



ORDINANCE NO. 3196

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE INTERNATIONAL BUILDING AND FIRE CODES AS ADOPTED BY THE CITY; AMENDING TITLE 9, TITLE 15, CHAPTER 16.04, CHAPTER 16.05, CHAPTER 16.09, CHAPTER 16.24 AND CHAPTER 16.44 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, in November 2015, the Washington State Building Code Council adopted the 2015 International Building, Residential, Mechanical, Fire, Energy Conservation, Swimming Pool and Spa, and Property Maintenance Codes, and the 2015 Uniform Plumbing Code; and

WHEREAS, the City Council desires to update certain chapters of the Lynnwood Municipal Code to conform to the newly adopted State codes which become effective July 1, 2016 ; and

WHEREAS, the City Council has determined that adoption of the 2015 International and related codes with certain local amendments, is in the public interest; NOW THEREFORE

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

Section 1. Amendment. Title 9 of the Lynnwood Municipal Code is hereby amended as follows:

**Title 9
FIRE**

Chapters:

- 9.01 Authority
- 9.04 International Fire Code
- 9.06 Fire Lanes
- 9.12 Fireworks
- 9.14 Smoking
- 9.16 Hydrants
- 9.18 Fire Sprinkler Systems
- 9.20 Fire Alarm Systems
- 9.22 Building Construction

Chapter 9.01 Authority

- Section 9.01.010 Title, Authority, and Applicability
- Section 9.01.020 Lynnwood Fire Department Standards

42	Section 9.01.030	Adoption of International Fire Code
43	Section 9.01.040	Severability
44	Section 9.01.050	Fees
45	Section 9.01.060	Conflicting Codes
46	Section 9.01.070	Appeals
47	Section 9.01.080	Definitions
48	Section 9.01.090	New Materials, Processes or Occupancies Requiring Permits.
49	Section 9.01.100	Violation and Penalty

50

51 **9.01.010 Title, Authority, and Applicability**

52 The Lynnwood Fire Code is comprised of the state and locally adopted model code (International Fire
 53 Code) and locally adopted regulations. While it is the intent of the City of Lynnwood to be consistent
 54 with regional, state and national good practice, the City of Lynnwood is responsible for the evaluation of
 55 risk and benefit regarding the public health, safety and welfare. As such, the City has exercised and
 56 continues to reserve its right to institute local rules and regulations governing the development and use
 57 of businesses, operations, occupancies, and structures.

58

59 **9.01.020 Lynnwood Fire Department Standards**

60 It is the intent of the Lynnwood Fire Department to enforce the provisions of adopted codes in a manner
 61 that is consistent, fair, without undue burden, efficient, and beneficial to the short and long-term health,
 62 safety and economic well-being of the citizens, businesses, employees and visitors of our community. In
 63 meeting this intent and in accordance with the authority and jurisdiction granted in the International
 64 Fire Code Chapter 1, the Lynnwood Fire Department standards have been created. They are formulated
 65 as individual standards on specific topics as deemed necessary. Requirements found in the International
 66 Fire Code, state law, community development guides, or other references are not generally repeated
 67 herein.

68

69 **9.01.030 Adoption of International Fire Code**

70 As amended by the provisions of this chapter and official administrative interpretations by the Fire
 71 Marshal, the 2015 Edition of the International Fire Code published by the International Code Council,
 72 including Appendices B, C, D, and I as amended by this ordinance, one copy of which shall be on file in
 73 the office of the City of Lynnwood Finance Director, is adopted by this reference.

74

75 **9.01.040 Severability**

76 If any section, subsection, sentence, clause, phrase or word of this code should be held to be invalid or
 77 unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall
 78 not affect the validity or constitutionality of any other portions of this code.

79

80 **9.01.050 Fees**

81 All fees authorized under Section 113 IFC shall be set forth in a fee ordinance adopted, and from time to
 82 time amended, by the City Council. Fees required for fire permits can be found in Chapter 3.104 LMC.

83

84 **9.01.060 Conflicting Codes**

85 Where there is a conflicting requirement between a nationally recognized code and a provision of this
 86 Title, this Title shall be applicable.

87 **9.01.070 Appeals**

88 Whenever the Fire Marshal disapproves an application or refuses to grant a permit applied for, or when
89 it is claimed that the provisions of the code do not apply, or that the true intent and meaning of the
90 code have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire
91 Marshal to the hearing examiner in accordance with Chapter 16.50 LMC.
92

93 **9.01.080 Definitions**

94 Whenever the following terms are used in this Title or other applicable codes they shall be defined as
95 follows:

96 A. *Approved Central Station List*: A list of central stations that meet the requirements and have an
97 approved application to monitor fire alarm and sprinkler flow alarms within the City of Lynnwood,
98 WA.

99 B. *Approving Authority*: The City of Lynnwood Fire Marshal

100 C. *Assumed Property Line*: An imaginary line separating two buildings on the same property.

101 D. *Automatic Fire Alarm System*: A system of heat, smoke or other detection devices along with
102 notification devices and a control panel to detect the early stage of a fire and alert the occupants
103 per NFPA 72.

104 E. *Automatic Fire Sprinkler System*: A systems of pipes, control valves and sprinkler heads arranged
105 in a building to discharge water on a fire per NFPA 13, 13D and 13R.

106 F. *Building Code*: International Building Code as currently adopted by the City of Lynnwood, WA

107 G. *Code or Fire Code*: Chapter 9 LMC, as now existing or hereafter amended, and the edition of the
108 International Fire Code as adopted by Chapter 9 LMC

109 H. *Common Fireworks*: Any fireworks as defined in RCW 70.77.136.

110 I. *Corporate Counsel*: Attorney for the City of Lynnwood, WA

111 J. *City*: The City of Lynnwood, WA

112 K. *FDC*: Fire Department Connection

113 L. *Fire Chief*: The Chief of the City of Lynnwood Fire Department

114 M. *Fire Code Official*: Fire Marshal for the City of Lynnwood, WA. Person in charge of the Fire
115 Prevention Bureau.

116 N. *Fire Department*: The Fire Department of the City of Lynnwood and/or any recognized fire
117 department normally responding in the area.

118 O. *Fire Detection System*: a system of heat and/or smoke detectors connected to a communicator
119 or control panel; typically without notification devices.

120 P. *Fire Flow*: The amount of water required to extinguish a fire. Also see Appendix B of the 2015
121 IFC.

122 Q. *Fire Watch*: A temporary measure intended to ensure continuous and systematic surveillance of
123 a building or property by one or more qualified employees of a licensed and bonded security
124 company for the purposes of identifying and controlling fire hazards, detecting early signs of
125 unwanted fire, raising an alarm of fire and notifying the fire department.

126 R. *Fireworks*: Any fireworks as defined in RCW 70.77.126.

127 S. *Hot Works*: Processes that involve an open flame or cutting / welding operations that produce
128 sparks.

129 T. *Jurisdiction*: The City of Lynnwood, WA

130 U. *International Building / Fire/ Residential Code*: The current edition of the I-code as adopted by
131 the City of Lynnwood.

132 V. *NFPA 13, 13D, 13R*: National Fire Protection Association's standards on fire sprinkler systems,
133 2013 edition.

134 W. *NFPA 72*: National Fire Protection Association's standards on fire alarm systems, 2013
135 edition.

136 X. *Public Hydrant*: A fire hydrant so situated and maintained to provide water for fire-fighting
137 purposes without restriction as to use. The location is such that it is accessible for immediate use of
138 the fire department.

139 Y. *Private Hydrant*: A fire hydrant so situated and maintained to provide water for fire-fighting
140 purposes with restrictions for its use limited to certain defined property or properties..

141 Z. *Sky Lantern*: An airborne lantern typically made of paper with a wood frame containing a
142 candle, fuel cell composed of waxy flammable material or other open flame which serves as a heat
143 source to heat the air inside the lantern to cause it to lift into the air. "Sky candles," "fire balloons"
144 and "airborne paper lanterns" mean the same as sky lanterns.

145 AA. *Special fireworks*: Any fireworks as defined in RCW 70.77.131.

146 BB. *Tenant Improvement*: Interior or exterior remodeling or improvement to an existing building or
147 portion of a building including but not limited to; adding or removing or moving walls,
148 reconfiguration of floor the plan, replacing ceilings/roofs or wall coverings, substantial electrical
149 or plumbing or mechanical work, structural repairs/improvements, and other similar work.

150

151 **9.01.090 New Materials, Processes or Occupancies Requiring Permits**

152 The fire chief shall determine and specify, after giving affected persons an opportunity to be heard, any
153 new materials, processes or occupancies, which shall require permits, in addition to those now
154 enumerated in the code. The fire marshal shall post such list in a conspicuous place in his office, and
155 distribute copies thereof to interested persons.

156

157 **9.01.100 Violation and Penalty**

158 **A. Failure to Comply**

159 Any person who violates any of the provisions of this Code or fails to comply therewith, or who violates
160 or fails to comply with any order made thereunder, or who builds in violation of any detailed statement
161 of specifications or plans submitted and approved thereunder, or any certificate or permit issued
162 thereunder, and from which no appeal has been taken, or who fails to comply with such an order as
163 affirmed or modified by the Hearing Examiner or by a court of competent jurisdiction, within the time
164 fixed therein, shall severally for each and every such violation and noncompliance, respectively, be guilty
165 of a misdemeanor, punishable by a fine of not more than \$1,000 or by imprisonment for not more than
166 90 days or both such fine and imprisonment. The imposition of one penalty for any violation shall not
167 excuse the violation or permit it to continue, and all such persons shall be required to correct or remedy
168 such violations or defects within a reasonable time; and when not otherwise specified, each day that
169 prohibited conditions are maintained shall constitute a separate offense.

170 The application of the above penalty shall not be held to prevent the enforced removal of prohibited
171 conditions.

172 **B. Civil Penalty for Operating without a Required Permit**

173 Whenever the Fire Marshal determines that a person, firm, corporation or company is operating
174 without permit(s) as required by this code, he/she may, in addition to, or as an alternative to, any other
175 enforcement remedies the City may have, impose a civil penalty in an amount equal to two times the
176 amount of the required permit fee, plus \$100.00 per day for each day that operations continue without
177 the required permit(s). Written notice of intent to impose such penalty shall be served pursuant to the

178 notice provisions of Chapters 1.40 and 2.22 LMC. Such civil penalty notice may be appealed by filing with
179 the Fire Marshal, within five working days of service of said notice, a written request for a hearing
180 before the City's hearing examiner, per Chapter 16.50 LMC.

181

182 **Chapter 9.04 International Fire Code**

183 Section 9.04.100 Section 103 amended – Department of Fire Prevention

184 Section 9.04.110 Section 105 amended – Permits

185 Section 9.04.120 Section 304 amended – Combustible Waste Material

186 Section 9.04.125 Section 308 amended – Open Flames / Sky Lanterns

187 Section 9.04.1.26 Section 404 amended – Fire Safety, Emergency and Lockdown Plans

188 Section 9.04.130 Section 609 amended – Commercial Kitchen Hoods

189 Section 9.04.140 Section 806 amended – Decorative Vegetation in New and Existing Buildings

190 Section 9.04.150 Section 901 amended – General Fire Protection Systems

191 Section 9.04.160 Section 2304 amended – Dispensing Operations

192 Section 9.04.170 Section 3103 amended – Temporary Tents and Membrane Structures

193 Section 9.04.180 Chapter 34 amended – Tire Rebuilding and Tire Storage

194 Section 9.04.190 Section 5601 amended – Explosives and Fireworks

195 Section 9.04.200 Chapter 57 amended – Flammable and Combustible Liquids

196 Section 9.04.210 Section 6104 amended – Location of LPG-Gas containers

197

198 **9.04.100 Section 103 IFC amended – Department of Fire Prevention**

199 Section 103.1 "General" is amended to read as follows: The code shall be enforced by the Bureau of Fire
200 Prevention. The Bureau operates under the supervision of the Fire Chief.

201

202 Section 103.2 "Appointment" is amended to read as follows: The Chief (or Fire Marshal) in charge of the
203 Bureau of Fire Prevention shall be appointed by the Mayor of the city upon the recommendation of the
204 Fire Chief after successful completion of an approved civil service examination to determine their
205 qualifications.

206

207 Section 103.3 "Deputies" is amended to read as follows: The Chief of the Fire Department may assign
208 members of the Fire Department's fire suppression staff to fire prevention activity, as necessary. The
209 Chief of the Fire Department shall appoint technical inspectors who shall be selected through an
210 approved civil service examination to determine their fitness for the position.

211

212 **9.04.110 Section 105 IFC amended – Permits**

213 Section 105.1.1 "Permits required" is amended by the addition of the following; Businesses listing all
214 operational processes on their City of Lynnwood Business License application form and having had
215 obtained a current City of Lynnwood Business License, will be deemed to have complied with
216 operational permitting requirements with the exception of the following;

- 217 1. Unattended self-service motor fuel dispensing facilities
- 218 2. Tire sales/storage/service in buildings without fire sprinklers
- 219 3. Hot work operations during building construction or repairs
- 220 4. Carbon Dioxide storage greater than 100 lbs. inside a building

221

222 **9.04.120 Section 304 IFC amended – Combustible Waste Material**

223 Section 304.3 "Containers"

224 Section 304.3.3 "Capacity exceeding 1.5 cubic yards" and associated exceptions are deleted.
225
226 Section 304.3.4 "Capacity of 1 Cubic Yard or More" is amended to read as follows: Dumpsters or
227 containers with an individual capacity of 1.0 cubic yard [200 gallons] or more shall not be stored in
228 buildings or placed within 5 feet of combustible walls, openings, or combustible roof eave lines unless
229 protected by an approved automatic fire sprinkler system.
230
231 **9.04.125 Section 308 IFC amended – Open Flame**
232 Section 308.1.6.3 "Sky lanterns" is amended to read as follows; It is unlawful for any person to sell, use,
233 transfer, discharge or ignite any sky lantern, whether tethered or untethered within the city of
234 Lynnwood.
235
236 **9.04.126 Section 404 IFC Amended – Fire Safety, Evacuation and Lockdown Plans**
237 Section 404.2.3 Lockdown Plans. This section is adopted in its entirety.
238
239 **9.04.130 Section 609 IFC amended – Commercial Kitchen Hoods**
240 Section 609.3.1 IFC "Ventilation system" is amended by the addition of the following; During a Type I
241 hood installation, exhaust fan replacement, or hood suppression installation or modification, a
242 temperature activated switch that automatically turns on the exhaust and make-up air fans, shall be
243 installed in the exhaust duct . This installation is intended to prevent the operation of cooking
244 appliances without fan operation.
245
246 **9.04.140 Section 806 IFC amended – Decorative Vegetation in New and Existing Buildings**
247 Section 806.1 IFC "Natural Cut Trees" is amended to read as follows: Natural cut trees are prohibited in
248 all occupancies except within the dwelling units of R-2 occupancies. Natural cut trees shall have the
249 trunk bottoms cut off at least 0.5 inch above the original cut and shall be placed in a support device
250 complying with Section 806.1.2.
251
252 Section 806.1.1 "Restricted Occupancies" and associated exceptions are deleted.
253
254 **9.04.150 Section 901 IFC amended – General Fire Protection Systems**
255 Section 901.4 "Installation"
256
257 Section 901.4.6 "Pump and riser room size" is amended to read as follows: Sprinkler riser rooms shall be
258 located on an outside wall at grade. Such rooms shall be of one-hour construction and provided with a
259 45-minute door having a minimum opening of 36-inches to the exterior. This room shall contain all
260 sprinkler control valves, sprinkler backflow assembly (unless prohibited by the water purveyor), fire
261 pump and associated components and the fire alarm control panel(s). Such rooms shall be of a size that
262 will allow a minimum of 36-inch clearance around all portions of the fire pump assembly and in front of
263 the fire alarm panel(s). Dry pipe valves/risers shall have a minimum of 36" clear space at the front and
264 both sides and 18" at the back. Wet risers shall have a minimum of 24" clear space at the front and both
265 sides and 18" at the back. This room shall have a thermostatically controlled heat source capable of
266 maintaining a minimum of 40° Fahrenheit to prevent freezing. All drains are to be plumbed to the
267 exterior of the building. No other uses or utilities shall be allowed in this room. Major building
268 remodels or square footage increases shall elicit the need to construct an exterior accessible riser room
269 if not previously existing.

270 Section 901.6 "Inspection, Testing, and Maintenance"

271

272 Section 901.6.2 "Records" is amended by the addition of the following; Annual confidence test reports
273 for fire alarm and sprinkler systems and semi-annual inspection test reports for commercial hood
274 suppression systems shall be submitted to the Bureau of Fire Prevention by the method approved by the
275 fire code official within 14 days of the test/inspection date.

276

277 **9.04.160 Section 2304 IFC amended – Dispensing Operations.**

278 Section 2304.3 "Unattended Self-Service Motor Fuel Dispensing Facilities"

279

280 Section 2304.3.3, "Emergency Controls" is amended by the addition of the following; Emergency
281 controls shall be of a type which is only manually resettable from inside the attendant booth.
282 Emergency controls shall have an approved means of illumination.

283

284 **9.04.170 Section 3103 IFC amended – Temporary Tents and Membrane Structures**

285 Section 3103.1 "General" is deleted and replaced with the following; Tent, canopies, and other
286 membrane structures shall not be erected, operated or maintained for any purpose without first
287 obtaining a City of Lynnwood Special Event Permit and approval from the Fire Marshal and building
288 official. All tents, canopies, and other membrane structures erected shall meet the requirements of the
289 current edition of NFPA 701: Standard Methods of Fire Tests for Flame Propagation of Textiles and
290 Films. Tents, canopies, and other membrane structures meeting the requirements of the California State
291 Fire Marshal (CSFM) as set forth in Article 8, Chapter 1, Title 19 of the California Code of Regulations
292 (CCR) and has the information securely affixed, stamped, printed or stenciled as required by section
293 1321 of the above code shall be deemed as complying with NFPA 701.

294 **Exception:** Approval is deemed granted from the Fire Marshal and Building Official for the use of
295 canopies (no sides) that do not meet the requirements of NFPA 701 or the CSFM when associated with a
296 Special Event Permit providing that:

297

- 298 1. It is limited in size to 120 square feet; and
- 299 2. Occupancy is limited to 10 or less persons; and
- 300 3. There is a minimum of 12 feet of separation between the canopy and the building (including any
301 overhang or canopy; and
- 302 4. No open flame or cooking is associated with the use of the canopy.

303

304 Section 3103.5 "Use period" is deleted and replaced with the following; The use of any tent, canopy, or
305 temporary membrane structure shall not be allowed; except in the case of a tent, canopy, or membrane
306 structure used in conjunction with a special event. Such use shall not exceed the time and frequency of
307 use provisions of Chapter 5.30 LMC or the time period of any permit issued in connection with such
308 activities, whichever shall occur first.

309

310 **9.04.180 Chapter 34 IFC amended "Tire Rebuilding and Tire Storage"**

311 Section 3405 "Outdoor Storage"

312

313 Section 3405.1 "Individual Piles" is deleted and replaced with the following; Tire storage shall be
314 restricted to individual piles not exceeding 2000 square feet of continuous area. Piles shall not exceed

315 12,000 cubic feet in volume or 6 feet in height. No more than two (2) piles shall be allowed on any
316 single property.

317

318 Section 3405.6 "Volume more than 150,000 cubic feet" is deleted.

319

320 Section 3409 "Indoor Storage"

321

322 Section 3409.1 "Pile Dimensions" is deleted and replaced with the following: In buildings not protected
323 by an automatic fire sprinkler system designed for tire storage, the following storage arrangements and
324 quantity limits shall apply:

325

326 1. Tire storage shall be limited to a maximum of 2,000 square feet per building, including aisle
327 ways.

328 2. All tires are to be stored on rack(s) and be placed on treads.

329 3. The maximum individual allowable rack size is 5 feet 9 inches high and 25 feet in length.

330 4. The top of tires stored on rack(s) shall not exceed 6 feet above the floor.

331 5. No tires shall be stored on their sidewalls inside the building.

332 6. Racks shall not block or restrict egress paths inside or outside of the building.

333 7. A minimum of 36 inches clear space is required between racks.

334 **Exception:** Two racks may be placed back to back providing there is a minimum of 36 inches of
335 clear space on the remaining 3 sides of each rack.

336 8. One 4-A fire extinguisher shall be provided of every 1,000 square feet (or partial thereof) of tire
337 storage.

338 9. No outdoor tire storage within 25 feet of a building, including overhangs, after business hours.

339

340 **9.04.190 Section 5601 IFC Amended "Explosives and Fireworks"**

341 Section 5601.1 "Scope" is deleted and replaced with the following; The storage of explosives and
342 blasting agents is prohibited within city limits, except for temporary storage for use in connection with
343 approved blasting operations; provided, however, that this prohibition shall not apply to wholesale and
344 retail stocks of small arms ammunition, explosive bolts, explosive rivets or cartridges for explosive
345 actuated power tools.

346

347 **9.04.200 Chapter 57 IFC amended – Flammable and Combustible Liquid Storage.**

348 Section 5704.1 General. Is amended by adding the following;

349 1. In no case shall aboveground storage tanks over 100 gallons; whether fixed or portable, be
350 located less than 20 feet from a property line or another building.

351 2. Tank size shall be limited to 1000 gallons of any single product.

352 3. Listed tanks divided into two separate 1000 gallon storage compartments are allowed,
353 providing each compartment contains a different product (i.e. 1000 gallons of gasoline and
354 1000 gallons of diesel).

355

356 **Section 5704.2.9.6 "Above-Ground Tanks Outside of Buildings"**

357

358 Section 5704.2.9.6.1 "Locations where above-ground tanks are prohibited" is deleted and replaced with
359 the following; Storage of flammable or combustible liquids (Class I and Class II liquids) in outside above-
360 ground tanks is prohibited in all areas of the city except those zoned for industrial use; provided, that,

361 above-ground flammable or combustible liquid tanks may be installed on property zoned general
362 commercial, when approved by the City of Lynnwood Fire Chief and the Community Development
363 Director, subject to the provisions of LMC Title 21, the requirements of the International Fire Code, as
364 adopted by this chapter.

365
366 **Section 5706 "Special Operations"**

367
368 Section 5706.4 "Bulk Plants or Terminals" is amended by adding the following; Storage of Class I, Class II
369 and Class III-A liquids in bulk plants is prohibited in all areas of the city.

370 In the event of any conflict between the provisions of this chapter and the provisions of the edition of
371 the International Fire Code as adopted by this chapter, the most restrictive requirements shall prevail.

372
373 **9.04.210 Section 6104 IFC Amended "Location of LP-Gas Containers"**

374 Section 6104.2 "Maximum Capacity within Established Limits" is deleted and replaced with the
375 following; Bulk storage (in excess of 500 water gallons) of liquefied petroleum gases is allowed in areas
376 of the City zoned for industrial and commercial use with the approval of the Fire Chief and Community
377 Development Director.

378
379 **Chapter 9.06 Fire Lanes**

- 380 Section 9.06.010 Fire Lane Specifications
- 381 Section 9.06.020 Temporary Fire Lanes during Construction
- 382 Section 9.06.030 Duty Not to Obstruct Fire Lane
- 383 Section 9.06.040 Enforcement

384
385 **9.06.010 Fire Lane Specifications**

386 Fire lanes shall comply with the City of Lynnwood Fire Lane Standards, 2015 IFC Section 503 "Fire
387 Apparatus Access Roads", and 2015 IFC, Appendix D, "Fire Apparatus Access Roads" as amended;

- 388 1. Section 503 "Fire Apparatus Access Roads" is hereby adopted in its entirety.
- 389 2. Section D103.1 is deleted.
- 390 3. Section D103.6 "Signs" and the associated subsections are deleted.
- 391 4. Section D104 "Commercial and Industrial Developments" is deleted.

392
393 **9.06.020 Temporary Fire Lanes during Construction**

394 Fire lanes are required for all buildings during the construction phase. The fire lane shall have an all-
395 weather driving surface (typically ATB) approved by the Fire Marshal. Crushed rock or quarry spall is not
396 acceptable.

397 The fire lane shall be established prior to any combustible construction or stockpiling of any combustible
398 material and extended to within 150 feet of all portions of a facility or stockpile and all portions of the
399 exterior walls of the first story of the building, as measured by an approved route around the exterior of
400 the building. The fire lane shall be identified by an approved means.

401 Construction gates across fire lanes shall be provided with approved signs reading "Fire Department
402 Access". Any means of securing the gate across the fire lane must be approved by the Fire Marshal.

403
404

405 **9.06.025 Fire Lane through Parking Lots**

406 Parking lots or automobile sales lots with 100 or more vehicles shall have a designated fire lane
407 circulating throughout the lot.

408

409 Compact parking stalls shall not be located perpendicular to fire lanes.

410

411 **9.06.030 Duty Not to Obstruct Fire Lane**

412 It is a traffic infraction for any person to park, stop and/or stand a vehicle, occupied or unoccupied,
413 within a fire lane in violation of this chapter.

414

415 **9.06.040 Enforcement**

416 When an infraction of this chapter involving a vehicle exists, the Lynnwood Police Department is
417 authorized to issue a notice of traffic infraction pursuant to RCW 46.63.030 as is now or hereafter
418 amended.

419

420 In situations involving an immediate risk of harm to people or property, the Lynnwood Police
421 Department may impound any vehicle or obstruction found within a fire lane or within 15 feet of any
422 fire hydrant whether on public or private property; provided, such impoundment shall be in accordance
423 with RCW 46.55.113 and the impound provisions of RCW 46.52.120 et seq., as each is now or hereafter
424 amended.

425

426 Notwithstanding any other provision of this chapter, the chief officers of the City of Lynnwood Fire
427 Department are authorized and directed to enforce all of the provisions of this chapter. For such
428 purposes they shall have the powers of a police officer.

