



Washington State Building Code Council

Improving the built environment by promoting health, safety and welfare

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STATE BUILDING CODE INTERPRETATION NO. 15-04

CODE: 2012 International Building Code

SECTION: WAC 51-50-007

QUESTION: The first paragraph of WAC 51-50-007 states:

The provisions of this code do not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. "Temporary growing structure" means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention. A temporary growing structure is not considered a building for purposes of this code.

Does this exception apply to large scale greenhouses built from polycarbonate panels? These greenhouses in question will be used for the year round production of marijuana. These structures will be equipped with mechanical ventilation, grow lights, and a supplemental heat source for winter growing.

ANSWER: **No. The exception applies only to temporary structures, with a flexible temporary covering used for passive retention of heat and protection of plants from frost. For structures used year round and provided with other services and structural elements other than those addressed in WAC 51-50-007, this exception would not apply. In addition, RCW 82.04.213 states that marijuana is not considered an agricultural product which would not classify it as an ornamental plant, flower, vegetable, or fruit.**

SUPERSEDES: None

REQUESTED BY: City of Moses Lake