the system shall be altered to meet the 95-percent coverage requirement.
6. A test location approximately in the center of each test area shall be selected for the test, with the radio enabled to verify two-way communications to and from the outside of the building through the public agency's radio communications system. Once the test location has been selected, that location shall represent the entire test area. Failure in the selected test location shall be considered to be a failure of that test area. Additional test locations shall not be permitted.
7. The gain values of all amplifiers shall be measured, and the test measurement results shall be kept on file with the building owner so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the building owner shall be required to rerun the acceptance test to reestablish the gain values.
8. As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and at subsequent annual inspections.
9. Systems incorporating Class B signal booster devices or Class B broadband fiber remote devices shall be tested using two portable radios simultaneously conducting subjective voice quality checks. One portable radio shall be positioned not greater than 10 feet (3048 mm) from the indoor

antenna. The second portable radio shall be positioned at a distance that represents the farthest distance from any indoor antenna. With both portable radios simultaneously keyed up on different frequencies within the same band, subjective audio testing shall be conducted and comply with DAQ levels as specified in Sections 510.4.1.1 and 510.4.1.2.

10. Documentation maintained on premises. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall place a copy of the following records in the DAS enclosure or the building engineer's office. The records shall be available to the fire marshal and maintained by the building owner for the life of the system:
 - a. A certification letter stating that the emergency responder radio coverage system has been installed and tested in accordance with this code, and that the system is complete and fully functional.
 - b. The grid square diagram created as part of testing in Sections 510.5.3(2) and 510.5.3(3).
 - c. Data sheets and/or manufacturer specifications for the emergency responder radio coverage system equipment; back up battery; and charging system (if utilized).
 - d. A diagram showing device locations and wiring schematic,
 - e. A copy of the electrical permit.
11. Acceptance test reporting to fire marshal. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall submit to the fire marshal a report of the acceptance test by way of the department's third-party vendor thecomplianceengine.com.

510.5.4 FCC compliance. The emergency responder radio coverage system installation and components shall comply with all applicable federal regulations including, but not limited to, FCC 47 CFR Part 90.219.

WS 510.5.5 Mounting of the donor antenna (s). To maintain proper alignment with the system designed donor site, donor antennas shall be permanently affixed on the highest possible position on the building or where approved by the fire marshal. A clearly visible sign shall be placed near the antenna stating, “movement or repositioning of this antenna is prohibited without approval from the fire marshal.” The antenna installation shall be in accordance with the applicable requirements in the International Building Code for weather protection of the building envelope.

510.5.6 Wiring. The backbone, antenna distribution, radiating, or any fiber-optic cables shall be rated as plenum cables. The backbone cables shall be connected to the antenna distribution, radiating, or copper cables using hybrid coupler devices of a value determined by the overall design. Backbone cables shall be routed through an enclosure that matches the building’s required fire-resistance rating for shafts or interior exit stairways. The connection between the backbone cable and the antenna cables shall be made within an enclosure that matches the building’s fire-resistance rating for shafts or interior exit stairways, and passage of the antenna distribution cable in and out of the enclosure shall be protected as a penetration per the International Building Code.

510.5.7 Identification Signs. Emergency responder radio coverage systems shall be identified by an approved sign located on or near the Fire Alarm Control Panel or other approved location stating “This building is equipped with an Emergency Responder Radio Coverage System. Control Equipment located in room_____”. A sign stating “Emergency Responder Radio Coverage System Equipment” shall be placed on or adjacent to the door of the room containing the main system components.

510.6 Maintenance. The emergency responder radio coverage system shall be maintained operational at all times in accordance with Sections 510.6.1 through 510.6. 7.

[W]510.6.1 Testing and proof of compliance. The owner of the building or owner's authorized agent shall have the emergency responder radio coverage system inspected and tested annually or where structural changes occur including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following items (1) through (7):

1. In-building coverage test as required by the *fire marshal* as described in Section 510.5.3 "Acceptance test procedure" or 510.6.1.1 "Alternative in-building coverage test".
Exception: Group R Occupancy annual testing is not required within dwelling units.
2. Signal boosters shall be tested to verify that the gain/output level is the same as it was upon initial installation and acceptance or set to optimize the performance of the system.
3. Backup batteries and power supplies shall be tested under load of a period of 1 hours to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be extended for additional 1-hour periods until the integrity of the battery can be determined.
4. If a fire alarm system is present in the building, a test shall be conducted to verify that the fire alarm system is properly supervising the emergency responder communication system as required in Section 510.4.2.5. The test is performed by simulating alarms to the fire alarm control panel. The certifications in Section 510.5.2 are sufficient for the personnel performing this testing.
5. Other active components shall be checked to verify operation within the manufacturer's specifications.