429

430 **Chapter 9.12 Fireworks**

431 Section 9.12.025 State statutes and regulations adopted by reference.

432 Section 9.12.030 Purchase, sale, discharge and use of fireworks prohibited.

433 Section 9.12.040 *Repealed.*

434 Section 9.12.050 *Repealed.*

435 Section 9.12.060 *Repealed.*

436 Section 9.12.070 *Repealed.*

437 Section 9.12.100 *Repealed.*

438 Section 9.12.110 *Repealed.*

439 Section 9.12.120 *Repealed.*

440 Section 9.12.130 *Repealed.*

441 Section 9.12.140 Public Display of Fireworks – Rules – Investigation – Permit.

442 Section 9.12.150 Violation – Penalties

443 Section 9.12.160 *Repealed.*

444

445 **9.12.025 State statutes and regulations adopted by reference.**

446 The following statutes as now or hereafter amended are adopted by reference as and for a portion of
447 the fireworks provisions of this city as if set forth in full herein:

448

449 RCW

450 70.77.255(1),
451 (2) and (3) Acts prohibited without appropriate license.
452 70.77.260(2) Application for public display permit.
453 70.77.285 Public display permit – Bond or insurance for liability.
454 70.77.295 Public display permit – Amount of bond or insurance.
455 70.77.435 Seizure of fireworks.
456 70.77.485 Unlawful possession of fireworks.
457 70.77.488 Unlawful discharge or use of fireworks.
458
459 **9.12.030 Purchase, sale, discharge and use of fireworks prohibited.**
460 A. It is unlawful for any person, firm or corporation to purchase, sell or manufacture any fireworks
461 within the city.
462 B. Except as authorized by state license and city permit granted pursuant to RCW 70.77.260(2) (public
463 display) or RCW 70.77.311(2) (use by group or individual for religious or other specific purpose on
464 approved date and at an approved location), it is unlawful for any person, firm or corporation to
465 engage in the retail sale of, or to sell, possess, store, use, transfer, discharge or explode, any
466 fireworks of any kind in the city.
467 C. This chapter does not prohibit the use of flares or fuses in connection with the operation of motor
468 vehicles, railroads, or other transportation agencies for signal, warning or illumination purposes.
469 (Ord. 3066 § 3, 2014)
470
471 **9.12.040 Investigation and Granting of Permits – Number Issued by City**
472 *Repealed by Ord. 3066. (Ord. 3007 § 1, 2013)*
473
474 **9.12.050 Permit Required**
475 *Repealed by Ord. 3066. (Ord. 3007 § 1, 2013)*
476
477 **9.12.060 License from State Patrol Fire Protection Bureau Required**
478 *Repealed by Ord. 3066. (Ord. 3007 § 1, 2013)*
479
480 **9.12.070 Cleanup– Cash Debris Bond**
481 *Repealed by Ord. 3066. (Ord. 3007 § 1, 2013)*
482
483 **9.12.100 Fireworks Stands – Operators**
484 *Repealed by Ord. 3066. (Ord. 3007 § 1, 2013)*
485
486 **9.12.110 Fireworks Stands – Compliance with State and Local Laws and Regulations**
487 *Repealed by Ord. 3066. (Ord. 3007 § 1, 2013)*
488
489 **9.12.120 Fireworks Stands– Additional Regulations**
490 *Repealed by Ord. 3066. (Ord. 3007 § 1, 2013)*

491 **9.12.130 Fireworks– Time of Sale and Use**

492 *Repealed by Ord. 3066. (Ord. 3007 § 1, 2013)*

493

494 **9.12.140 Public Display of Fireworks– Rules – Investigation – Permit**

495 The Fire Marshal shall be authorized to adopt reasonable rules for the issuance or denial of a permit for
496 a public display of fireworks. Following receipt of an application for a permit under RCW 70.77.260(2) for
497 a public display of fireworks, the Fire Marshal shall investigate whether the character and location of the
498 display as proposed would be hazardous to property or dangerous to any person. Based on the
499 investigation, the Fire Marshal shall submit a report of findings and a recommendation for, or against
500 the issuance of the permit, together with reasons, to the finance director who shall forward the report
501 to the City Council. The City Council shall grant the application if it meets the requirements of Chapter
502 70.77 RCW and this chapter.

503

504 **9.12.150 Violation – Penalties**

505 Unless a specific penalty is prescribed in this chapter, anyone who violates any provision of this chapter
506 or any of the conditions of any permit issued hereunder, or who causes another to do so, shall be guilty
507 of a misdemeanor, punishable by a fine not to exceed \$1,000 and 90 days imprisonment in the city jail.

508 In addition, violation(s) of any of the provisions of this chapter or any of the conditions imposed upon a
509 permit issued hereunder shall subject the permit to suspension or revocation, as provided herein.

510 In addition, or alternatively, violation(s) of any of the provisions of this chapter or any of the conditions
511 imposed upon a permit issued hereunder shall subject the applicant to a daily civil penalty in the
512 amount provided by LMC 1.01.085.

513

514 **9.12.160 Suspension, Denial or Revocation of Permit**

515 *Repealed by Ord. 3066. (Ord. 3007 § 1, 2013)*

516

517 **Chapter 9.14 SMOKING IN PUBLIC PLACES**

518 **Sections:**

519 9.14.010 State statute adopted by reference – Smoking in public places.

520

521 9.14.020 Smoking prohibited in city buildings and vehicles.

522

523 **9.14.010 State statute adopted by reference – Smoking in public places.**

524 A. Chapter 70.160 RCW* relating to smoking in public places is hereby adopted by reference as and for
525 the Lynnwood Municipal Code as if set forth in full herein.

526

527 B. The amendment, addition or repeal by the Washington Legislature of any section of any of the
528 adopted statutes set forth in subsection (A) of this section shall be deemed to amend this chapter
529 and the statutes contained in this chapter which are adopted by reference in conformity with the
530 amendment, addition or repeal, and it shall not be necessary for the legislative authority of this city
531 to take any action with respect to such addition, amendment or repeal, as provided by RCW
532 35A.12.140. (Ord. 2840 § 1, 2010; Ord. 2683 § 10, 2007; Ord. 2506 § 1, 2004; Ord. 1491, 1985)

533 *Ordinance references Session Laws of Washington.

534

535 **9.14.020 Smoking prohibited in city buildings and vehicles.**

536 Smoking shall be and is hereby prohibited:

537 A. In all city buildings, offices and vehicles, including those buildings, offices or vehicles owned, rented
538 or leased by the city;

539 B. Within a distance of 50 feet of any public entrance to any city building; and

540 C. Within a distance of 25 feet of any employee entrance to any city building;

541 D. The term "entrance" as used herein includes any doorway, stairway, breezeway, porch or landing
542 leading directly into any building operated by the city and accessible to city employees and/or
543 private citizens;

544 E. Signage shall be posted in areas where smoking is prohibited prior to enforcement of this section.
545 (Ord. 2840 § 1, 2010; Ord. 2683 § 10, 2007; Ord. 2568 § 1, 2005)

546

547 **Chapter 9.16 Hydrants**

548 Section 9.16.020 Responsibility

549 Section 9.16.030 Service by Water Department

550 Section 9.16.040 Private Hydrant Installation

551 Section 9.16.070 Leads from Service Main

552 Section 9.16.080 Private Fire Mains

553 Section 9.16.090 Hydrant Spacing

554 Section 9.16.100 Hydrant Spacing in Single-Family Residential Areas

555 Section 9.16.115 Hydrant Locations and Quantity

556 Section 9.16.140 Pumper Port Direction

557 Section 9.16.150 Protection

558 Section 9.16.160 Replacement

559 Section 9.16.170 Obstruction Prohibited

560 Section 9.16.180 Compliance Required

561 Section 9.16.210 Penalty for Violation

562

563 **9.16.020 Responsibility**

564 The installation of fire hydrants in accordance with this chapter shall be required of the owner and/or
565 developer of any future business, commercial, institutional or industrial facility, dwelling or dwelling
566 development.

567

568 **9.16.030 Service by Water Department**

569 All fire hydrants installed as required by this chapter shall be served by the city water department unless
570 conditions warrant a waiver of this provision.

571

572 **9.16.40 Private Hydrant Installation**

573 The installation of private hydrants as defined herein, shall be limited to those cases when the number
574 of public hydrants installed under the distance provisions of this chapter shall be insufficient in number.

575 Private hydrants shall meet City requirements for public hydrants and shall be located as designated by
576 the approving authority. The City shall have the right to go upon the premises and to use the private
577 hydrant for public purposes, including testing, flushing and emergency uses.

578 **9.16.070 Leads from Service Main**

579 The lead from the service main to the hydrant shall be no less than six inches in diameter. Any hydrant
580 leads over 50 feet in length from the service main to the hydrant shall be no less than eight inches in
581 diameter. The provisions of this section shall apply without exception and regardless of the size of the
582 service main.

583
584 **9.16.080 Private Fire Mains**

585 All mains on private property serving more than one fire hydrant shall be circulatory and not less than
586 eight inches in diameter.

587
588 **9.16.090 Hydrant Spacing**

589 Fire hydrants shall be installed at all intersections, in all areas except single-family residential areas so
590 that the distance between hydrants does not exceed 330 feet. If the distance between intersections is
591 over 400 feet, an additional hydrant shall be installed to limit the distance between hydrants to a
592 maximum of 330 feet.

593
594 **9.16.100 Hydrant Spacing in Single-Family Residential Areas**

595 Fire hydrants shall be installed at street intersections in single-family residential areas. The maximum
596 spacing between hydrants shall not exceed 600 feet unless otherwise specified by the approving
597 authority.

598 The maximum distance from any front property line to a fire hydrant shall not exceed 300 feet. The
599 length of pan handles or access tracts shall be included in the measurement.

600
601 **9.16.115 Hydrant Locations and Quantity**

602 Hydrants used to supply fire sprinkler connections and/or standpipe connections shall be in a location
603 approved by the Fire Marshal and within 50 feet of such connection.

604 The hydrant used to supply the FDC/standpipe shall be located so as not to obstruct a public street or
605 fire apparatus access to the property once a hose is connected between the hydrant, fire apparatus, and
606 the FDC/standpipe.

607 Hydrants, FDC connections, and standpipe connections shall not be located closer than 50 feet from the
608 building it is intended to protect, without written approval from the fire marshal.

609 The number of hydrants used to provide fire flows shall be as specified in IFC Table C102.1.; except that,
610 all buildings over 5,000 square feet (except single family residences) shall be protected by a minimum of
611 two hydrants; one of which shall be located within 150 feet of the most remote location of the exterior
612 wall of the first story. The second hydrant may be located up to 330 feet (as measured by vehicle travel)
613 from the first hydrant. For fire flows requiring more than 2 hydrants, additional hydrants shall be
614 installed in approved locations with a maximum spacing of 330 feet. The number, spacing, and/or
615 location of hydrants may be modified by the Fire Marshal as needed to ensure adequate fire protection.

616
617 **9.16.140 Pumper Port Direction**

618 Hydrants shall stand plumb, be set to the established grade with the lowest outlet of the hydrant no less
619 than 18 inches above the grade and no less than 36 inches of clear area around the hydrant

620 circumference for clearance of the hydrant wrench on both outlets and on the control valve. The
621 pumper port shall face the street. Where the street cannot be clearly defined or recognized, the port
622 shall face the most likely route of approach and location of the fire truck while pumping, to be
623 determined by the approving authority.

624
625 **9.16.160 Replacement**

626 When existing fire hydrants, which do not conform to the requirements of this chapter are replaced,
627 they shall be replaced with hydrants which conform to the applicable city standards. This does not
628 preclude a requirement by proper authority that a deficient hydrant must be replaced should structural
629 conditions of the area change in a manner that requires a hydrant or hydrants of larger flow capacity.

630 If a new building construction project uses an existing non-conforming hydrant to provide fire flows, the
631 existing non-conforming hydrant shall be replaced or updated to meet current standards.

632
633 **9.16.170 Obstruction Prohibited**

634 No one shall plant any vegetation, erect any structure or perform any action which results in obstructing
635 the view of a fire hydrant for a distance of 50 feet. The owner/occupant of any area in which a hydrant is
636 located shall be responsible for removing weed and tree growth from around the hydrant for a distance
637 of no less than 10 feet.

638
639 **9.16.180 Compliance Required**

640 The passage of this chapter is necessary for the protection of health, safety and welfare of the citizens of
641 the City and to avoid or abate public nuisances. No building permits shall be issued for erection of any
642 building or structure until reasonable proof of intent to comply with this chapter is indicated and the
643 approving authority is satisfied that hydrants are to be, and/or can be, installed to comply with this
644 chapter.

645
646 **9.16.210 Penalty for Violation**

647 Any person who violates this chapter shall be guilty of a misdemeanor and may be punished by a fine of
648 \$1000.00 or by imprisonment in the city jail for a period not to exceed 90 days or by both such fine and
649 imprisonment.

650
651 **Chapter 9.18 Fire Sprinkler Requirements**

- 652 Section 9.18.010 Scope
- 653 Section 9.18.020 When Required
- 654 Section 9.18.030 Systems Out of Service
- 655 Section 9.18.040 Reduction of Required Fire Flows For Buildings with Sprinkler Systems
- 656 Section 9.18.050 NFPA 13R System Modifications
- 657 Section 9.18.060 System Design
- 658 Section 9.18.070 FDC / Standpipe Location

659
660 **9.18.010 Scope**

661 The following fire sprinkler requirements apply to all commercial buildings. . In cases where the IFC is
662 more restrictive, the more restrictive requirements shall prevail. Refer also to the City of Lynnwood Fire
663 Sprinkler Standards.

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9.18.020 When Required

All newly constructed buildings, 5,000 square feet or larger, shall be protected by an automatic fire sprinkler system per the applicable NFPA 13 or 13R code and the City of Lynnwood Fire Sprinkler Standards.

Sprinkler protection shall be provided for all exterior balconies, decks or other projections in excess of 48" regardless of construction type in all buildings. In addition, sprinkler protection shall be provided under all exterior occupiable balconies or decks in R-1 and R-2 occupancies regardless of depth or building construction type,

All existing buildings that are enlarged, added to, or expanded in such that the total area of the building exceeds 5,000 square feet, shall be protected by an automatic fire sprinkler system per the applicable NFPA Standard and the City of Lynnwood Fire Sprinkler Standards.

Existing buildings or structures, to which additions, alterations, or repairs are made within a 24-month period that exceed 25 percent of the assessed or appraised building value, shall comply with all the requirements for new buildings required in this section.

Fire separation walls shall not be allowed to reduce the size of a building for the purpose of avoiding the installation of an automatic fire sprinkler system.

Partial sprinkler systems shall not be allowed. If an individual suite or area in a building requires sprinkler protection, the protection shall be extended throughout the entire structure.

When, in the opinion of the Fire Marshal, adequate fire protection is not available for vehicles parked in an open-air parking garage from fire apparatus at street level, approved dry standpipes shall be installed.

9.18.030 Systems Out of Service

For the first 48-hours, the owner may provide a competent adult to serve as a Fire Watch. After the initial 48-hours, the Fire Watch must be provided by a licensed and bonded private security company until the system is returned to full service. The owner must furnish the Fire Marshal with the name and contact information of the competent adult and/or security company within 8 hours of implementing a Fire Watch.

9.18.040 Reduction of Required Fire Flows For Buildings with Sprinkler Systems

Appendix B of the 2015 IFC is hereby adopted with the exception of Table B105.2. The fire flow required by IFC appendix B may be reduced by 50% when an approved automatic fire sprinkler is installed throughout the building.

9.18.050 NFPA 13R System Modifications

Sprinkler protection in multi-family dwellings, when required, shall be extended to the attic, all bedroom closets, all bathrooms, and under covered exits and projections over 48 inches in depth. All occupiable balconies or decks regardless of depth or construction type shall be protected.

