



Legislation Details (With Text)

File #: CB 119992 **Version:** 1 **Name:** CB 119992
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 2/1/2021

Final Action: 2/9/2021 **Ord. No.** Ord 126278

Title: AN ORDINANCE relating to Seattle’s construction codes; adopting the Seattle Boiler Code, Building Code, Electrical Code, Existing Building Code, Fuel Gas Code, Mechanical Code, Plumbing Code, and Residential Code by reference, amending certain chapters of those codes, and adopting new chapters for those codes; correcting references to those codes in the Seattle Municipal Code; making technical corrections; adding a new Chapter 22.101 to the Seattle Municipal Code; amending the title of Subtitle I of Title 22, Sections 5.73.020, 6.410.070, 6.420.030, 22.170.010, 22.170.050, 22.206.090, 22.206.130, 22.206.160, 22.208.020, 22.502.016, 22.801.030, 25.09.100, 25.09.110, 25.09.120, 25.09.220, and 25.09.520 of the Seattle Municipal Code; repealing Chapters 22.100 and 22.110 and Subtitles IA, III, IV, IVA, and IVB of Title 22 of the Seattle Municipal Code; and repealing ordinances or sections of the following ordinances that adopted or amended older editions of construction codes: 117723, 118654, 119478, 121865, 125156, 125157, 125158, 125160, 125161, 125162, 125337, 125408, 125409, 125410, and 125588.

Sponsors: Dan Strauss

Indexes:

Attachments: 1. Att A - 2020 Seattle Boiler and Pressure Vessel Code, 2. Att B - Amendments to 2018 International Building Code, 3. Att C - Amendments to 2020 National Electrical Code, 4. Att D - Amendments to 2018 International Existing Building Code, 5. Att E - Amendments to 2018 International Fuel Gas Code, 6. Att F - Amendments to 2018 International Mechanical Code, 7. Att G - Amendments to 2018 Uniform Plumbing Code, 8. Att H - Amendments to 2018 International Residential Code, 9. Summary and Fiscal Note, 10. Summary Att A – Code Reviser’s Statement on RCW 35.21.pdf, 11. Central Staff Memo, 12. Presentation (1/13/21), 13. Signed Ordinance 126278, 14. Complete Ordinance 126278 Attachments, 15. Affidavit of Publication

Date	Ver.	Action By	Action	Result
2/9/2021	1	City Clerk	attested by City Clerk	
2/9/2021	1	Mayor	returned	
2/8/2021	1	Mayor	Signed	
2/5/2021	1	City Clerk	submitted for Mayor's signature	
2/1/2021	1	City Council	passed	Pass
1/27/2021	1	Land Use and Neighborhoods Committee	pass	Pass
1/25/2021	1	City Council	referred	
1/21/2021	1	Council President's Office	sent for review	
1/12/2021	1	City Clerk	sent for review	
1/12/2021	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to Seattle’s construction codes; adopting the Seattle Boiler Code, Building Code, Electrical Code, Existing Building Code, Fuel Gas Code, Mechanical Code, Plumbing Code, and Residential Code by reference, amending certain chapters of those codes, and adopting new chapters for those codes; correcting references to those codes in the Seattle Municipal Code; making technical corrections; adding a new Chapter 22.101 to the Seattle Municipal Code; amending the title of Subtitle I of Title 22, Sections 5.73.020, 6.410.070, 6.420.030, 22.170.010, 22.170.050, 22.206.090, 22.206.130, 22.206.160, 22.208.020, 22.502.016, 22.801.030, 25.09.100, 25.09.110, 25.09.120, 25.09.220, and 25.09.520 of the Seattle Municipal Code; repealing Chapters 22.100 and 22.110 and Subtitles IA, III, IV, IVA, and IVB of Title 22 of the Seattle Municipal Code; and repealing ordinances or sections of the following ordinances that adopted or amended older editions of construction codes: 117723, 118654, 119478, 121865, 125156, 125157, 125158, 125160, 125161, 125162, 125337, 125408, 125409, 125410, and 125588.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

