

ORDINANCE NO. 1998-07-053

**AN ORDINANCE ADOPTING BY REFERENCE THE 1997 EDITION OF THE UNIFORM PLUMBING CODE, PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS, AS MODIFIED BY WASHINGTON ADMINISTRATIVE CODE CHAPTER 51-46 AND 51-47, AND EXCEPT AS MODIFIED HEREIN, REPEALING ORDINANCE NO. 10345, AND AMENDING CHAPTER 17.44 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 as it applies within its jurisdiction in all such respects, 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 Plumbing Code, Installation Standards, and certain appendices thereto, meet or exceed 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**Section 1:** Ordinance No. 10345 and Chapter 17.44 of the Bellingham Municipal Code are hereby repealed in their entirety and a new Chapter 17.44 is added, to read as follows:

**17.44.010 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 damage to persons or property caused by or resulting from any defect of any nature in 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 Plumbing Code and Standards, 1997 Edition, as modified by WAC chapter 51-46 and 51-47, shall be in full force in the City of Bellingham upon adoption of this chapter.

**17.44.020 ADMINISTRATIVE AUTHORITY - SECTION 102.1 AMENDED**

Section 102.1 of the 1997 Edition of the Uniform Plumbing Code shall be amended to read as follows:

City of Bellingham  
CITY ATTORNEY  
210 Lottie Street  
Bellingham, Washington 98225  
Telephone (360) 676-6903

The Administrative Authority responsible for enforcement of this Code shall be the Building Official.

**17.44.03      TABLE 1-1 - PLUMBING PERMIT FEES OF THE 1997 EDITION OF THE UNIFORM PLUMBING CODE IS AMENDED:**

Table 1-1 of the 1997 Edition of the Uniform Plumbing Code is amended to read as follows:

Table 1-1    Plumbing Permit Fees

**Permit Issuance**

(1)	For the issuance of each permit	\$ 25.00
(2)	In addition, for each plumbing fixture or trap or set of fixtures on one trap, including water, drainage, pipe, backflow protection therefor	\$ 4.00
(3)	For each industrial waste pretreatment interceptor including its trap and vent, except kitchen-type grease interceptors functioning as a fixture trap	\$ 4.00
(4)	For installation, alteration or repairs of water pipe or water treatment equipment	\$ 4.00
(5)	For water heaters	\$ 4.00
(6)	For repairs or alterations of drainage or vent piping	\$ 4.00
(7)	For each reinspection made necessary by defective workmanship or materials (minimum charge - one-half hour)	\$ 50.00
(8)	For each swimming pool	\$ 50.00
(9)	For each item regulated by this code, but not classified in this category, or for which no other fee is listed in this code, fee will be	\$ 4.00

**17.44.040      APPEALS - SECTION 102.4 AMENDED**

Section 102.4 of the 1997 Edition of the Uniform Plumbing Code is amended to read as follows:

Wherever the term "Board of Appeals" is used, it shall mean the Board of Code Appeals.


**Section 2:    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 of the State Building Code Council, such decision shall not affect the validity of the remaining portions of this ordinance or the code.

**Section 3:    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 4:    Effective Date.** This ordinance shall become effective July 28, 1998.

PASSED BY COUNCIL this 13<sup>th</sup> day of July, 1998.

  
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Council President

City of Bellingham  
CITY ATTORNEY  
210 Lottie Street  
Bellingham, Washington 98225  
Telephone (360) 676-6903

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

Mark Anderson  
Mayor

Attest:

Lynn Carpenter  
Finance Director

Approved as to form:

[Signature]  
Office of the City Attorney

Published: July 24, 1998

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