

ORDINANCE NO. 382

**AN ORDINANCE OF THE CITY OF WOODINVILLE,
WASHINGTON, AMENDING TITLE 15 WMC; ADOPTING
THE 2003 INTERNATIONAL PROPERTY MAINTENANCE
CODE WITH LOCAL AMENDMENTS; EFFECTUATING LOCAL
REVISIONS TO SAID CODES; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the City Council of the City of Woodinville has adopted by reference numerous building codes for the health, safety and welfare of the citizens as set forth in Woodinville Municipal Code Title 15; and

WHEREAS, for purposes of efficiency and consistent application, the City of Woodinville desires to establish a single set of administrative procedures that will govern most of the City's uniform codes; and

WHEREAS, the City Council desires a means to require that minimum building and property maintenance standards are in place to protect the public health, safety and welfare; and

WHEREAS, the City Council wishes to amend Woodinville Municipal Code Chapter 15.09 and adopt a new Chapter 15.17 Property Maintenance Code; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF WOODINVILLE, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Section 101.2 Scope of the Construction Administrative Code, as adopted by Section 15.09.010 of the Woodinville Municipal Code, is hereby amended to read as follows:

15.09.010 Construction Administrative Code adopted

CONSTRUCTION ADMINISTRATIVE CODE

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SECTION 101
GENERAL

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101.2 Scope. The provisions of this code shall apply to the administration of the technical codes as adopted by the State of Washington and as listed below:

- 2003 International Building Code – WAC 51-50
- 2003 International Residential Code – WAC 51-51
- 2003 International Mechanical Code – WAC 51-52
- International Fuel Gas Code (NFPA 54) – WAC 51-52
- Liquefied Petroleum Gas Code (NFPA 58) –WAC 51-52
- 2003 Uniform Plumbing Code – WAC 51 –56 and WAC 51-57
- 2003 International Property Maintenance Code

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Section 2. Title 15 WMC is hereby amended by the addition of a new Chapter

15.17 Property Maintenance Code to provide in its entirety as follows:

Chapter 15.17
Property Maintenance Code

Sections:

- 15.17.010 Short Title
- 15.17.020 Adoption of Codes
- 15.17.030 Amendment adoption
- 15.17.040 Chapter 1 Deleted.
- 15.17.050 Chapter 2 Deleted.
- 15.17.060 Section 301.1 Amended.
- 15.17.070 Section 302.4 Amended.
- 15.17.080 Section 302.8 Deleted.
- 15.17.090 Section 303.2 Amended.
- 15.17.100 Section 304.2 Amended
- 15.17.110 Section 304.3 Amended.
- 15.17.120 Section 303.13.1 Amended.
- 15.17.130 Section 304.14 Amended.
- 15.17.140 Section 304.16 Amended.
- 15.17.150 Section 304.17 Amended.
- 15.17.160 Section 304.18.1 Amended
- 15.17.170 Section 304.18.2 Amended
- 15.17.180 Section 304.18.3 Amended
- 15.17.190 Section 305.3 Amended
- 15.17.200 Section 306.1 Amended

15.17.210 Section 307.2.2 Deleted.
15.17.220 Section 307.3 Amended.
15.17.230 Section 307.3.1 Amended.
15.17.240 Section 401.3 Amended.
15.17.250 Section 505.1 Amended.
15.17.260 Section 507.1 Amended.
15.17.270 Section 602.2 Amended.
15.17.280 Section 602.3 Amended.
15.17.290 Section 602.2 Amended.
15.17.300 Section 605.1 Amended
15.17.310 Section 605.4 Amended
15.17.320 Section 702.1 Amended.
15.17.330 Section 702.2 Amended.
15.17.340 Section 702.3 Amended.
15.17.350 Section 704.1 Amended.
15.17.360 Section 704.2 Amended.
15.17.370 Chapter 8 Deleted.

15.17.010 Short Title.

This chapter shall be known as and may be referred to as the "Property Maintenance Code."

15.17.020 Adoption of Codes.

The International Property Maintenance Code 2003 Edition is hereby adopted by reference as established by this chapter, subject to the amendments, additions, or deletions set forth, provided, however, that the purpose of the code is not to create or otherwise establish or designate any particular class or group of persons who will or should be protected or benefited by the terms of this code.

15.17.030 Amendment Adoption.

The following amendments, additions, deletions, and exceptions to the 2003 edition of the International Property Maintenance Code as adopted by this Chapter, are adopted and shall be applicable within the City.

15.17.040 Chapter 1 Deleted.

Chapter 1 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.050 Section 202 Amended.

Section 202 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

SECTION 202
GENERAL DEFINITIONS

APPROVED. Approved by the code official.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes.

CODE OFFICIAL. The City of Woodinville Building Official, who is charged with the administration and enforcement of this code, or any duly authorized representative thereof.

CONDEMN. To adjudge unfit for occupancy.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT. That portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above a said lot or lots.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GUARD. A building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

HABITABLE SPACE. Space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

HOUSEKEEPING UNIT. A room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

LABELED. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. Any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. Any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

RUBBISH. Combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

STRICT LIABILITY OFFENSE. A violation in which the prosecution in legal proceedings or municipal plaintiff in civil proceedings is not required to prove criminal, tortious or other wrongful intent as part of its case. In such cases, it is sufficient to prove that a person either performed an act that was prohibited, or failed to perform an act that was legally required.

