

TITLE 21**Chapters:**

- 21.01 Building Code**
- 21.02 Outdoor Light Fixtures**
- 21.03 Flood Control Zone No. 9**

Chapter 21.01 - Building Code**Sections:**

- 21.02.010 Adoption and Building Codes**
- 21.01.020 Administration, Permits, and Fees**
- 21.01.030 Wild-Land Areas**
- 21.01.040 Cedar Shakes and Shingles Prohibited**
- 21.01.050 Violations and Penalties**
- 21.01.060 Savings Clause**
- 21.01.070 Severability**

21.01.010 Adoption of Building Codes

All building and building-related codes as currently adopted, or as shall be adopted in future enactments by the State of Washington pursuant to the Revised Code of Washington (RCW) 19.27.031, together with all amendments as currently enacted, or as shall be enacted by the State of Washington, are hereby adopted as, and are herein referred to as, the Building Codes for the City of Richland, provided that all additions, deletions, and amendments as set forth in this title and in Title 20 of the Richland Municipal Code are also adopted.

For reference purposes only, the current Building Codes as of July 1, 2007, for the City of Richland consist of the following:

- A. 2006 International Building Code as published by the International Code Council, Inc., together with Appendix J, "Grading", and together with Chapter 11 amendments entitled "Washington State Accessibility Regulations".
- B. 2006 International Residential Code as published by the International Code Council, Inc., together with Appendix G, "Swimming Pools, Spas, and Hot Tubs"; except for Chapters 11 and 25 through 42, which are not adopted.
- C. 2006 International Mechanical Code as published by the International Code Council, Inc.
- D. 2006 International Fire Code as published by the International Code Council, Inc., except as amended by Title 20 of the Richland Municipal Code.
- E. 2006 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, Inc., except for Chapters 12 and 15 and except for those requirements relating to venting and combustion air of fuel-fired appliances as found in Chapter 5 and those portions of the code addressing building sewers, all of which are not adopted.
- F. Uniform Plumbing Code Standards (Appendixes A, B, and I), 2006 Edition, as published by the International Association of Plumbing and Mechanical Officials, Inc.
- G. Washington State Energy Code, latest State-adopted edition.
- H. Washington State Ventilation and Indoor Air Quality Code, latest State-adopted edition.
- I. Washington State Historic Building Code.

(Ord. 20-04, Ord. 17-07)

21.01.020 Administration, Permits, and Fees

Chapter 1 of the 2006 International Building Code and Chapter 34 of the 2006 International Building Code, and Chapter 1 of the 2006 International Residential Code are hereby amended by the following additions, deletions, and exceptions. Section numbers referenced here are to the 2006 International Building Code with the 2006 International Residential Code referenced by "R" and the section number in parenthesis. Notwithstanding these section numbers referenced from the current codes, all additions, deletions, and exceptions as noted herein shall apply to all future codes adopted by the State of Washington and thence adopted as the Building Codes for the City of Richland. (Ord. 17-07)

101.4.6 Fire Prevention. The following paragraph shall be added to this sub-section. Table 20.05-A and Table 20.05-B from RMC Title 20 shall be considered as if they were integral to and part of this code. All affected chapters and sections of this code regarding fire sprinklers and fire alarms are hereby amended to include Table 20.05-A and Table 20.05-B, including Chapter 34 requirements which are amended as noted below under sub-section 3403.1. (Ord. 17-07)

105.1.1 Annual permit. Delete this entire sub-section. Annual permits shall not be issued within the City of Richland.

105.1.2 Annual permit records. Delete this entire sub-section. Annual permit records shall not be valid within the City of Richland.

105.2 (R105.2) Work exempt from permit.