6. At the conclusion of the testing, a report, which shall verify compliance with Section 510.6.1, shall be submitted to the *fire marshal* by way of the department's third-party vendor thecomplianceengine.com
7. At the conclusion of testing, a record of the inspection and maintenance along with an updated grid diagram of each floor showing tested strengths in each grid square and each critical area shall be added to the documentation maintained on the premises in accordance with Section 510.5.3.

510.6.1.1 Alternative In-building coverage test. When the comprehensive test documentation required by Section 510.5.3 is available, or the most recent full five-year test results are available if the system is older than six years, the in-building coverage test required by the fire marshal in Section 510.6.1(1), may be conducted as follows:

1. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire marshal. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets in the following locations shall be tested: between the fire command center or fire alarm control panel and a location outside the building; between the fire alarm control panel and each landing in each stairwell.
2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for:
 - (a) Three grid areas per floor. The three grid areas to be tested on each floor are the three grid areas with poorest performance in the acceptance test or the most recent annual test, whichever is more recent; and
 - (b) Each of the critical areas identified in acceptance test documentation required by Section 510.5.3, or as modified by the fire marshal, and
 - (c) One grid square per serving antenna.

3. The test area boundaries shall not deviate from the areas established at the time of the acceptance test, or as modified by the fire marshal. The building shall be considered to have acceptable emergency responder radio coverage when the required signal strength requirements in 510.4.1.1 and 510.4.1.2 are located in 95 percent of all areas on each floor of the building and 99 percent in Critical Areas, and any non-functional serving antenna are repaired to function within normal ranges. If the documentation of the acceptance test or most recent previous annual test results are not available or acceptable to the fire marshal, the radio coverage verification testing described in 510.5.3 shall be conducted.


510.6.2 Additional frequencies. The building owner shall modify or expand the emergency responder radio coverage system at his or her expense in the event frequency changes are required by the FCC or other radio licensing authority, or additional frequencies are made available by the FCC public safety radio system operator or FCC license holder. Prior approval of a public safety radio coverage system on previous frequencies does not exempt this section.

510.6.3 Nonpublic safety system. Where other nonpublic safety amplification systems installed in buildings reduce the performance or cause interference with the emergency responder communications coverage system, the nonpublic safety amplification system shall be corrected or removed.


510.6.4 Field testing. Agency personnel shall have the right to enter onto the property at any reasonable time to conduct field testing to verify the required level of radio coverage or to disable a system that due to malfunction or poor maintenance has the potential to impact the emergency responder radio system in the region.

15.36A.041 Chapter 9 amended – Fire protection and life safety systems.


Chapter 9 of the International Fire Code, entitled “Fire Protection and Life Safety Systems,” is adopted with the following amendments:

- A.  Construction documents. Section 901.2 of the International Fire Code, entitled “Construction documents,” is amended by adding the following new subsection:

Section 901.2.2 Plans. In addition to the requirements in the building and fire codes, all plans for automatic fire extinguishing systems, including sprinkler system underground piping, shall bear the stamp and signature of a Washington State professional engineer who is registered as qualified in fire protection engineering, or registered as a certified sprinkler contractor through the Washington State Fire Marshal’s Office, or as approved by the fire code official.

- B.  *Fire Areas*. Section 901.4.3 of the International Fire Code, entitled “Fire areas,” is amended by adding the following new subsection:

Sec. 901.4.3.1 Fire Area Applicability. For purposes of this chapter, a “fire wall,” “fire barrier,” or “horizontal assembly” shall only be considered to separate a building so as to not exceed the limits established for requiring an automatic fire extinguishing system and only upon approval of the building official and/or the fire code official.

