

HB 2561 - H AMD 1002

By Representative Alexander

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 19.27.015 and 2009 c 362 s 2 are each amended to read
4 as follows:

5 ~~((As used in this chapter:))~~ The definitions in this section apply
6 throughout this chapter unless the context clearly requires otherwise.

7 (1) "Agricultural structure" means a structure designed and
8 constructed to house farm implements, hay, grain, poultry, livestock,
9 or other horticultural products. This structure may not be a place of
10 human habitation or a place of employment where agricultural products
11 are processed, treated, or packaged, nor may it be a place used by the
12 public(~~(+)~~).

13 (2) "City" means a city or town(~~(+)~~).

14 (3) "Multifamily residential building" means common wall
15 residential buildings that consist of four or fewer units, that do not
16 exceed two stories in height, that are less than five thousand square
17 feet in area, and that have a one-hour fire-resistive occupancy
18 separation between units(~~(+and)~~).

19 (4) "Ski facilities" means an operation open to the public that
20 holds itself out as the purveyor of alpine or cross-country skiing
21 opportunities and is required to abide by the signage requirements of
22 RCW 79A.45.010.

23 (5) "Temporary growing structure" means a structure that has the
24 sides and roof covered with polyethylene, polyvinyl, or similar
25 flexible synthetic material and is used to provide plants with either
26 frost protection or increased heat retention.

27 **Sec. 2.** RCW 19.27.097 and 2010 c 271 s 302 are each amended to
28 read as follows:

29 (1)(a) Each applicant for a building permit of a building

1 necessitating potable water shall provide evidence of an adequate water
2 supply for the intended use of the building. Evidence may be in the
3 form of:

4 (i) A water right permit from the department of ecology((τ)).
5 However, an application for a water right is not sufficient proof of an
6 adequate water supply;

7 (ii) A letter from an approved water purveyor stating the ability
8 to provide water((τ)); or

9 (iii) Another form sufficient to verify the existence of an
10 adequate water supply.

11 (b) A ski facility to be served by hauled water is considered to
12 have satisfied the requirements of this section if the ski facility
13 provides evidence that it:

14 (i) Is a purveyor of an existing approved public water system with
15 a sufficient supply available to meet all the demands for the proposed
16 facility;

17 (ii) Owns the equipment needed to safely and reliably transport
18 potable water to a water tank on its premises;

19 (iii) Has a water tank with sufficient capacity to meet, at a
20 minimum, the facility's daily potable water needs;

21 (iv) Will not serve dwelling units with hauled water; and

22 (v) Only hauls water during the ski season.

23 (c) In addition to other authorities, the county or city may impose
24 conditions on building permits requiring connection to an existing
25 public water system where the existing system is willing and able to
26 provide safe and reliable potable water to the applicant with
27 reasonable economy and efficiency. ((An application for a water right
28 shall not be sufficient proof of an adequate water supply.))

29 (2) Within counties not required or not choosing to plan pursuant
30 to RCW 36.70A.040, the county and the state may mutually determine
31 those areas in the county in which the requirements of subsection (1)
32 of this section shall not apply. The departments of health and ecology
33 shall coordinate on the implementation of this section. Should the
34 county and the state fail to mutually determine those areas to be
35 designated pursuant to this subsection, the county may petition the
36 department of ((general administration)) enterprise services to mediate
37 or, if necessary, make the determination.

1 (3) Buildings that do not need potable water facilities are exempt
2 from the provisions of this section. The department of ecology, after
3 consultation with local governments, may adopt rules to implement this
4 section, which may recognize differences between high-growth and low-
5 growth counties.

6 **Sec. 3.** RCW 19.27.040 and 1990 c 2 s 11 are each amended to read
7 as follows:

8 (1) Except for the potable water requirements for ski facilities as
9 provided in RCW 19.27.097, the governing body of each county or city is
10 authorized to amend the state building code as it applies within the
11 jurisdiction of the county or city. The minimum performance standards
12 of the codes and the objectives enumerated in RCW 19.27.020 shall not
13 be diminished by any county or city amendments.

14 (2) Nothing in this chapter shall authorize any modifications of
15 the requirements of chapter 70.92 RCW.

16 NEW SECTION. **Sec. 4.** A new section is added to chapter 70.119A
17 RCW to read as follows:

18 A ski facility that meets the potable water requirements set forth
19 in RCW 19.27.040 is considered by the department to have an approved
20 water source. Nothing in this section limits the department's
21 authority under this chapter."

22 Correct the title.

EFFECT: Changes the requirements for a ski facility to be serviced by transported and stored water to facilities that: (1) Are a purveyor of an existing approved public water system with a sufficient supply available to meet all the demands for the proposed facility; (2) owns the equipment needed to safely and reliably transport potable water to a water tank on its premises; (3) has a water tank with sufficient capacity to meet the facility's daily potable water needs; (4) will not serve dwelling units with hauled water; and (5) only hauls water during the ski season.

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