

Title 12 – Building and Construction

Chapter 6 – Ventilation and Indoor Air

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Legislative History

Enacted:

Building and Construction, Ord. 222 (10/5/04), BIA (10/15/04).

Repealed or Superseded:

Ventilation and Indoor Air Quality, Ord. 209 (1/27/04), BIA (2/3/04).

12-06.010 Title.

This Chapter may be referred to as the “Swinomish Ventilation and Indoor Air Quality Code.”

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).

12-06.020 Purpose.

The purpose of the Swinomish Ventilation and Indoor Air Quality Code is as follows:

- (A) To supplement Chapter 12-01 – Uniform Building Code;
- (B) To improve and protect the quality of the air within the homes, offices, and other buildings within the exterior boundaries of the Reservation;

- (C) To reduce the incidence of asthma and other respiratory illnesses that may be associated with poor indoor air quality among children and others who live within the exterior boundaries of the Reservation; and
- (D) To promote the construction of healthy and energy-efficient homes, offices, and other buildings within the exterior boundaries of the Reservation.

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).

12-06.030 Authority.

This Chapter is enacted pursuant to authority provided by Article VI, Section 1(h), (k)(1), (l), (r) and (s) of the Swinomish Constitution, as most recently amended

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).

12-06.040 Jurisdiction.

Tribal jurisdiction over the activities subject to this Chapter shall extend to all lands and waters within the exterior boundaries of the Swinomish Indian Reservation to the maximum extent permitted by law.

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).

12-06.050 Construction.

- (A) The terms of this Chapter shall be interpreted consistent with the purposes of this Chapter, and the other Chapters in this Title.
- (B) In the event of any conflict between the terms of this Chapter and the terms of any other Chapter in the Swinomish Tribal Code, the terms that better protect the indoor air quality of homes, offices, and other buildings within the Reservation shall control.

[History] Ord. 222 (10/5/04).

12-06.060 Definitions.

- (A) Unless explicitly stated otherwise, the following words and phrases, as they are used in this Chapter and the Ventilation and Indoor Air Quality Code, shall have the following meanings:
 - (1) **“Building Official”** means the Director of the Office of Planning and Community Development or his or her designee.
 - (2) **“Planning Commission”** means the Planning Commission of the Swinomish Indian Tribal Community.

- (3) **“Planning Department”** means the Office of Planning and Community Development of the Swinomish Indian Tribal Community.
- (4) **“Reservation”** means all lands and waters within the exterior boundaries of the Swinomish Indian Reservation of the Swinomish Indian Tribal Community.
- (5) **“Senate”** means the Senate of the Swinomish Indian Tribal Community.
- (6) **“Tribe”** or **“tribal”** means or refers to the Swinomish Indian Tribal Community.

(B) All other words and phrases shall have their ordinary and customary meanings.

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).

12-06.070 Adoption of Washington State Ventilation and Indoor Air Quality Code.

Except as otherwise provided in this Chapter, the Senate hereby adopts and incorporates as tribal law as if fully set out herein, the Washington State Ventilation and Indoor Air Quality Code, 2003 edition, drafted by the Washington State Building Code Council and codified at WAC 51-13-100, which shall constitute the "Swinomish Ventilation and Indoor Air Quality Code."

[History] Ord. 222 (10/5/04).

12-06.080 Amendments to the Washington State Ventilation and Indoor Air Quality Code.

The following sections of the Washington State Ventilation and Indoor Air Quality Code are expressly not adopted by this Chapter.

- (A) **SECTION 105 – VALIDITY.**
- (B) **SECTION 106 – CONFLICTS WITH OTHER CODES.**

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).

12-06.090 Plans and Specifications to Accompany Building Permit.

With each application for a building permit, the applicant shall submit plans and specifications demonstrating compliance with the terms and requirements of this Chapter.

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).

12-06.100 Public Inspection.

A copy of the Swinomish Ventilation and Indoor Air Quality Code shall be placed on file with the Planning Department and made available for public inspection and copying during regular business hours, subject to reasonable administrative costs and restrictions.

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).

12-06.110 Repealer.

This Chapter repeals and supersedes Ordinance 209.

[History] Ord. 222 (10/5/04).

12-06.120 Severability.

The provisions of this Chapter are severable. If a court of competent jurisdiction finds any of the provisions of this Chapter invalid, the remaining provisions shall be unaffected and remain in full force and effect.

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).

12-06.130 Effective Date.

This Chapter shall be effective immediately upon approval by the Secretary of the Interior or his or her designee.

[History] Ord. 222 (10/5/04); Ord. 209 (1/27/04).