

ORDINANCE NO. 1480

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to buildings and construction and the City's electrical code, amending DMMC 14.01.030 and DMMC 14.20.020, repealing DMMC 14.20.040, DMMC 14.20.050, DMMC 14.20.060, DMMC 14.20.070, DMMC 14.20.080, DMMC 14.20.090, DMMC 14.20.100, DMMC 14.20.110, DMMC 14.20.120, DMMC 14.20.130, and DMMC 14.20.140, codifying a new section in chapter 14.20 DMMC, providing for severability, and establishing an effective date.

WHEREAS, the Des Moines Municipal Code adopts the Des Moines Electrical Code, and

WHEREAS, the state has adopted and amended the 2008 National Electrical Code (NEC), and

WHEREAS, the NEC does not provide for administrative authority/guidelines, and

WHEREAS, the state's administrative authority does not transfer to individual cities, and

WHEREAS, RCW 19.28 requires cities that enforce the electrical code to adopt a code that is equal, higher, or better than the state electrical code, and

WHEREAS, the MyBuildingPermit.com and the Washington Association of Building Officials' Electrical Committee have created the Washington Cities Electrical Code which adopts and amends the 2008 National Electrical Code in a manner consistent with chapter 19.28 RCW, and

WHEREAS, it would be in the best interest of the public health, safety, and welfare to amend Title 14 of the Des Moines Municipal Code to provide for the adoption of the Washington Cities Electrical Code, as amended herein, as the City of Des Moines Electrical Code, in conformance with chapter 19.28 RCW; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 14.01.030 and section 4 of Ordinance No. 1407 are amended to read as follows:

**Adoption by reference.** The following codes, standards, rules, and regulations, as amended, added to, or excepted in this title, are adopted by reference as presently constituted or as may be subsequently amended, added to, or excepted as though fully set forth in this title:

(1) Chapter 51-50 WAC - International Building Code (IBC);

(2) Chapter 51-51 WAC - International Residential Code (IRC);

(3) Chapter 51-54 WAC - International Fire Code (IFC), including the Appendices to Chapters B and C;

(4) Chapter 51-52 WAC - International Mechanical Code (IMC);

(5) Chapter 51-52 WAC - National Fuel Gas Code (NFPA 54);

(6) Chapter 51-52 WAC - International Fuel Gas Code;

(7) Chapter 51-52 WAC - Liquefied Petroleum Gas Code (NFPA 58);

(8) Chapter 51-11 WAC - Washington State Energy Code;

(9) Chapter 51-13 WAC - Washington State Ventilation and Indoor Air Quality Code (VIAQC);

(10) Chapter 51-29 WAC - Washington State Historic Building Code;

(11) November 12, 2009 edition of "The Washington Cities Electrical Code" as published and printed by the Washington Association of Building Officials and amended in chapter 14.20 DMMC;

(12) Chapter 51-56 WAC - Uniform Plumbing Code. Not less than one copy of each such code, standards, rules, and regulations, in the form in which it was adopted, and suitably marked to indicate amendments, additions, deletions and exceptions as provided in this title, shall be filed in the building official's office and be available for use and examination by the public.

**Sec. 2.** DMMC 14.20.020 and section 91 of Ordinance No. 1407 are amended to read as follows:

**Adoption of codes.** Except as amended, added to, or excepted in this chapter, the Washington Cities Electrical Code, November 12, 2009 Edition, as published by the Washington Association of Building Official, is adopted by reference as presently constituted or as may be subsequently amended, added to, or excepted as though fully set forth in this chapter.

**Sec. 3. The Washington Cities Electrical Code Section 8513(N) amended—Fees.** Section 85.13(N) of the Washington Cities Electrical Code, as adopted by this ordinance, is amended as follows:

**(N) Fees.**

(1) **Payment of fees.** A permit shall not be valid until the fees prescribed by law have been paid. Nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

(2) **Schedule of permit fees.** A fee for each permit shall be paid as required, in accordance with the schedule as established by the City.

(3) **Work commencing before permit issuance.** Except where authorized for emergencies by Section 85.13(B) exception, any person who commences any work before obtaining the necessary permits shall be subject to an additional fee established by the City, which shall be in addition to the required permit fees.

(4) **Related fees.** The payment of the fee for the construction, alteration, removal or demolition for work done in connection with, or concurrently with, the work authorized by a permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

(5) **Refunds.** The city may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code provided the request is made in writing and filed by the original permittee not later than 180 days after the date of permit issuance. The City may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review is done provided the request is made in writing and filed by the original applicant not later than 180 days after the date of application.

(6) **Use of consultants.** Whenever review of an application requires retention by the City for professional consulting services for other than normal plan review, the applicant shall reimburse the city the cost of such professional consulting services. This fee may be in addition to the normal plan review and permit fees. The City may require the applicant to deposit an amount with the City to be sufficient to cover anticipated costs to retain professional consultant services and to ensure reimbursement for such costs.

**Sec. 4. Repealer.**

(1) DMMC 14.20.040 and section 93 of Ordinance No. 1407 are each repealed.

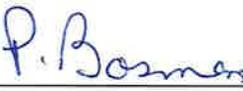


**Sec. 7. Effective date.** This ordinance shall take effect and be in full force thirty (30) days after its passage and approval in accordance with law.

**PASSED BY** the City Council of the City of Des Moines this 25th day of February, 2010 and signed in authentication thereof this 25th day of February, 2010.

  
M A Y O R

APPROVED AS TO FORM:

  
\_\_\_\_\_  
City Attorney

ATTEST:

  
\_\_\_\_\_  
City Clerk

Published: March 3, 2010

Effective Date: March 27, 2010

LEGAL NOTICE

SUMMARY OF ADOPTED ORDINANCE

CITY OF DES MOINES

ORDINANCE NO. 1480, Adopted February 25, 2010

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This ordinance relates to buildings and construction and the City's electrical code, amends DMMC 14.01.030 and DMMC 14.20.020, repeals DMMC 14.20.040, DMMC 14.20.050, DMMC 14.20.060, DMMC 14.20.070, DMMC 14.20.080, DMMC 14.20.090, DMMC 14.20.100, DMMC 14.20.110, DMMC 14.20.120, DMMC 14.20.130, and DMMC 14.20.140, codifies a new section in chapter 14.20 DMMC, provides for severability, and establishes an effective date.

The full text of the ordinance will be mailed without cost upon request.

Sandy Paul, CMC  
City Clerk

Published: March 3, 2010