

ORDINANCENUMBER 30-17

AN ORDINANCE AMENDING MASON COUNTY CODE TITLE 14, BUILDING AND CONSTRUCTION, CHAPTER 14.08, BUILDING CODE AMENDMENTS, AMENDING SECTION 14.08.031 TO ALLOW EXEMPTIONS FOR AGRICULTURAL, STORAGE STRUCTURES, AND CARGO CONTAINERS AS STORAGE

AN ORDINANCE amending Title 14, Chapter 14.08, Building Code Amendments, amending Section 14.08.031 providing exemptions for agricultural and storage structures under the authority of RCW 19.27.040.

WHEREAS, this Ordinance amends current Mason County policy that requires an analysis prepared by a Washington State licensed engineer for the foundation and anchoring of the specific unit to be place.

WHEREAS, Sections 14.08.031 supplement Section 105.2 of the International Building Code and International Residential Code to include certain and specific agricultural and storage structures and boathouse maintenance from building permit requirements.

NOW THEREFORE, BE IT HEREBY ORDAINED, that the Board of Commissioners of Mason County hereby amends the Mason County Code Title 14 (Building and Construction) revising Chapter 14.08. (See Attachment A).

DATED this 6th day of June 2017.

ATTEST:


Melissa Drewry, Clerk of the Board

APPROVED AS TO FORM:


Tim Whitehead, Chief DPA

BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON


Kevin Shutty, Chair


Terri Jeffreys, Commissioner


Randy Neatherlin, Commissioner

ATTACHMENT A

TITLE 14 – BUILDING AND CONSTRUCTION AMENDING CHAPTER 14.08.031

14.08.031 - IBC/IRC SECTION 105.2, WORK EXEMPT FROM PERMIT.

The International Building Code is clear on one important fact when it comes to exemptions. "Exemptions from *permit* requirements ... shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of th[e] International Building Code or any other laws or ordinances of [its] jurisdiction."¹ Even though a building permit may not be required, provisions of the state code are still in force and effect. In this Section, Sections [A]105.2 and R 105.2 of the International Building Code and International Residential Code are adopted herein by reference and supplemented with the following:

- (1) **Agricultural buildings:** A single-story building or structure directly related to an agricultural activity defined to include: farming; forestry; ranching; algaculture; aquaculture; apiculture (beekeeping); horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, Christmas trees, flowers, sod, or mushrooms; timber and pasturage. **Agricultural buildings shall be exempt when 864 square feet or less with a wall height not to exceed 16 feet, and setback ten feet from all other structures. This exemption does not apply to buildings used for the purpose of growing or producing medical or recreational cannabis which shall remain subject to the authority and restrictions of Mason County Code Chapter 17.17 (Recreational Marijuana).**
- (2) **Storage (Non-Agricultural) Buildings:** Single-story buildings or structures used for the storage of belongings, not designed for human habitation, and not used for remunerative purposes. These structures shall not be a place of human habitation or a place of employment, nor shall it be a place used by the public. **Storage buildings shall be exempt when 576 square feet or less with a wall height not to exceed ten feet and shall be setback ten feet from all other structures.**
- (3) **Cargo containers, also known as intermodal freight containers, are standardized, reusable portable vessels that were originally designed for use in intercontinental traffic of freight and designed to be mounted on a rail car, truck or ship. When such containers are used as a building or structure, they are subject to the provisions of the building code as adopted and modified by Mason County. Accordingly, a building permit is required to locate and use such structures. The site and building construction plans shall be adequate to demonstrate compliance with building, fire and site regulatory standards. Structural calculations are required for altered or structurally connected containers.**

¹ IBC [A] 105.2

ATTACHMENT A

As with other prefabricated structures such as portables or manufactured homes, building code approval of cargo containers may be obtained through the Washington State's Factory Built Structure Agency. Cargo Containers shall be exempt when 576 square feet or less with a wall height not to exceed ten feet and shall be setback ten feet from all other structures.

- (4) Agricultural, Storage Buildings and Cargo Storage Containers shall be exempt from the permitting requirements of Title 14 only when:
- a. The property owner must obtain a Affidavit of Exemption and certify through the use of an affidavit recorded on title:
 - i. That the exempt structure will meet the definitions in 14.08.031(1) (2) or (3); and
 - ii. That the structure is not located within a critical area unless it complies with Chapter 8.52 MCC, Resource Management; and
 - iii. That it complies with setback requirements in accordance with Title 17 MCC, Zoning; and
 - iv. That it is built to the latest version of the International Residential Code and International Building and Fire Code; and
 - v. That it exceeds 120 square feet in accordance with the 2015 International Building Code or 200 square feet in accordance with the 2015 Residential Code; and
 - vi. That if required, construction documents prepared by a registered design professional be submitted with each Affidavit of Exemption.
 - vii. Buildings or structures used for the storage of belongings, not designed for human habitation, and not used for remunerative purposes. These structures shall not be a place of human habitation or a place of employment, nor shall it be a place used by the public.
 - b. Plumbing and mechanical permits are still required.
 - c. The maximum height of the structure not to exceed those described in 14.08.031(1) (2) or (3).
 - d. The exemption does not apply to structures located within a floodway.
 - e. Cargo containers under the exemption need not have an engineered foundation but must be placed on a hard, level surface.

ATTACHMENT A

- f. Cargo containers used exclusively for storage are exempt from the requirement for exit doors.
- g. The proposed structure must adhere to other applicable Mason County, State, and Federal regulations or ordinances.

ATTACHMENT B



MASON COUNTY
DEPARTMENT OF COMMUNITY DEVELOPMENT
BUILDING • PLANNING • FIRE MARSHAL

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Shipping Containers Used for Storage

1. An analysis prepared by a Washington State licensed engineer is required for the foundation and anchoring of the **specific** unit to be placed.
2. The unit must meet all required setbacks from property lines, other structures, critical areas, etc.
3. The unit must be equipped with proper exits. Exit doors shall be readily distinguishable from the adjacent construction and operable from the inside without the use of a key or special knowledge. 2006 IRC R311.4.4
4. Proper protection from rust/decay is required at the unit -to-footing connection.
5. Building permit fees shall be as required for storage sheds.
6. All applicable building permit submittal forms are required.