

ORDINANCE NO. 1353

**AN ORDINANCE OF THE CITY OF LYNDEN
FOR THE ADOPTION OF THE INTERNATIONAL EXISTING BUILDING CODE**

WHEREAS, Chapter 19.27 RCW requires that the same state building code shall be in effect in all counties and cities in the state; and

WHEREAS, the City previously adopted the International Building Code, published by the International Code Council, as the building code of the city, including any future amendments to the Uniform Building Code, the Uniform Mechanical Code and the Uniform Fire Code; and

WHEREAS, the City desires to adopt the International Existing Building code regulating and governing the repair, alteration, change of occupancy, addition and relocation of existing buildings, including historic buildings.

NOW THEREFORE, the City Council of the City of Lynden does ordain as follows:

Section A. Chapter 15.03 under Title 15 of the Lynden Municipal Code is hereby adopted as follows:

**TITLE 15
BUILDING AND CONSTRUCTION**

15.03.010 International Existing Building Code – Adoption.

The City adopts the International Existing Building Code, published by the International Code Council, as part of the building code of the City. The City further adopts any future amendments to the International Existing Building Code, effective upon its adoption by the state building code council.

15.03.020 Conditional certificate of occupancy. A conditional certificate of occupancy may be issued for any existing building at the request of the holder of the building permit when, in the opinion of the building inspector, the work remaining to be accomplished does not affect the structural integrity of the existing building and poses no potential safety hazards to persons who may enter and use said building. The conditional occupancy permit shall be issued by the building inspector and shall state a reasonable period of time for completion of the work remaining to be accomplished. A conditional occupancy permit shall be issued for no less than two weeks and for no more than four months. A conditional occupancy permit may be renewed for additional four-month periods of time upon approval of the extension by the council, but only after at least forty-eight hours' written notice of the extension request is delivered to adjacent property owners and the building owners.

15.03.030 Conditional certificate of occupancy - Penalty for failure to complete. In the event the work to be completed pursuant to a conditional certificate of occupancy is not completed within the time allotted by the public works department, the building permit holder shall be fined the sum of two hundred fifty dollars plus twenty-five dollars per day for each day the work remains uncompleted.

15.03.040 Certain discharges into sewers prohibited. Roof drains, groundwater or open drains shall not be discharged into any city or water district sanitary sewage system.

15.03.050 Building permit prerequisites. Prior to issuing any building permit, the applicant shall establish to the satisfaction of the building official:

A. That a sewage disposal system approved by the health department has been obtained. If the applicant intends to connect to the city sanitary disposal system, approval shall be obtained prior to issuance of a building permit. If the existing building is located within three hundred feet of an existing sewer line, the applicant must have the building connected to said system;

B. Compliance with zoning, subdivision and all other applicable laws and regulations has been achieved;

C. Sewer line extensions shall comply with all applicable city specifications.


15.03.060 Building valuation schedule – Permit Fees.

A. The valuation schedule to be utilized by the Public Works Director or his designee in administering the International Existing Building Code shall be set by resolution of the City Council.

B. Building permit fees shall be as set forth by resolution of the City Council.

Section B. Following adoption by the City Council and approval by the Mayor, this ordinance shall become effective five (5) days after the date of its publication.

PASSED BY THE CITY COUNCIL BY AN AFFIRMATIVE VOTE, 7 IN FAVOR AND 0 AGAINST, AND SIGNED BY THE MAYOR THIS 17 DAY OF March, 2009.


MAYOR JACK LOUWS

ATTEST:


CITY CLERK WILLIAM VERWOLF

APPROVED AS TO FORM:


CITY ATTORNEY ROBERT CARMICHAEL