

ORDINANCE No. 5

An ORDINANCE regulating the erection, construction, enlargement, alteration, repair, demolishing, conversion or moving, occupancy and use, height, area and maintenance of buildings, structures and land in the City of Mercer Island, Washington, providing for the issuance of permits and collection of fees thereof; providing for the adoption of construction codes and land use regulations such as Building Code and Fire Zones, Plumbing, Electrical, Health, Safety, Land use and Building occupancy, use zoning and the platting and subdivision of land, providing for penalties for violation thereof and amendments.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF MERCER ISLAND:

Section 1. Pending the appointment of the city manager and city planning commission and the Council's adoption of their recommendations thereafter, the following codes, three copies of which are on file in the office of the city clerk of the City of Mercer Island, Washington, are adopted as ordinances of the City of Mercer Island, and such codes, together with any maps which are a part thereof, by this reference are hereby made a part of this Ordinance as though fully set forth herein, and the several provisions of said codes as now in effect, shall be in full force and effect and binding within the corporate limits of the City of Mercer Island.

(a) Building and Fire Zones:

For all residential structures for one or two families, and for one story multiple family dwellings, the "Minimum Property Requirements for Properties of One or Two Living Units Located in the States of Oregon and Washington, Federal Housing Administration, ^{No. 300} revised ^{Jan. 60} July, 1952 and M. P. R. Revisions, Nos. 37 and 38 of October and December, 1952.

For all other structures the "Uniform Building Code", 1960 Edition, Volume 1 and including appendices therein as

part of said code, published by Pacific Coast Building Officials Conference.

(b) Plumbing: The Uniform Code of the Western Plumbing Officials Association, 1958.

(c) Electrical: "National Electrical Code", (NBFU pamphlet No. 70, 1951) Standard of the National Board of Fire Underwriters and the Electrical Construction Code, Department of Labor and Industries, State of Washington.

(d) Safety: Rules and Regulations of Washington State Department of Labor and Industry.

(e) Land Use Zoning: King County Districting Resolution No. 18801 with all amendments thereto and including Resolutions Nos. 20216 and 21284, together with maps showing zoning districts as part thereof insofar as the same relate to land within the boundaries of the City of Mercer Island.

(f) Platting and Subdivision: King County Platting Resolution No. 11048, August 1948.

Section 2. That Section 302 of the Uniform Building Code be amended by adding the following to be known as 302-B:

302-B Plumbing Rates, Fees

For the first 6 fixtures, \$1.00 total,

For each additional fixture, \$.35 each.

The city, county, state or federal government shall be exempt from fees.

Where work, for which a permit is required by these codes, is started or proceeded with prior to obtaining said permit, the fees above specified shall be doubled, but the payment of such doubled fees shall not relieve any persons from fully complying with the requirements of this code in the execution

of the work, nor from any other penalties prescribed herein.

The person or persons charged with the performance of the duties of Building Inspector under this Ordinance shall keep a permanent and accurate record of all permits issued and shall simultaneously with the issuance of any such permit deliver a duplicate copy thereof to the City Treasurer.

In the event such permit is refused by the Building Inspector, or such person or persons charged with the performance of the duties of a building inspector under this ordinance, such fact shall be certified to the City Treasurer, and the applicant upon such certification shall be entitled to the return of his license fee paid therefor.

Section 3. That the following shall be added to Section 1604 of the Uniform Building Code to be known as Section 1604-B:

Fire Zones are established as follows:

All areas zoned residential single family district on the Zoning Land Use maps shall be declared as Fire Zone 3.

All areas zoned residential multiple family district shall be declared to be Fire Zone 2.

All areas zoned Business or Commercial Office shall be declared as Fire Zone 1.

Section 4. Emergency. That the following be and hereby is substituted for Section 6004 of the Uniform Building Code, to-wit:

Section 6004. An emergency exists making the immediate passage of this Ordinance necessary for the preservation of the public peace, health, safety, and the general welfare of the City of Mercer Island and its inhabitants, and the same shall take effect immediately after its passage, signing and publication.

Section 5. When any of those codes refer to Building Inspector, this shall be the appointee of the Council, appointed to function until the city manager is employed. When King County Commissioners or King County Planning Commission is named, this shall mean the Mercer Island City Council. Where the county engineer is mentioned, this shall mean the City Council appointee until a city manager or city engineer is employed. Where the county Health Department is mentioned, it shall mean the City Health Officer.

Section 6. Before issuing any building permit, the City Clerk may, in his discretion, subject to the regulations prescribed by the City Council, require the applicant to execute and file with the City a bond, in such reasonable sum and with the securities as said Clerk may specify, conditioned that said applicant will pay any and all damages that may be recovered against the City by any person on account of injury to persons or property occasioned by or in any manner resulting from the issuance of the permit or by reason of any act or thing done pursuant thereto, or from the occupancy or disturbance of any street or sidewalk in said city and also to save and keep the City free from all such damages and costs as may be incurred in defending any such claim, and/or further conditioned that said applicant will pay to the City the cost of repairing any and all damages which may be done by said applicant or his agents to the streets, utilities or property of the City during or pursuant to the work covered by such permit.

Section 7. The Building Inspector and Plans Examiner are hereby authorized and empowered to enter any building or premises within the City of Mercer Island for purposes of

inspection or to prevent a violation of this code, upon presentation of proper credentials, Whenever in their opinion any provision of this code is being violated by the work, they or either of them may order such work to forthwith cease.

Whenever in the opinion of the Building Inspector any building or portion thereof is dangerous or unsafe to persons or property, he may condemn the same and order the repair or removal.

Written notice of such condition shall be served upon the owner, reputed owner or person in charge of such building and no building so condemned shall thereafter be used or occupied for any purpose after written notice as above provided has been served until the same shall have been repaired and approved by the Building Inspector.

Section 8. Violation of any of the provisions of this Ordinance shall be a misdemeanor, and any person found guilty thereof shall be punished by a fine of not to exceed \$100.00 or by imprisonment for not to exceed 30 days, or both. It shall be a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this Ordinance is committed, continued or permitted.

Section 9. In the event any portion of this Ordinance be found and held by the courts to be invalid, the remaining portions shall not be thereby affected.

Section 10. This Ordinance shall take effect immediately upon its passage, signing and publication.

PASSED by the City Council on the 18th day of July, 1960,

and signed in authentication of its passage this 18th day of July, 1960.

Harold J. Oliver Mayor
James H. Williams Councilman
Donald H. Garcia Councilman

SEAL

Attest: Allan W. Lucas Acting Clerk

Date of Publication: July 20, 1960.