ADOPTION OF NEW CONSTRUCTION CODES

Section 1. To the extent listed in Sections 22.101.010, 22.502.016, and 22.600.020 of the Seattle Municipal Code as amended by this ordinance, and with copies on file with the City Clerk in the Clerk Files listed in those sections, the following codes are adopted by reference, with additional chapters and amendments to those codes contained in the listed attachments to this ordinance:

Code adopted by reference	Contained/amended in
2018 Seattle Boiler and Pressure Vessel Code	Attachment A
2018 International Building Code	Attachment B
2020 National Electrical Code	Attachment C
2018 International Existing Building Code	Attachment D
2018 International Fuel Gas Code	Attachment E
2018 International Mechanical Code	Attachment F
Chapter 51-56 WAC (Uniform Plumbing Code)	Attachment G
2018 International Residential Code	Attachment H

Section 2. The title of Subtitle I of Title 22 of the Seattle Municipal Code, last amended by Ordinance 125410, is amended as follows:

Subtitle I (~~(Building Code)~~) Construction Codes

Section 3. A new Chapter 22.101 is added to Subtitle I of the Seattle Municipal Code as follows:

CHAPTER 22.101 ADOPTION OF CONSTRUCTION CODES

22.101.010 List of construction codes

Table A for 22.101.010 lists various adopted Seattle editions of construction codes. For each base code that has been adopted by reference, a copy is available in the City Clerk’s Office under the listed Clerk File number.

Each code consists of the listed portions of the base code, any additional chapters listed as adopted by ordinance, and amendments adopted by ordinance.

**Table A for 22.101.010
Construction codes adopted by reference**

Name	Base code	Additional chapters	Clerk File
Seattle Boiler and Pressure Vessel Code	Attachment A to this ordinance		
Seattle Building Code	2018 International Building Code, Chapters 2 through 29 and 31 through 35	Chapters 1 and 30, in Attachment B to this ordinance	321854
Seattle Electrical Code	2020 National Electrical Code and selected portions of chapter 296-46B WAC	Article 80, in Attachment C to this ordinance	321855
Seattle Existing Building Code	2018 International Existing Building Code, Chapters 2 through 11, 13, 15, and 16 and Appendix A	Chapter 1, in Attachment D to this ordinance	321856
Seattle Fuel Gas Code	2018 International Fuel Gas Code, Chapters 2 through 8 and Appendices A through D	Chapter 1, in Attachment E to this ordinance	321857
Seattle Mechanical Code	2018 International Mechanical Code, Chapters 2 through 9 and 11 through 15 and Appendices A and B	Chapter 1, in Attachment F to this ordinance	321858
Seattle Residential Code	2018 International Residential Code, Chapters 2 through 10, 12 through 24, 29, and 44 and Appendices F, Q, and T	Chapter 1, in Attachment H to this ordinance	321860

Section 4. Section 22.502.016 of the Seattle Municipal Code, last amended by Ordinance 125157, is amended as follows:

22.502.016 Adoption of ((2015 Plumbing Code and Local Amendments)) Seattle Plumbing Code

The Seattle Plumbing Code consists of: (1) all of chapter 51-56 of the Washington Administrative Code (WAC)

in effect on July 1, ((2016)) 2020, except Sections 51-56-008 and 51-56-0100; (2) amendments and additions to chapter 51-56 WAC adopted by the City Council by ordinance; and (3) Chapter 1, which is composed of all local provisions. One copy of chapter 51-56 of the Washington Administrative Code in effect on July 1, ((2016)) 2020, is filed with the City Clerk in Clerk File ((319949)) 321859.

REPEAL OF OLD CONSTRUCTION CODES AND TRANSITION PROVISIONS

Section 5. The following ordinances or sections of ordinances, either adopting or amending older editions of construction codes, are repealed:

A. Ordinances 117723, 118654, 119478, 121865, and 125337 (relating to the Seattle Boiler and Pressure Vessel Code);

B. Sections 2 through 28 of Ordinance 125161, Sections 1 through 3 of Ordinance 125409, Section 1 of Ordinance 125410, and Section 1 of Ordinance 125588 (relating to the Seattle Building Code);

C. Sections 3 through 46 of Ordinance 125408 (relating to the Seattle Electrical Code);

D. Sections 2 through 16 of Ordinance 125158 and Section 2 of Ordinance 125410 (relating to the Seattle Existing Building Code);

E. Sections 2 through 9 of Ordinance 125156 (relating to the Seattle Fuel Gas Code);

F. Sections 2 through 15 of Ordinance 125162 and Section 4 of Ordinance 125410 (relating to the Seattle Mechanical Code);

G. Sections 2 through 8 of Ordinance 125157 (relating to the Seattle Plumbing Code); and

H. Sections 2 through 25 of Ordinance 125160 and Section 3 of Ordinance 125410 (relating to the Seattle Residential Code).

