
SUBSTITUTE SENATE BILL 5892

State of Washington

60th Legislature

2008 Regular Session

By Senate Consumer Protection & Housing (originally sponsored by Senators Honeyford, McCaslin, Tom, Delvin, and Stevens)

READ FIRST TIME 02/08/08.

1 AN ACT Relating to the state building code; and amending RCW
2 19.27.020 and 19.27.050.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 19.27.020 and 1985 c 360 s 6 are each amended to read
5 as follows:

6 The purpose of this chapter is to promote the health, safety and
7 welfare of the occupants or users of buildings and structures and the
8 general public by the provision of building codes throughout the state
9 and by allowing a cause of action for damages based on the grossly
10 negligent failure of a county or city to enforce the provisions of the
11 state building code. Accordingly, this chapter is designed to
12 effectuate the following purposes, objectives, and standards:

13 (1) To require minimum performance standards and requirements for
14 construction and construction materials, consistent with accepted
15 standards of engineering, fire and life safety.

16 (2) To require standards and requirements in terms of performance
17 and nationally accepted standards.

18 (3) To permit the use of modern technical methods, devices and
19 improvements.

1 (4) To eliminate restrictive, obsolete, conflicting, duplicating
2 and unnecessary regulations and requirements which could unnecessarily
3 increase construction costs or retard the use of new materials and
4 methods of installation or provide unwarranted preferential treatment
5 to types or classes of materials or products or methods of
6 construction.

7 (5) To provide for standards and specifications for making
8 buildings and facilities accessible to and usable by (~~physically~~
9 ~~disabled persons~~) individuals with disabilities.

10 (6) To consolidate within each authorized enforcement jurisdiction,
11 the administration and enforcement of building codes.

12 **Sec. 2.** RCW 19.27.050 and 1985 c 360 s 9 are each amended to read
13 as follows:

14 (1) The state building code required by this chapter shall be
15 enforced by the counties and cities. Building inspectors owe a duty of
16 care to uphold the provisions of the state building code. If a
17 building inspector or someone acting in the capacity of a building
18 inspector, in the course of his or her work, breaches that duty and
19 that breach results in damage to new residential construction
20 compromising the health, safety, or welfare of the homeowner, then the
21 city or county may be held liable for that building inspector's gross
22 negligence.

23 (2) Any county or city not having a building department shall
24 contract with another county, city, or inspection agency approved by
25 the county or city for enforcement of the state building code within
26 its jurisdictional boundaries.

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