

# ORDINANCE 1743

## AN ORDINANCE OF THE CITY OF NORTH BEND, WASHINGTON, AMENDING TITLE 15 OF THE NORTH BEND MUNICIPAL CODE TO ADOPT THE INTERNATIONAL SWIMMING POOL AND SPA CODE AND SPECIFICALLY AMENDING NBMC SECTIONS 15.02.030 AND 15.02.160; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

**WHEREAS**, the State legislature has established the Washington State Building Code as set forth in RCW 19.27.031 and directed the State Building Code Council to adopt and maintain the Washington State Building Code; and

**WHEREAS**, the State Building Code Council has formally adopted the 2018 edition of the Washington State Building Code pursuant to RCW 19.27.074, which took effect on February 1, 2021; and

**WHEREAS**, the City Council of the City of North Bend has previously adopted numerous building and inspection codes by reference to protect the health, safety and welfare of the citizens as set forth in NBMC Title 15; and

**WHEREAS**, the City Council wishes to amend NBMC Title 15 in order include the current edition of the International Swimming Pool and Spa Code consistent with current and future State Building Codes updates;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:**

**Section 1. NBMC 15.02.030 (Provisions Which Apply), Amended:** North Bend Municipal Code Section 15.02.030 (Provisions which apply) is hereby amended to read as follows:

### **15.02.030 Provisions which apply.**

The following provisions of the CAC, as adopted by the State of Washington and the City, shall apply to the administration of the current edition of technical codes:

- A. International Building Code – WAC 51-50
- B. International Residential Code – WAC 51-51
- C. International Mechanical Code – WAC 51-52
- D. National Fuel Gas Code (NFPA 54) – WAC 51-52
- E. Liquefied Petroleum Gas Code (NFPA 58) –WAC 51-52
- F. International Fuel Gas Code – WAC 51-52
- G. International Fire Code – WAC 51-54A
- H. Uniform Plumbing Code – WAC 51 –56
- I. International Property Maintenance Code

- J. International Green Construction Code
- K. International Existing Building Code – WAC 51-50
- L. International Swimming Pool and Spa Code – WAC 51-50

**Section 2. NBMC 15.02.160 (International Swimming Pool and Spa Code), Repealed and Re-Adopted:** North Bend Municipal Code Section 15.02.160 (Ventilation and indoor air quality) is hereby repealed in its entirety and a new Section 15.02.160 (International Swimming Pool and Spa Code) is adopted to read as follows:

**15.02.160 International Swimming Pool and Spa Code.**

The provisions of the current edition of the International Swimming Pool and Spa Code are hereby adopted and shall apply to the design and construction of swimming pools, spas and other aquatic recreation facilities where the facility is one of the following:

1. For the sole use of residents and invited guests at a single-family dwelling,
2. For the sole use of residents and invited guests of a duplex owned by the residents; or
3. Operated exclusively for physical therapy or rehabilitation and under the supervision of a licensed medical practitioner.

All other “water recreation facilities” as defined in RCW 70.90.110 are regulated under chapters 246-260 and 246-262 WAC.

**Section 3. Severability:** Should any section, paragraph, sentence, clause or phrase of this ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this ordinance or its application to other persons or circumstances.

**Section 4. Effective Date:** This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF NORTH BEND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 6<sup>TH</sup> DAY OF APRIL, 2021.**

**CITY OF NORTH BEND:**

**APPROVED AS TO FORM:**

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**Rob McFarland, Mayor**

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**Michael R. Kenyon, City Attorney**

**ATTEST/AUTHENTICATED:**

Published: April 16, 2021  
 Effective: April 21, 2021

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**Susie Oppedal, City Clerk**