Section 6. Beginning on the effective date of this ordinance and ending on March 15, 2021, permit applicants who submit a valid and fully complete building permit application during that period may elect to have the application reviewed under the provisions of one or more codes listed in Section 5 of this ordinance rather than the provisions of codes adopted in this ordinance.

SEATTLE MUNICIPAL CODE CLEANUP AND CORRECTIONS

Section 7. Section 5.73.020 of the Seattle Municipal Code, last amended by Ordinance 125932, is amended as follows:

5.73.020 Definitions

* * *

“Bedroom” means a habitable room in a dwelling unit that meets the following criteria: (1) gross floor area equals at least 70 square feet; (2) wall dimensions equal at least 7 feet; (3) natural lighting is provided through an exterior opening in accordance with Section ~~((1205.2.2))~~ 1204.2.2 of the Seattle Building Code, or through an opening to an adjoining room in accordance with Section ~~((1205.2.1))~~ 1204.2.1 of the Seattle Building Code; (4) natural ventilation is provided through an exterior opening in accordance with Section ~~((1203.5.1))~~ 1202.5.1 of the Seattle Building Code, or through an opening to an adjoining room in accordance with Section ~~((1203.5.1.1))~~ 1202.5.1.1 of the Seattle Building Code, or through an opening below grade in accordance with Section ~~((1203.5.1.2))~~ 1202.5.1.2 of the Seattle Building Code; and (5) the habitable room is completely separated from other portions of the dwelling unit by walls and one or more exit access doorways, consistent with Chapter 2 of the Seattle Building Code.

* * *

Section 8. Section 6.410.070 of the Seattle Municipal Code, enacted by Ordinance 122109, is amended as follows:

6.410.070 License classifications ~~((r))~~

* * *

D. *Refrigeration* ~~((Operators))~~ Operator’s Licenses. A refrigeration ~~((operators))~~ operator’s license is required except as provided by this chapter for all persons who operate and conduct maintenance of refrigeration and air conditioning systems that require annual certification in accordance with Section ~~((122))~~ 119 of the Seattle Mechanical Code.

* * *

Section 9. Section 6.420.030 of the Seattle Municipal Code, last amended by Ordinance 124919, is amended as follows:

6.420.030 Definitions ((-))

* * *

“Seattle Boiler Code” is the Seattle Boiler and Pressure Vessel Code, ~~((Title 22 Subtitle IVA of the Seattle Municipal Code))~~ as listed in Section 22.101.010.

Section 10. Chapter 22.100 of the Seattle Municipal Code, last amended by Ordinance 125410, is repealed:

~~**(CHAPTER 22.100 ADOPTION OF BUILDING CODE AND ADMINISTRATIVE AMENDMENTS**~~

~~**Subchapter I Documents Adopted**~~

~~**22.100.010 Adoption of the Seattle Building Code**~~

~~The Seattle Building Code is adopted and consists of: 1) Chapters 2 through 29, Chapters 31 through 33, and Chapter 35 of the 2015 edition of the International Building Code as amended by ordinance; and 2) Chapters 1 and 30 as adopted by the ordinance introduced as Council Bill 118781. One copy of the 2015 International Building Code is filed with the City Clerk in Clerk File 319954.)~~

Section 11. Chapter 22.110 of the Seattle Municipal Code, last amended by Ordinance 125158, is repealed:

~~**(Chapter 22.110 INTERNATIONAL EXISTING BUILDING CODE**~~

~~**22.110.010 Adoption of International Existing Building Code**~~

~~The Seattle Existing Building Code consists of: (1) the following portions of the 2015 edition of the International Existing Building Code published by the International Code Council: Chapters 2 through 5, Chapters 7 through 11, Chapters 14 through 16, Chapter A1, Chapter A3, Chapter A4, and Chapter A6; (2) the amendments and additions to the 2015 International Existing Building Code adopted by City Council by~~

ordinance; and (3) Chapter 1 adopted by City Council by ordinance. One copy of the 2015 International Existing Building Code is filed with the City Clerk in C.F. 319951.))

