

ORDINANCE NO. 1263

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO BUILDINGS AND CONSTRUCTION; ADOPTING THE 2012 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FUEL GAS CODE, THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL EXISTING BUILDING CODE, THE INTERNATIONAL ENERGY CONSERVATION CODE AND THE UNIFORM PLUMBING CODE BY REFERENCE; ADOPTING THE WASHINGTON STATE HISTORIC BUILDING CODE AND THE UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS BY REFERENCE, AS WELL AS MAKING CERTAIN CLEAN-UP AMENDMENTS, UPDATE SECTION NUMBERS, DELETE REDUNDANT LANGUAGE, CORRECT TYPOGRAPHICAL ERRORS, AMENDING GIG HARBOR MUNICIPAL CODE SECTIONS 15.06.020, 15.10.040, 15.16.070, 15.16.145, 15.16.160, 15.16.172, 15.16.174, 15.16.190, 15.16.200, 15.18.010, 15.18.090, 15.18.095, 15.18.110, 15.18.120, 15.22.010, 15.22.020, 15.22.030, 15.22.045, 15.22.050 PROVIDING FOR SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.**

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WHEREAS, the Washington State Legislature adopted the state building code, to be effective in all counties and cities in Washington (RCW 19.27.031); and

WHEREAS, the state building code is comprised of a number of published codes, which are adopted by reference in the 2009 12 editions; and

WHEREAS, the City needs to adopt the 2009 12 editions locally, for enforcement purposes; and

WHEREAS, the City of Gig Harbor may adopt local amendments to the building code, consistent with chapter 19.27 RCW; and

Whereas, the City finds that the local amendments contained herein are desirable to protect the public;

Now, therefore:

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON,  
ORDAINS AS FOLLOWS:

**Section 1.** Section 15.06.020 of the Gig Harbor Municipal Code is amended as follows:

**15.06.020 State building code adoption.**

The following codes, together with the specifically identified appendices and the amendments in the Washington Administrative Code (WAC), ~~Third-First Edition (dated August 5, 2009~~ November 9, 2012) and as further amended in this title, are hereby adopted by reference:

A. The International Building Code, 2009 12 Edition, as published by the International Code Council, Inc., including Appendix J, and as amended pursuant to Chapter 51-50 WAC;

B. The International Residential Code, 2009-12 Edition, as published by the International Code Council, Inc., including Appendix Chapter G, as amended pursuant to Chapter 51-51 WAC;

C. The International Mechanical Code, 2009 12 Edition, as published by the International Code Council, Inc., including Appendix A, as amended pursuant to Chapter 51-52 WAC;

D. The International Fuel Gas Code, 2009 12 Edition as published by the International Code Council Inc., as amended pursuant to Chapter 51-52 WAC;

E. The International Fire Code, 2009 12 Edition, as published by the International Code Council, Inc., including Appendix Chapters B,C, F, I and J, as amended pursuant to Chapter 51-54A WAC;

F. The Uniform Plumbing Code, 2009 12 Edition, published by the International Association of Plumbing and Mechanical Officials, as amended pursuant to Chapter 51-56 and ~~51-57~~ WAC including Appendix Chapters A, B, and I;

G. The International Existing Building Code, 2009 12 Edition, as published by the International Code Council, Inc. including Appendix Chapter A;

H. The Uniform Code for the Abatement of Dangerous Buildings, 1997 Edition, published by the International Conference of Building Officials;

I. ~~The Washington State Energy Code as published by the Washington State Building Code Council, pursuant to Chapter 51-41 WAC;~~ The International Energy Conservation Code.

Commercial, 2012 Edition, as published by the International Code Council, and as amended pursuant to Chapter 51-11C WAC;

J. The International Energy Conservation Code, Residential, 2012 Edition, as published by the International Code Council, and as amended pursuant to Chapter 51-11R WAC.

**Section 2.** Subsection R109.1.6, Energy efficiency inspection, of Section 15.10.040 of the Gig Harbor Municipal Code is amended as follows:

**15.10.040 Amendment to IRC Section R109.1.**

Section R109.1 of the IRC is amended as follows:

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R109.1.6 Energy efficiency inspection. Inspections shall be made to determine compliance with the ~~WA State Energy and Ventilation and Indoor Air Quality Codes (Chapters 51-11 and 51-13 WAC)~~ The International Energy Conservation Code, Residential, 2012 Edition (Chapter 51-11R WAC); and shall include, but not be limited to, inspections for: envelope insulation R and U values, fenestration U value, duct system R value, and HVAC and water-heating equipment efficiency.

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**Section 3.** New subsections (13) to (20) are hereby added to section 15.16.070 of the Gig Harbor Municipal Code as follows:

**15.16.070 Amendment to IFC Section 202.**

Section 202 of the IFC is amended to read as follows:

The following definitions and abbreviations are added to those found in Article 2 of the International Fire Code:

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13. COVERED BOAT MOORAGE is a pier or system of floating or fixed access ways to which vessels on water may be secured and any portion of which are covered by a roof.

14. DRAFT CURTAIN is a structure arranged to limit the spread of smoke and heat along the underside of the ceiling or roof.

15. FLOAT is a floating structure normally used as a point of transfer for passengers and goods, or both, for mooring purposes.

16. GRAVITY-OPERATED DROP OUT VENTS are automatic smoke and heat vents containing heat-sensitive glazing designed to shrink and drop out of the vent openings when exposed to fire.

17. MARINA is any portion of the ocean or inland water, either naturally or artificially protected, for the mooring, servicing or safety of vessels and shall include artificially protected works, the public or private lands ashore, and structures or facilities provided within the enclosed body of water and ashore for the mooring or servicing of vessels or the servicing of their crews or passengers.

18. PIER is a structure built over the water, supported by pillars or piles, and used as a landing place, pleasure pavilion or similar purpose.

19. VESSEL is watercraft of any type, other than seaplanes on the water, used or capable of being used as a means of transportation. Included in this definition are non-transportation vessels such as houseboats and boathouses.

20. WHARF is a structure or bulkhead constructed of wood, stone, concrete or similar material built at the shore of a harbor, lake or river for vessels to lie alongside of, and piers or floats to be anchored to.

**Section 4.** Section 15.16.145 of the Gig Harbor Municipal Code is amended as follows:

**15.16.145 Amendment to IFC Section 510.**

Section ~~510.4~~ 510.2 of the IFC is amended to read as follows:

510.2 Application to existing buildings. Emergency responder radio coverage shall be provided as prescribed in this code in all existing buildings by January 1, 2015. All buildings annexed into the City shall have emergency responder radio coverage within 5 years of the effective date of annexation.

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**Section 5.** Section 15.16.160 of the Gig Harbor Municipal Code is amended as follows:

**15.16.160 Amendment to IFC Section 903.2.**

Section 903.2 of the IFC is amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

\* \* \*

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: Group R-3 occupancies subject to the requirements of the International Residential Code.

903.2.8.4.3 Application to existing structures. Automatic sprinklers shall be installed, tested and approved:

1. Whenever an existing building containing a Group R fire area is being substantially remodeled or renovated.
2. Whenever an existing building containing a Group R fire area incurs fire damage requiring repairs meeting the definition of substantial remodel/renovation.
3. In all existing hotels and motels annexed into the City of Gig Harbor within five years of the effective date of the annexation.

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**Section 6.** Section 15.16.172 of the Gig Harbor Municipal Code is amended as follows:

**15.16.172 Amendment to IFC Section 907.65.2.3.2.**

Section 907.5.2.3.2 of the IBC is amended as follows:

907.5.2.3.2 Employee work areas. Visible alarm notification appliances shall be provided in all employee work areas.

**Section 7.** Section 15.16.174 of the Gig Harbor Municipal Code is amended as follows:

**15.16.174 Amendment to IFC Section 907.5.4.**

Section 907.4 of the IFC is amended to read as follows:

907.4 Initiating devices. Where manual or automatic alarm initiation is required as part of a fire alarm system, the initiating devices shall be addressable and shall be installed in accordance with Sections 907.4.1 through 907.4.3.1.

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**Section 8.** Section 15.16.190 of the Gig Harbor Municipal Code is amended as follows:

**15.16.190 Amendment to IFC Chapter ~~45~~ 36.**

IFC Chapter ~~45~~ 36 is amended to read as follows:

Chapter ~~45~~ 36

MARINAS

Section ~~4504~~ 3601

~~4504.1~~ 3601.1 Scope. Marina facilities shall be in accordance with this chapter.