Building: Item (1) and item (2) of this sub-category of Section 105.2 (R105.2) are hereby amended as shown below, and items (14) and (15) are hereby added to this sub-category of Section 105.2 (R105.2). For the 2006 International Residential Code, items (14) and (15) as noted below shall be numbered and referenced as items (10) and (11). (Ord. 17-07)

1. One-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, provided the floor area does not exceed 120 square feet, are exempted from the requirements for a building permit. A permit for location placement of such exempt structures shall be issued by the City of Richland prior to construction or erection of these structures. The location placement permit shall be based upon a scaleable site plan provided by the applicant and shall show all existing structures on the property together with the distances from all structures to property lines and to other structures, all existing easements and property lines, and all new structure or building proposals. The location placement permit shall be binding upon the applicant for location placement of the structure for all purposes and requirements of Title 23 of the Richland Municipal Code. The location placement permit shall not require payment of any permit fees. Fees associated with any other aspect of the structure or building proposal including, but not limited to, easement encroachment permits and right-of-way construction permits, shall be as currently enacted in the Richland Municipal Code.
2. Fences not over six (6) feet high are exempted from the requirements for a building permit. A permit for location placement of all fences shall be issued by the City of Richland prior to construction or erection of any fence or fences. The location placement permit shall be based upon a scaleable site plan provided by the applicant for said permit and shall show all existing structures on the property, all existing easements and property lines, and all new fence proposals. The location placement permit shall be binding upon the applicant for all purposes and requirements of Title 23 of the Richland Municipal Code. The location placement permit shall not require payment of any permit fees. Fees associated with any other aspect of the fence proposal including, but not limited to, easement encroachment permits and right-of-way construction permits, shall be as currently enacted in the Richland Municipal Code.
3. Radio, television antennas or antenna towers of light weight construction intended for domestic use only, and not to exceed thirty-five (35) feet in height.

4. Amusement devices and structures, including merry-go-rounds, ferris wheels, rotating conveyances, slides, similar devices, and accessory structures whose use is necessary for operation of such amusement devices and structures, any accessory structure included in the provisions of this sub-section shall be limited to a cover or roof over each device; but shall not include any storage building or detached structure which is not an integral part of the device.

Electrical: This entire sub-category, including repairs and maintenance, radio and television transmitting devices, and temporary testing systems, is hereby deleted. All electrical permits and permit exemptions shall be as set forth by the State of Washington, Department of Labor and Industries.

Plumbing: Items (1) and (2) of this sub-category are hereby deleted. All plumbing permits and plumbing permit exemptions shall be as set forth in the adopted plumbing code.

105.8 (R105.8) The following paragraph shall be added to this section. All contractors and sub-contractors shall have a valid and current business license to conduct business within the City of Richland pursuant to Title 5 of the Richland Municipal Code and shall have a valid and current contractor's license and registration with the State of Washington, Department of Labor and Industries, prior to commencing any actual construction work within the City of Richland.

108.2 (R108.2) Schedule of permit fees.

Building. Fees for building permits and related inspections shall be as set forth in Table 1-A from the 1997 Uniform Building Code as published by the International Code Council, Inc. The valuation of construction used for the calculation of the building permit fee from Table 1-A shall be the greater of either the valuation noted in Supplemental Table 1-B or the declared valuation of construction from the applicant for the permit. The declared valuation shall include the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems, and any other permanent equipment. Valuations not shown in Supplemental Table 1-B shall be based on the "Building Valuation Data" as published in the Building Safety Journal by the International Code Council, Inc., or shall be as determined by the building official to reflect the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems, and any other permanent equipment. The Supplemental Table 1-B shall be updated on January 1st of each year and shall incorporate changes from the "Building Valuation Data" as published in the Building Safety Journal by the International Code Council, Inc., except that those mathematical formulas presented in the "Building Valuation Data" which calculate fees shall not be incorporated or adopted.

Plan Review. Fees for review and examination of required construction plans and/or construction data shall be calculated at sixty-five percent (65%) of the building permit fee as set forth in Table 1-A from the 1997 Uniform Building Code as published by the International Code Council, Inc. These plan review fees shall be in addition to the building permit fee and shall be payable at the time of first submittal of plans together with a completed application for permit. There shall be no fee required for the review and examination of plans for any detached, single-family dwelling construction; attached, two-family dwelling construction; or construction of accessory buildings to or additions to such one- and two-family dwellings; except for additional review and examination of changes made to plans for such one- and two-family dwellings, additions, or accessory buildings after completion of the plan review or after issuance of the building permit, all of which will be required to pay a fee as shown in item (4) of Table 1-A. Additional plan review required by changes, additions, corrections, or revisions made to the plans after completion of the plan review or after issuance of the building permit shall be required to pay a fee as shown in item (4) of Table 1-A.

