

## Kaycee Hathaway

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**From:** Michael Flory  
**Sent:** Friday, April 10, 2015 10:05 AM  
**To:** 'John Ufkes'  
**Cc:** Kaycee Hathaway; Doc Hansen  
**Subject:** RE: temporary grow structures

Mr. Ufkes,

RCW 19.27.015 defines them but does not limit the use to 180 days.  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=19.27.015>

RCW 19.27.031 Adoption of the International Building Code.  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=19.27.031>

RCW 19.27.065 Exemption.  
<http://apps.leg.wa.gov/RCW/default.aspx?cite=19.27.065>

All definitions must come from RCW's WAC's or IBC specifically. Uniform Building Code is not adopted in Washington State.

I will wait for the SBCC to respond.

Best regards,

**Michael Flory**  
**Certified Building Official**

Kittitas County Community Development Services  
411 N Ruby Street Suite 2  
Ellensburg, WA 98926  
[mike.flory@co.kittitas.wa.us](mailto:mike.flory@co.kittitas.wa.us)  
P: 509.933.8222  
F: 509.962.7682



"Building Partnerships-Building Communities"

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**From:** John Ufkes [mailto:jufkes@johnufkeslaw.com]  
**Sent:** Friday, April 10, 2015 9:50 AM  
**To:** Michael Flory  
**Cc:** Kaycee Hathaway; Doc Hansen  
**Subject:** RE: temporary grow structures

Thanks Michael

You might help them by reminding them that temporary grow structures are defined as "membrane structures" under Uniform Building Code 30.50.308(1)(p)(ii).

Thanks again.

**John H.F. Ufkes**  
Attorney at Law  
Law Office of John H. F. Ufkes  
P.O. Box 1819  
707 North Pearl Street, Suite A  
Ellensburg, WA 98926  
Phone: 509.925.3193  
Fax: 888.320-1577  
[jufkes@johnufkeslaw.com](mailto:jufkes@johnufkeslaw.com)

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**From:** Michael Flory [<mailto:mike.flory@co.kittitas.wa.us>]  
**Sent:** Friday, April 10, 2015 9:47 AM  
**To:** 'John Ufkes'  
**Cc:** Kaycee Hathaway; Doc Hansen  
**Subject:** RE: temporary grow structures

Good morning Mr. Ufkes,

I have asked the Washington State Building Code Council <https://fortress.wa.gov/ga/apps/sbcc/default.aspx> to render an interpretation of WAC 51-50-007 as to whether it completely exempts a Temporary Growing Structure from the Building Code including IBC Chapter 31 Special Construction.

I will abide by their decision. I'll forward it as soon as I receive it.

Best regards,

**Michael Flory**  
**Certified Building Official**

Kittitas County Community Development Services  
411 N Ruby Street Suite 2  
Ellensburg, WA 98926  
[mike.flory@co.kittitas.wa.us](mailto:mike.flory@co.kittitas.wa.us)  
P: 509.933.8222  
F: 509.962.7682



"Building Partnerships-Building Communities"

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**From:** John Ufkes [<mailto:jufkes@johnufkeslaw.com>]  
**Sent:** Thursday, April 09, 2015 5:01 PM  
**To:** Michael Flory  
**Subject:** temporary grow structures

Mr. Flory

I have recently reviewed your March 16, 2015 email on the use of temporary growing structures. Please also consider that the exemption only applies for six months.

A summary of the relevant sections is as follows:

Temporary growing structures are generally exempt from the International Building Code regulations. Under Kittitas County Code section 14.04.010(1), this code is adopted and applied in this county.

But only temporary structures are given the limited exemptions to this code. (RCW 19.27.015(4); WAC 51-50-007). By definition, temporary is for no longer than one hundred and eighty days.

“Tents and other membrane structures erected for a period of less than one hundred eighty days shall comply with the International Fire Code. Those erected for a longer period of time shall comply with applicable sections of this (the International Building) code.” (WAC 51-50-3103.1)

In other words, a hoop house needs a permit on the one hundred eighty first day.

John H.F. Ufkes

Attorney at Law

Law Office of John H. F. Ufkes

P.O. Box 1819

707 North Pearl Street, Suite A

Ellensburg, WA 98926

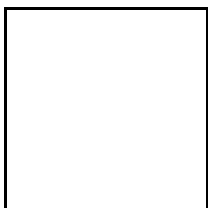
Phone: 509.925.3193

Fax: 888.320-1577

[jufkes@johnufkeslaw.com](mailto:jufkes@johnufkeslaw.com)

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