705 **9.18.060 System Design**

706 All new sprinkler systems in buildings over 5,000 square feet shall be supplied by a minimum of a 6 inch
707 diameter water supply. The system shall be capable of delivering a minimum of a 10% safety factor in
708 addition to the required system demand @ 20 psi residual pressure.

709 All buildings with the exception of the dwelling units and adjacent corridors of R occupancies shall be
710 designed to provide density and spacing per NFPA 13 hazard classification of Ordinary Hazard, Group II.
711 All multi-story buildings shall have individual floor sprinkler control valves to control the sprinkler supply
712 for each floor. These valves are to be located in the sprinkler riser room. Other locations must be
713 approved by the Fire Marshal.

714 **Exception:** Individual floor control valves shall not be required in two-story buildings with open
715 stairways.

716

717 **9.18.070 FDC / Standpipe Location**

718 FDCs and standpipe connections shall be located away from the building, out of the collapse zone,
719 within 50 feet of a hydrant, in a location approved by the Fire Marshal.

720 **Exception:** Wall-mounted standpipes and/or FDC connections in high-rise buildings, where approved by
721 the Fire Marshal.

722

723 **Chapter 9.20 Fire Alarms**

- 724 Section 9.20.010 Scope
- 725 Section 9.20.020 When Required
- 726 Section 9.20.030 Systems Out of Service
- 727 Section 9.20.040 Monitoring
- 728 Section 9.20.050 Fire Alarm Control Panels
- 729 Section 9.20.060 Fire Alarm Communication Methods

730

731 **9.20.010 Scope**

732 The following fire alarm requirements apply to all commercial buildings over 1,000 square feet. In cases
733 where the IFC is more restrictive, the more restrictive requirements shall prevail. Also see the City of
734 Lynnwood Fire Alarm Standards.

735

736 **9.20.020 When Required**

737 All newly constructed buildings that are not protected by an automatic fire sprinkler system shall have
738 an automatic fire alarm system installed per NFPA 72 and the City of Lynnwood Fire Alarm Standards.
739 Newly constructed buildings that are protected with an automatic fire sprinkler system shall be provided
740 with occupant notification devices per NFPA 72 and the City of Lynnwood Fire Alarm Standards.

741 Existing buildings that do not have a fire detection system and have been vacant for a period of 90 days
742 or longer shall have an automatic fire alarm system installed meeting the requirements of new buildings
743 prior to occupancy. For this paragraph only, vacant is considered to mean the entire building has had no
744 occupancy.

745 Existing buildings without a fire detection / fire alarm system shall have a NFPA 72/City of Lynnwood
746 compliant fire alarm system installed at the time of a tenant improvement or a change of occupancy.
747 This system shall be extended throughout the entire building without regard for any fire, occupancy, or
748 area separation walls.

749 Existing buildings or structures, to which additions, alterations, or repairs are made within a 24-month
750 period that exceed 25 percent of the assessed or appraised building value, shall comply with all the
751 requirements for new buildings required in this section.

752 When a building or suite is provided with a fire alarm system, fire detection system, or supervised
753 sprinkler system, but lacks adequate occupant notification appliances, audio/visual devices shall be
754 installed as required per NFPA 72 at the time of a tenant improvement.
755

756 **9.20.030 Systems Out of Service**

757 For the first 48-hours, the owner may provide a competent adult to serve as a Fire Watch. After the
758 initial 48-hours, the Fire Watch must be provided by a licensed and bonded private security company
759 until the system is returned to full service. The owner must furnish the Fire Marshal with the name and
760 contact information of the competent adult and/or security company within 8 hours of implementing a
761 Fire Watch.

762 Upon completion of work on a new or modified fire alarm system, it shall be pre-tested by the installing
763 technician and an acceptance test shall be performed in the presence of the Fire Marshal. The request
764 for the acceptance test shall be made via the city's permit request phone number within 24-hours after
765 the completion of the work or will be subject to a \$75/day fine.
766

767 **9.20.040 Monitoring**

768 All fire alarm systems, fire detection systems, or sprinkler systems shall be monitored by a Central
769 Station from the City of Lynnwood Approved Central Station list. Monitoring by other central stations is
770 not allowed.
771

772 **9.20.050 Fire Alarm Control Panels**

773 Control panels that have the capabilities to connect intrusion alarm devices shall not be allowed. Only
774 fire alarm components shall be connected to the fire alarm control panel.

775 There shall be only one FACP allowed per building unless otherwise approved by the Fire Marshal.
776

777 **Section 9.20.060 Fire Alarm Communication Methods**

778 All means of communication between the FACP and the Central Station shall be of a method approved
779 by the Fire Marshal and be provided with a minimum of 24-hours standby power. Only components
780 that are serviceable by a fire alarm technician shall be part of the means of communication located on
781 the protected premises. The fire marshal shall maintain a list of approved communication means.
782 Refer to fire alarm standards.
783

784 **Chapter 9.22 Commercial Building Construction**

785 Section 9.22.010 Scope

786 Section 9.20.020 New Construction

787 Section 9.20.030 Existing

788 **9.22.010 Scope**

789 In addition to the requirements of the IBC and IFC, the following requirements shall be enforced on all
790 building construction within the City of Lynnwood unless otherwise specified. Whenever the IFC or IBC
791 has more restrictive requirements, the more restrictive requirements shall prevail.

792 **Exception:** U occupancies under 1000 square feet and buildings built under the IRC.

793

794 **9.22.020 New Construction**

795 A. Proximity of Buildings to Property Lines

796 Exterior walls of buildings shall meet the following fire resistive requirements. In cases where IFC Table
797 601 and 602 are more restrictive, the more restrictive requirement shall prevail. Only the exterior walls
798 parallel to the property line shall need to comply. The required fire-resistance rating of exterior walls
799 shall be rated for exposure to fire from both sides.

800 Exterior building walls located within 5 feet of a property line (or assumed property line between
801 buildings on the same property) shall have 2-hour fire rated construction with no openings allowed and
802 a parapet extending 30 inches above the highest construction point within 10 feet.

803 Exterior building walls located between 5 feet 1 inch and 10 feet of a property line (or assumed property
804 line between buildings on the same property) shall have 1-hour fire rated construction with 45-minute
805 protected openings.

806

807 B. Exterior Fire Resistive Construction

808 Projections, eave overhangs, and similar projections, extending beyond the floor area as defined in
809 Section 202 of the International Building Code shall be noncombustible, heavy-timber construction or
810 one-hour fire resistive construction if located directly over a deck or balcony.

811 No vent openings shall be installed in projecting soffits unless covered with a double layer of 1/4 inch
812 galvanized wire screen.

813

814 C. Interior Fire Resistive Construction

815 All unprotected steel columns and all framed walls inside a commercial building over 1,000 square feet
816 shall be protected by a minimum of one layer of 5/8 inch type X gypsum wall board or other equivalent
817 fire resistive material, as determined by the Fire Marshal. This protection shall extend from floor to
818 ceiling.

819

820 **Exception:** Buildings protected with an automatic fire sprinkler system.

821

822 D. Interior Fire Rated Doors

823 In an effort to reduce the likelihood of smoke and fire communicating to exit pathways via fire rated
824 doors that are propped open, all required fire rated doors inside a building constructed under the
825 International Building Code shall be provided with magnetic hold-open devices and associated smoke
826 detection.

827 **Exceptions:**

828 1. Individual dwelling unit doors in R-1 and R-2 occupancies.

829 2. Doors not regularly used for pedestrian traffic.

830 3. Doors when, in opinion of the fire marshal, have a low chance of being propped open or
831 infrequent use.

832 **9.22.030. Existing Construction**

833 Existing single-family dwelling units, if used for commercial purposes shall have exterior walls and soffits
834 as described in 9.22.020 above if located 10 feet or less from a property line or assumed property line.
835 A fire alarm system is required if the building is 1,000 square feet or larger. A sprinkler system is
836 required if the building is 5,000 square feet or larger.

837
838 **9.22.040 Severability.**

839 If any section, subsection, paragraph, sentence, clause, phrase or word of this chapter should be held to
840 be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality
841 thereof shall not affect the validity or constitutionality of any other section, subsection, paragraph,
842 sentence, clause, phrase or word of this chapter.

843
844 **Section 2. Amendment.** Title 15 of the Lynnwood Municipal Code is hereby amended as follows:

845
846
847 **Chapter 15.04**
848 **UNIFORM PLUMBING CODE**

849 Sections:

850 **15.04.010 Adoption of the Uniform Plumbing Code.**

851
852 **15.04.015 Definitions.**

853
854 **15.04.020 Repealed.**

855
856 **15.04.030 Section 106.1 and Section 106.3 amended – Violations – Penalties.**

857
858 **15.04.035 Section 104.4.3 amended – Expiration.**

859
860 **15.04.040 Section 104.5 amended – Plumbing permit fees.**

861
862 **15.04.045 Section 107.1 and Section 107.2 amended – Board of appeals – Limitations of authority.**

863
864 **15.04.050 Repealed.**

865
866 **15.04.055 Section 710.2 amended – Sewage Discharge**

867
868 **15.04.060 Repealed.**

869
870 **15.04.900 Severability.**

871
872 **15.04.010 Adoption of the Uniform Plumbing Code.**

873 As amended by the provisions of this chapter and the State of Washington Building Code Council under
874 Chapters 51-56 and 51-57 WAC, the 2015 Edition of the Uniform Plumbing Code (UPC) less Chapters 12
875 and 15 published by the International Association of Plumbing and Mechanical Officials, one copy of
876 which, along with the State of Washington Building Code Council’s amendments, shall be on file with the

877 Lynnwood finance director, are adopted by this reference; provided, that in the event of a conflict
878 between the International Fire Code and the Uniform Plumbing Code, the International Fire Code shall
879 govern.

880
881 **15.04.015 Definitions.**

882 Section 201 adopted by this chapter is amended by adding thereto the following paragraph:

883 Whenever the term "Code" is used herein, it shall mean the 2015 Uniform Plumbing Code as adopted by
884 this chapter. Whenever the term "City" or "Jurisdiction" is used herein, it shall mean the City of
885 Lynnwood.

886
887 **15.04.020 Subsection 217 UPC amended – Plumbing system defined.**

888 *Repealed by Ord. 2505.*

889
890 **15.04.030 Section 106.1 and Section 106.3 amended – Violations – Penalties.**

891 Section 106.1 and Section 106.3 adopted by this chapter are deleted and replaced with the following
892 wording:

893 106.1 Violations. Any person, firm or corporation violating any of the provisions of this code shall be
894 guilty of a misdemeanor and, each such person, firm, or corporation shall be guilty of a separate offense
895 for each and every day, or portion thereof, during which any violation of any of the provisions of this
896 code is committed, continued, or permitted.

897 106.3 Penalties. Anyone concerned in the violation or failure to comply with the provisions of this code,
898 whether directly committing the act or effecting the omission constituting the offense, or aiding or
899 abetting the same, whether present or absent; and anyone who directly or indirectly counsels,
900 encourages, hires, commands, induces or otherwise procures another to violate or fail to comply with
901 the provisions of this code, is and shall be guilty of a misdemeanor.

902 Conviction of any such misdemeanor shall be punishable by a fine of not more than \$1,000 or by
903 imprisonment for not more than 90 days, or by both such fine and imprisonment.

904
905 **15.04.035 Section 104.4.3 amended – Expiration.**

906 Section 104.4.3 adopted by this chapter is deleted and replaced with the following wording:

907 104.4.3 Expiration. Permits become null and void if the authorized work has not been inspected by this
908 department within 180 calendar days of issuance or for a period of 180 calendar days from the last
909 inspection. The total life of permits is limited to a maximum of 540 calendar days, provided it has not
910 expired under the restrictions above.

911
912 **15.04.040 Section 104.5 amended – Plumbing permit fees.**

913 Section 104.5 and Table No. 104.5 adopted by this chapter are deleted and replaced with the following
914 wording:

915 104.5 Fees. Fees shall be set forth in a fee resolution adopted, and from time to time amended, by the
916 city council. Value of work shall include all costs related to construction and shall be set by the Building
917 Official using a nationally recognized value table.

918
919 **15.04.045 Section 107.1 and Section 107.2 amended – Board of appeals – Limitations of authority.**

920 Section 107.1 and Section 107.2 adopted by this chapter are deleted and replaced with the following
921 wording:

922 107.1 Board of Appeals. The hearing examiner shall hear and decide appeals of orders, decisions or
923 determinations made by the building official relative to the application and interpretation of this code in
924 accordance with Chapter 16.50 LMC.

925 107.2 Limitations of Authority. An application for appeal shall be based on a claim that the true intent of
926 this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this
927 code do not fully apply or an equally good or better form of construction is proposed. The hearing
928 examiner shall have no authority to waive requirements of this code.

929
930 **15.04.050 Solder used for joints.**

931 *Repealed by Ord. 2214.*

932
933 **15.04.055 Section 710.2 amended – Sewage Discharge.**

934 Section 710.2 adopted by this chapter is amended by adding the following paragraph:

935 In addition to the alarm requirements of section 710.9 a hardwired generator capable of running the
936 system and alarm with battery backup during power outages shall be required for the health and safety
937 of the occupants. This applies to homes or commercial buildings when the entire sanitary sewer system
938 discharges by means of a sewage ejector, pump or other approved electrical/mechanical device. A
939 permanent placard explaining the purpose and operating instructions of the generator shall be posted in
940 an approved location. The operation of the generator shall be done with an appropriate transfer switch
941 installed per the National Electrical Code (NEC) and local requirements. Pre-wiring for a generator
942 without the installation of one is not sufficient to meet this requirement.

943
944 **15.04.060 Fuel gas piping.**

945 *Repealed by Ord. 2214.*

946
947 **15.04.900 Severability.**

948 If any section, sentence, clause or phrase of this chapter is held to be invalid or unconstitutional by a
949 court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
950 constitutionality of any other section, subsection, sentence, clause, phrase or word of this chapter.

