



## MEMORANDUM

**To:** Dave Ramsay, City Manager

**From:** Tom Phillips, Building Services Manager

**Date:** March 11, 2009

**Subject:** AN ORDINANCE TO AMEND TITLE 21 OF THE KIRKLAND MUNICIPAL CODE BY REPEALING APPENDIX 'J' OF THE INTERNATIONAL BUILDING CODE RELATED TO GRADING.

### Recommendation

Staff recommends that the City Council adopt the attached Ordinance repealing Appendix J of the International Building Code.

### Background and Discussion

On January 26<sup>th</sup>, 2009 a new Ordinance went into affect creating a new Title 29 of the Kirkland Municipal Code regulating Land Surface Modification (LSM) activities. Regulations were brought together from various parts of the Municipal Code to create a single point of regulation. Some of the regulations used to create the new Title 29 came from the adoption of Appendix J of International Building Code. When the new Title 29 was created, it was intended that Appendix J would be repealed. However, Appendix J was not repealed, so to prevent a possible contradiction in City codes, this Ordinance will repeal Appendix J as originally intended.

ORDINANCE NO. 4188

AN ORDINANCE OF THE CITY OF KIRKLAND AMENDING KIRKLAND MUNICIPAL CODE SECTION 21.08.010 RELATING TO ADOPTION OF THE INTERNATIONAL BUILDING CODE BY REFERENCE.

WHEREAS, the City of Kirkland recently adopted regulations relating to grading and land surface modifications (Ordinance No. 4151, codified at Kirkland Municipal Code ("KMC") Title 29); and

WHEREAS, the City has adopted Appendix J of the 2006 International Building Code ("IBC") relating to grading by reference; and

WHEREAS, with the passage of Ordinance 4151, Appendix J of the IBC should no longer be incorporated by reference;

NOW, THEREFORE, the City Council of the City of Kirkland do ordain as follows:

Section 1. Section 21.08.010 of the KMC is hereby amended to read as follows:

**21.08.010 International Building Code adopted.**

The 2006 Edition of the International Building Code, as adopted by the State Building Code Council in Chapter 51-50 WAC, as published by the International Code Council, excluding Chapter 1, "Administration," is adopted, together with the following amendments. Further, ~~Appendix Chapter J (Grading) and Appendix Chapter M (Existing Buildings)~~ is specifically adopted as part of the Kirkland Building Code.

Section 2. This ordinance shall be in force and effect five days from and after its passage by the Kirkland City Council and publication, as required by law.

Passed by majority vote of the Kirkland City Council in open meeting this \_\_\_\_ day of \_\_\_\_\_, 2009.

Signed in authentication thereof this \_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
City Attorney