Plumbing. Fees for plumbing permits and related inspections shall be as set forth in Table 1-1 of the 1997 Uniform Plumbing Code as published by the International Association of Plumbing and Mechanical Officials, Inc., except that plumbing work associated with a current and active building permit shall not require any permit fee. Fees for review and examination of plumbing plans and/or construction data shall be calculated at twenty-five percent (25%) of the plumbing permit fee as set forth in Table 1-1, except that plumbing plans associated with a submittal of building plans shall not require any plan review fee or additional plan review fee. Additional plan review required by changes, additions, corrections, or revisions to the plans after completion of the plan review or after issuance of the permit shall be required to pay a fee as shown in item (4) of Table 1-1 or as shown in item (4) of Table 1-A of the 1997 Uniform Building Code for plumbing work associated with a building permit.

Mechanical. Fees for mechanical permits and related inspections shall be as set forth in Table 1-A of the 1997 Uniform Mechanical Code as published by the International Conference of Building Officials, Inc., except that mechanical work associated with a current and active building permit shall not require any permit fee. Fees for review and examination of mechanical plans and/or construction data shall be calculated at twenty-five percent (25%) of the mechanical permit fee as set forth in Table 1-A, except that mechanical plans associated with a submittal of building plans shall not be required to pay any plan review fee or additional plan review fee. Additional plan review required by changes, additions, corrections, or revisions to the plans after completion of the plan review or after issuance of the permit shall be required to pay a fee as shown in item (4) of Table 1-A or as shown in item (4) of Table 1-A of the 1997 Uniform Building Code for mechanical work associated with a building permit.

Grading. Fees for grading permits, for review of grading plans, and for related inspections shall be as set forth in Table A-33-A and Table A-33-B of the 1997 Uniform Building Code, Appendix Chapter 33, as published by the International Code Council, Inc.

Factory-Assembled Structures. Notwithstanding any other provision of the Richland Municipal Code, fees for installation of a factory-assembled structure, including structures meeting the requirements of Title 23 of the Richland Municipal Code for manufactured homes or designated manufactured homes, shall be one hundred fifty dollars (\$150.00) per installation. Fees for building permits for structures attached to a factory-assembled structure, including, but not limited to, garages that are not structurally dependent upon the factory-assembled structure for support, shall be as noted above for building permits and plan review based on valuation of construction. Where a conflict exists between the fee noted here and fees described in other titles of the Richland Municipal Code, the fee noted here shall apply. Factory-assembled structures constructed prior to June 15, 1976, shall be required to undergo inspection and approval by the State of Washington, Department of Labor and Industries, prior to issuance of the installation permit.

Energy Code (NREC). Fees for review of plans and inspection of the construction work related to sections of the Washington State Energy Code that prescribe requirements for non-residential buildings, previously referred to as the Non-Residential Energy Code (NREC), shall be as set forth in the following table. This fee shall not be applied to mechanical permits where mechanical equipment is being replaced with equipment of the same fuel source as the existing equipment.

TOTAL VALUATION	NREC FEE
\$1 to \$20,000	\$100
\$20,001 to \$300,000	\$100 for the first \$20,000 plus \$3.00 for each additional \$1,000 or fraction thereof, to and including \$300,000.

TOTAL VALUATION	NREC FEE
\$300,000 to \$800,000	\$940 for the first \$300,000 plus \$1.00 for each additional \$1,000 or fraction thereof, to and including \$800,000.
\$800,001 to \$1,020,000	\$1,440 for the first \$800,000 plus \$0.50 for each additional \$1,000 or fraction thereof, to and including \$1,020,000.
\$1,020,001 or more	\$1,550 maximum

110.1 (R110.1) Use and occupancy. The following paragraphs shall be added to this section. The building official shall not issue a certificate of occupancy until approval has been obtained from all City of Richland departments and divisions and from all State of Washington and Federal agencies having jurisdiction or authority over the building project. The finance manager, or currently designated person responsible for finances and accounting, of the City of Richland is authorized and directed to deny any requests for utility services, including, but not limited to, electrical service, solid waste removal, water service, and sewer service, on a permanent-user basis, unless the applicant demonstrates that the building for which such service is requested has been issued a certificate of occupancy or temporary certificate of occupancy by the building official. Provisional utility services may be provided to the extent necessary for construction of the building prior to issuance of such a certificate so long as the building is not used or occupied.