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Chapter 15.08
INTERNATIONAL MECHANICAL CODE

Sections:

- 15.08.010 Adoption of the International Mechanical Code.**
- 15.08.015 Definitions.**
- 15.08.020 Section 108.4 amended – Violation penalties.**
- 15.08.025 Section 106.4.3 amended – Expiration.**
- 15.08.030 Section 106.5.2 amended – Fee schedule.**
- 15.08.040 Repealed.**
- 15.08.050 Section 109 amended – Means of appeal.**
- 15.08.060 Section 606.2.2 amended – Common supply and return air systems.**
- 15.08.900 Severability.**

978 **15.08.010 Adoption of the International Mechanical Code.**

979 As amended by this chapter and the State of Washington Building Code Council, the 2015 Edition of the
980 International Mechanical Code (IMC), as published by the International Code Council, one copy of which,
981 along with the State of Washington Building Code Council’s amendments, shall be on file with the
982 Lynnwood finance director, are adopted by this reference.

983
984 **15.08.015 Definitions.**

985 A. Section 201 adopted by this chapter is amended by adding thereto the following paragraph:

986 Whenever the term “Code” is used herein, it shall mean the 2015 International Mechanical Code as
987 adopted by this chapter. Whenever the term “City” or “jurisdiction” is used herein, it shall mean the City
988 of Lynnwood.

989 B. Section 202 adopted by this chapter is amended by adding thereto the following definition:

990 SAME COMMON ATMOSPHERE. An occupied area of a building where multiple supply, return, or plenum
991 air distribution systems are allowed to mix.

992
993 **15.08.020 Section 108.4 amended – Violation penalties.**

994 Section 108.4 adopted by this chapter is deleted and replaced with the following wording:

995 108.4 Violation penalties. Any person, firm or corporation violating any of the provisions of this code
996 shall be guilty of a misdemeanor, and each such person, firm or corporation shall be guilty of a separate
997 offense for each and every day, or portion thereof, during which any violation of any of the provisions of
998 this Code is committed, continued or permitted.

999 Anyone concerned in the violation or failure to comply with the provisions of this Code, whether directly
1000 committing the act or effecting the omission constituting the offense, or aiding or abetting the same,
1001 whether present or absent; and anyone who directly or indirectly counsels, encourages, hires,
1002 commands, induces or otherwise procures another to violate or fail to comply with the provisions of this
1003 Code, is and shall be guilty of a misdemeanor.

1004 Conviction of any such misdemeanor shall be punishable by a fine of not more than \$1,000 or by
1005 imprisonment for not more than 90 days, or by both such fine and imprisonment.

1006

1007 **15.08.025 Section 106.4.3 amended – Expiration.**

1008 Section 106.4.3 adopted by this chapter is deleted and replaced with the following wording:

1009 106.4.3 Expiration. Permits become null and void if the authorized work has not been inspected by this
1010 department within 180 calendar days of issuance OR for a period of 180 calendar days from the last
1011 inspection. The total life of permits is limited to a maximum of 540 calendar days, provided it has not
1012 expired under the restrictions above. One extension request for 180 calendar days may be granted if a
1013 written request is submitted to the Building Official showing just cause before the expiration date.

1014 If a permit expires, the permittee shall obtain a new permit to complete the remainder of the work. The
1015 cost of the new permit will be based on the value of the remainder of work per the fee schedule.

1016

1017 **15.08.030 Section 106.5.2 amended – Fee schedule.**

1018 Section 106.5.2 adopted by this chapter is deleted and replaced with the following wording:

1019 106.5.2 Fee schedule. Mechanical permit fees shall be set forth in a fee resolution adopted, and from
1020 time to time amended, by the city council.

1021

1022 **15.08.040 Chapter 20 UMC amended.**

1023

1024 **15.08.050 Section 109 amended – Means of appeal.**

1025 Section 109 adopted by this chapter is deleted and replaced with the following wording:

1026 109.1 Application for appeal. The hearing examiner shall hear and decide appeals of orders, decisions or
1027 determinations made by the building official relative to the application and interpretation of this code in
1028 accordance with Chapter 16.50 LMC.

1029 109.1.1 Limitations of authority. An application for appeal shall be based on a claim that the true intent
1030 of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of
1031 this code do not fully apply or an equally good or better form of construction is proposed. The hearing
1032 examiner shall have no authority to waive requirements of this code.

1033

1034 **15.08.060 Section 606.2.2 amended – Common supply and return air systems.**

1035 Section 606.2.2 adopted by this chapter is amended by deleting the first paragraph and replacing it with
1036 the following wording:

1037 606.2.2 Common supply and return air systems. Where multiple air-handling systems share the same
1038 common atmosphere or common supply or return air ducts or plenums with a combined design capacity

1039 greater than 2,000 cfm, the return air systems of each unit shall be provided with smoke detectors in
1040 accordance with section 606.2.1.

1041
1042 **15.08.900 Severability.**

1043 If any section, sentence, clause or phrase of this chapter is held to be invalid or unconstitutional by a
1044 court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
1045 constitutionality of any other section, subsection, sentence, clause, phrase or word of this chapter.

1046
1047 **Section 3. Amendment.** Chapter 16.04 of the Lynnwood Municipal Code is hereby amended as follows:
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1049
1050
1051
1052
1053

**Chapter 16.04
INTERNATIONAL BUILDING CODE***

1054 Sections:

1055 **16.04.010 Adoption of the International Building Code.**

1056

1057 **16.04.012 Section 101.4.3 and Section 101.4.6 amended – Plumbing – Energy.**

1058

1059 **16.04.015 Definitions.**

1060

1061 **16.04.016 Repealed.**

1062

1063 **16.04.020 Section 101.3 amended – Intent.**

1064

1065 **16.04.030 Section 104.1 amended – General.**

1066

1067 **16.04.035 Section 113 amended – Board of appeals.**

1068

1069 **16.04.040 Section 114 amended – Violations.**

1070

1071 **16.04.050 Repealed.**

1072

1073 **16.04.060 Section 105.2 amended – Work exempt from permits.**

1074

1075 **16.04.065 Repealed.**

1076

1077 **16.04.070 Section 105.3 amended – Application for permit.**

1078

1079 **16.04.071 Section 105.3.1 amended – Actions on applications.**

1080

1081 **16.04.072 Section 105.5 amended – Expiration.**

1082

1083 **16.04.075 Repealed.**

1084

- 1085 **16.04.080** *Repealed.*
- 1086
- 1087 **16.04.090** *Repealed.*
- 1088
- 1089 **16.04.095** *Repealed.*
- 1090
- 1091 **16.04.100** **Section 109.2 amended – Schedule of permit fees.**
- 1092
- 1093 **16.04.105** **–**
- 1094
- 1095 **16.04.115** **Section 402.8.8 amended – Security grilles and doors.**
- 1096
- 1097 **16.04.140** *Repealed.*
- 1098
- 1099 **16.04.145** **Section 504 amended – Building height and number of stories.**
- 1100
- 1101 **16.04.150** **Section 1805 amended – Dampproofing and waterproofing.**
- 1102
- 1103 **16.04.160** **Section 3307 amended – Protection of adjoining property.**
- 1104
- 1105 **16.04.170** **–**
- 1106
- 1107 **16.04.200** *Repealed.*
- 1108
- 1109 **16.04.210** **Section 705.5 – Fire-resistance ratings.**
- 1110
- 1111 **16.04.215** **Section 705.8 amended – Openings.**
- 1112
- 1113 **16.04.220** **Section 903.2 amended – Where required.**
- 1114
- 1115 **16.04.225** **Section 1010.1.9.2 amended – Hardware height.**
- 1116
- 1117 **16.04.230** **Section 1010.1.9.3 amended – Locks and latches.**
- 1118
- 1119 **16.04.240** **Section 1010.1.9.4 amended – Bolt locks.**
- 1120
- 1121 **16.04.245** **Section 1010.1.4.4 amended – Security grilles.**
- 1122
- 1123 **16.04.250** *Repealed.*
- 1124
- 1125 **16.04.900** **Severability.**
- 1126 *For building code adoption by reference, see RCW 35.21.180.

1127 **16.04.010 Adoption of the International Building Code.**

1128 As amended by the provisions of this chapter and the State of Washington Building Code Council, under
1129 Chapter 51-50 WAC, the 2015 Edition of the International Building Code, published by the International
1130 Code Council, together with Appendices E, G, and J, one copy of which, along with the State of
1131 Washington Building Code Council's amendments, shall be on file in the office of the Lynnwood finance
1132 director, are adopted by reference.

1133

1134 **16.04.012 Section 101.4.3 and Section 101.4.6 amended – Plumbing – Energy.**

1135 Section 101.4.3 and Section 101.4.6 adopted by this chapter are deleted and replaced with the following
1136 wording:

1137 101.4.3 Plumbing. The provisions of the 2015 Uniform Plumbing Code shall apply to the installation,
1138 alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures,
1139 fittings and appurtenances, and where connected to a water or sewage system and all aspects of a
1140 medical gas system.

1141 101.4.6 Energy. The provisions of the 2015 International Energy Conservation Code adopted by WAC
1142 chapter 51-11R and 51-11C shall apply to all matters governing the design and construction of buildings
1143 for energy efficiency.

1144

1145 **16.04.015 Definitions.**

1146 A. Section 201 adopted by this chapter is amended by adding thereto the following paragraph:

1147 Whenever the term "Code" is used herein, it shall mean the 2015 International Building Code as
1148 adopted by this chapter. Whenever the term "City" or "Jurisdiction" is used herein, it shall mean the City
1149 of Lynnwood.

1150 B. Section 202 adopted by this chapter is amended by adding thereto the following definition:

1151 Occupancy – Is the purpose for which a building, or part thereof, is used or intended to be used.
1152 Occupancy includes the installation of shelving, furniture, fixtures and appliances unless such items are
1153 included in a building permit. Occupancy also includes stocking of shelves, storage of furniture or
1154 material for sale, interviewing personnel or use for managerial duties.

1155

1156 **16.04.016 Repealed.**

1157 *Repealed by Ord. 1894.*

1158

1159 **16.04.020 Section 101.3 amended – Intent.**

1160 Section 101.3 adopted by this chapter is deleted and replaced with the following wording:

1161 101.3 Intent. It is expressly the purpose of this Code to provide for and promote the health, safety and
1162 welfare of the general public and not to create or otherwise establish or designate any particular class or
1163 group of persons who will or should be especially protected or benefited by the terms of this Code.

1164

1165 It is the specific intent of this Code that no provision or term used in this Code is intended to impose any
1166 duty whatsoever upon the City or any of its officers or employees for whom the implementation or
1167 enforcement of this Code shall be discretionary and not mandatory.

1168 Nothing contained in this Code is intended to be nor shall be construed to create or form the basis of
1169 any liability on the part of the City, or its officers, employees or agents for any injury or damage resulting
1170 from the failure of a building to comply with the provisions of this Code, or by reason or in consequence
1171 of any inspection, notice, order, certificate, permission or approval, authorized or issued or done in
1172 connection with the implementation or enforcement of this Code, or by reason of any action or inaction
1173 on the part of the City related in any manner to the enforcement of this Code by its officers, employees
1174 or agents.

1175
1176 **16.04.030 Section 104.1 amended – General.**

1177 Section 104.1 adopted by this chapter is amended by the addition of subsection 104.1.1 which reads as
1178 follows:

1179 104.1.1 Appendix J. For the purpose of administering and enforcing Appendix J of this Code, the Director
1180 of Public Works is appointed and designated as the Building Official with respect to all matters
1181 contained within said Appendix J.

1182
1183 **16.04.035 Section 113 amended – Board of appeals.**

1184 Section 113 adopted by this chapter is deleted and replaced with the following wording:

1185 113.1 General. The hearing examiner shall hear and decide appeals of orders, decisions or
1186 determinations made by the building official relative to the application and interpretation of this code in
1187 accordance with Chapter 16.50 LMC.

1188 113.2 Limitations on Authority. An application for appeal shall be based on a claim that the true intent
1189 of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of
1190 this code do not fully apply or an equally good or better form of construction is proposed. The hearing
1191 examiner shall have no authority to waive requirements of this code.

1192
1193 **16.04.040 Section 114 amended – Violations.**

1194 Section 114 adopted by this chapter is deleted and replaced with the following wording:

1195 114 Violations. Any person, firm, or corporation violating any of the provisions of this Code shall be
1196 guilty of a misdemeanor, and each such person, firm or corporation shall be guilty of a separate offense
1197 for each and every day, or portion thereof, during which any violation of any of the provisions of this
1198 Code is committed, continued, or permitted.

1199 It shall be unlawful for any person to remove, mutilate, destroy or conceal any lawful notice issued or
1200 posted by the building official pursuant to the provisions of this Code.

1201 Anyone concerned in the violation or failure to comply with the provisions of this Code, whether directly
1202 committing the act or effecting the omission constituting the offense, or aiding or abetting the same,
1203 whether present or absent; and anyone who directly or indirectly counsels, encourages, hires,
1204 commands, induces or otherwise procures another to violate or fail to comply with the provisions of this
1205 Code, is and shall be guilty of a misdemeanor.

1206 Conviction of any such misdemeanor shall be punishable by a fine of not more than \$1,000 or by
1207 imprisonment for not more than 90 days, or by both such fine and imprisonment.

1208 **16.04.050 Section 103 UBC amended.**

1209 *Repealed by Ord. 2505.*

1210

1211 **16.04.060 Section 105.2 amended – Work exempt from permits.**

1212 Section 105.2 adopted by this chapter is amended by deleting exception numbers 2 and 13 and
1213 replacing them with the following wording:

1214 2. Fences not over six feet high as follows:

1215 a. Vision obscuring fences as defined in Chapter 21.10 LMC in residential zones that are set
1216 back over 15 feet from front property line, over 15 feet from driveways, and 30 feet
1217 from any intersection.

1218 b. Non-Vision obscuring fences as defined in Chapter 21.10 LMC in residential zones.

1219 13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches in
1220 height.

1221 a. For fixtures/racks 6 feet or more in height, you are required to provide seismic
1222 connection details with your plan and permit application.