~~4504.1.1~~ 3601.2 Plans and approvals. Plans for marina fire-protection facilities shall be approved prior to installation. The work shall be subject to final inspection and approval after installation.

~~4504.1.2~~ 3601.1.3 Permits. Permits are required to use open flame devices for maintenance or repair on vessels, floats, piers or wharves.

Section ~~4502~~ 3602

Definitions

All definitions have been relocated to Section 202.

Section ~~4503~~ 3603

General Precautions

~~4503.1~~ 3603.1 Combustible Debris. Combustible debris and rubbish shall not be deposited or accumulated on land beneath marina structures, piers or wharves.

~~4503.2~~ 3603.2 Sources of Ignition. The use of open flame devices for lighting or decoration on the exterior of a vessel, float, pier or wharf shall have the prior approval of the building official/fire marshal.

~~4503.3~~ 3603.3 Flammable or Combustible Liquid Spills. Spills of flammable or combustible liquids at or upon the water shall be reported immediately to the fire department or jurisdictional authorities.

~~4503.4~~ 3603.4 Rubbish Containers. Containers with tight-fitting or self-closing lids shall be provided for the temporary storage of combustible trash or rubbish.

~~4503.5~~ 3603.5 Electrical Equipment. Electrical equipment shall be installed and used in accordance with its listing and Section 605 of the IFC as required for wet, damp and hazardous locations.

~~4503.6~~ 4503.6 Slip Identification. Slips and mooring spaces shall be individually identified by an approved numeric or alphabetic designator. Space designators shall be posted at the space. Signs indicating the space designators located on finger piers and floats shall be posted at the base of all piers, finger piers, floats, and finger floats.

~~4603.6.1~~ 3603.7 Application to existing marinas. Slip identification designators shall be installed in all existing marinas within the City's jurisdiction on or before January 1, 2014. All marinas annexed into the City shall have slip identification designators installed within 5 years of the effective date of annexation.

## Section ~~4504~~ 3604 FIRE-PROTECTION

~~4504.1~~ 3604.1 General. Marinas, piers, wharves, floats with facilities for mooring or servicing five or more vessels, and marine motor vehicle fuel-dispensing stations shall be equipped with fire-protection equipment in accordance with ~~4~~3604.

~~4504.2~~ 3604.2 Standpipes. Marinas shall be equipped throughout with Class I manual, dry standpipe systems in accordance with NFPA 303. Systems shall be provided with outlets located such that no point on the marina pier or float system exceeds 150 feet from a standpipe outlet.

~~4504.2.2~~ 3604.2.1 Identification of standpipe outlets. Standpipe outlet locations shall be clearly identified by a flag or other approved means designed to be readily visible from the pier accessing the float system.

~~4504.2.1~~ 3604.2.2 Application to existing marinas. Class 1 manual, dry standpipes in accordance with this section shall be installed in all existing marinas within the City on or before January 1, 2014.

All marinas annexed into the City shall have class one manual, dry standpipes installed within 5 years of the effective date of annexation.

~~4504.3~~ 3604.3 Access and Water Supply. Piers and wharves shall be provided with fire apparatus access roads and water-supply systems with on-site fire hydrants when required by the fire code official. At least one fire hydrant capable of providing the required fire flow shall be provided within an approved distance of standpipe supply connections.

~~4504.4~~ 3604.4 Portable Fire Extinguishers. One 4A:40BC fire extinguisher shall be provided at each standpipe outlet. Additional fire extinguishers, suitable for the hazards involved, shall be provided and maintained in accordance with Section 906.

~~4504.5~~ 3604.5 Communications. A telephone not requiring a coin to operate or other approved, clearly identified means to notify the fire department shall be provided on the site in a location approved by the code official.

~~4504.6~~ 3604.6 Equipment staging areas. Space shall be provided on all float systems for the staging of emergency equipment. Staging areas shall provide a minimum of 4 feet wide by 10 feet long clear area exclusive of walkways and shall be located at each standpipe outlet. Staging areas shall be provided with barriers having a minimum height of 4 inches and a maximum space between the bottom barrier edge and surface of the staging area of 2 inches on the outboard sides to prevent loss of equipment overboard. A sign reading "Fire Equipment Staging Area- Keep Clear" shall be provided at each staging area to prevent obstruction.