- C.  General. Section 903.1 of the International Fire Code, entitled “General,” is amended by substituting with the following:

903.1 General. Automatic sprinkler systems shall comply with this section. Systems shall be installed and maintained in an operable condition as specified in this chapter in the following locations as determined by the building and fire code official:

- a. All new buildings that do not have adequate fire flow to achieve the minimum fire flows required by the city of Auburn design standards or do not have adequate emergency fire vehicle access as required in the fire code and as determined by the fire code official. Additional fire suppression or other safety measures may be required when additional fire flows are required by the fire code official as referenced in Appendix B of the International Fire Code.

b. All new buildings except those classed as Group R-3 and Group U, when any of the following occur:

1. The building has more than 10,000 square feet of floor area, or is higher than 30 feet, or requires more than 2,500 gallons per minute of fire flow.

c. All new buildings that contain more than 8,000 square feet of Group A occupancies. d. All buildings which undergo any alteration, or repair which changes the character of the occupancy or use and which increases the fire or life safety or structure hazard.

e. All buildings which undergo any additions that increase the floor area of a building beyond the thresholds above. For such additions, exiting building areas shall comply with this chapter.

D. Speculative Use Warehouses. Section 903.2.11 of the International Fire Code, entitled "Specific buildings areas and hazards," is amended by adding the following new subsection:

Sec. 903.2.11.1.4 Speculative use warehouses. Where the occupant, tenant, or use of the building or storage commodity has not been determined or it is otherwise a speculative use warehouse or building, the automatic sprinkler system shall be designed and installed in accordance with the following:

1. The design area shall be not less than 2,000 square feet.

2. The density shall be not less than that for class IV non-encapsulated commodities on wood pallets, with no solid, slatted, or wire mesh shelving, and with aisles that are 8 feet or more in width and up to 20 feet in height.

3. Sprinkler piping that is 4 inches and larger in width shall be used and the structural engineer of record shall provide written verification approving of the point and dead loads.

E. Automatic sprinkler riser rooms. Section 903 of the International Fire Code, entitled “Automatic Sprinkler Systems,” is amended by adding the following new subsection:

Sec. 903.7. Automatic sprinkler riser rooms. All automatic sprinkler system risers shall be located in a dedicated room. **The** room enclosure shall meet minimum code requirements for applicable fire resistive ratings and be provided with an exterior door, lighting, heat, and a smoke barrier ceiling. This requirement shall include any NFPA 13 and 13R fire sprinkler systems.

EXCEPTION: Fire sprinkler systems installed according to the IRC shall have an approved location for the riser.

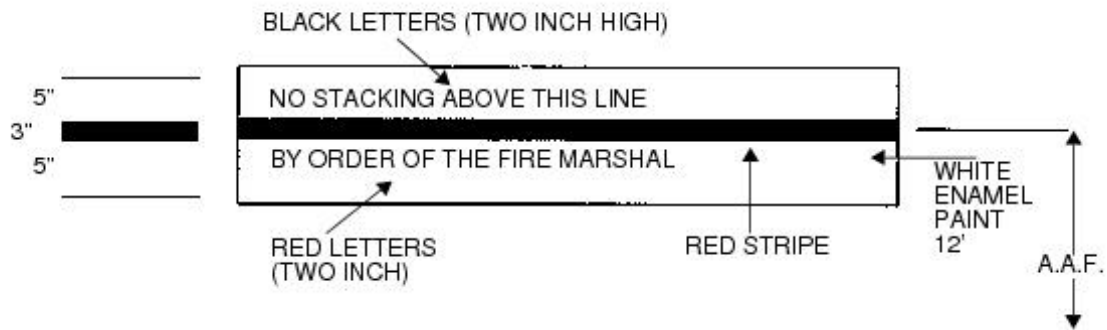
15.36A.045 Section 3205 amended – Housekeeping and maintenance.

. International Fire Code Section 3205 is amended to read as follows:

3205.6.1 – Signage.

Facilities designed in accordance with this section shall include the appropriate signage (as shown below) and shall be properly posted.

Example of approved signage required for use of Section 3205.6.1, as amended:



1. This sign must be posted prior to building being stocked and/or occupied.
2. Mount signs at 50'0" O.C. on all walls starting 25'0" from any exterior corner; also on two sides of each column or other location approved by the fire marshal.
3. Signage required on end of racks, if installed.
4. In accordance with the International Fire Code as amended. (Ord. 6601 § 19, 2016.)

