



STATE OF WASHINGTON
STATE BUILDING CODE COUNCIL

May 2018
Log No. _____

1. State Building Code to be Amended:

- | | |
|---|---|
| <input type="checkbox"/> International Building Code | <input type="checkbox"/> International Mechanical Code |
| <input type="checkbox"/> ICC ANSI A117.1 Accessibility Code | <input type="checkbox"/> International Fuel Gas Code |
| <input type="checkbox"/> International Existing Building Code | <input type="checkbox"/> NFPA 54 National Fuel Gas Code |
| <input type="checkbox"/> International Residential Code | <input type="checkbox"/> NFPA 58 Liquefied Petroleum Gas Code |
| <input checked="" type="checkbox"/> International Fire Code | <input type="checkbox"/> Wildland Urban Interface Code |
| <input type="checkbox"/> Uniform Plumbing Code | |

For the Washington State Energy Code, please see specialized [energy code forms](#)

Section(s): 104.2.4.2

Title: Individual Cases and Natural Disasters

2. Proponent Name (Specific local government, organization or individual):

Proponent: Patrick Hanks (Building Industry Association of Washington)
Title: Policy and Research Manager
Date: 9/17/24, Revised 10/7/24

3. Designated Contact Person:

Name: Patrick Hanks (Building Industry Association of Washington)
Title: Policy and Research Manager
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Cell:

E-Mail address: patrickh@biaw.com

- 4. Proposed Code Amendment.** Reproduce the section to be amended by underlining all added language, striking through all deleted language. Insert new sections in the appropriate place in the code in order to continue the established numbering system of the code. If more than one section is proposed for amendment or more than one page is needed for reproducing the affected section of the code, additional pages may be attached.

Clearly state if the proposal modifies an existing amendment or if a new amendment is needed. If the proposal modifies an **existing amendment**, show the modifications to the existing amendment by underlining all added language and striking through all deleted language. If a new amendment is needed, show the modifications to the **model code** by underlining all added language and striking through all deleted language.

Code(s): 2024 IFC **Section(s):** 104.2.4.2

Enforceable code language must be used.

Amend section to read as follows:

(Changes are also highlighted in yellow for emphasis.)

104.2.4.2 Natural Disasters

In preparation for, during and after a natural disaster event, as determined by the *fire code official*, the *fire code official* shall have the authority to issue written policies, or procedures or rules that modify this code as necessary to protect life and property. Such policies, or procedures or rules shall be made available to the public and shall include start and end dates, which can be extended at the *fire code official's* discretion. The total duration of the issued policy or procedure shall not exceed 181 days.

- 5. Briefly explain your proposed amendment, including the purpose, benefits and problems addressed.** Specifically note any impacts or benefits to business, and specify construction types, industries and services that would be affected. Finally, please note any potential impact on enforcement such as special reporting requirements or additional inspections required.

My original proposal was to not adopt Section 104.2.4.1 and 104.2.4.2 of the 2024 IFC. During the Fire Code TAG meeting on October 1, 2024, we received feedback from TAG members who are local officials that similar provisions in the 2021 code proved to be very important during the COVID-19 pandemic and helped reduce costs for businesses.

Based on that feedback we are submitting this revision to our original petition [24-GP1-069](#). We now propose making no change to the 2024 IFC Section 104.2.4.1 and to adopt a statewide amendment to Section 104.2.4.2 that removes the word “rules” and adds a limit on the total duration of the issued modification along with accompanying editorial changes for consistent grammar and punctuation.

The purpose of this revision is to retain the ability for local officials to make individual modifications where necessary and now include the 2024 model language for natural disasters with changes to prevent potential conflict with the Administrative Procedure Act (RCW 34.05.630(2)) (APA). The intent of the law is for rule changes to be done in accordance with the law. Local amendments to the statewide code require approval from the State Building Code Council (SBCC). My concern is that the model language for Section 104.2.4.2 technically allows a local official to make rule changes that can be extended without end. While those local policies or procedures may help reduce costs and increase safety in the event of a natural disaster, allowing them to go on indefinitely would reduce the consistency of the statewide code.

I think it's unlikely a local official would misuse this section, but the proposed change would ensure, by design, that it cannot be. A limit of 181 days, approximately six months, would make sure that modifications are temporary to fit the needs of local response to natural disasters and not permanent rule changes made without approval from the SBCC in compliance with the APA.

No direct impact to businesses or specific construction types, industries, or services.

Any change, if at all, to code enforcement will likely be negligible due to the minor nature of the technical change in code language.

6. Specify what criteria this proposal meets. You may select more than one.

- The amendment is needed to address a critical life/safety need.
- The amendment clarifies the intent or application of the code.
- The amendment is needed to address a specific state policy or statute.
- The amendment is needed for consistency with state or federal regulations.
- The amendment is needed to address a unique character of the state.
- The amendment corrects errors and omissions.

7. Is there an economic impact: Yes No

If no, state reason:

This proposal likely has no direct economic impact because it does not change material requirements. It does not add any extra code enforcement time over the model code.

If yes, provide economic impact, costs and benefits as noted below in items a – f.

- a. **Life Cycle Cost.** Use the OFM Life Cycle Cost [Analysis tool](#) to estimate the life cycle cost of the proposal using one or more typical examples. Reference these [Instructions](#); use these [Inputs](#). Webinars on the tool can be found [Here](#) and [Here](#)). If the tool is used, submit a copy of the excel file with your proposal submission. If preferred, you may submit an alternate life cycle cost analysis.

N/A

- b. **Construction Cost.** Provide your best estimate of the construction cost (or cost savings) of your code change proposal.

\$[Click here to enter text.](#)/square foot

(For residential projects, also provide \$[Click here to enter text.](#)/ dwelling unit)

Show calculations here, and list sources for costs/savings, or attach backup data pages

N/A

- c. **Code Enforcement.** List any code enforcement time for additional plan review or inspections that your proposal will require, in hours per permit application:

N/A

- d. **Small Business Impact.** Describe economic impacts to small businesses:

N/A

- e. **Housing Affordability.** Describe economic impacts on housing affordability:

N/A

- f. ***Other.*** Describe other qualitative cost and benefits to owners, to occupants, to the public, to the environment, and to other stakeholders that have not yet been discussed:

N/A

Please send your completed proposal to: sbcc@des.wa.gov

All questions must be answered to be considered complete. Incomplete proposals will not be accepted.