~~4504.7~~ 3604.7 Smoke and heat vents. Approved automatic smoke and heat vents shall be provided in covered boat moorage areas exceeding 2,500 sq. ft. (232 m<sup>2</sup>) in area, excluding roof overhangs.

Exception: Smoke and heat vents are not required in areas protected by automatic sprinklers.

~~4504.7.1~~ 3604.7.1 Application to existing marinas. Smoke and heat vents in accordance with this section shall be installed in all existing marinas within the City on or before January 1, 2014. All marinas annexed into the City shall have smoke and heat vents installed within 5 years of the effective date of annexation.



4504.7.2 3604.7.2 Design and installation. Where smoke and heat vents are required they shall be installed near the roof peak, evenly distributed and arranged so that at least one vent is over each covered berth. The effective vent area shall be calculated using a ratio of one square foot of vent to every fifteen square feet of covered berth area (1:15). Each vent shall provide a minimum opening size of 4 ft. x 4 ft.

4504.7.2.1 3604.7.2.1 Smoke and heat vents. Smoke and heat vents shall operate automatically by actuation of a heat-responsive device rated 100°F (56°C) above ambient.

Exception: Gravity-operated drop out vents.

4504.7.2.2 3604.7.2.2 Gravity-operated drop out vents. Gravity-operated drop out vents shall fully open within 5 minutes after the vent cavity is exposed to a simulated fire represented by a time-temperature gradient that reaches an air temperature of 500°F (260°C) within 5 minutes.

4504.8 3604.8 Draft curtains. Draft curtains shall be provided in covered boat moorage areas exceeding 2,500 sq. ft. (232 m<sup>2</sup>) in area excluding roof overhangs.

Exception: Draft curtains are not required in areas protected by automatic sprinklers.

4504.8. 3604.8.1 Application to existing marinas. Draft curtains in accordance with this section shall be installed in all existing marinas within the City on or before January 1, 2014. All marinas annexed into the City shall have draft curtains installed within 5 years of the effective date of annexation.

4504.8.1 3604.8.2 Draft curtain construction. Draft curtains shall be constructed of sheet metal, gypsum board or other approved materials that provide equivalent performance to resist the passage of smoke. Joints and connections shall be smoke tight.

4504.8.2 3604.8.3 Draft curtain location and depth. The maximum area protected by draft curtains shall not exceed 2,000 square feet (186 m<sup>2</sup>) or two slips or berths, whichever is smaller. Draft curtains shall not extend past the piling line. Draft curtains shall have a minimum depth of 4 feet and shall not extend closer than 8 feet (2438 mm) to the walking surface of the pier.

Section 4507 3605  
MARINE MOTOR VEHICLE FUEL-DISPENSING STATIONS

~~4507.1~~ 3605.1 Fuel-Dispensing. Marine motor vehicle fuel-dispensing stations shall be in accordance with IFC Chapter ~~22~~ 23.

**Section 9.** Section 15.16.200 of the Gig Harbor Municipal Code is amended as follows:

**15.16.200 Amendment to IFC Section ~~4603.6~~ 1103.7.**

Section ~~4603.6~~ 1103.7 of the IFC is amended as follows:

~~4603.6~~ 1103.7 Fire alarm systems. An approved fire alarm system shall be installed in existing buildings and structures in accordance with Sections ~~4603.6.4~~ 1103.7.1 through ~~4603.6.7~~ 1103.7.7 and provide occupant notification in accordance with Section 907.6 5 unless other requirements are provided by other sections of this code.

Occupancies subject to section ~~4603.6~~ 1103.7 and annexed into the City of Gig Harbor shall have smoke alarms installed in accordance with this section within five years of the date of annexation.

**Section 10.** Section 15.18.010 of the Gig Harbor Municipal Code is amended as follows:

**15.18.010 Amendment to IEBC Section 101.58.**

Section 101.58 of the IEBC is amended to read as follows:

101.58 Maintenance. Buildings and parts thereof shall be maintained in a safe and sanitary condition. All existing devices or safeguards shall be maintained in all existing buildings. The owner or the owner's designated agent shall be responsible for the maintenance of the building. To determine compliance with this subsection, the code official shall have the authority to require a building to be reinspected. Except where specifically permitted by this code, the code shall not provide the basis for removal or abrogation of fire protection and safety systems and devices in existing buildings.