1223 b. For fixtures/racks 8 feet or more in height, you are required to provide plans and
1224 calculations stamped by a Washington State Engineer with your permit application.

1225

1226 **16.04.065 Section 303(a) UBC amended – Permit to move or remove buildings.**

1227 *Repealed by Ord. 2216.*

1228

1229 **16.04.070 Section 105.3 amended – Application for permit.**

1230 Section 105.3 adopted by this chapter is deleted and replaced with the following wording:

1231 105.3 Application for permit. To obtain a permit, the applicant shall first file an application therefor in
1232 writing on a form furnished by the city of Lynnwood's building official for that purpose. Every such
1233 application shall:

1234 1. Identify and describe the work to be covered by the permit for which application is made;

1235 2. Describe the land on which the proposed work is to be done by legal description and/or parcel
1236 number(s). Street address or similar description, if available, shall be provided to readily identify
1237 and definitely locate the proposed building or work;

1238 3. Indicate the proposed use or occupancy for which the application is intended;

1239 4. Be accompanied by plans, diagrams, computations, specifications and other data as required by
1240 Section 107 IBC;

1241 5. State the valuation of any new building or structure or any addition, remodeling or alteration to
1242 an existing building;

1243 6. Provide such information and evidence as is required by current State law to be furnished in
1244 connection with an application for a building permit or as a prerequisite to the issuance of a
1245 building permit;

1246 7. Provide such other data and information as may be required by the building official;

1247 8. Be signed by the applicant, or the applicant's authorized agent;

1248 9. When a contractor is to perform the work, its name, address and current Washington State
1249 contractor's license number and city business license number.

1250
1251 **16.04.071 Section 105.3.1 amended – Actions on applications.**

1252 Section 105.3.1 adopted by this chapter is amended by adding the following paragraphs:

1253 The following prerequisites shall be met prior to issuance of a building permit.

1254 1. Any requirements or regulations imposed on a project as a condition of land use approval process.

1255 2. The landscape plans have been approved.

1256 3. If required, all fire apparatus roads shall be approved.

1257 4. When not already available, the water supplied for fire protection shall be installed and made
1258 serviceable.

1259 5. Address(es) is/are as assigned by the City of Lynnwood.

1260 6. Plans in compliance with LMC 12.12 related to the construction of frontage improvements for curb,
1261 gutter, sidewalks, city utilities and street surfacing have been submitted and approved by the Public
1262 Works Department.

1263 7. When required, submittals shall be made for compliance with LMC 16.46 (Flood Hazard Area
1264 Regulations), 17.02 (S.E.P.A.), 17.10 (Environmentally Critical Areas), Title 19 (Subdivisions), and 21.25
1265 (Project Design Review).

1266
1267 **16.04.072 Section 105.5 amended – Expiration.**

1268 Section 105.5 adopted by this chapter is deleted and replaced with the following wording:

1269 105.5 Expiration. Permits become null and void if the authorized work has not been inspected by this
1270 department within 180 calendar days of issuance or for a period of 180 calendar days from the last
1271 inspection. The total life of permits is limited to a maximum of 540 calendar days, provided it has not
1272 expired under the restrictions above. One extension request for 180 calendar days may be granted if a
1273 written request is submitted to the Building Official showing just cause before the expiration date.

1274 If a permit expires, the permittee shall obtain a new permit to complete the remainder of the work. The
1275 cost of the new permit will be based on the value of the remainder of work per the fee schedule.

1276
1277 **16.04.075 Section 107.1 IBC amended – Signed, dated, stamped drawings required.**

1278 *Repealed by Ord. 3006.*

1279
1280 **16.04.080 Repealed.**

1281 *Repealed by Ord. 2039.*

1282
1283 **16.04.090 Section 109.1 UBC amended.**

1284 *Repealed by Ord. 2505.*

1285
1286 **16.04.095 Repealed.**

1287 **16.04.100 Section 109.2 amended – Schedule of permit fees.**

1288 Section 109.2 adopted by this chapter is deleted and replaced with the following wording:

1289 109.2 Schedule of permit fees. Fees shall be set forth in a fee resolution adopted, and from time to time
1290 amended, by the city council.

1291

1292 **16.04.105 Section 109.3 IBC amended – Valuation.**

1293 *Repealed by Ord. 3006.*

1294

1295 **16.04.108 Section 111.2 amended – Certificate of occupancy.**

1296 *Repealed by Ord. 3006.*

1297

1298 **16.04.110 Section 216-O UBC – “Occupancy” defined.**

1299 *Repealed by Ord. 2505.*

1300

1301 **16.04.115 Section 402.8.8 amended – Security grilles and doors.**

1302 Section 402.8.8 adopted by this chapter is deleted and replaced with the following wording:

1303 402.8.8 Security grilles and doors. Horizontal sliding or vertical security grilles or doors that are a part of
1304 a means of egress shall conform to the following:

1305 1. Doors and grilles shall remain in the full open position during the period of occupancy by the
1306 general public.

1307 2. The doors or grilles shall be openable from within without the use of a key or special
1308 knowledge or effort. The operating height of handles, pulls, latches, locks and other operating
1309 devices shall be installed 34 inches minimum and 48 inches maximum above the finished floor.

1310 3. Where two or more exits are required, not more than one-half of the exits shall be permitted
1311 to include either a horizontal sliding or vertical rolling grille or door.

1312

1313 **16.04.120 Section 220-S UBC amended.**

1314 *Repealed by Ord. 2505.*

1315

1316 **16.04.130 Section 224-W UBC amended.**

1317 *Repealed by Ord. 2505.*

1318

1319 **16.04.140 Repealed.**

1320 *Repealed by Ord. 1894.*

1321

1322 **16.04.145 Section 504 amended – Building height and number of stories.**

1323 Section 504 adopted by this chapter is amended by the addition of subsection 504.5 which reads as
1324 follows:

1325 For R-1 and R-2 occupancies allowed to increase the total number of stories per any State amendment,
1326 you shall meet those specific requirements and the following:

1327 An NFPA 13 sprinkler system as adopted per the LMC title 9 and the Lynnwood Fire Sprinkler Standards
1328 shall be required.

1329 B. In mixed use buildings, there shall be a minimum two hour rated podium deck separating the type I
1330 or type II building construction from the type V-A construction above. Only R occupancies and
1331 accessory uses specific to the R occupancy are allowed above the first floor.

1332 C. No fire rating reductions are allowed for corridors in the type V-A construction.

1333 D. Maximum finished floor elevation is 70 feet above the fire department's lowest level of access.

1334 E. Minimum 44-inch-wide corridors shall be required.

1335 F. Two separate means of egress are required from the R occupancy directly to the exterior.

1336

1337 **16.04.150 Section 1805 amended – Damp-proofing and waterproofing.**

1338 Section 1805 adopted by this chapter is amended by the addition of subsection 1805.4.4 which reads as
1339 follows:

1340 1805.4.4 Water Drainage. When brought to the building officials' attention that a water drainage
1341 problem or a potential water drainage problem exists on any lot or parcel of land, the building official
1342 may require the owner or builder to correct such problem or to submit plans showing the proposed
1343 method to correct such problem. The plan shall indicate in sufficient detail all pipes, ditches or other
1344 means of alleviating the water drainage problem such that the water will not damage any public or
1345 private property. If the building official does not approve the drainage plan, then a drainage study may
1346 be required to be conducted by a licensed professional engineer. The building official shall approve
1347 water drainage plans or drainage studies in writing. No new construction may commence or continue in
1348 the area that may be affected by the potential water drainage problem. In all such occurrences, said
1349 corrective work shall commence within 30 days and be completed within 60 days after receipt of this
1350 notice from the building official. For the purpose of administering this subsection, the director of public
1351 works is appointed and designated as the building official.

1352

1353 **16.04.160 Section 3307 amended – Protection of adjoining property.**

1354 Section 3307 adopted by this chapter is amended by the addition of subsection 3307.2 which reads as
1355 follows:

1356 3307.2 Cleanup of Public Streets. Public streets adjacent to the property upon which the building permit
1357 is issued and other public streets which are used for conveyance of materials incorporated into the
1358 construction work, including excavated earth, either to or from the site, shall be kept clean with a power
1359 broom or other approved means. Wheels of trucks including the space between dual treads shall be
1360 cleaned before entering City rights-of-way. The cleanup shall include the flushing of storm sewer when
1361 required by the building official. For the purpose of administering this subsection, the director of public
1362 works is appointed and designated as the building official.

1363 The building official may stop work of the building permit for violation of this section.

1364

1365 **16.04.170 Repealed.**

1366 *Repealed by Ord. 2039.*

1367 **16.04.180 Section 5506 UBC added – Membrane structures.**

1368 *Repealed by Ord. 2216.*

1369

1370 **16.04.190 Section 3305(e) UBC amended – Access to exits.**

1371 *Repealed by Ord. 2216.*

1372

1373 **16.04.200 Restriction of building permits – Over one acre.**

1374 *Repealed by Ord. 2216.*

1375

1376 **16.04.210 Section 705.5 amended – Fire-resistance ratings.**

1377 Section 705.5 adopted by this chapter is deleted and replaced with the following wording:

1378 705.5 Fire-resistance ratings. Exterior walls shall be fire-resistance rated in accordance with Tables 601
1379 and 602 of the IBC or Lynnwood Municipal Code Title 9 whichever is more restrictive. The required fire-
1380 resistance rating of exterior walls with a fire separation distance of greater than 10 feet (3048 mm) shall
1381 be rated for exposure to fire from the inside. The required fire-resistance rating of exterior walls with a
1382 fire separation distance of less than or equal to 10 feet (3048 mm) shall be rated for exposure to fire
1383 from both sides.

1384

1385 **16.04.215 Section 705.8 amended – Openings.**

1386 Section 705.8 adopted by this chapter is deleted and replaced with the following wording:

1387 705.8 Openings. All openings in exterior walls shall comply with 705.8.1 through 705.8.6, Table 705.8 IBC
1388 or Lynnwood Municipal Code Title 9 whichever is more restrictive.

1389

1390 **16.04.220 Section 903.2 amended – Where required.**

1391 Section 903.2 adopted by this chapter is deleted and replaced with the following wording:

1392 903.2 Where required. Approved automatic sprinkler systems shall be installed as required by Sections

1393

1394 903.2.1 through 903.2.12 and Lynnwood Municipal Code Title 9 whichever is more restrictive.

1395

1396 **16.04.225 Section 1010.1.9.2 amended – Hardware height.**

1397 Section 1010.1.9.2 adopted by this chapter is deleted and replaced with the following wording:

1398 1010.1.9.2 Hardware height. Door handles, pulls, latches, locks and other operating devices shall be
1399 installed 34 inches (864 mm) minimum and 48 inches (1219 mm) maximum above the finished floor.

1400 Exception: Access doors or gates in barrier walls and fences protecting pools, spas and hot tubs shall be
1401 permitted to have operable parts of the release of latch on self-latching devices at 54 inches (1370 mm)
1402 maximum above the finished floor or ground, provided the self-latching devices are not also self-locking
1403 devices operated by means of a key, electronic opener or integral combination lock.

1404

1405 **16.04.230 Section 1010.1.9.3 amended – Locks and latches.**

1406 Section 1010.1.9.3 adopted by this chapter is amended by deleting option number 2.

1407 **16.04.240 Section 1010.1.9.4 amended – Bolt locks.**

1408 Section 1010.1.9.4 adopted by this chapter is amended by deleting exceptions number 3 and 4.

1409

1410 **16.04.245 Section 1010.1.4.4 amended – Security grilles.**

1411 Section 1010.1.4.4 adopted by this chapter is deleted and replaced with the following wording:

1412 1010.1.4.4 Security grilles. In Groups B, F, M and S, horizontal sliding or vertical security grilles are

1413 permitted at the main exit and shall be openable from within without the use of a key or special

1414 knowledge or effort during periods that the space is occupied. The operating height of handles, pulls,

1415 latches, locks and other operating devices shall be installed 34 inches minimum and 48 inches maximum

1416 above the finished floor. The grilles shall remain secured in the full-open position during the period of

1417 occupancy by the general public. Where two or more means of egress are required, not more than one-

1418 half of the exits or exit access doorways shall be equipped with horizontal sliding or vertical security

1419 grilles.

1420

1421 **16.04.250 Restricting issuance of permits.**

1422 *Repealed by Ord. 2683. See amended IBC Section 105.3.1.1.*

1423

1424 **16.04.900 Severability.**

1425 If any section, sentence, clause or phrase of this chapter be held to be invalid or unconstitutional by a

1426 court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity

1427 or constitutionality of any other section, subsection, sentence, clause, phrase or word of this chapter.

1428

1429 **Section 4. Amendment.** Chapter 16.05 of the Lynnwood Municipal Code is hereby amended as follows:

1430

1431 **Chapter 16.05**

1432 **INTERNATIONAL ENERGY CONSERVATION CODE**

1433 Sections:

1434 **16.05.010 Adoption of the International Energy Conservation Code.**

1435 **16.05.015 Section R109 and Section C109 amended – Board of appeals.**

1436 **16.05.020 Section R110 and Section C110 amended – Violations.**

1437 **16.05.900 Severability.**

1438 **16.05.010 Adoption of the International Energy Conservation Code.**

1439 As amended by this chapter and the State of Washington Building Code Council, under Chapters 51-11R

1440 and 51-11C WAC, the 2015 Edition of the International Energy Conservation Code (IECC), as published by

1441 the International Code Council, one copy of which, along with the State of Washington Building Code

1442 Council’s amendments, shall be on file with the Lynnwood finance director, are adopted by this

1443 reference.

1444 **16.05.015 Section R109 and Section C109 amended – Board of appeals.**

1445 Section R109 and Section C109 adopted by this chapter are deleted and replaced with the following
1446 wording:

1447 109.1 Application for appeal. The hearing examiner shall hear and decide appeals of orders, decisions or
1448 determinations made by the building official relative to the application and interpretation of this code in
1449 accordance with Chapter 16.50 LMC.

