SUMMARY and FISCAL NOTE

Department:	Dept. Contact:	CBO Contact:
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1. BILL SUMMARY

Legislation Title:
AN ORDINANCE relating to Seattle's construction codes; adopting the Seattle Boiler Code, Building Code, Electrical Code, Energy Code, Existing Building Code, Fuel Gas Code, Mechanical Code, Plumbing Code, and Residential Code and chapters of the Washington Administrative Code by reference, amending certain chapters of those codes, and adopting new chapters for those codes; amending Sections 3.06.030, 5.73.020, 11.60.690, 22.101.010, and 22.502.016 of the Seattle Municipal Code; and repealing Section 1 of Ordinance 126278, Ordinance 126279, Ordinance 126358, and Ordinance 126508.

Summary and Background of the Legislation:
This legislation adopts the 2021 Seattle Construction Codes, which consists of codes from the International Code Council (ICC), National Fire Protection Association (NFPA), and International Association of Plumbing and Mechanical Officials (IAPMO), with Seattle amendments. These codes are adopted by the State, and State law allows local jurisdictions to amend certain codes and requires local jurisdictions to enforce them. The Boiler Code is an exception; Seattle is one of a few jurisdictions in Washington that has its own boiler code.

The Seattle Construction Codes -- building, residential, existing building, mechanical, fire, plumbing, energy, electrical, fuel gas, boiler, and elevator -- are a vital component of providing a safe, healthy, livable community, and every three years, as changes occur at the national and state levels, our local codes are also refined to meet or exceed those standards. This legislation is the final step to adopt and implement the 2021 Seattle Codes.

Seattle is required by law to adopt the state codes but is allowed to develop and adopt further amendments for certain codes. Per WAC 51-50-008, the 2021 state codes went into effect March 15, 2024, regardless of when Seattle adopts (by ordinance) our updated codes and amendments; however, we do not enforce the updated codes until they are adopted by ordinance.

This legislation also includes several amendments to incentivize voluntary public safety improvements to unreinforced masonry (URM) buildings as well as various Seattle Municipal Code cleanup and corrections items that relate to the construction codes.

For additional details, please consult Attachment B to this fiscal note.

2. CAPITAL IMPROVEMENT PROGRAM

Does this legislation create, fund, or amend a CIP Project? ☐ **Yes** ☒ **No**

3. SUMMARY OF FINANCIAL IMPLICATIONS

Does this legislation have financial impacts to the City? ☐ **Yes** ☒ **No**

3.d. Other Impacts

Does the legislation have other financial impacts to The City of Seattle, including direct or indirect, one-time or ongoing costs, that are not included in Sections 3.a through 3.c? If so, please describe these financial impacts.
This legislation requires all departments that will build or renovate buildings in Seattle to comply with the 2021 codes.

If the legislation has costs, but they can be absorbed within existing operations, please describe how those costs can be absorbed. The description should clearly describe if the absorbed costs are achievable because the department had excess resources within their existing budget or if by absorbing these costs the department is deprioritizing other work that would have used these resources.

Please describe any financial costs or other impacts of *not* implementing the legislation.
Chapter 19.27 RCW requires the City to implement this legislation.

4. OTHER IMPLICATIONS

a. Please describe how this legislation may affect any departments besides the originating department.
This legislation requires all departments that will build or renovate buildings in the city of Seattle to comply with the 2021 codes.

b. Does this legislation affect a piece of property? If yes, please attach a map and explain any impacts on the property. Please attach any Environmental Impact Statements, Determinations of Non-Significance, or other reports generated for this property.
The legislation will affect construction, alteration, and demolition of structures on any property but is not directed at any specific property.

c. Please describe any perceived implication for the principles of the Race and Social Justice Initiative.

i. How does this legislation impact vulnerable or historically disadvantaged communities? How did you arrive at this conclusion? In your response, please consider impacts within City government (employees, internal programs) as well as in the broader community.
Vulnerable or historically disadvantaged communities have fewer resources to combat the effects of climate changes or natural disasters. Strong building and energy codes mitigate the impact of these existential threats by encouraging sustainable heating and cooling. Energy codes decrease utility costs for everyone, especially benefitting those who spend a larger proportion of their income on utilities. Ensuring that new housing, regardless of the cost of the unit being provided has an adequate number of electric vehicle (EV) charging spaces ensures that members of vulnerable

communities aren't left behind as we transition to a net zero environment. These codes are essential to creating a resilient, inclusive community.

ii. Please attach any Racial Equity Toolkits or other racial equity analyses in the development and/or assessment of the legislation.
Analysis of Unreinforced Masonry (URM) earthquake retrofits using the Racial Equity Toolkit was completed in 2017 (see page 20). Note that negative impacts and burdens are associated with a mandatory retrofit requirement; compliance with 2021 URM code modifications are voluntary.

iii. What is the Language Access Plan for any communications to the public?
The URM team is working with the Mayor's Office, the Office of Emergency Management, and the Department of Neighborhoods to establish culturally appropriate messaging on URM retrofits.

d. Climate Change Implications

iv. Emissions: How is this legislation likely to increase or decrease carbon emissions in a material way? Please attach any studies or other materials that were used to inform this response.
This legislation will decrease carbon emissions through building decarbonization.

This legislation incentivizes the collapse-prevention retrofits of URM buildings and will reduce future carbon emissions associated with post-earthquake debris, demolitions, and rebuilding.

v. Resiliency: Will the action(s) proposed by this legislation increase or decrease Seattle's resiliency (or ability to adapt) to climate change in a material way? If so, explain. If it is likely to decrease resiliency in a material way, describe what will or could be done to mitigate the effects.
This legislation will increase Seattle's ability to adapt to climate change through the increased energy efficient construction standards.

This legislation will increase Seattle's ability to recover from earthquakes by reducing the probability of URM building collapse and collapse-related economic downtime from road and business closures.

e. If this legislation includes a new initiative or a major programmatic expansion: What are the specific long-term and measurable goal(s) of the program? How will this legislation help achieve the program's desired goal(s)? What mechanisms will be used to measure progress towards meeting those goals?
This legislation does not include any new initiatives or major expansion of any program.

5. CHECKLIST

☐ **Is a public hearing required?**

☐ **Is publication of notice with *The Daily Journal of Commerce* and/or *The Seattle Times* required?**

☐ **If this legislation changes spending and/or revenues for a fund, have you reviewed the relevant fund policies and determined that this legislation complies?**

☐ **Does this legislation create a non-utility CIP project that involves a shared financial commitment with a non-City partner agency or organization?**

6. ATTACHMENTS

Summary Attachments:
Summary Attachment A – Code Reviser's Statement on RCW 35.21.180
Summary Attachment B – Significant Changes in Seattle Codes