STRUCTURE. That which is built or constructed or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space on the same lot with a structure.

15.17.060 Section 301.1 Amended.

Section 301.1 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

301.1 Scope. The provisions of this chapter and WMC Chapters 1.07, 1.08 and 1.09 shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

15.17.070 Section 302.4 Deleted.

Section 302.4, Weeds, of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.080 Section 302.8 Deleted.

Section 302.8 Motor Vehicles of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.090 Section 303.2 Amended.

Section 303.2 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

303.2 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self latching gates shall be maintained such that the gate will positively close and latch when released from an open position of 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas and hot tubs may be covered with a locking hard top cover.

15.17.100 Section 304.2 Amended

Section 304.2 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition, as defined in this section, so as to prevent decay and deterioration. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion.

15.17.110 Section 304.3 Amended.

Section 304.3 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

[F] 304.3 Premises identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. Address numbers shall be placed on a mailbox or similar location and on the building where the building is not visible from the public Right of Way. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. For residential applications the numbers shall be a minimum of 3 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm), for commercial applications, the numbers shall be a minimum of 6 inches high with a minimum stroke width of 0.5 inches.

15.17.120 Section 303.13.1 Deleted.

Section 303.13.1, Glazing, of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.130 Section 304.14 Deleted.

Section 304.14, Insect Screens, of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.140 Section 304.16 Deleted.

Section 304.16, Basement hatchways, of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.150 Section 304.17 Deleted.

Section 304.17, Guards for basement windows, of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.160 Section 304.18.1 Deleted.

Section 304.18.1, Doors, of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.170 Section 304.18.2 Deleted.

Section 304.18.2, Windows, of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.180 Section 304.18.3 Deleted.

Section 304.18.3, Basement hatchways, of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.190 Section 305.3 Amended

Section 305.3 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

305.3 Interior surfaces. All interior surfaces shall be maintained in good, clean and sanitary condition.

15.17.200 Section 306.1 Amended

Section 306.1 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

306.1 General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 36 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 36 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code.

15.17.210 Section 307.2.2 Deleted.

Section 307.2.2 Refrigerators, of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

15.17.220 Section 307.3 Amended.

Section 307.3 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

307.3 Disposal of garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers maintained for regular collection.

15.17.230 Section 307.3.1 Amended.

Section 307.3.1 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

307.3.1 Garbage facilities. The owner of every dwelling shall supply an approved leak proof, covered, outside garbage container.

15.17.240 Section 401.3 Amended.

Section 401.3 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

401.3 Alternative devices. In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with the *Washington State Building Code and local amendments* shall be permitted.

15.17.250 Section 505.1 Amended.

Section 505.1 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

505.1 General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *Uniform Plumbing Code*.

15.17.260 Section 507.1 Amended.

Section 507.1 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance or negative impacts to downstream properties.

15.17.270 Section 602.2 Amended.

Section 602.2 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

602.2 Residential occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 65°F (20°C) in all habitable rooms, bathrooms and toilet rooms.

15.17.280 Section 602.3 Amended.

Section 602.3 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby 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 unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 65°F (20°C) in all habitable rooms, bathrooms, and toilet rooms.

15.17.290 Section 602.2 Amended.

Section 602.4 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

602.4 Occupiable work spaces. Indoor occupiable work spaces, which are primarily used for sedentary office activities shall be supplied with heat to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

1. Processing, storage and operation areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in physical activities such as warehouses.

15.17.300 Section 605.1 Amended

Section 605.1 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

605.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner in accordance with the State Electrical Code.

15.17.310 Section 605.4 Amended

Section 605.4 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

605.4 Extension Cords. Extension cords shall not be used for permanent wiring. Extension cords shall not extend from one room to another, be placed across a doorway, extend through a wall or partition, or be used in any area where such cord may be subject to physical damage.

15.17.320 Section 702.1 Amended.

Section 702.1 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

702.1 General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the *International Fire Code as adopted by the City of Woodinville.*

15.17.330 Section 702.2 Amended.

Section 702.2 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

702.2 Aisles. Required aisle widths shall be maintained in accordance with the *International Fire Code, as adopted by the City of Woodinville.*

15.17.340 Section 702.3 Amended.

Section 702.3 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

702.3 Locked doors. All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by the *Washington State Building Code and local amendment as adopted by the City of Woodinville.*

15.17.350 Section 704.1 Amended.

Section 704.1 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code* as adopted by the City of Woodinville.

15.17.360 Section 704.2 Amended.

Section 704.2 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby amended to read as follows:

704.2 Smoke alarms. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other occupancy groups in accordance with the *International Fire Code*, as adopted by the City of Woodinville, and the WMC.

15.17.370 Chapter 8 Deleted.

Chapter 8 of the 2003 International Property Maintenance Code as adopted by this Chapter is hereby deleted in its entirety.

Section 3. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This Ordinance or a summary thereof consisting of the title shall be published in the official newspaper of the City, and shall take effect and be in full force thirty (30) days after publication.

PASSED by the City Council of the City of Woodinville this 7th day of February, 2005.

APPROVED:



MAYOR DON BROCHA

ATTEST/AUTHENTICATED:



CITY CLERK, SANDRA PARKER

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY  _____

PASSED BY THE CITY COUNCIL: 2-7-2005
PUBLISHED: 2-14-2005
EFFECTIVE DATE: 2-19-2005
ORDINANCE NO. 382