1450 109.2 Limitations of authority. An application for appeal shall be based on a claim that the true intent of
1451 this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this
1452 code do not fully apply or an equally good or better form of construction is proposed. The hearing
1453 examiner shall have no authority to waive requirements of this code.

1454
1455 **16.05.020 Section R110 and Section C110 amended – Violations.**

1456 Section R110 and Section C110 adopted by this chapter are deleted and replaced with the following
1457 wording:

1458 110 Violations. Any person, firm, or corporation violating any of the provisions of this Code shall be
1459 guilty of a misdemeanor, and each such person, firm or corporation shall be guilty of a separate offense
1460 for each and every day, or portion thereof, during which any violation of any of the provisions of this
1461 Code is committed, continued, or permitted.

1462 Anyone concerned in the violation or failure to comply with the provisions of this Code, whether
1463 indirectly committing the act or effecting the omission constituting the offense, or aiding or abetting the
1464 same, whether present or absent; and anyone who directly or indirectly counsels, encourages, hires,
1465 commands, induces or otherwise procures another to violate or fail to comply with the provisions of this
1466 Code, is and shall be guilty of a misdemeanor.

1467 Conviction of any such misdemeanor shall be punishable by a fine of not more than \$1,000 or by
1468 imprisonment for not more than 90 days, or by both such fine and imprisonment.

1469
1470 **16.05.900 Severability.**

1471 If any section, subsection, paragraph, sentence, clause, phrase or word of this chapter should be held to
1472 be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality
1473 thereof shall not affect the validity or constitutionality of any other section, subsection, paragraph,
1474 sentence, clause, phrase or word of this chapter.

1475
1476 **Section 5. Amendment.** Chapter 16.09 of the Lynnwood Municipal Code is hereby amended as follows:

1477

1478

1479

**Chapter 16.09
INTERNATIONAL RESIDENTIAL CODE**

1480 Sections:

1481 **16.09.010 Adoption of the International Residential Code.**

1482 **16.09.020 Section R101.3 – Intent.**

1483 **16.09.025 Section R102.7.2 of Chapter 51-51 WAC amended – Moved buildings.**

- 1484 **16.09.030 Section R104.1 amended – General.**
- 1485 **16.09.040 Section R105.2 amended – Work exempt from permit.**
- 1486 **16.09.042 Section R105.3.1 amended – Action on application.**
- 1487 **16.09.045 Section R105.5 amended – Expiration.**
- 1488 **16.09.050 Section R108.2 – Schedule of permit fees.**
- 1489 **16.09.060 Repealed.**
- 1490 **16.09.065 Repealed.**
- 1491 **16.09.070 Section R112 amended – Board of appeals.**
- 1492 **16.09.080 Section R113 amended – Violations.**
- 1493 **16.09.090 Section R202 amended – Definitions.**
- 1494 **16.09.100 Table R301.2(1) – Climate and geographical design criteria.**
- 1495 **16.09.900 Severability.**
- 1496 **16.09.010 Adoption of the International Residential Code.**
- 1497 As amended by this chapter and the State of Washington Building Code Council under Chapter 51-51
 1498 WAC, the 2015 International Residential Code (IRC), published by the International Code Council, except
 1499 Chapters 11 and 25 through 43, one copy of which, along with the State of Washington Building Code
 1500 Council Amendments, shall be on file in the office of the Lynnwood finance director, is adopted by
 1501 reference.
- 1502 **16.09.020 Section R101.3 – Intent.**
- 1503 Section R101.3 adopted by this chapter is deleted and replaced with the following wording:
- 1504 R101.3 Intent. It is expressly the purpose of this Code to provide for and promote the health, safety and
 1505 welfare of the general public and not to create or otherwise establish or designate any particular class or
 1506 group of persons who will or should be especially protected or benefited by the terms of this Code.
- 1507 It is the specific intent of this Code that no provision or term used in this Code is intended to impose any
 1508 duty whatsoever upon the City or any of its officers or employees for whom the implementation or
 1509 enforcement of this Code shall be discretionary and not mandatory. Nothing contained in this Code is
 1510 intended to be nor shall be construed to create or form the basis of any liability on the part of the City,
 1511 or its officers, employees or agents for any injury or damage resulting from the failure of a building to
 1512 comply with the provisions of this Code, or by reason or in consequence of any inspection, notice, order,
 1513 certificate, permission, or approval authorized or issued or done in connection with the part of the City
 1514 related in any manner to the enforcement of this Code by its officers, employees or agents.
 1515
 1516
 1517

1518 **16.09.025 Section R102.7.2 of Chapter 51-51 WAC amended – Moved buildings.**

1519 Section R102.7.2 of the IRC as adopted by the state of Washington in Chapter 51-51 WAC is amended by
1520 deletion of exceptions number 1 and 2.
1521

1522 **16.09.030 Section R104.1 amended – General.**

1523 Section R104.1 adopted by this chapter is deleted and replaced with the following wording:

1524 R104.1 General. The building official is hereby authorized to enforce all the provisions of this Code. For
1525 the purpose of administering and enforcing Appendix J of the International Building Code, the director
1526 of public works is appointed and designated as the building official with respect to all matters contained
1527 within Appendix J.

1528 The building official shall have the power to render interpretations of this Code and to adopt and
1529 enforce rules and regulations supplemental to this Code as he or she may deem necessary in order to
1530 clarify the application of the provisions of this Code. Such interpretations, rules and regulations shall be
1531 in conformity with the intent and purpose of this Code.
1532

1533 **16.09.040 Section R105.2 amended – Work exempt from permit.**

1534 Section R105.2 adopted by this chapter is amended by revising the building exempt from permit
1535 numbers 1 and 2 to read as follows:

1536 Building:

1537 1. One story detached accessory structures, provided the floor area does not exceed 120 square feet.

1538 2. Fences not over six feet high as follows:

1539 a. Vision obscuring fences as defined in Chapter 21.10 LMC in residential zones that are set
1540 back over 15 feet from front property line, over 15 feet from driveways, and 30 feet from any
1541 intersection;

1542 b. Non-vision obscuring fences as defined in Chapter 21.10 LMC in residential zones.
1543

1544 **16.09.042 Section R105.3.1 amended – Action on application.**

1545 Section R105.3.1 adopted by this chapter is amended by adding the following paragraphs:

1546 The following prerequisites shall be met prior to issuance of a building permit.

1547 1. Any requirements or regulations imposed on a project as a condition of land use approval
1548 process.

1549 2. If required, all fire apparatus roads shall be approved.

1550 3. When not already available, the water supplied for fire protection shall be installed and made
1551 serviceable.

1552 4. Address(es) is/are as assigned by the City of Lynnwood.

1553 5. Plans in compliance with LMC 12.12 related to the construction of frontage improvements for
1554 curb, gutter, sidewalks, city utilities and street surfacing have been submitted and approved by
1555 the Public Works Department.

1556 6. When required, submittals shall be made for compliance with LMC 16.46 (Flood Hazard Area
1557 Regulations), 17.02 (S.E.P.A.), 17.10 (Environmentally Critical Areas), Title 19 (Subdivisions), and
1558 21.25 (Project Design Review).

1559 **16.09.045 Section R105.5 amended – Expiration.**

1560 Section R105.5 adopted by this chapter is deleted and replaced with the following wording:

1561 R105.5 Expiration. Permits become null and void if the authorized work has not been inspected by this
1562 department within 180 calendar days of issuance or for a period of 180 calendar days from the last
1563 inspection. The total life of permits is limited to a maximum of 540 calendar days, provided it has not
1564 expired under the restrictions above. One extension request for 180 calendar days may be granted if a
1565 written request is submitted to the Building Official showing just cause before the expiration date.

1566 If a permit expires, the permittee shall obtain a new permit to complete the remainder of the work. The
1567 cost of the new permit will be based on the value of the remainder of work per the fee schedule.
1568

1569 **16.09.050 Section R108.2 – Schedule of permit fees.**

1570 Section R108.2 adopted by this chapter is deleted and replaced with the following wording:

1571 R108.2 Schedule of permit fees. Fees shall be set forth in a fee ordinance adopted, and from time to
1572 time amended, by the city council.
1573

1574 **16.09.060 Section R109 IRC – Inspections.**

1575 *Repealed by Ord. 3006.*
1576

1577 **16.09.065 Section R110.3 – Certificate of occupancy.**

1578 *Repealed by Ord. 3006.*
1579

1580 **16.09.070 Section R112 amended – Board of appeals.**

1581 Section R112 adopted by this chapter is deleted and replaced with the following wording:

1582 R112.1 General. The hearing examiner shall hear and decide appeals of orders, decisions or
1583 determinations made by the building official relative to the application and interpretation of this code in
1584 accordance with Chapter 16.50 LMC.

1585 R112.2 Limitations on Authority. An application for appeal shall be based on a claim that the true intent
1586 of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of
1587 this code do not fully apply or an equally good or better form of construction is proposed. The hearing
1588 examiner shall have no authority to waive requirements of this code.
1589

1590 **16.09.080 Section R113 amended – Violations.**

1591 Section R113 adopted by this chapter is deleted and replaced with the following wording:

1592 R113 Violations. Any person, firm, or corporation violating any of the provisions of this Code shall be
1593 guilty of a misdemeanor, and each such person, firm or corporation shall be guilty of a separate offense
1594 for each and every day, or portion thereof, during which any violation of any of the provisions of this
1595 Code is committed, continued, or permitted.

1596 Anyone concerned in the violation or failure to comply with the provisions of this Code, whether directly
1597 committing the act or effecting the omission constituting the offense, or aiding or abetting the same,

1598 whether present or absent; and anyone who directly or indirectly counsels, encourages, hires,
 1599 commands, induces or otherwise procures another to violate or fail to comply with the provisions of this
 1600 Code, is and shall be guilty of a misdemeanor.

1601 Conviction of any such misdemeanor shall be punishable by a fine of not more than \$1,000 or by
 1602 imprisonment for not more than 90 days, or by both such fine and imprisonment.

1603
 1604 **16.09.090 Section R202 amended – Definitions.**

1605 Section R202 adopted by this chapter is amended by adding thereto the following paragraph:

1606 Whenever the term “Code” is used herein, it shall mean the 2015 International Residential Code as
 1607 adopted by this chapter. Whenever the term “City” or “Jurisdiction” is used herein, it shall mean the City
 1608 of Lynnwood.

1609
 1610 **16.09.100 Table R301.2(1) – Climate and geographical design criteria.**

1611 Table 301.2(1) of the IRC shall have the following design criteria:

TABLE R301.2(1)
 CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

GROUND SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY ^j	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^g	ICE BARRIER UNDERLAYMENT REQUIRED ^h	FLOOD HAZARD ^g	AIR FREEDING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	Speed ^d (mph)	Topographic effects ^k	Special wind region ^l	Wind-borne debris zone ^m		Weathering ^a	Frost line depth ^b	Termites ^c					
25	110	NO	NO	NO	D2	MODERATE	18"	SLIGHT	22	NO	1989, 2009, 5306 IC 1305E 5306 IC 1310E 5306 IC 1309E 5306 IC 1320E 5306 IC 1315E All adopted 11/08/1999	1500	52.8

1612
 1613 **16.09.900 Severability.**

1614 If any section, sentence, clause or phrase of this chapter should be held to be invalid or unconstitutional
 1615 by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the
 1616 validity or constitutionality of any section, subsection, sentence, clause, phrase or word of this chapter.

1617
 1618 **Section 6. Amendment.** Chapter 16.24 of the Lynnwood Municipal Code is hereby amended as follows:

1619
 1620
 1621 **Chapter 16.24**
 1622 **INTERNATIONAL SWIMMING POOL AND SPA CODE**

1623 Sections:

1624 **16.24.010 Adoption of the International Swimming Pool and Spa Code.**

1625 **16.24.015 Definitions.**

1626 **16.24.020 Repealed.**

1627 **16.24.025 Repealed.**

1628 **16.24.030 Abandoned swimming pools.**

1629 **16.24.040** *Repealed.*

1630 **16.24.050** **Setbacks.**

1631 **16.24.052** **Section 105.5.3 and Section 105.5.4 amended – Expiration.**

1632 **16.24.055** **Fees.**

1633 **16.24.060** *Repealed.*

1634 **16.24.070** **Section 107.4 amended – Violation penalties.**

1635 **16.24.080** **Section 108 amended – Means of appeal.**

1636 **16.24.900** **Severability.**

1637 **16.24.010 Adoption of the International Swimming Pool and Spa Code.**

1638 As amended by the provisions of this chapter and the State of Washington Building Code Council, the

1639 2015 International Swimming Pool and Spa Code (ISPSC), one copy of which, along with the State of

1640 Washington Building Code Council’s amendments, shall be on file in the office of the Lynnwood city

1641 clerk, is adopted by this reference.

1642

1643 **16.24.015 Definitions.**

1644 Section 201 adopted by this chapter is amended by adding thereto the following paragraph:

1645 Whenever the term “Code” is used herein, it shall mean the 2015 International Swimming Pool and Spa

1646 Code as adopted by this Chapter. Whenever the term “City” or “Jurisdiction” is used herein, it shall

1647 mean the City of Lynnwood.

1648

1649 **16.24.020 Amendments and additions.**

1650 *Repealed by Ord. 1504*

1651

1652 **16.24.025 Chapter 5 of Uniform Code deleted – Fuel gas piping.**

1653 *Repealed by Ord. 3006.*

1654

1655 **16.24.030 Abandoned swimming pools.**

1656 Swimming pool installations which have been determined to be abandoned shall be filled with sand or

1657 other granular materials as may be approved by the administrative authority.

1658

1659 **16.24.040 Safety devices.**

1660 *Repealed by Ord. 3006.*

1661

1662 **16.24.050 Setbacks.**

1663 All swimming pools, portable or permanent, shall be placed so as to observe the minimum setbacks for

1664 structures.

