

ORDINANCE NO. 1998-07-052

AN ORDINANCE ADOPTING BY REFERENCE THE 1997 EDITION OF THE UNIFORM MECHANICAL CODE PUBLISHED BY THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, AS MODIFIED BY WASHINGTON ADMINISTRATIVE CODE CHAPTER 51-42, AND EXCEPT AS HEREIN MODIFIED, AND AMENDING CHAPTER 17.40 OF THE BELLINGHAM MUNICIPAL CODE.

WHEREAS, RCW 19.27.010 through 19.27.030 provides that cities are authorized to amend the State Building Code, providing it shall not be less than minimum performance standards and objectives, including the authority to adopt any subsequent revisions to the code; and

WHEREAS, the 1997 Edition of the Uniform Mechanical Code meets or exceeds the minimum performance standards and objectives of RCW Chapter 19.27; and

WHEREAS, adoption of the above code will promote the health, safety and welfare of the general public; and

WHEREAS, one copy of the code adopted by reference herein has been filed for use by the public in the office of the Finance Director pursuant to RCW 35.21.180;

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: Chapter 17.40 of the Bellingham Municipal Code is repealed in its entirety and a new Chapter 17.40 is adopted, to read as follows:

17.40.010 PURPOSE - ADOPTED.

This chapter is enacted as an exercise of the police power of the city for the benefit of the public at large. It is not intended to create a special relationship with any individual, or individuals, nor to identify and protect any particular class of persons. The purpose of this chapter is to provide minimum standards to safeguard life or limb, health or property, and public welfare, by regulating and controlling building construction and work related thereto.

It is not the intent of this chapter to impose liability upon the city for failure to perform any discretionary act. Rather, it is the intent of this chapter to place the obligation of complying with its requirements upon the owner and/or contractor. Nothing contained in this chapter shall be construed to relieve from or to lessen the responsibility or liability of any person or persons for injury or

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damage to persons or property caused by or resulting from any defect or any nature in any construction work performed by said person or any construction equipment owned, controlled, operated or used by the contractor; nor shall the City of Bellingham, or any officer, agent, or employee thereof, incur or be held as assuming any liability by reason or in consequence of any permission, certificate of inspection, inspection or approval authorized herein, or issued, or given as herein provided, or by reason or consequence of any things done or acts performed pursuant to the provisions of this chapter.

The Uniform Mechanical Code, 1997 Edition, as modified by WAC Chapter 51-42, and except as modified herein, shall be in full force in the City of Bellingham, upon adoption of this chapter.

17.40.020 BOARD OF CODE APPEALS - SECTION 110.1 AMENDED.

Section 110.1 of the 1997 Edition of the Uniform Mechanical Code is amended to read as follows:

Section 110.1 Board of Appeals. Wherever the term "Board of Appeals" is used in this code, it shall be construed to mean the Board of Code Appeals.

17.40.030 INVESTIGATION FEE - UMC SECTION 115.5 AMENDED.

Section 115.5 of the 1997 Uniform Mechanical Code is amended to read as follows:

Section 115.5 Investigation Fees: Work Without a Permit. When work for which a permit is required by this code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for such work.

An investigation fee, in addition to the permit fee, may be collected whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee that would be required by this code if a permit were to be issued, or \$100, whichever is greater. The payment of an investigation fee shall not exempt a person from compliance with all other provisions of this code nor from any penalty prescribed by law.

17.40.040 MECHANICAL PERMIT FEES - TABLE 1-A AMENDED.

Table 1-A - Mechanical Permit Fees of the 1997 Edition of the Uniform Mechanical Code is amended to read as follows:

TABLE NO. 1-A - MECHANICAL PERMIT FEES

Permit Issuance	
For the issuance of each permit	\$ 25.00
Unit Fee Schedule	
1. For the installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu/h	\$ 12.00