**Section 11.** Section 15.18.085 of the Gig Harbor Municipal Code, Amendment to IEBC Section 307.5, shall be repealed.

**Section 12.** Section 15.18.090 of the Gig Harbor Municipal Code is amended as follows:

**15.18.090 Amendment to IEBC Section ~~308.2~~ 408.1.**

Section ~~308.2~~ 408.1 of the IEBC is amended to read as follows:

~~308.2 Application.~~ 408.1 Historic Buildings. Except as specifically provided for in the Washington State Historic Building Code and Chapter 10 of this code, historic buildings shall comply with applicable provisions of this code for the type of work being performed.

**Section 13.** Section 15.18.095 of the Gig Harbor Municipal Code is amended as follows:

**15.18.095 Amendment to IEBC Section ~~308.2~~ 408.2.**

Section ~~308.2~~ 408.2 of the IEBC is amended to read as follows:

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Exception: Historic buildings that are:

1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places;
2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district; or
3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

**Section 14.** Section 15.18.110 of the Gig Harbor Municipal Code is amended as follows:

**15.18.110 Amendment to IEBC Section ~~507~~ 607.**

Section ~~507~~ 607 of the IEBC is amended as follows:

~~507~~ 607 Scope. Existing electrical wiring and equipment undergoing repair shall be allowed to be repaired or replaced with like material as approved by the State of Washington, Department of Labor and Industries, Electrical Section.

**Section 15.** Section 15.18.120 of the Gig Harbor Municipal Code is amended as follows:

**15.18.120 Amendment to IEBC Section ~~1301.2~~ 1401.2.**

Section ~~1301.2~~ 1401.2 of the IEBC is amended as follows:

~~1301.2~~ 1401.2 Applicability. Structures existing prior to the date of adoption of this code, in which there is work involving additions, alterations, or changes of occupancy, shall be made to conform with the requirements of this chapter or the provisions of Chapters ~~4-5~~

through ~~12~~ 13. The provisions of Sections ~~1301.2.4~~ 1401.2.1 through ~~1301.2.5~~ 1401.2.5 shall apply to existing occupancies that will continue to be, or are proposed to be, in Groups A, B, E, F, M, R, and S. These provisions shall not apply to buildings with occupancies in Group H or Group I.

**Section 16.** Section 15.22.010 of the Gig Harbor Municipal Code is hereby amended as follows:

**15.22.010 Amendment to UPC Section 102.1.**

Section 102.1 of the UPC is amended as follows:

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~~102.1~~ 102.1.1 Authority having Jurisdiction. The Authority having Jurisdiction shall be the City of Gig Harbor.

**Section 17.** Section 15.22.020 of the Gig Harbor Municipal Code is amended as follows:

**15.22.020 Amendment to UPC Section 102.2.**

Section 102.2 of the UPC is amended to read as follows:

102.2 Duties and Powers of the Authority having Jurisdiction. The building official/fire marshal may appoint such assistants, deputies, inspectors, or other employees as are necessary to carry out the functions of the department and this code.

~~102.2.1 The building official/fire marshal may appoint such assistants, deputies, inspectors, or other employees as are necessary to carry out the functions of the department and this code.~~

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102.2.3 2 Stop Orders. Stop Work Orders may be issued by the building official/fire marshal as provided in Chapter 15.24 GHMC.

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102.2.5 4 Authority to Abate. Whenever the Authority Having Jurisdiction ascertains that any plumbing system or portion thereof, regulated by this code, has become hazardous to life, health, property, or has become insanitary, the Authority Having Jurisdiction shall order in writing that such plumbing either be removed or placed in a safe or sanitary condition, as appropriate. The order shall issue as provided in Chapter 15.24 GHMC, and shall fix a reasonable time for compliance. No persons shall use or maintain defective plumbing after receiving such notice. When such

plumbing system is to be disconnected, written notice shall be given. In cases of immediate danger to life or property, such disconnection may be made immediately without such notice.

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**Section 18.** Section 15.22.030 of the Gig Harbor Municipal Code is amended as follows:

**15.22.030 Amendment to UPC Section 102.3 4.**

Section 102.~~34~~ of the UPC is hereby amended to read as follows:

~~102.3 Violations and Penalties.~~

~~102.3.14.~~ Violations. Enforcement of violations of this code shall proceed as set forth in Chapter 15.24 GHMC.

**Section 19.** Section 15.22.045 of the Gig Harbor Municipal Code is amended as follows:

**15.22.045 Amendment to UPC Section 103.**

Section 103 of the UPC is amended as follows:

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~~103.3.43~~ Expiration. Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Before such work recommences, a new permit shall be first obtained and the fee, therefor, shall be one-half the amount required for a new permit for such work, provided no changes have been made in the original construction documents for such work and provided further that such suspension or abandonment has not exceeded one year.

The director is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing prior to the expiration of the permit and justifiable cause demonstrated.

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~~103.4.3.2~~ Time limitation on application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or the permit has been issued; except that the director is authorized to grant one or more extensions of time for additional periods not

~~exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.~~

~~Any permit application that has been approved by the director but for whatever reason has not been issued within a period of 180 days after approval shall be deemed to have expired. If an update in code editions in accordance with Chapter 51-56 WAC occurs after expiration, application for a new permit must be submitted with new construction documents demonstrating compliance with the appropriate code provisions as enumerated in 51-56 WAC and GHMC Title 15.~~

**Section 20.** Section 15.22.050 of the Gig Harbor Municipal Code is amended as follows:

**15.22.050 Amendment to UPC Section 103.4.**

Section 103.4 of the UPC is amended as follows:

103.4 Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the City's fee resolution.

~~103.4.1 Permit Fees. Fees shall be assessed in accordance with the provisions of this section and as set forth in the City's fee resolution.~~

103.4.2~~1~~ Plan Review Fees. When a plan or other data is required to be submitted by Section 103.2.2, a plan review fee shall be paid at the time of submitting plans and specifications for review.

The plan review fees for plumbing work shall be as set forth in Chapter 3.40 GHMC.

The plan review fees specified in this subsection are separate fees from the permit fees specified in this section and are in addition to the permit fees.

When plans are incomplete or changed so as to require additional review, a fee shall be charged as set forth in the City's fees resolution.

103.4.2 Time limitation on application. An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or the permit has been issued; except that the director is authorized to grant one or more extensions of time for additional periods not exceeding 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

Any permit application that has been approved by the director but for whatever reason has not been issued within a period of 180 days after approval shall be deemed to have expired. If an update in code editions in accordance with Chapter 51-56 WAC occurs after expiration, application for a new permit must be submitted with new construction documents demonstrating compliance with the appropriate code provisions as enumerated in 51-56 WAC and GHMC Title 15.103.4.3 Investigation Fees: work without a permit. Whenever any work for which a permit is required by this code has been commenced without first obtaining said permit, a special investigation shall be made before a permit may be issued for such work.

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103.4.4-23.1 An investigation fee, in addition to the permit fee, shall be collected whether or not a permit is then or subsequently issued. The investigation fee shall be as set forth in Chapter 3.40 GHMC. The payment of such investigation fee shall not exempt any person from compliance with all other provisions of this code, nor from any penalty prescribed by law.

~~103.4.4 Investigation Fees: work without a permit.~~

103.4.54 Fee Refunds. The Authority Having Jurisdiction shall be permitted to authorize the refunding of any fee paid hereunder that was erroneously paid or collected.

103.4.5-24.1 The building official 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.

~~103.4.5-3~~ 4.2 The building official 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 cancelled before any plan reviewing is done.

The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of fee payment.

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**Section 21.** Severability. If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, clause or phrase of this Ordinance.

**Section 22.** Copies of Codes Filed with City Clerk. Pursuant to RCW 35A.12.140, copies of all of the codes adopted by reference in this Ordinance have been filed with the City Clerk for use and examination by the public prior to adoption.

**Section 23.** Effective Date. This Ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title, but not before July 1, 2013.

PASSED by the City Council and approved by the Mayor of the City of Gig Harbor this 24th day of June, 2013.

CITY OF GIG HARBOR

  
\_\_\_\_\_  
CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By:   
\_\_\_\_\_  
MOLLY TOWSLEE, City Clerk

APPROVED AS TO FORM:  
OFFICE OF THE CITY ATTORNEY

By:   
\_\_\_\_\_  
ANGELA BELBECK

FILED WITH THE CITY CLERK: 06/04/13  
PASSED BY THE CITY COUNCIL: 06/24/13  
PUBLISHED: 06/26/13  
EFFECTIVE DATE: 07/01/13  
ORDINANCE NO: 1263