NEW SECTION 15.36A.051 Section 6107 amended – Safety Precautions and Devices

International Building Code Section 6107 is amended by adding the following new subsections:

Sec. 6107.5 Protecting containers from displacement. LP-gas containers greater than or equal to 125-gallons must be anchored or strapped to prevent lateral displacement. Anchors or straps must be an approved, listed device. Methods of securing LP-gas containers 2,000-gallons or greater must be designed by a licensed professional.

Sec. 6107.6 Earthquake shut-off valves. LP-gas containers greater than or equal to 125-gallons must be protected with an approved, listed earthquake shut-off device.

6107.7 Non-compliant installed LP-gas containers. Existing, non-compliant LP-gas containers must be upgraded to comply with sections 6107.5 and 6107.6 when accessory to a building undergoing a change in use or when tank is replaced or modified.

15.36A.063 Appendix D amended – Fire apparatus access roads.

A. Sections, D104, D105, D106 and D107 of Appendix D of the International Fire Code, entitled “Fire Apparatus Access Roads,” are adopted with the following additions to sections D104, D106 and D107:

Sec. D104.3.1 Where the area to be served is adjacent to only one public access road or remoteness distance is not feasible due to topography, waterways, nonnegotiable grades, existing improvements or other similar conditions, fire apparatus access roads shall be located as distant as possible.

Sec. D106.3.1 Where the area to be served is adjacent to only one public access road or remoteness distance is not feasible due to topography, waterways, nonnegotiable grades, existing improvements or other similar conditions, fire apparatus access roads shall be located as distant as possible.

Sec. D107.2.1 Where the area to be served is adjacent to only one public access road or remoteness distance is not feasible due to topography, waterways, nonnegotiable grades, existing improvements or other similar conditions, fire apparatus access roads shall be located as distant as possible.

B. In case of conflict between the requirements contained in Appendix D of the 2018 International Fire Code, and the City of Auburn Design Standards, the requirements of the City of Auburn Design Standards shall govern.

NEW SECTION 15.36A.067 Appendix L amended – Requirements for Fire Fighter Air Replenishment Systems

Appendix L of the International Fire Code entitled “Requirements for Fire Fighter Air Replenishment Systems” is adopted with the following amendment:


A. Section L101.1 Scope. is deleted in its entirety and is replaced with the following:

L101.1 Scope. Fire fighter air replenishment systems (FARS) shall be provided in accordance with this appendix in all new buildings meeting the IBC definition of a high-rise building.

15.36A.091 Fire alarm and detection systems.

A. International Fire Code Chapter 9 is amended to read as follows:

907.1.3 Equipment. Equipment systems and their components shall be listed and approved for the purposes for which they were installed. All new systems shall be addressable. Each device shall have its own address and annunciate individual device addresses at a UL Central Station.

907.1.4 Approved Fire Alarm and Detection Systems. In addition to any requirement of 907.2 or 907.3,  all new buildings exceeding 5,000 square feet gross floor area or additions increasing the total area to greater than 5,000 square feet shall be required to provide an approved automatic fire detection and alarm system. Fire walls shall not be considered to separate a building to enable deletion of the required fire detection system.

EXCEPTIONS:

1. Group "U" Occupancies.


 2. One and Two Family residences.

907.5.2.3.1 Employee Work Areas. Visible and audible alarm notification appliances shall be provided in employee work areas.

B. For purposes of this chapter, a "fire wall," "fire barrier," or "horizontal assembly" shall not be considered to separate a building so as to avoid the required automatic fire alarm and detection system. A building shall have a minimum distance of five feet from any point of the building to any point of another building and from the property line in order to be considered a separate building. (Ord. 6601 § 21, 2016; Ord. 6310 § 16, 2010; Ord. 6104 § 14, 2007.)

EXHIBIT F-2

Fire Protection Requirements

 d. 6601 § 22, 2016; Ord. 6310 § 18, 2010; Ord. 5874 § 12, 2004.)


 (Ord. 6310 § 19, 2010; Ord. 5874 § 12, 2004.)

EXHIBIT G-2

Moving Buildings

15.48.040 Permit – Application – Form.

The application shall be made in writing, upon forms provided by the department of community development, and shall be filed with the department of community. (Ord. 6601 § 24, 2016; Ord. 6310 § 22, 2010; Ord. 2856 § 2, 1974; 1957 code § 2.14.030(A).)