112.1 (R112.1) General. The Board of Appeals as described in this section shall mean the Mid-Columbia Board of Appeals as currently established by the jurisdictions of the City of Richland, the City of Kennewick, the City of West Richland, the City of Pasco, Benton County, and Franklin County, together with such other jurisdictions as currently constitute the Mid-Columbia Board of Appeals. The Board of Appeals as described in other codes adopted herein as the Building Codes for the City of Richland shall also mean the Mid-Columbia Board of Appeals.

3403.1 Existing buildings or structures. The following paragraph shall be added to sub-section 3403.1 of this code. Pursuant to the requirement of RMC Title 20, Section 20.05.010(B) concerning conflict of codes, in cases where the valuation for calculating the application of Table 20.05-A and Table 20.05-B to additions or alterations of existing buildings pursuant to RMC Title 20 results in conflicting requirements compared to requirements based on the application of Chapter 34 with Table 20.05-A and Table 20.05-B included as part of this code, the more restrictive requirements shall apply.

(Ord. 20-04: Ord. 17-07)

21.01.030 Wild-Land Areas

Wild-land areas are areas which are undeveloped, uncultivated or unfit for cultivation, or are considered by the City of Richland to be wasteland or desert, or which are any combination of these descriptions and definitions and which are deemed by the City of Richland as a hazard for wild fire purposes. The following requirements apply to buildings and structures constructed on, in, or near wild-land areas:

- A. All structures within thirty (30) feet of a property line adjoining a wild-land area shall have non-combustible siding, soffit, and skirting on the side adjacent to the wild-land area when the wild-land area is in excess of five (5) contiguous acres. This requirement shall not apply to interior lots of platted parcels of land and development phases whose streets are accessible and whose water system is operational.
- B. Decks or porches thirty-six (36) inches or less in height shall have skirting if within thirty (30) feet of adjacent wild-land areas when the wild-land area is in excess of five (5) contiguous acres. Skirting shall be sufficiently constructed so as not to allow the accumulation of combustible material under the deck or porch. The area under the deck or porch shall not be used for storage.

- C. When determined by the Fire Marshal, non-combustible siding or soffit material shall be required on the downhill side (s) of a structure or building that is within thirty (30) feet of a grade that is fifteen percent (15%) or greater in steepness. The grade shall be determined by the predominant slope on the downhill side measured from the structure or building and extending a maximum of three hundred (300) feet. (Ord. 20-04)

21.01.040 Cedar Shakes and Shingles Prohibited

The use of cedar shakes or cedar shingles, or roofing material of wood with similar flame spread characteristics, or other roofing material with similar flame spread characteristics, is hereby prohibited on all new construction. Replacement, repair, or additions onto existing single-family structures or buildings with existing cedar shakes or existing cedar shingles or existing wood roofing materials with similar flame spread characteristics is permitted, provided any replacement areas and all new roofing areas use Class C or higher fire-retardant treated shakes or shingles on the roof. The use of wood siding of any type shall not be prohibited except as provided in the adopted Building Codes of this chapter. (Ord. 20-04)

21.01.050 Violations and Penalties

Any person convicted of a violation of any provision of this chapter shall be punished by a fine of not more than five thousand dollars (\$5,000.00), or by imprisonment for not more than one (1) year, or both such fine and imprisonment.

For any violation of a continuing nature, each day's violation shall be considered a separate offense and shall subject the offender to the above penalty for each offense. (Ord. 20-04)

21.01.060 Savings Clause

Nothing contained in any provision of this chapter shall apply to an offense charged at any time prior to the date upon which this chapter is effective. Any such offense shall be punished according to the provision of the ordinances or other laws in effect when such offense was charged in the same manner as if this chapter had not been enacted. (Ord. 20-04)

21.01.070 Severability

The provisions of this chapter are declared to be separate and severable, and the invalidity of any section, subsection, provision, clause or portion of this chapter, or the invalidity of the application thereof to any person or circumstance, shall not affect the validity of the remainder of this chapter or the validity of its application to other persons or circumstances. (Ord. 20-04)