1665

1666 **16.24.052 Section 105.5.3 and Section 105.5.4 amended – Expiration.**

1667 Section 105.5.3 and section 105.5.4 adopted by this chapter are deleted and replaced with the following
1668 wording:

1669 Permits become null and void if the authorized work has not been inspected by this department within
1670 180 calendar days of issuance or for a period of 180 calendar days from the last inspection. The total life
1671 of permits is limited to a maximum of 540 calendar days, provided it has not expired under the
1672 restrictions above. One extension request for 180 calendar days may be granted if a written request is
1673 submitted to the Building Official showing just cause before the expiration date.

1674 If a permit expires, the permittee shall obtain a new permit to complete the remainder of the work. The
1675 cost of the new permit will be based on the value of the remainder of work per the fee schedule.

1676

1677 **16.24.055 Fees.**

1678 Section 105.6 adopted by this chapter is deleted and replaced with the following wording:

1679 105.6 Fees. Fees shall be set forth in a resolution adopted and from time to time amended by the city
1680 council.

1681

1682 **16.24.060 Building official – Enforcement of chapter.**

1683 *Repealed by Ord. 1504.*

1684

1685 **16.24.070 Section 107.4 amended – Violation penalties.**

1686 Section 107.4 adopted by this chapter is deleted and replaced with the following wording:

1687 Any person, firm or corporation violating any provision of this Code shall be deemed guilty of a
1688 misdemeanor, and each such person, firm, or corporation shall be guilty of a separate offense for each
1689 and every day, or portion thereof, during which any violation of any of the provisions of this Code is
1690 committed, continued or permitted.

1691 Anyone concerned in the violation or failure to comply with the provisions of this Code, whether directly
1692 committing the act or effecting the omission constituting the offense, or aiding or abetting the same,
1693 whether present or absent; and anyone who directly or indirectly counsels, encourages, hires,
1694 commands, induces or otherwise procures another to violate or fail to comply with the provisions of this
1695 Code, is and shall be guilty of a misdemeanor.

1696 Upon conviction of any such misdemeanor, such person, firm, or corporation shall be punishable by a
1697 fine of not more than \$1,000 or by imprisonment for not more than 90 days, or by both such fine and
1698 imprisonment.

1699

1700 **16.24.080 Section 108 amended – Means of appeal.**

1701 Section 108 adopted by this chapter is deleted and replaced with the following wording:

1702 108.1 Application for appeal. The hearing examiner shall hear and decide appeals of orders, decisions or
1703 determinations made by the building official relative to the application and interpretation of this code in
1704 accordance with Chapter 16.50 LMC.

1705 108.2 Limitations on Authority. An application for appeal shall be based on a claim that the true intent
1706 of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of
1707 this code do not fully apply or an equally good or better form of construction is proposed. The hearing
1708 examiner shall have no authority to waive requirements of this code.

1709
1710 **16.24.900 Severability.**

1711 If any section, sentence, clause or phrase of this chapter is held to be invalid or unconstitutional by a
1712 court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
1713 constitutionality of any other section, subsection, sentence, clause, phrase or word of this chapter.

1714
1715
1716 **Section 7. Amendment.** Chapter 16.44 of the Lynnwood Municipal Code is hereby amended as follows:

1717
1718
1719
1720

**Chapter 16.44
INTERNATIONAL PROPERTY MAINTENANCE CODE**

1721 Sections:

1722 **16.44.010 Adoption of the International Property Maintenance Code.**

1723 **16.44.011 Chapter 1 amended – Scope and administration.**

1724 **16.44.015 Definitions.**

1725 **16.44.020 Section 106 amended – Violations.**

1726 **16.44.030 Section 111 amended – Means of appeals.**

1727 **16.44.900 Severability.**

1728 **16.44.010 Adoption of the International Property Maintenance Code.**

1729 As amended by this chapter and the State of Washington Building Code Council, the 2015 Edition of the
1730 International Property Maintenance Code (IPMC), as published by the International Code Council, one
1731 copy of which, along with the State of Washington Building Code Council’s amendments, shall be on file
1732 with the Lynnwood finance director, are adopted by this reference.

1733 **16.44.011 Chapter 1 amended – Scope and administration.**

1734 Chapter 1 adopted by this chapter is amended to include the requirements adopted by the city of
1735 Lynnwood in Chapter 16.08 LMC titled “Regulation and Abatement of Unsafe and Unsanitary
1736 Structures.”

1737
1738 **16.44.015 Definitions.**

1739 Section 201 adopted by this chapter is amended by adding thereto the following paragraph:

1740 Whenever the term "Code" is used herein, it shall mean the 2015 International Property Maintenance
1741 Code as adopted by this chapter. Whenever the term "City" or "Jurisdiction" is used herein, it shall mean
1742 the City of Lynnwood.

1743
1744 **16.44.020 Section 106 amended – Violations.**

1745 Section 106 adopted by this chapter is deleted and replaced with the following wording:

1746 Any person, firm or corporation violating any of the provisions of this code shall be guilty of a
1747 misdemeanor, and any such person, firm, or corporation shall be guilty of a separate offense for each
1748 and every day, or portion thereof, during which any violations of any of the provisions of this code are
1749 committed, continued or permitted.

1750 Anyone concerned in the violation or failure to comply with the provisions of this code, whether directly
1751 committing the act or effecting the omission constituting the offense, or aiding or abetting the same,
1752 whether present or absent; and anyone who directly or indirectly counsels, encourages, hires,
1753 commands, induces or otherwise procures another to violate or fail to comply with the provisions of this
1754 code, is and shall be guilty of a misdemeanor.

1755 Upon conviction of any such misdemeanor, such person, firm, or corporation shall be punishable by a
1756 fine of not more than \$1,000 or by imprisonment for not more than 90 days, or by both such fine and
1757 imprisonment.

1758
1759 **16.44.030 Section 111 amended – Means of appeals.**

1760 Section 111 adopted by this chapter is deleted and replaced with the following wording:

1761 111.1 General. The hearing examiner shall hear and decide appeals of orders, decisions or
1762 determinations made by the building official relative to the application and interpretation of this code in
1763 accordance with Chapter 16.50 LMC.

1764 111.2 Limitations on Authority. An application for appeal shall be based on a claim that the true intent
1765 of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of
1766 this code do not fully apply or an equally good or better form of construction is proposed. The hearing
1767 examiner shall have no authority to waive requirements of this code.

1768
1769 **16.44.900 Severability.**

1770 If any section, sentence, clause or phrase of this chapter is held to be invalid or unconstitutional by a
1771 court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or
1772 constitutionality of any other section, subsection, sentence, clause, phrase or word of this chapter.

1773
1774 **Section 8. Severability.** If any section, subsection, sentence, clause, phrase, or word of this Ordinance
1775 should be held to be invalid or unconstitutional or inapplicable by a court of competent jurisdiction,
1776 such invalidity or unconstitutionality or inapplicability thereof shall not affect the validity or
1777 constitutionality of any other section, subsection, sentence, clause, phrase, or word of this Ordinance.

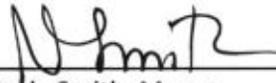
1778
1779 **Section 9. Effective Date.** This Ordinance shall be in full force and effective five (5) days after passage
1780 and publication as provided by law. Publication shall be by summary publication of the Ordinance Title.

1781

1782 PASSED this 13th day of June, 2016, and signed in authentication of its passage this 15th day of
1783 June, 2016.

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1792

APPROVED:



Nicola Smith, Mayor

1793 ATTEST/AUTHENTICATED:

1794
1795
1796
1797 

Sonja Springer, Finance Director

APPROVED AS TO FORM:



Rosemary Larson, City Attorney

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1825 FILED WITH ADMINISTRATION SERVICES: 06/13/2016
1826 PASSED BY THE CITY COUNCIL: 06/13/2016
1827 PUBLISHED: 06/17/2016
1828 EFFECTIVE DATE: 06/22/2016
1829 ORDINANCE NUMBER: 3196



On the, 13th day of June, 2016 the City Council of the City of Lynnwood, Washington, passed ordinance 3196. A summary of the content of this ordinance, consisting of the title, provides as follows:

ORDINANCE NO. 3196

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE INTERNATIONAL BUILDING AND FIRE CODES AS ADOPTED BY THE CITY; AMENDING TITLE 9, TITLE 15, CHAPTER 16.04, CHAPTER 16.05, CHAPTER 16.09, CHAPTER 16.24 AND CHAPTER 16.44 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of this ordinance will be mailed upon request.

A handwritten signature in blue ink that reads 'D. Karber'.

Debbie Karber, Deputy City Clerk

DATED this 17th day of June, 2016.

Everett Daily Herald

Affidavit of Publication

State of Washington }
County of Snohomish } ss

Dicy Sheppard being first duly sworn, upon oath deposes and says: that he/she is the legal representative of the Everett Daily Herald a daily newspaper. The said newspaper is a legal newspaper by order of the superior court in the county in which it is published and is now and has been for more than six months prior to the date of the first publication of the Notice hereinafter referred to, published in the English language continually as a daily newspaper in Snohomish County, Washington and is and always has been printed in whole or part in the Everett Daily Herald and is of general circulation in said County, and is a legal newspaper, in accordance with the Chapter 99 of the Laws of 1921, as amended by Chapter 213, Laws of 1941, and approved as a legal newspaper by order of the Superior Court of Snohomish County, State of Washington, by order dated June 16, 1941, and that the annexed is a true copy of EDH705969 ORDS 3195-3199 as it was published in the regular and entire issue of said paper and not as a supplement form thereof for a period of 1 issue(s), such publication commencing on 06/17/2016 and ending on 06/17/2016 and that said newspaper was regularly distributed to its subscribers during all of said period.

The amount of the fee for such publication is \$78.76.

Dicy Sheppard

Subscribed and sworn before me on this 17 day of June, 2016.

Aubrey Knapp

Notary Public in and for the State of Washington.

City of Lynnwood - LEGAL ADS | 14127890
DEBBIE KARBBER

LYNNWOOD WASHINGTON
CITY OF LYNNWOOD

On the, 13th day of June, 2016 the City Council of the City of Lynnwood, Washington, passed ordinances 3195 through 3199. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE NO. 3195
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO CLASSIFICATION FOR CITY EMPLOYEES; AMENDING SECTION 2.48.185 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3196
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE INTERNATIONAL BUILDING AND FIRE CODES AS ADOPTED BY THE CITY; AMENDING TITLE 9, TITLE 15, CHAPTER 16.04, CHAPTER 16.05, CHAPTER 16.09, CHAPTER 16.24 AND CHAPTER 16.44 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3197
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE CITY'S CODE ENFORCEMENT PROCEDURES; AMENDING CHAPTER 1.40 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3198
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3123, ESTABLISHING FUNDING FOR THE BIKE2HEALTH IMPROVEMENT PROJECT; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 128; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3199
AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR DESIGN AND CONSTRUCTION FOR INTERURBAN TRAIL IMPROVEMENT PROJECT - PHASE 1: 44TH AVE TRAIL HEAD. THIS ORDINANCE AUTHORIZES PROJECT EXPENDITURES IN FUND 322; AND FUNDING ALLOCATIONS/ TRANSFERS FROM FUND 330 TO FUND 322; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of these ordinances will be mailed upon request.
DATED this 17th day of June, 2016. **Debbie Karber, Deputy City Clerk**
EDH705969
Published: June 17, 2016.

AUBREY KNAPP
Notary Public
State of Washington
My Commission Expires
July 30, 2018



On the, 13th day of June, 2016 the City Council of the City of Lynnwood, Washington, passed ordinances 3195 through 3199. A summary of the content of these ordinances, consisting of the title, provides as follows:

ORDINANCE NO. 3195

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO CLASSIFICATION FOR CITY EMPLOYEES; AMENDING SECTION 2.48.185 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE NO. 3196

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE INTERNATIONAL BUILDING AND FIRE CODES AS ADOPTED BY THE CITY; AMENDING TITLE 9, TITLE 15, CHAPTER 16.04, CHAPTER 16.05, CHAPTER 16.09, CHAPTER 16.24 AND CHAPTER 16.44 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3197

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE CITY'S CODE ENFORCEMENT PROCEDURES; AMENDING CHAPTER 1.40 OF THE LYNNWOOD MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3198

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, SUPERSEDING ORDINANCE 3123, ESTABLISHING FUNDING FOR THE BIKE2HEALTH IMPROVEMENT PROJECT; AND AUTHORIZING EXPENDITURES IN PROJECT FUND 128; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

ORDINANCE 3199

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, ESTABLISHING PROJECT FUNDING FOR DESIGN AND CONSTRUCTION FOR INTERURBAN TRAIL IMPROVEMENT PROJECT – PHASE 1: 44TH AVE TRAIL HEAD. THIS ORDINANCE AUTHORIZES PROJECT EXPENDITURES IN FUND 322; AND FUNDING ALLOCATIONS/ TRANSFERS FROM FUND 330 TO FUND 322; AND CONSISTENT WITH THE PROJECT FINANCIAL PLAN; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

The full text of these ordinances will be mailed upon request.

DATED this 17th day of June, 2016.



Debbie Karber, Deputy City Clerk



LYNNWOOD
WASHINGTON

CERTIFICATE

I, the undersigned, Debra Karber, the duly appointed Deputy City Clerk of the City of Lynnwood, Washington, hereby certify that the Ordinance hereto attached is a full, true and correct copy of Ordinance No. 3196 of the City of Lynnwood, Washington, entitled as follows:

ORDINANCE NO. 3196

AN ORDINANCE OF THE CITY OF LYNNWOOD, WASHINGTON, RELATING TO THE INTERNATIONAL BUILDING AND FIRE CODES AS ADOPTED BY THE CITY; AMENDING TITLE 9, TITLE 15, CHAPTER 16.04, CHAPTER 16.05, CHAPTER 16.09, CHAPTER 16.24 AND CHAPTER 16.44 OF THE LYNNWOOD MUNICIPAL CODE; AND PROVIDING FOR SEVERABILITY, AN EFFECTIVE DATE AND SUMMARY PUBLICATION.

That said ordinance was passed by the Council on June 13, 2016 of said City and was published and posted according to law; that said ordinance was duly published in the official newspaper of said City on June 17, 2016.

Debra Karber, Deputy City Clerk