PROPOSED RULE MAKING

CR-102 (July 2022)
(Implements RCW 34.05.320)
Do NOT use for expedited rule making

Agency: State Building Code Council
☒ Original Notice
☐ Supplemental Notice to WSR _____
☐ Continuance of WSR _____

☐ Preproposal Statement of Inquiry was filed as WSR 21-12-099; or
☐ Expedited Rule Making--Proposed notice was filed as WSR _____; or
☐ Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or
☐ Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) Adoption and amendment of the 2021 edition of the International Wildland-Urban Interface Code, as required by RCW 19.27.031 and RCW 19.27.560.

Hearing location(s):

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Location</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 30, 2022</td>
<td>10:00 am</td>
<td>129 N 2nd St; Yakima, WA 98901</td>
<td>Please access the meetings in-person, or via Zoom or Conference call. The Zoom link and phone are provided in the agenda at sbcc.wa.gov</td>
</tr>
<tr>
<td>October 14, 2022</td>
<td>10:00 am</td>
<td>1500 Jefferson St SE; Olympia, WA 98504</td>
<td></td>
</tr>
</tbody>
</table>

Date of intended adoption: November 4, 2022 (Note: This is NOT the effective date)

Submit written comments to:
Name: State Building Code Council
Address: PO Box 41449; Olympia, WA 98504-1449
Email: sbcc@des.wa.gov
Fax: 
Other: 
By (date) October 14, 2022


Reasons supporting proposal: RCW 19.27.031, RCW 19.27.074 and RCW 19.27.560

Statutory authority for adoption: RCW 19.27.031, RCW 19.27.074 and RCW 19.27.560

Is rule necessary because of a:
Federal Law? ☐ Yes ☒ No
Federal Court Decision? ☐ Yes ☒ No
State Court Decision? ☐ Yes ☒ No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: NONE

Type of proponent: ☐ Private ☒ Public ☐ Governmental

Name of proponent: (person or organization) State Building Code Council
<table>
<thead>
<tr>
<th>Name</th>
<th>Office Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Drafting: Stoyan Bumbalov</td>
<td>1500 Jefferson St SE; Olympia, WA 98504</td>
<td>360-407-9277</td>
</tr>
<tr>
<td>Implementation:</td>
<td>Stoyan Bumbalov</td>
<td>360-407-9277</td>
</tr>
<tr>
<td>Enforcement:</td>
<td>Local Jurisdictions</td>
<td></td>
</tr>
</tbody>
</table>

Is a school district fiscal impact statement required under **RCW 28A.305.135**?  
☐ Yes  ☒ No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:

- Name:  
- Address:  
- Phone:  
- Fax:  
- TTY:  
- Email:  
- Other:  

Is a cost-benefit analysis required under **RCW 34.05.328**?  
☐ Yes  ☒ No

☐ Yes: A preliminary cost-benefit analysis may be obtained by contacting:

- Name:  
- Address:  
- Phone:  
- Fax:  
- TTY:  
- Email:  
- Other:  

☒ No: Please explain: The content of the proposed rule is explicitly and specifically dictated by statute (RCW 19.27.560).

### Regulatory Fairness Act and Small Business Economic Impact Statement

Note: The [Governor's Office for Regulatory Innovation and Assistance (ORIA)](https://www.oria.wa.gov/) provides support in completing this part.

#### (1) Identification of exemptions:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). For additional information on exemptions, consult the [exemption guide published by ORIA](https://www.oria.wa.gov/exemption-guide/). Please check the box for any applicable exemption(s):

- ☐ This rule proposal, or portions of the proposal, is exempt under **RCW 19.85.061** because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

- ☒ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by **RCW 34.05.313** before filing the notice of this proposed rule.
- ☐ This rule proposal, or portions of the proposal, is exempt under the provisions of **RCW 15.65.570**(2) because it was adopted by a referendum.
- ☐ This rule proposal, or portions of the proposal, is exempt under **RCW 19.85.025**(3). Check all that apply:
  - ☑ **RCW 34.05.310** (4)(b) (Internal government operations)
  - ☒ **RCW 34.05.310** (4)(e) (Dictated by statute)
  - ☑ **RCW 34.05.310** (4)(c) (Incorporation by reference)
  - ☐ **RCW 34.05.310** (4)(f) (Set or adjust fees)
  - ☐ **RCW 34.05.310** (4)(d) (Correct or clarify language)
  - ☐ **RCW 34.05.310** (4)(g) (ii) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

- ☐ This rule proposal, or portions of the proposal, is exempt under **RCW 19.85.025**(4) (does not affect small businesses).
- ☐ This rule proposal, or portions of the proposal, is exempt under RCW ______.
Explanation of how the above exemption(s) applies to the proposed rule:

(2) Scope of exemptions: Check one.
☒ The rule proposal is fully exempt (skip section 3). Exemptions identified above apply to all portions of the rule proposal.
☐ The rule proposal is partially exempt (complete section 3). The exemptions identified above apply to portions of the rule proposal, but less than the entire rule proposal. Provide details here (consider using this template from ORIA):
☐ The rule proposal is not exempt (complete section 3). No exemptions were identified above.

(3) Small business economic impact statement: Complete this section if any portion is not exempt.
If any portion of the proposed rule is not exempt, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?
☐ No   Briefly summarize the agency’s minor cost analysis and how the agency determined the proposed rule did not impose more-than-minor costs. ______
☐ Yes   Calculations show the rule proposal likely imposes more-than-minor cost to businesses and a small business economic impact statement is required. Insert the required small business economic impact statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:
   Name: 
   Address: 
   Phone: 
   Fax: 
   TTY: 
   Email: 
   Other:

Date: August 23, 2022

Name: Tony Doan
Title: Council Chair

Signature: