

ORDINANCE NO. 07-____

AN ORDINANCE RELATING TO BUILDING CODES; REPEALING ORDINANCE 04-136; AND AMENDING ORDINANCE 81-850, Section 9 CODIFIED AS CCC 16.08.090.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF COWLITZ COUNTY, WASHINGTON:

SECTION 1. Title:

This ordinance may be cited as the Cowlitz County Building Code Ordinance.

SECTION 2. Purpose:

It is the purpose and objective of this ordinance to adopt, with certain modifications and/or amendments as are desired by the County, those codes mandated by RCW 19.27; to ensure that the standards of construction and the use of buildings and structures within the unincorporated area of the county are consistent with nationally recognized standards.

SECTION 3. Applicability:

The provisions of this ordinance, and the codes and regulations adopted herein, shall apply in the unincorporated areas of Cowlitz County.

SECTION 4. Definitions:

Unless the context clearly requires otherwise, the following definitions shall apply in this ordinance and the codes adopted herein:

- A. "Administrator" or "Administrative Authority" means the Director of the Department of Building & Planning or his or her duly authorized representative.
- B. "Board" means the Cowlitz County Board of Commissioners.
- C. "Board of Appeals" means the Cowlitz County Building Codes Board of Appeals.
- D. "Building Official" means the Director of the Department of Building and Planning or his or her duly authorized representative.
- E. "Chief," "Chief of the Fire Department" and "Chief of the Bureau of Fire Prevention" means the Director of the Department of Building and Planning or his or her duly authorized representative.
- F. "Chief of Police" and "Police Department" mean the Cowlitz County Sheriff or his or her authorized representative.
- G. "Department," "Fire Department," and "Bureau of Fire Prevention" mean the Department of Building and Planning of Cowlitz County.
- H. "Executive Body" means the Cowlitz County Board of Commissioners.
- I. "Fire Marshal" and "Fire Code Official" means the Cowlitz County Building Official or his or her duly authorized representative.

J. "WISHA" means Washington Industrial Safety and Health Act.

SECTION 5. Building Code:

Cowlitz County hereby adopts by reference the 2006 International Building Code as now or hereafter amended by the Washington State Building Code Council, and with the following additions, deletions, and exceptions:

A. Only the following appendices of the International Building Code are adopted: Appendix C. and Appendix E (Sections E101 - E107) as now or hereafter amended by the Washington State Building Code Council.

B. Section 101.4 is amended to read as follows:

Referenced Codes: The other codes listed below shall be considered part of the requirements of this code to the extent that each code is adopted and hereafter amended.

101.4.1 Residential. The provisions of the 2006 International Residential Code

101.4.2 Mechanical. The provisions of the 2006 International Mechanical Code.

101.4.3 Plumbing. The provisions of the 2006 Uniform Plumbing Code.

101.4.4 Fire. The provisions of the 2006 International Fire Code.

101.4.5 Ventilation. The provisions of the 2006 Ventilation and Indoor Air Quality.

101.4.6 Energy. The provisions of the 2006 Washington State Energy Code.

101.4.7 Fuel Gas. The provisions of the 2006 International Fuel Gas Code.

C. Section 102.4 shall be amended to read as follows:

Referenced Codes and Standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the extent that such codes have been adopted by Cowlitz County. Where differences occur between the provisions of this code and the referenced code, the provisions of this code shall apply

D. Section 103 is not adopted.

E. Sections 105.1.1 and 105.1.2 are not adopted.

F. Section 105.2 is revised as follows:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58m²)

G. Section 105.2 is further amended as follows:

Building:

14. Construction as described below when undertaken by a firm or industry that, as determined by the building official, employs both a permanent, full time, on-site, engineering staff with at least one engineer registered in the state of Washington, and a permanent, full time, on-site, maintenance staff that is trained at least to the journeyman level or equivalent for the type of work performed, and the work will be performed by that maintenance staff.
 - a. Repairs, maintenance, re-roofing, or minor alterations to existing buildings that do not affect structural supports, egress, fire rated construction, or fire protection.
 - b. Installation of tanks; process equipment; wire mesh fences up to eight feet high; small (less than 50 square feet) slab on grade for equipment bases less than four feet high; and pressure vessels registered with Washington State Department of Labor and Industries, subject to the limitations described below. Process ventilation equipment is also exempt provided it meets the requirements of the International Fire Code. Access stairs, platforms, or walkways that are an integral part of or provide access to equipment are also exempt, provided they meet WISHA standards. Conveyors that are nominally at ground or floor level are exempt.
 1. Tanks, whether site-constructed or prefabricated, will require permits for the foundation and any support not an integral part of the tank design. Fees will be based on the foundation only; however, satisfactory documentation shall be provided to the building official verifying that seismic, wind, dead, live and snow loads are designed per I.B.C. Chapter 16 for this area. Special inspections as required by I.B.C. Chapter 17 shall be performed on these tanks and provided to the building official.
 2. Process equipment, whether site-constructed or prefabricated, will require permits for the foundation and any support not an integral part of the equipment. Fees will be based on the foundation only. Seismic, wind, dead, and live loads of the process equipment shall be considered in the design. Applicable standards for this geographical area shall be utilized.

Electrical: this subsection is not adopted

I. Section 108.1 is amended to include the following:

Plan Review Fees. When submittal documents are required by Section 106, a plan review fee shall be paid. Payment of the plan review fee is not contingent upon the issuance of a permit but is due upon submittal of an application for plan review. Plan review fees are separate fees from the permit fees specified above, and are in addition to the permit fees. Where submittal documents are incomplete or changed so as to require additional plan review or when a project involves deferred submittal items as defined in Section 106.3.4.2, an additional plan review fee shall be charged.

Permit and Plan review fees shall be an amount as established from time to time by resolution by the Board.

J. Section 108.3 is amended to read as follows:

Building Permits & Valuations. The applicant for a building permit shall provide an estimated permit value at the time of application. Permit valuations shall include the total value of work, including materials and labor, for which a permit is being issued, such as electrical, mechanical, plumbing equipment and permanent systems. The Building Official may use building cost and valuation data published in public or private publications as a guide to determine valuation.

K. Section 108.4 is amended to read as follows:

Work commencing before permit issuance. Any person who commences work on a building, structure, gas, mechanical or plumbing system before obtaining necessary permit shall be subject to an investigation fee, in addition to a permit fee, whether or not a permit is then or subsequently issued. The investigation fee shall be equal to the amount of the permit fee required by this code. The payment of such investigation fee shall not exempt any person from compliance with all the provisions of this code nor from any penalty prescribed by law.

L. Section 112 is not adopted.

M. Section 113 is not adopted.

N. Section 1009.1 is amended to include:

EXCEPTION:

#5. Stairs or ladders used only to attend equipment are exempt from the requirements of Section 1009 if the equipment does not have an operator's station that is staffed on a full time basis. The exempt stairs or ladders shall conform to WISHA standards in effect at the time of installation.

O. Section 1608.2 is amended to read as follows:

Ground Snow Loads. The ground snow loads to be used in determining the design snow loads for roofs are given in 'TABLE A' of this ordinance.

SECTION 6. Residential Code

Cowlitz County hereby adopts by reference the 2006 edition of the International Residential Code, as published by the International Code Council and as now or hereafter amended by the Washington State Building Code Council, and with the following additions, deletions, and exceptions:

A. Only the following appendices of the International Residential Code are adopted: Appendix G, H and M.

B. Section R102.7 shall be revised as follows:

Existing Structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the Abatement of Dangerous Buildings Code or the International Fire Code, or as deemed necessary by the building official for the general safety and welfare of the occupants and the public.

C. Section R103 is not adopted.

D. Section R105.2 is amended as follows:

Building:

One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58m²)

E. Section R105.2 is further amended as follows:

Electrical: this subsection is not adopted.

F. Section R105.3.1.1 is not adopted.

G. Section R106.1.3 is not adopted.

H. Section R107.3 is not adopted.

I. Section R108.3 is amended to read as follows:

Building Permits & Valuations. The applicant for a building permit shall provide an estimated permit value at the time of application. Permit valuations shall include the total value of work, including materials and labor, for which a permit is being issued, such as electrical, mechanical, plumbing equipment and permanent systems. The Building Official may use building cost and valuation data published in public or private publications as a guide to determine valuation.

J. Section R112 is not adopted.

K. Section R113 is not adopted.

L. TABLE R301.2(1) is amended as follows:

GROUND SNOW LOAD	WIND SPEED (MPH)	SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM				ICE SHIELD UNDER-LAYMENT REQUIRED	FLOOD HAZARDS	AIR FREEZING INDEX	MEAN ANNUAL TEMP.
			WEATHERING	FROST LINE DEPTH	TERMITE	WINTER DESIGN TEMP.				
TABLE A	85	D1	MODERATE	12"	SLIGHT TO MOD.	22° F	NO	COUNTY CODE *	170	51.5

* Flood Hazard construction shall comply with the provisions of CCC 16.25 "Floodplain Management".

SECTION 7. Table A:

**TABLE A
COWLITZ COUNTY DESIGN SNOW LOAD* (psf)**

Elevation	Minimum Snow Load
	20
200 or less	
201-400	30
401 - 700	35
701 - 1000	45
1001 - 1300	55
1301 - 1600	65
1601 - 1900	75
1901 +	80
Minimum snow loads for elevations in excess of 2000 ft., shall be approved by the Building Official	

* Based on 'Snow Load Analysis for Washington' published in 1995 by Structural Engineers of Washington.
Minimum snow loads for elevations in excess of 2000 ft., shall be approved by the Building Official

SECTION 8. Fire Code:

Cowlitz County hereby adopts by reference the 2006 edition of the International Fire Code, as published by the International Code Council and as now or hereafter amended by the Washington State Building Code Council, and with the following additions, deletions, and exceptions:

- A. Only the following appendices of the International Fire Code are adopted: Appendices B, C and D.
- B. Section 104.6.3 Is amended to read as follows:

Fire Records. The local Fire District shall keep a record of fires occurring within its jurisdiction and of the facts concerning the same, including statistics as to the extent of such fires and damage caused thereby, together with other information as required by the fire code official. These records shall be made available to the fire code official and fire marshal upon request.

- C. Section 104.11 is not adopted.
- D. Section 105.2.2 is amended to include:

The fire code official shall inspect, as often as may be necessary, buildings and premises, including such other hazards or appliances as the fire marshal may designate for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread, or any violation of the purpose or provisions of this code and of any other law or standard affecting fire safety, provided that fire prevention inspections shall not be made of the following: (1) one- and two-family dwellings; (2) residential accessory buildings; and (3) agricultural buildings; (4) those features of hazardous materials tanks, piping, and equipment inspected by other state or federal agencies on a regular schedule.

- E. A new subsection 105.2.5 Fire Code Plan Review and Inspection Fees is added:
- F. Fire Code Plan Review and Inspection Fees. Fees for fire code permits and plan reviews shall be set from time to time by resolution by the Board. Fees shall be doubled if work is done without the required review and inspection. Payment of the plan review fee is not contingent upon issuance of a permit, but is due upon the submittal of plans and documentation for the review process.
- G. Section 105.7.7 is amended to read as follows:

LP-gas. A construction permit is required for installation of or modification to an LP-gas system.

Exception: Above-ground portable LP-gas cylinders not in excess of 25 gallons water capacity.

- H. Section 108 is not adopted
- I. Section 503.1 is amended to read as follows:

Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and Appendix D.

Exception: This section shall not apply where not more than two Group R-3 or Group U Occupancies are located on an individual property.

J. Section 503.2 is amended as follows:

Section 503.2.4. Turning radius. The turning radius of a fire apparatus access road shall be 28 feet inside, 50 feet outside radius.

Section 503.2.7. Grade. The gradient for a fire apparatus access road shall not exceed 15%.

Section 503.2.8. Construction. Unless otherwise required by public or private road design standards, fire apparatus access roads shall be constructed of a minimum of 6 inches of ballast (pit run) and 3 inches of crushed rock (1-1/4" minus). Roads in excess of 12% grade shall be paved.

H. Section 508.1 is amended to include the following:

EXEMPTIONS: The following are exempt from the fire flow and hydrant requirements of this chapter, except that the fire marshal may impose conditions to mitigate identified fire hazards. Such conditions may include, but are not limited to, increased setbacks, use of fire retardant materials, and/or protection. Nothing herein shall authorize any exemption from the requirements of WAC 246-290 or WAC 246-293.

1. Subdivisions and short subdivisions when all lots are over one acre in size, each structure does not exceed 3,500 square feet under roof, and the fire marshal determines that no substantial fire hazard will be created and a minimum twenty foot (20'0") building setback is maintained to all property lines.
2. Single family detached dwellings and mobile homes not in a mobile home park proposed on existing lots, provided, the lot is over one acre in size, each structure does not exceed 3,500 square feet under roof, and the fire marshal determines that no substantial fire hazard will be created and a minimum twenty foot (20'0") building setback is maintained to all property lines.

I. Section 508.3 is amended to read as follows:

Fire Flow. Fire flow for buildings or portions of buildings and facilities shall be determined by an approved method.

Buildings constructed within Urban Growth Boundaries shall comply with the requirements of Appendix B of the International Fire Code as amended.

Buildings constructed outside of Urban Growth Boundaries where adequate and reliable water supplies do not exist, may apply NFPA 1142 (Standard on Water Supplies for Suburban and Rural Firefighting). Coordination with the local Fire District is required when utilizing this standard.

New or substantially improved residential and commercial structures proposed on properties not currently located within a Fire District, shall either:

1. have the property annexed into a Fire District and provide appropriate fire flow per this chapter, or;
2. be protected by an automatic fire sprinkler system that fully meets the requirements of NFPA 13, NFPA 13-D, or NFPA 13-R, and is provided with all of the following:
 - a) Class A roof covering,
 - b) All under floor areas are enclosed to the ground with exterior walls,
 - c) Exterior wall and eave coverings are either fire retardant or non combustible, and

- d) Attic, soffit and under floor vents or other ventilation openings do not exceed 144 square inches each. Such vents shall be covered with non-combustible, corrosion resistant mesh with openings not to exceed ¼ inch.

J. A new section 508.5.7 Construction is added to read as follows:

The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises to be protected as required and approved by the fire marshal. All hydrants shall be accessible to fire apparatus by roadways meeting the requirements of Section 5023.1, as amended herein. Fire hydrant installations shall comply with the following:

1. Fire hydrants shall be located at roadway intersections whenever possible and the distance between them shall be no further than 900 feet in residential zones; all other zoned and non-zoned areas shall comply with Appendix C.
2. All fire hydrants shall conform to American Water Works Association specifications for dry barrel fire hydrants. Each hydrant shall have at least two hose connections of 2-1/2" diameter each and one steamer port. All connections must have national standard threads or other connection devices consistent with local fire protection authority requirements.
3. Fire hydrants shall be installed plumb and be set to the finished grade. The bottom of the lowest outlet of the hydrant shall be no less than eighteen inches above the grade. There shall be thirty-six inches of clear area about the hydrant for operation of a hydrant wrench on the outlets and on the control valve. The steamer port shall face the most likely route of approach of the fire truck as determined by the local fire protection authority.
4. Provisions shall be made to drain fire hydrant barrels to below the depth of maximum frost penetration.
5. All hydrants and water mains shall otherwise be installed in accordance with recognized standards and sound engineering practices.

K. Section 3304.1.1 is amended to read as follows:

The storage of explosives and blasting agents in areas zoned pursuant to CCC 18.10, Land Use Ordinance, is permitted only on property designated as Heavy Manufacturing (MH).

Exception:

Notwithstanding Section 3304, the storage of explosives and blasting agents is permitted on a temporary basis in any land use area for use in connection with approved blasting operations. For the purpose of this section, temporary shall mean a length of time not to exceed one year. The Administrator may grant an extension of time provided the Department receives within sixty (60) days prior to the date of permit expiration a written statement from the permittee indicating the reason(s) such extension is requested.

L. Sections 3403.1.1 are amended to add:

The storage of Class I and Class II liquids in above-ground tanks outside of buildings on property zoned pursuant to CCC 18.10, Land Use Ordinance, is permitted only on property designated as Light Manufacturing (ML), or Heavy Manufacturing (MH).

M. Section 3804.2 is amended to read as follows:

The bulk storage of liquefied petroleum gas (LPG) in areas zoned pursuant to CCC 18.10, Land Use Ordinance, is permitted only on property zoned as Neighborhood Commercial (C-1), Urban Commercial (C-2), Light Manufacturing (ML), or Heavy Manufacturing (MH).

The aggregate capacity of any one installation of LPG storage in zoned areas shall not exceed 2,000 gallons water capacity; except that in particular installations, this capacity limit may be altered at the discretion of the fire marshal, after consideration of special features such as topographical conditions, nature of occupancy and proximity to buildings, capacity of proposed tanks, degree of private fire protection to be provided, and facilities of the local Fire Department.

N. Appendix B, Section B105.1, is amended to read as follows:

The minimum fire flow and flow duration requirements for one and two family dwellings and associated structures not meeting the exemptions in Section 508.1 and having a floor area which does not exceed 3,500 square feet under roof, shall be 500 gallons per minute for 30 minutes. Fire flow and flow duration for dwellings having a floor area in excess of 3,500 square feet shall not be less than that specified in Table B 105.1.

Exceptions:

1. Tanker Water Supply Credit, as established by the Washington Surveying and Rating Bureau (WSRB) shall be considered as providing the minimum fire flow for one and two family dwellings and associated structures, having a floor area which does not exceed 3,500 square feet under roof, when those properties are located within five road miles of a recognized (manned) fire station.
2. When a structure is protected by an automatic fire sprinkler system that fully meets the requirements of NFPA 13, NFPA 13-D, or NFPA 13-R, and is provided with all of the following:
 - a) Class A roof covering,
 - b) All under floor areas are enclosed to the ground with exterior walls,
 - c) Exterior wall and eave coverings are either fire retardant or non combustible, and
 - d) Attic, soffit and under floor vents or other ventilation openings do not exceed 144 square inches each. Such vents shall be covered with non-combustible, corrosion resistant mesh with openings not to exceed ¼ inch.

O. Appendix D, Section D107 is not adopted.

SECTION 9. Mechanical Code:

Cowlitz County hereby adopts by reference the 2006 edition of the International Mechanical Code, as published by the International Code Council and as now or hereafter amended by the Washington State Building Code Council, and with the following additions, deletions, and exceptions:

A. Section 106.5.2 is amended to read as follows:

Permit Fees. Fees for mechanical permits shall be as established from time to time by resolution by the Board.

Plan Review Fees. When a plan or other data is required to be submitted by 106.3.1 a plan review fee shall be paid. Payment of a plan review fee is not contingent upon issuance of a permit; but, is due upon submittal of an application for a plan review. The plan review fee for mechanical work shall be as established from time to time by resolution by the Board. When plans are incomplete or changed so as to require additional review, an additional plan review fee shall be paid.

B. Section 106.5.3 is amended as follows:

2. Not more than 80 percent of the permit fee when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit is withdrawn or canceled before any plan review effort has been expended.

C. Sections 108.3 and 108.4 are not adopted.

D. Section 109 is not adopted.

SECTION 10. Plumbing Code:

Cowlitz County hereby adopts by reference the 2006 edition of the Uniform Plumbing Code and U.P.C. standards, as published by the International Association of Plumbing and Mechanical Officials and as now or hereafter amended by the Washington State Building Code Council, and with the following additions, deletions, and exceptions:

A. The following portions of the Uniform Plumbing Code are deleted, of chapter 12 and 15, and those requirements relating to venting and combustion air of fuel fired appliances as found in chapter 5. Those portions of the code dealing with building sewers are included as part of this code.

B. Only the following appendices of the Uniform Plumbing Code are adopted: Appendix A.

C. Section 102.3.2 Penalties is hereby deleted.

D. Section 103.4.1 is amended to read as follows:

Permit Fees. Fees for plumbing permits shall be as established from time to time by resolution by the Board.

E. Section 103.4.2 is amended to read as follows:

Plan Review Fees. When a plan or other data is required to be submitted by 103.2.2, a plan review fee shall be paid. Payment of a plan review fee is not contingent upon issuance of a permit; but, is due upon submittal of an application for plan review. The plan review fee for plumbing work shall be as established from time to time by resolution by the Board. When plans are incomplete or changed so as to require additional review, an additional plan review fee shall be paid.

SECTION 11. Fuel Gas Code:

Cowlitz County hereby adopts by reference the 2006 edition of the International Fuel Gas Code, as published by the International Code Council and as now or hereafter amended by the Washington State Building Code Council, and with the following additions, deletions, and exceptions:

A. Section 106.5.2 is amended to read as follows:

Permit Fees. Fees for fuel gas permits shall be as established from time to time by resolution by the Board.

Plan Review Fees. When a plan or other data is required to be submitted by 106.3.1 a plan review fee shall be paid. Payment of a plan review fee is not contingent upon issuance of a permit; but, is due upon submittal of an application for a plan review. The plan review fee for fuel gas work shall be as established from time to time by resolution by the Board. When plans are incomplete or changed so as to require additional review, an additional plan review fee shall be paid.

B. Section 106.5.3 is amended as follows:

2. Not more than 80 percent of the permit fee when no work has been done under a permit issued in accordance with this code.
3. Not more than 80 percent of the plan review fee paid when an application for a permit is withdrawn or canceled before any plan review effort has been expended.

C. Section 109 is not adopted.

SECTION 12. Abatement of Dangerous Buildings:

Cowlitz County hereby adopts by reference the 1997 edition of the Uniform Code for the Abatement of Dangerous Buildings, as published by the International Conference of Building Officials and as now or hereafter amended.

SECTION 13. Washington State Energy Code:

Cowlitz County hereby adopts by reference the 2006 edition of the Washington State Energy Code as now and hereafter adopted and amended by the Washington State Building Code Council.

SECTION 14. Washington State Ventilation and Indoor Air Quality Code:

Cowlitz County hereby adopts by reference the 2006 edition of the Washington State Ventilation and Indoor Air Quality Code as now and hereafter adopted and amended by the Washington State Building Code Council.

SECTION 15. Permits:

All permits under any code adopted by this ordinance shall be obtained from the Department. Permits shall be applied for on forms provided by the Department. All permits issued by the Department prior to the effective date of this ordinance shall be effective so long as construction begins within one hundred eighty days of permit issuance, and work proceeds through completion without expiration of the permit.

SECTION 16. Waiver of Fees:

The Administrator may waive fees for permits to repair damage caused by any emergency condition declared by the Board of County Commissioners to constitute a state of emergency; such waivers shall apply to permits obtained during the ninety days following the date of declaration of the state of emergency.

SECTION 17. Administration and Enforcement:

The Department of Building and Planning shall administer all codes adopted by this ordinance. Further, the

Director may refer violations of the Codes described herein to the Prosecuting Attorney for appropriate action.

SECTION 18. Board of Appeals:

There is hereby created a Cowlitz County Board of Appeals. The Board of County Commissioners shall serve as the Board of Appeals. The Board of Appeals shall hear and decide appeals relating to all codes adopted by this ordinance. Appeals shall be in writing, and the Department shall provide forms that may be used in filing appeals. Appeals shall be filed with the Department not later than 20 days after the issuance of the decision being appealed. Appeals shall be accompanied by a filing fee of \$1,000.00, payable to Cowlitz County Department of Building and Planning.

An application for appeal shall be based on a claim that the true intent of the particular code or the rules adopted hereunder have been incorrectly interpreted, the provisions of the code do not apply, or an equally good or better alternative to the code is proposed. The Board of Appeals shall have no authority to waive the requirements of any code adopted by this ordinance.

SECTION 19. Violation:

It shall be unlawful for any person to erect, construct, enlarge, alter, repair, move, occupy, conduct any activity within, operate, or maintain any building, structure, facility or vehicle within the unincorporated areas of Cowlitz County or cause the same to be done, contrary to, or in violation of any of the provisions of this ordinance or any code adopted hereby.

SECTION 20. Penalties:

Any violation of any provision of this ordinance or any code adopted hereby is a civil infraction, and shall be processed under the provisions of CCC 2.06. Every day a violation continues is considered a separate infraction. A conviction and/or payment of monetary penalty does not relieve the violator from compliance with the provisions of this chapter. The penalty provisions of this ordinance supersede all penalty provisions in the codes adopted herein.

SECTION 21. Nuisance:

Failure to comply with the provisions of this ordinance or of any code adopted hereby is declared to be a public nuisance.

SECTION 22. Liability for Damages:

This ordinance shall not be construed to hold the County of Cowlitz, or any officer or employee thereof, responsible for any damages to persons or property by reason of the certification, inspection or non-inspection of any building, equipment or property as herein authorized.

SECTION 23. Severability:

Should any section, clause or provision of this ordinance or any code adopted hereby be declared by a court to be invalid, the same shall not affect the validity of the remainder, either in whole or in part.

SECTION 24. Conflict with Other Regulations.

Where other Cowlitz County ordinances, resolutions, or regulations are in conflict with this ordinance the more restrictive regulation shall apply and such application shall extend to those specific provisions which are

more restrictive.

SECTION 25. Ordinance No. 81-850, Section 9 and CCC 16.08.090 are hereby amended to read as follows:

Commencement of Mobile Home Placement by the Applicant. Following the issuance of the mobile home placement permit, the applicant may place the mobile home on the lot, in accordance with the standards under this ordinance and any additional conditions contained in the placement permit. The mobile home shall not be occupied until the department has issued a certificate of final inspection. The applicant shall be responsible for requesting and obtaining such certificate, and for obtaining any additional permits and inspections as may be required herein or by any other ordinance or resolution of Cowlitz County. A mobile home placement permit shall become void if the applicant has not applied for a certificate of final inspection within 180 days following the issuance of the placement permit.

SECTION 26. Effective Date:

This ordinance shall take effect July 1, 2007.

Passed this _____ day of July, 2007

BOARD OF COUNTY COMMISSIONERS
OF COWLITZ COUNTY, WASHINGTON

Kathleen A. Johnson, Chairman

George Raiter, Commissioner

Axel Swanson, Commissioner

ATTEST:

Vickie Musgrove, Clerk of the Board

APPROVED AS TO FORM:

Ronald Marshall, Chief Civil Deputy