

BEFORE THE BOARD OF COLUMBIA COUNTY COMMISSIONERS
Ordinance ORD2020-02

An Ordinance of the Board of Columbia County Commissioners
In the matter of authorizing the use of self-milled lumber for
structures.

WHEREAS, the people of Columbia County have access to several species of soft wood trees, such as Douglas Fir, Western Larch, Spruce, White Fir, Lodgepole Pine, Ponderosa Pine, White Pine; and,

WHEREAS, there is an environmentally friendly and cost effective means to mill said trees into posts, beams, and framing lumber; and,

WHEREAS, preservation of the custom, culture and economic stability of the citizens and the protection and use of their environment, are inseparably tied to their ability to be involved in determining any regulation of their rights to use and enjoy their unique lands and natural resources; and,

WHEREAS, the climate of Columbia County is conducive to air drying to meet the American Softwood Lumber Standard (ASLS) PS20-10 grade book standard of a maximum 19% moisture content; and,

WHEREAS, the American Softwood Lumber Standard (ASLS) PS 20-10 is the minimum standard by which lumber is classified in the International Building Code (IBC); and,

WHEREAS, oversight from an impartial third party is necessary to ensure that safety and quality are of the utmost importance to the approval of any structure within Columbia County:

NOW, THEREFORE, IT IS HEREBY ORDAINED THAT self-milled local lumber will be allowed to be used for structures in Columbia County, State of Washington, in part or all, with the following conditions:

- 1) All self-milled lumber used in structures in Columbia County must be locally harvested.
- 2) All self-milled lumber used in structures in Columbia County must have documentation of date of harvest, date of milling, length of drying process.
- 3) Moisture content of self-milled lumber must meet ASLS standard 19% or less on the date of use.

- 4) Self-milled lumber must be equal to or greater than nominal sizes after drying and dressing.
- 5) 2X lumber used in rough form must be thicker than nominal lumber by ¼ inch or more.
- 6) Timbers, posts, and beams must be cut full size in width and thickness.
- 7) Grade and species must match requirements in the Western Wood Products Association span tables for Floor and Ceiling Joists and Roof Rafters.
- 8) In permanently occupied structures, the lumber must be deemed acceptable for construction by a qualified third party before construction can begin.
- 9) If the inspector is not an employee of Columbia County, or a certified lumber inspector, the Columbia County Commissioners will review the qualifications of the lumber inspector. All costs and fees will be the responsibility of the property owner.
- 10) All documentation of the lumber's history and inspection will be attached to the title of the property for the duration of the structure's lifespan. All fees associated will be paid by the property owner.
- 11) Property owner must sign document releasing Columbia County and its employees from liability related to the use of self-milled lumber. Said document must also be witnessed and signed by the authority having jurisdiction.

Adopted by the Columbia County Board of Commissioners this _____
Day of _____, 2020.

**BOARD OF COUNTY COMMISSIONERS
COLUMBIA COUNTY, WASHINGTON**

Charles L. Amerein, Chairman

Ryan R. Rundell, Commissioner

Michael A. Talbott,

Commissioner

Attest _____

Leanne J. Peters
Clerk of the Board

Exhibit A

15.05.010 Codes adopted.

The certain documents, two copies of which are on file and are open for inspection by the public in the planning department, being marked and designated as:

- A. International Building Code, 2015 Edition. Including Appendix Chapters A, C, I, J;
- B. International Residential Code, 2015 Edition. Including Appendix Chapters G, H, J;
- C. International Mechanical Code, 2015 Edition;
- D. International Fire Code, 2015 Edition. Including Appendix Chapters B, C, D;
- E. International Plumbing Code, 2015 Edition;
- F. International Fuel Gas Code, 2015 Edition;
- G. Ventilation and Indoor Air Quality Code;
- H. Washington State Energy Code;
- I. Washington State Historic Building Code;
- J. International Property Maintenance Code, 2015 Edition;
- K. International Abatement of Dangerous Buildings Code, 1997 Edition;

are hereby adopted, except where specifically supplanted, superseded, or altered by the Columbia County Code, as the Columbia County Code for regulating the erection, construction, enlargement, alteration, repair, moving, removal, demolition, conversion, occupancy, equipment, use, height, area and maintenance of all buildings or structures in Columbia County providing for issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, conditions and terms pursuant to the 2015 International Building Code, including Appendix Chapters A, C, I, J; the 2015 International Residential Code, including Appendix Chapters G, H, J; the 2015 International Fire Code, including Appendix Chapters B, C, D; the 2015 International Mechanical Code; the 2015 International Plumbing Code; the 2015 International Fuel Gas Code; the Ventilation and Indoor Air Quality Code; the Washington State Historic Building Code; the 2015 International Property Maintenance Code; and the 1997 International Abatement of Dangerous Buildings Code, published by the International Code Council, and the secondary publications referenced above, are hereby adopted and made a part hereof as if fully set out in this chapter, except where specifically supplanted, superseded, or altered by the Columbia County Code. [Ord. 2017-06; Ord. 2016-01 § 1.]