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| 2. | For the installation or relocation of each forced-air burner, including ducts and vents attached to such appliance over 100,000 Btu/h | \$ 15.00 |
| 3. | For the installation or relocation of each floor furnace, including vent | \$ 12.00 |
| 4. | For the installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater | \$ 12.00 |
| 5. | For the installation, relocation, or replacement of each appliance vent installed and not included in an appliance permit | \$ 6.00 |
| 6. | For the installation, relocation, or replacement of each fuel tank | \$ 20.00 |
| 7. | For the repair or alteration of, or addition to each heating appliance, refrigeration unit, cooling unit, absorption unit, or each heating, cooling, absorption, or evaporative cooling system, including installation of controls regulated by this code | \$ 12.00 |
| 8. | For the installation or relocation of each boiler or compressor to and including three horsepower, or each absorption system to and including 100,000 Btu/h | \$ 12.00 |
| 9. | For the installation or relocation of each boiler or compressor over three horsepower to and including 15 horsepower, or each absorption system over 100,000 Btu/h and including 500,000 Btu/h | \$ 22.00 |
| 10. | For the installation or relocation of each boiler or compressor over 15 horsepower to and including 30 horsepower, or each absorption system over 500,000 Btu/h and including 1,000,000 Btu/h | \$ 30.00 |
| 11. | For the installation or relocation of each boiler or compressor over 30 horsepower to and including 50 horsepower, or each absorption system over 1,000,000 Btu/h to and including \$1,750,000 Btu/h | \$ 45.00 |
| 12. | For the installation or relocation of each boiler or refrigeration compressor or relocation of each boiler or each absorption system over \$1,750,000 Btu/h | \$ 75.00 |
| 13. | For each air-handling unit to and including 10,000 cubic feet per minute, including ducts attached thereto | \$ 9.00 |
| <i>NOTE: This fee shall not apply to an air-handling unit which is a portion of a factory-assembled appliance, cooling unit, evaporative cooler or absorption unit for which a permit is required elsewhere in this code.</i> | | |
| 14. | For each air-handling unit over 10,000 CFM | \$ 15.00 |
| 15. | For each evaporative cooler other than portable type | \$ 9.00 |
| 16. | For each ventilation fan connected to a single duct | \$ 9.00 |
| 17. | For each ventilation system which is not a portion of any heating or air-conditioning system authorized by a permit. | \$ 10.00 |
| 18. | For the installation of each hood which is served by mechanical exhaust, including ducts for such hood | \$ 9.00 |
| 19. | For the installation of each Type I hood, as described in Chapter 5 of this code, | \$ 50.00 |

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including ducts for such hood.

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| 20. | For the installation or relocation of each domestic-type incinerator | \$ 20.00 |
| 21. | For the installation or relocation of each commercial or industrial-type incinerator | \$100.00 |
| 22. | For each appliance or piece of equipment regulated by this code but not classed in other appliance categories, or for which no other fee is listed in this code | \$ 10.00 |
| 23. | When Chapter 13 is applicable (see Section 103), permit fees for fuel-gas piping shall be as follows: | |
| | For each gas-piping system of one to four outlets | \$ 10.00 |
| | For each gas-piping system of more than four outlets, per outlet | \$ 3.00 |
| 24. | For each solid fuel burning appliance | \$ 20.00 |
| 25. | For each fire damper | \$ 6.50 |

Other Inspections and Fees:

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| 1. | Inspections outside of normal business hours (minimum charge - 2 hours) | \$ 50.00
per hour* |
| 2. | Reinspection fees assessed under provisions of Section 116.6.1 | \$ 50.00
per hour* |
| 3. | Inspections for which no fee is specifically indicated (minimum charge - 1/2 hour) | \$ 50.00
per hour* |
| 4. | Additional plan review required by changes, additions to revisions to approved plans (minimum charge - 1/2 hour) | \$ 50.00
per hour* |

*Or the total hourly cost to the jurisdiction, whichever is greatest. This cost shall include supervision, overhead, equipment, hourly wages, and fringe benefits of the employees involved.

Section 3: Severability. If any section, subsection, sentence, clause, phrase, or portion of this code or ordinance adopted herein is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction or the State Building Code Council, such decision shall not affect the validity of the remaining portions of this ordinance or the code.

Section 4: Savings Provision. Nothing contained in this ordinance shall be construed as having retroactive effect. Acts, omissions and rights shall be governed by the ordinances in effect at the time the acts or omissions occurred or rights accrued.

The repeal of prior ordinances herein shall not affect any right existing or accrued or any act or proceeding commenced prior to the effective date of this ordinance.

Section 5. Effective Date. This ordinance shall become effective July 28, 1998.

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PASSED BY COUNCIL this 13th day of July, 1998.

Bob Ryan
Council President

APPROVED BY ME this 21st day of July, 1998.

Mark Anderson
Mayor

Attest:

Dawn Carpenter
Finance Director

Approved as to form:

Ray Stenwood
Office of the City Attorney

Published: July 24th, 1998

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