Section 12. Subtitle IA of Title 22 of the Seattle Municipal Code, last amended by Ordinance 125410, is repealed:

~~((Subtitle IA Residential Code~~

~~CHAPTER 22.150 ADOPTION OF RESIDENTIAL CODE AND ADMINISTRATIVE AMENDMENTS~~

~~22.150.010 Adoption of Seattle Residential Code~~

~~The Seattle Residential Code is adopted and consists of: 1) Chapters 2 through 10, Chapters 12 through 24, Section P2904, Chapter 44, Appendices F and U of the 2015 edition of the International Residential Code as amended by ordinance, and 2) Chapter 1 as adopted in Section 2 of the ordinance introduced as Council Bill 118780. One copy of the 2015 International Residential Code is filed with the City Clerk in Clerk File 319950.))~~

Section 13. Section 22.170.010 of the Seattle Municipal Code, enacted by Ordinance 123107, is amended as follows:

22.170.010 Title

This subtitle shall be known as the “Seattle Grading Code” or “Grading Code” and may be cited as either. It is referred to in this chapter as “this code.” ((-)) References in the Seattle Building Code to the “Stormwater, Grading and Drainage Control Code” ((,-)) shall be construed to include a reference to this code.

Section 14. Section 22.170.050 of the Seattle Municipal Code, last amended by Ordinance 125248, is amended as follows:

22.170.050 Definitions

* * *

“Building permit” means a document issued by the Seattle Department of Construction and Inspections giving permission for construction or other specified activity in accordance with the Seattle Building Code (((Chapter

~~22.100))~~ or the Seattle Residential Code. ~~((Chapter 22.150.))~~

* * *

Section 15. Section 22.206.090 of the Seattle Municipal Code, last amended by Ordinance 125343, is amended as follows:

22.206.090 Heating

* * *

B. ~~((heating))~~ Heating devices. All heating devices and appliances, including but not limited to furnaces, fireplaces, electric baseboard heaters, and water heaters, shall be of an approved type, in good and safe working order, and shall meet all installation and safety codes. Approved, unvented portable oil-fueled heaters may be used as a supplemental heat source provided that such heaters shall not be located in any ~~((sleeping room or bathroom))~~ prohibited location, as provided by ~~((Chapter 22.400.))~~ Section 303.3 of the Mechanical Code. Ventilation for rooms and areas containing fuel-burning appliances shall be adequate for proper combustion.

Section 16. Section 22.206.130 of the Seattle Municipal Code, last amended by Ordinance 125603, is amended as follows:

22.206.130 Requirements

* * *

C. Stairway enclosures

1. The standards for stairway enclosures are as follows:

a. The walls of all portions of a stairway enclosure shall be at least one hour fire-resistive construction. Materials fastened to walls or floors of stairway enclosures shall comply with ~~((the 2015))~~ Seattle Building Code Section 806; provided, that:

i. Existing partitions forming part of a stairway enclosure shall be permitted in lieu of one-hour fire-resistive construction if they are constructed of lath and plaster that is not cracked, loose, or broken; or

ii. Existing wainscoting and other decorative woodwork that was lawful at the time of installation is permitted if it is coated with an approved fire-retardant.

b. Each opening onto a stairway enclosure shall be protected by a self-closing fire door and latching assembly providing fire-resistance equivalent to that provided by a solid wood door and assembly at least 1-3/4 inches thick.

2. Stairway enclosures need not meet the above standards if:

a. A lawfully installed automatic fire-extinguishing system is provided for all corridors, stairs, and common areas within the building;

b. The stairway enclosure connects to only two floors and is not connected to corridors or stairways serving other floors; or

c. The stairway enclosure is in a dwelling unit.

* * *

G. Enclosure of vertical openings

1. Elevator shafts and other vertical openings shall be protected with construction as required for stairway enclosures in subsection 22.206.130.C.1 or by fixed wire-glass set in steel frames, or by assemblies that comply with Chapter 7 of the ((2015)) Seattle Building Code.