CHAPTER 21.02 - OUTDOOR LIGHT FIXTURES

Sections:

- 21.02.010 Definitions**
- 21.02.020 General Requirements**
- 21.02.030 Acts Declared Unlawful**
- 21.02.040 Exemptions**
- 21.02.050 Exclusions**
- 21.02.060 Conflict with Other Ordinances**
- 21.02.070 Enforcement**
- 21.02.080 Penalties for Violation**
- 21.02.090 Limitation of Actions**
- 21.02.100 Severability**

21.02.010 Definitions

- A. "Individual" means any private individual, tenant, lessee, owner or any commercial entity including but not limited to companies, partnerships, joint ventures or corporations.
- B. "Installed" means the initial installation of outdoor light fixtures as defined herein made subsequent to the enactment of this chapter and does not pertain or apply to those outdoor light fixtures existing at the time of enactment of the ordinance codified herein or those outdoor light fixtures for street lighting projects on order or in stock at the time of enactment of the ordinance codified herein; provided, that a list, detailing the quantity and description, by order or stock number, of any such lighting fixtures on order or in stock is filed with the development services director within ninety days of the effective date of this act.
- C. "Outdoor light fixtures" includes but is not limited to lighting for billboard, street lights, shopping center parking area lights, externally or internally illuminated on-site or business advertising signs and area-type lighting. (Ord. 20-04)

21.02.020 General Requirements

All outdoor light fixtures installed on or after February 25, 1995 in that area known as the Horn Rapids Triangle, bounded on the north by the Horn Rapids Road, on the east by the Department of Energy Railroad, on the south by Van Giesen Street and on the west by Richland city limits, shall be shielded from above in such a manner that the edge of the shield is level with or below the center of the light source; provided, that high intensity discharge lighting fixtures, in lieu of shields, shall be equipped with refractors which minimize any direct light emitted above the horizontal, and, where economically feasible, provide cut-off distribution of light as defined by the Illuminating Engineering Society. (Ord. 20-04)

21.02.030 Acts Declared Unlawful

It is unlawful for any individual to engage in the following activities:

- A. The operation of a searchlight for advertising purposes between midnight and sunrise;
- B. The illumination after midnight of an outdoor public recreation facility unless a specific recreational activity is already in progress. (Ord. 20-04)

21.02.040 Exemptions

- A. Any individual as defined herein may submit a written request to the chief building inspector for a temporary exemption to the requirements of this ordinance. The request for the exemption shall contain as a minimum the following information:
 - 1. Type and use of outdoor light fixture involved;
 - 2. Specific size of outdoor light fixture;
 - 3. Physical size of outdoor light fixture;
 - 4. Total wattage of lamp or lamps;
 - 5. Proposed location of outdoor light;
 - 6. Duration of use of outdoor light.

In addition to the above data, the building official may request any additional information which would enable him to make a reasonable evaluation of the request for exemption.

- B. The building official shall have ten (10) work days from the receipt of the request for exemption in which to accept or to reject the request. If rejected, such rejection shall be in writing and the individual making the request shall have the right of appeal to the board of adjustment for review of the decision of the building official. (Ord. 20-04)

21.02.050 Exclusions

- A. Outdoor light fixtures of all types within the city limits of Richland existing prior to the effective date of the ordinance codified herein.
- B. Private residential incandescent outdoor illumination.
- C. Light produced directly by the combustion of natural gas or other fuels.
- D. Signs in which light is produced by glass tubing filled with neon, argon and/or krypton.
- E. Signs of the type constructed of translucent materials and wholly illuminated from within which are in compliance with Section 21.02.020.
- F. Fluorescent type lamps having at least eighty percent (80%) of the total emergent flux lying in the spectral region above four thousand nine hundred (4,900) angstrom units. A list of fluorescent lamps meeting the requirements is on file with the building official.
- G. Private and commercial holiday lighting. (Ord. 20-04)

21.02.060 Conflict with Other Ordinances

Where a provision of the Richland City Code, the Washington Revised Statutes, or the United States Code requires for the purpose of health, welfare or public safety a lighting requirement contrary to the provision of this chapter, the provision shall prevail over any or all requirements of this chapter. (Ord. 20-04)

21.02.070 Enforcement

The development and permit services manager is authorized and directed to perform all acts necessary and appropriate to enforce and to give effect to this chapter. (Ord. 20-04)

21.02.080 Penalties for Violation

Any individual violating any of the provisions of this ordinance shall be punished by a fine not to exceed five thousand dollars (\$5,000.00), or by imprisonment for not more than one (1) year, or both such fine and imprisonment. The city attorney of the city of Richland may bring civil actions in the appropriate court of the State of Washington in the name of the city for the remedy herein provided.