EXHIBIT H-2

International Property Maintenance Code

Chapter 15.20

PROPERTY MAINTENANCE CODE AND VACANT PROPERTY MANAGEMENT

Sections:

- 15.20.010 Adoption of international property maintenance code.
- 15.20.020 Appendices adopted.
- 15.20.030 Sections 103.1 and 103.5 amended.
- 15.20.040 Sections 107.2 and 107.3 amended.
- 15.20.050 Section 110 amended – Demolition.
- 15.20.060 Section 111 amended – Means of appeal.
- 15.20.070 Sections 112.2 and 112.4 amended – Stop work order.
- 15.20.080 Sections 302.4 and 304.14 amended – General requirements.
- 15.20.090 Sections 602.3 and 602.4 amended – Mechanical and electrical requirements.
- 15.20.100 Vacant property registration.(Ord . 6744, 6708 § 6, 2018.)

NEW SECTION 15.20.010 Adoption of International Property Maintenance Code.

The International Property Maintenance Code adopted in Chapter 15.06 shall be on file in the office of the City Clerk. The code as amended in this chapter shall govern over the published provisions of that code. Where the International Property Maintenance Code references the code official, that shall refer to and be construed to mean the building official as used in the city code. Unless the context clearly indicates otherwise, the terms “code official” and “building official” shall be synonymous.

NEW SECTION 15.20.020 Appendices Adopted.

International Property Maintenance Code Appendix Chapter A, Boarding Standard, is hereby adopted. A copy of the International Property Maintenance Code Appendix Chapter A, Boarding Standard, shall be on file in the office of the city clerk.

NEW SECTION 15.20.030. Sections 103.1 and 103.5 amended.

Sections 103.1 and 103.5 of the International Property Maintenance Code are amended to read as follows:

103.1 Department of property maintenance inspection. The department of community development and public works is responsible for implementation and enforcement of the International Property Maintenance Code.

103.5 Fees. The fees for activities and services performed by the city in carrying out its responsibilities under this code, including hearings conducted by the hearing examiner, shall be as indicated in the city of Auburn fee schedule.

NEW SECTION 15.20.040 Sections 107.2 and 107.3 amended.

Sections 107.2 and 107.3 of the International Property Maintenance Code are amended to read as follows:

107.2 Notices and orders. Such notice prescribed in Section 107.1 shall be in accordance with the provisions of Chapter 1.25 regarding the form of notices.

107.3 Method of service. Notices shall be deemed to be properly served if delivered in accordance with the provisions of Chapter 1.25 regarding the method of services of notices.

NEW SECTION 15.20.050 Section 110 amended – Demolition.

International Property Maintenance Code Section 110.1 is amended to read as follows:

Section 110.1 General. The code official shall order the owner or owner's authorized agent of any premises upon which is located any structure, which in the code official's or owner's authorized agent judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe

and sanitary, or to board up and hold for future repair or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two (2) years, the code official shall order the owner or owner's authorized agent to demolish and remove such structure, or board up until future repair. Unless the code official determines that other measures are appropriate based on the circumstances, boarding the building up for future repair shall comply with appendix A and the structure shall not remain boarded beyond thirty (30) days, except where a non-opaque material is used that provides the same level of security as provided by the requirements of Appendix A, the boarding may remain in place for no more than one year. Timeframe extensions may be approved by the code official.

NEW SECTION 15.20.060. Section 111 amended – Means of appeal.

Section 111 of the International Property Maintenance Code is deleted in its entirety and is replaced with the following:

111 Means of appeal. Any person directly affected by a decision of the code official or a notice or order issued under the international property maintenance code shall have the right to appeal the decision, notice, or order, accept notices to correct and the notices described in section 107. The means for appealing shall be that provided in ACC 15.07.130, as hereafter amended.

NEW SECTION 15.20.070. Sections 112.2 and 112.4 amended – Stop work order.

Sections 112.2 and 112.4 of the International Property Maintenance Code are amended to read as follows:

112.2 Issuance. The provisions of Auburn City Code Chapter 1.25 regarding stop work orders shall govern the issuance of a stop work order under this code.

112.4 Failure to comply. The provisions of Auburn City Code Chapter 1.25 shall govern the enforcement of stop work orders and the penalty for failing to comply with an order.

NEW SECTION 15.20.080. Sections 302.4 and 304.14 amended – General requirements.

Sections 302.4 and 304.14 of the International Property Maintenance Code are amended to read as follows:

302.4 Weeds. Premises and exterior property shall be maintained free from weeds or plant growth in excess of six inches. Noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens.

Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice of violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the property in violation and cut and destroy the weeds growing thereon, according to the abatement process contained in ACC 8.12, and the costs of such removal shall be paid by the owner or agent responsible for the property.

304.14 Insect Screens. During the period from April 1 to October 31, every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored shall be supplied with approved tightly fitting screens of minimum 16 mesh per inch (16 mesh per 25 mm) and every screen door used for insect control shall have a self-closing device in good working condition.

NEW SECTION 15.20.090. Sections 602.3 and 602.4 amended – Mechanical and electrical requirements.

Sections 602.3 and 602.4 of the International Property Maintenance Code are amended to read as follows:

602.3 Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling units or sleeping units on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during year-round to maintain a minimum temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

Exceptions:

a. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the International Plumbing Code.

b. In areas where the average monthly temperature is above 30°F (-1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.4 Occupiable work spaces. Indoor occupiable work spaces shall be supplied with heat year-round to maintain a minimum temperature of 65°F (18°C) during the period the spaces are occupied.

Exceptions:

a. Processing, storage and operation areas that require cooling or special temperature conditions.

b. Areas in which persons are primarily engaged in vigorous physical activities.

EXHIBIT I-2

Land Clearing, Filling and Grading

15.74.050 Exemptions.

A. The following are exempt from the requirements of this chapter:

1. Removal of dead or diseased trees, shrubs, or ground cover.
2. EE Clearing and grading not to exceed 6,999 square feet of area within individual lots, for the purpose of the construction of a single-family home or duplex, provided a building permit has been issued by the city prior to commencing the clearing and grading activities and construction of the structure starts within 90 days of commencing clearing and grading activities.
4. The removal of up to six trees per lot within any 12-month period, or for lots greater than one acre, up to six trees per acre within any 12-month period, with fractional acres of one-half acre or more considered to be a whole acre.
5. Clearing and grading for the construction and maintenance of public facilities as approved by the city engineer to include water, sanitary sewer, streets, highways, storm drainage and related facilities.
6. Removal of trees, shrubs, and ground cover in emergency situations involving immediate danger to life or property.
7. Routine landscape maintenance and minor repair.
8. Removal of trees and vegetation consistent with an approved surface mining permit.
9. Removal of a tree from property zoned residential that endangers a permanent structure by being closer to the structure than the distance from the base of the tree to its top, regardless of whether the tree is located on the same property as the structure.
- 10.E Upon approval of the city engineer or designee, clearing and grading not to exceed 500 cubic yards consisting of excavations of less than five feet in vertical depth and/or fills less than eight inches of vertical depth.
11. Upon approval of the city engineer or designee, the temporary stockpiling of less than 500 cubic yards, combined, of topsoils, crushed rock, sawdust, mulch,

bark, chips, or similar materials on a lot, tract, or parcel of land for a period not to exceed 12 months; provided, that the stockpile has adequate coverage to prevent erosion.

12. Upon approval of the city engineer or designee, the temporary stockpiling of organic or inorganic materials used in an approved construction project, provided the use, location, duration, and extent of the stockpile was disclosed through the environmental or development review process. In no case shall a temporary stockpile remain beyond a 24-month period.

13. **New** plus replaced hard surfaces which have a surface area less than 2,000 square feet.

14. Emergency temporary sandbagging, diking, ditching, filling or similar work during or after periods of extreme weather conditions when done to protect life or property, provided such measures do not adversely impact adjacent properties or public facilities.

B. An exemption from clearing, filling, and grading permit requirements does not exempt a property owner from the policies, criteria, and standards contained in this chapter or other applicable local, state, or federal regulations or permit requirements.

C. The property owner is responsible to ensure that clearing of any trees that are within striking distance of a structure or have the potential to cause damage to others is performed by a licensed and bonded contractor. (Ord. 6617 § 20, 2016; Ord. 6601 § 33, 2016; Ord. 6283 § 14, 2009; Ord. 6146 § 1, 2007; Ord. 4861 § 1, 1996; Ord. 4266 § 1, 1988.)

1Note: This section identifies exceptions internal to this chapter. The listed exceptions set forth herein do not preclude the application of requirements of other chapters of the city code thereto.