2. Doors on vertical openings shall be of solid wood at least 1-3/8 inches thick or shall provide equivalent fire resistance.

H. Separation of occupancies. Occupancy separations shall be provided as specified in Section 508 and Table 508.4 of the ((2015)) Seattle Building Code.

* * *

Section 17. Section 22.206.160 of the Seattle Municipal Code, last amended by Ordinance 126075, is amended as follows:

22.206.160 Duties of owners

A. It shall be the duty of all owners, regardless of any lease provision or other agreement that purports to transfer the owner's responsibilities hereunder to an operator, manager, or tenant, to:

1. Remove all garbage, rubbish, and other debris from the premises;
2. Secure any building which became vacant against unauthorized entry as required by Section 22.206.200;
3. Exterminate insects, rodents, and other pests which are a menace to public health, safety, or welfare. Compliance with the Director's Rule governing the extermination of pests shall be deemed compliance with this subsection 22.206.160.A.3;
4. Remove from the building or the premises any article, substance, or material imminently hazardous to the health, safety, or general welfare of the occupants or the public, or which may substantially contribute to or cause deterioration of the building to such an extent that it may become a threat to the health, safety, or general welfare of the occupants or the public;
5. Remove vegetation and debris as required by Section 10.52.030;
6. Lock or remove all doors and/or lids on furniture used for storage, appliances, and furnaces which are located outside an enclosed, locked building or structure;
7. Maintain the building and equipment in compliance with the minimum standards specified in Sections 22.206.010 through 22.206.140 and in a safe condition, except for maintenance duties specifically imposed in Section 22.206.170 on the tenant of the building; provided that this subsection 22.206.160.A.7 shall not apply to owner-occupied dwelling units in which no rooms are rented to others;
8. Affix and maintain the street number to the building in a conspicuous place over or near the principal street entrance or entrances or in some other conspicuous place. This provision shall not be construed to require numbers on either appurtenant buildings or other buildings or structures where the Director finds that the numbering is not appropriate. Numbers shall be easily legible, in contrast with the surface upon which they are placed. Figures shall be no less than 2 inches high;

9. Maintain the building in compliance with ~~((the requirements of Section 3401.2 of))~~ the Seattle Existing Building Code;

10. Comply with any emergency order issued by the Seattle Department of Construction and Inspections;

11. Furnish tenants with keys for the required locks on their respective housing units and building entrance doors; and

12. Maintain electricity, water, and gas (if provided) service equipment for each dwelling unit in good working order.

* * *

Section 18. Section 22.208.020 of the Seattle Municipal Code, last amended by Ordinance 125399, is amended as follows:

22.208.020 Standards for demolition, repair, or vacation and closure

* * *

D. If the Director finds that any of the following conditions exist, the Director shall order that such conditions be eliminated and that the building be closed within a time specified:

1. The condition or conditions which cause the building or premises to be unsafe or unfit for human habitation create a hazard to the public health, safety, or welfare that would exist even if the building were vacated and closed to entry; or

2. Building appendages, as defined in the Seattle Existing Building Code ~~((Section 3402.2))~~, are in a deteriorated condition or are otherwise unable to sustain the design loads specified; or

3. Part of the building or premises or equipment intended to assist in extinguishing a fire, to prevent the origin or spread of fire, or to safeguard life or property from fire is in an unsafe or unusable condition.

Section 19. Subtitle III of Title 22 of the Seattle Municipal Code, last amended by Ordinance 125408, is

repealed:

~~((Subtitle III Electrical Code~~

~~CHAPTER 22.300 ADOPTION OF ELECTRICAL CODE~~

~~22.300.016 Adoption of the Electrical Code~~

~~The Seattle Electrical Code consists of portions of the *National Electrical Code*, 2017 edition; selected portions of the 2017 edition of *Washington Administrative Code (WAC)* Chapter 296-46B, copies of which are filed with the City Clerk in Clerk Files 320384 and 320385; amendments, including deletions and additions, to the 2017 National Electrical Code and the selected portions of WAC 296-46B; and Article 80, relating to administration, permitting, and enforcement, as adopted by the ordinance introduced as Council Bill 119069.))~~