For any violation of a continuing nature, each day's violation shall be considered a separate offense and may subject the offender to the above penalty for each offense. (Ord. 20-04)

21.02.090 Limitation of Actions

Any action brought under the provisions of this chapter must be commenced within one year after the date the violation occurred. (Ord. 20-04)

21.02.100 Severability

If any provision of this chapter or its application to any individual or circumstance is held invalid, the remainder of the chapter or the application of the provision to other individuals or circumstances is not affected. (Ord. 20-04)

CHAPTER 21.03 - FLOOD CONTROL ZONE NO. 9**Sections:****21.03.010 Scope and Authority****21.03.020 Administration and Enforcement****21.03.010 Scope and Authority**

This chapter shall apply to all lands located in that portion of Flood Control Zone No. 9 inside the corporate limits of Richland and below the 100-year flood elevation as shown on the map marked "Exhibit A." The city of Richland accepts the authority for administering the permit program established in RCW 86.16.080. The acceptance of this authority is pursuant to the provisions of RCW 86.16.085 and Chapter 173-142 WAC and the Order of Delegation (Docket No. DE 82-428) issued by the Director of the Department of Ecology on July 26, 1982. (Ord. 20-04)

21.03.020 Administration and Enforcement

The responsible official for administering and enforcing the provisions of this chapter shall be the planning and inspection services director or his designee. The provisions of this chapter shall be deemed to have been fully enforced so long as the responsible official is administering the requirements of Ordinance No. 22-81, and complying with the Order of Delegation (Docket No. DE 82-428) issued July 26, 1982. The provisions of this chapter shall be administered in a manner that is consistent with all other applicable governmental regulations. (Ord. 20-04)

HISTORICAL CHRONOLOGY OF ORDINANCES

Ord. 78	Ord. 06-86
Ord. 94	Ord. 14-86
Ord. 134	Ord. 16-86
Ord. 315	Ord. 17-86
Ord. 316	Ord. 18-86
Ord. 353	Ord. 19-86
Ord. 379	Ord. 20-86
Ord. 380	Ord. 05-89
Ord. 383	Ord. 18-89
Ord. 385	Ord. 20-89
Ord. 393	Ord. 22-89
Ord. 394	Ord. 23-89
Ord. 405	Ord. 24-89
Ord. 460	Ord. 25-89
Ord. 472	Ord. 26-89
Ord. 473	Ord. 12-90
Ord. 493	Ord. 02-92
Ord. 531	Ord. 25-92
Ord. 563	Ord. 27-92
Ord. 678	Ord. 28-92
Ord. 679	Ord. 29-92
Ord. 734	Ord. 30-92
Ord. 764	Ord. 31-92
Ord. 765	Ord. 32-92
Ord. 801	Ord. 33-92
Ord. 24-74	Ord. 34-92
Ord. 31-75	Ord. 11-94
Ord. 56-75	Ord. 41-94
Ord. 37-77	Ord. 07-95
Ord. 38-77	Ord. 32-95
Ord. 40-77	Ord. 01-96
Ord. 41-77	Ord. 38-98
Ord. 42-77	Ord. 20-04
Ord. 44-77	Ord. 17-07
Ord. 46-77	
Ord. 41-79	
Ord. 79-79	
Ord. 38-80	
Ord. 40-80	
Ord. 41-80	
Ord. 42-80	
Ord. 43-80	
Ord. 45-80	
Ord. 10-81	
Ord. 34-81	
Ord. 02-82	
Ord. 42-82	
Ord. 46-83	
Ord. 47-83	
Ord. 48-83	
Ord. 49-83	
Ord. 50-83	
Ord. 51-83	