Section 20. Subtitle IV of Title 22 of the Seattle Municipal Code, last amended by Ordinance 125162, is repealed:

~~((Subtitle IV Mechanical Code~~

~~CHAPTER 22.400 ADOPTION OF MECHANICAL CODE AND ADMINISTRATIVE AMENDMENTS~~

~~22.400.010 Adoption of International Mechanical Code and local amendments~~

~~The Seattle Mechanical Code consists of: (1) the following portions of the 2015 edition of the International Mechanical Code published by the International Code Council, as amended by the City Council by ordinance: Chapters 2 through 9, Chapters 11 through 16, and (2) Chapter 1 relating to administration, permitting, and enforcement adopted by City Council ordinance. One copy of the 2015 International Mechanical Code is filed with the City Clerk in C.F. 319953.))~~

Section 21. Subtitle IVA of Title 22 of the Seattle Municipal Code, last amended by Ordinance 125156, is repealed:

~~((Subtitle IVA Fuel Gas Code~~

~~CHAPTER 22.420 ADOPTION OF FUEL GAS CODE AND ADMINISTRATIVE AMENDMENTS~~

~~22.420.010 Adoption of International Fuel Gas Code~~

~~The Seattle Fuel Gas Code consists of: (1) the following portions of the 2015 edition of the International Fuel Gas Code published by the International Code Council, as amended by City Council by ordinance: Chapters 2-8, together with the adopted amendments and additions, and (2) Chapter 1 relating to administration, permitting and enforcement adopted by City Council by ordinance. One copy of the 2015 International Fuel Gas Code is filed with the City Clerk in C.F. 319952.))~~

Section 22. Subtitle IVB of Title 22 of the Seattle Municipal Code, last amended by Ordinance 125337, is repealed:

~~((Subtitle IVB Seattle Boiler and Pressure Vessel Code~~

~~**CHAPTER 22.450 ADOPTION OF SEATTLE BOILER AND PRESSURE VESSEL CODE**~~

~~**22.450.010 Adoption of Seattle Boiler and Pressure Vessel Code**~~

~~The Seattle Boiler and Pressure Vessel Code is hereby adopted and by this reference made a part of this Subtitle IVB. Copies of the Seattle Boiler and Pressure Vessel Code, with amendments, are kept on file at the Seattle Department of Construction and Inspections and in the City Clerk's Office.))~~

Section 23. Section 22.801.030 of the Seattle Municipal Code, enacted by Ordinance 124919, is amended as follows:

22.801.030 "B"

* * *

"Building permit" means a document issued by the Seattle Department of Construction and Inspections authorizing construction or other specified activity in accordance with the Seattle Building Code (~~Chapter 22.100~~) or the Seattle Residential Code (~~Chapter 22.150~~).

* * *

Section 24. Section 25.09.100 of the Seattle Municipal Code, last amended by Ordinance 125248, is amended as follows:

25.09.100 Development standards for liquefaction-prone areas

A. The general development standards set out in Section 25.09.060 do not apply to liquefaction-prone areas.

B. Soils engineering studies may be required for development in liquefaction-prone areas to determine the physical properties of the surficial soils, especially the thickness of unconsolidated deposits, and their liquefaction potential, pursuant to (~~(Title 22, Subtitle I)~~) the Seattle Building Code and the Seattle Existing Building Code.

C. If it is determined that the site is prone to liquefaction, the Director may impose mitigation measures pursuant to (~~(Title 22, Subtitle I)~~) the Seattle Building Code and the Seattle Existing Building Code, in addition to other applicable codes or regulations pertaining to development in liquefaction-prone areas.

Section 25. Section 25.09.110 of the Seattle Municipal Code, last amended by Ordinance 125248, is amended as follows:

25.09.110 Development standards for peat settlement-prone areas

* * *

C. No development shall occur within a peat settlement-prone area below the annual high static groundwater level except to the minimum extent the Director deems necessary to allow the following:

1. Structural components required under (~~(Title 22, Subtitles I and IA)~~) the Seattle Building Code, Seattle Existing Building Code, and Seattle Residential Code;
2. Utility lines, including but not limited to drainage and sanitary side sewers and stormwater conveyance facilities, but excluding groundwater collection systems;
3. Geotechnical testing;
4. Maintenance and repair, and interior renovation and interior structural alteration of an existing structure if that activity, even though it might involve construction activity below the annual high static groundwater level, does not increase the extent of the structure below the annual high static groundwater level;
5. Aquatic habitat restoration;

6. Infiltration facilities or other development designed primarily to encourage recharge or infiltration of water to the groundwater;

7. Replacement of contaminated soils with other soils or fills when the applicant demonstrates to the satisfaction of the Director that the removal will not increase the likelihood of settlement on off-site parcels;

8. Public utility facilities designed to provide drinking water, control flooding, or protect against sanitary or combined sewer overflow when the applicant demonstrates to the satisfaction of the Director that the facilities have been designed to avoid or minimize to the maximum extent practicable impacts to the groundwater regime; or

9. Elevator pits necessary to meet accessibility standards required by City law.

* * *

K. Nothing in this Section 25.09.110, including but not limited to subsection 25.09.110.I, limits the authority of the Director to require additional studies or impose additional conditions to address project-related risks arising in peat settlement-prone areas pursuant to other applicable codes or regulations, including but not limited to (~~(Title 22, Subtitles I and IA)~~) the Seattle Building Code, Seattle Existing Building Code, and Seattle Residential Code.

Section 26. Section 25.09.120 of the Seattle Municipal Code, last amended by Ordinance 125248, is amended as follows:

25.09.120 Development standards for flood-prone areas

All development shall meet the applicable requirements of Chapter 25.06, (~~(Chapter 22.100, Chapter 22.150,)~~) Chapter 22.170, and Chapter 22.800, as well as the Seattle Building Code and Seattle Residential Code.

Section 27. Section 25.09.220 of the Seattle Municipal Code, last amended by Ordinance 125248, is amended as follows:

25.09.220 Development standards for abandoned landfills

A. Regulation of development on abandoned landfills. Development on abandoned landfills is subject to

Seattle-King County Health Department requirements for the applicant to submit an excavation and development work plan, prepared by a licensed engineer with experience in landfill construction and/or management, and comply with other applicable requirements to prevent damage from methane gas buildup, subsidence, and earthquake-induced ground shaking, as contained in Chapter 22.170, (~~Title 22, Subtitle I~~) the Seattle Building Code, the Seattle Existing Building Code, and regulations pertaining to development on abandoned landfill sites. Technical studies shall be required to indicate whether these areas pose a threat to development on an abandoned landfill site.

B. Areas within 1,000 feet of methane-producing landfills. Areas within 1,000 feet of methane-producing landfills may be susceptible to accumulations of hazardous levels of methane gas in enclosed spaces. Methane barriers or appropriate ventilation may be required in these areas as specified in (~~Title 22, Subtitle I~~) the Seattle Building Code, the Seattle Existing Building Code, and Seattle-King County Health Department regulations.

C. All utility lines leaving an abandoned landfill shall be sealed to prevent the trench bedding from becoming a preferential pathway for gas migration.

Section 28. Section 25.09.520 of the Seattle Municipal Code, last amended by Ordinance 125248, is amended as follows:

25.09.520 Definitions

* * *

“Stabilize” means to possess permanent characteristics, either naturally or by manmade improvements, which can be shown to have sufficient resistance to forces normally expected to occur, and those forces that may occur as a result of the Seattle Building Code design earthquake ground motion.

* * *

SEVERABILITY AND EFFECTIVE DATE CLAUSES

Section 29. The provisions of this ordinance are declared to be separate and severable. The invalidity of

any clause, sentence, paragraph, subdivision, section, or portion of this ordinance, or the invalidity of its application to any person or circumstance, does not affect the validity of the remainder of this ordinance or the validity of its application to other persons or circumstances.

Section 30. Section 5 of this ordinance shall take effect and be in force on March 15, 2021.

Section 31. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the _____ day of _____, 2021, and signed by me in open session in authentication of its passage this _____ day of _____, 2021.

President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2021.

Jenny A. Durkan, Mayor

Filed by me this _____ day of _____, 2021.

Monica Martinez Simmons, City Clerk

(Seal)

Attachments:

- Attachment A - 2020 Seattle Boiler and Pressure Vessel Code
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