EXHIBIT B

Chapter 15.20 Sawn Lumber

Sections:

15.20.010 Applicability

15.20.020 Definitions

15.20.030 Locally Harvested

15.20.040 Moisture Content and Size

15.20.050 Inspection and Documentation

15.20.060 Release of Liability

15.20.070 Severability

15.20.080 Enforcement

15.20.010 – Applicability

The provisions of this section supersede 2015 International Building Code section 2301.1.1

15.20.020 - Definitions

"Self-Milled Lumber" is lumber that has been locally harvested and milled by the owner of the project.

"Locally Harvested" shall mean harvested from within the boundaries of Columbia County.

15.20.030 – Locally Harvested

All self-milled lumber used in structures in Columbia County must be locally harvested and must have documentation of the date of harvest, location of harvest, date of milling, length of drying processing, and date of dressing.

15.20.040 – Moisture Content and Size

Moisture content of self-milled liber must meet the American Softwood Lumber Standard of 19% moisture or less on the date of use. Self-milled lumber must be equal to or greater than standard sizes after drying and dressing. Two-by (2x) lumber used in rough form must be thicker than nominal size by no less than ¼". Timbers, beams and posts must be cut full size in width and thickness.

15.20.050 – Inspection and Documentation

Grade and species must match requirements in the Western Wood Products Association Span Tables for Floor and Ceiling Joists and Roof Rafters. In permanently occupied structures, the lumber must be deemed acceptable for construction by a qualified third party before construction can begin. If the inspector is not an employee of Columbia County, or a certified lumber inspector, the Columbia

County Commissioners will review the qualifications of the lumber inspector. All documentation of the lumber's history and inspection will be attached to the title of the property for the duration of the structure's lifespan. All costs and fees will be the responsibility of the property owner.

15.20.060 – Release of Liability

Property owner must sign a document releasing Columbia County and its employees from liability related to the use of self-milled lumber. Said document must also be witnessed and signed by the Authority Having Jurisdiction.

Release of Liability and Hold Harmless Agreement

This Release of Liability and Hold Harmless Agreement executed on (date) _____ by (Property Owner) _____ releases Columbia County and all of its employees, officials, and agents from any liability involved with construction of a home with self-milled sawn lumber.

The Property Owner understands that the property owner is responsible for all liabilities that fall within the permitted project number _____, and that there will be no claims in the event of failure or personal injury due to construction with self-milled lumber.

1. Waiver and Release: I, the Property Owner, release and forever discharge and hold harmless Columbia County, its officials, and employees from and all liability, claims, and demands of whatever kind of nature, either in law or in equity, which arise or may hereafter arise from the construction of this project with self-milled lumber. I understand and acknowledge that this Release discharges Columbia County from any liability or claim that I may have against Columbia County with respect to property damage, bodily injury, personal injury, or death that may result from building with self-milled lumber.
2. Assumption of Risk: I understand that building with self-milled lumber may prove hazardous to me or anyone that may use the structure that I am constructing and assume all risk for those persons and myself.

Property Owner Signature/Date

Columbia County Building Official Signature/Date

15.20.070 – Severability

Should any section or provision of this Chapter be declared invalid, such decision should not affect the validity of the chapter as a whole.

15.20.080 - Enforcement

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter,

repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure or cause or permit the same to be done in violation of this code. Any violation of this chapter will be subject to the provisions in CCC Title 19, Code Enforcement.

August 17, 2020

To the Honorable Members of the Washington State Building Code Council,

For years builders built sheds, barns, and homes with lumber which was cut locally, sawn in small, local mills, transported to the building site and erected in due fashion by the property owner, or a local builder, or by a group of neighbors. There are many homes standing strong in this county that have such a history.

Over time, standardization sought to find the best practices based on the safest and most effective method in building structures. This standard was brought about via the wisdom accumulated by the builders, millers, and loggers who made up the collective knowledge of the lumber trade. From this collective of knowledge, came lumber grading associations, which came about in order to allow a consumer to understand and trust that the lumber would meet the minimum standard for the task for which the lumber would be used.

According to The Southern Pine Bureau's website detailing the history of graded lumber, in 1926 the U.S. Department of Commerce championed the stamping of all consumer lumber, saying "Grade-marks on each piece of lumber would in time educate the consumer to a better knowledge of grades," and "Grade-marking cannot succeed unless conscientiously carried out," and, "the small expense of grade-marking will have no effect on the cost of Lumber." ¹

In the following years, grading was adopted by governments in building codes with the best of intentions to protect consumers from unscrupulous lumber dealers who would take advantage of an unknowing buyer. Lumber was inspected carefully to determine its grade, given a stamp, and sold to the end user.

As economies of scale slowed and ended small mills in favor of large industries, conscientious lumber grading has been replaced by rapid grading and the attempt to use as much of the log as possible in order to maximize profits. The large industrial stamps are given as quickly as possible, negating the very idea of conscientiously examining the lumber. The minimum standard has become the only standard. By and large, grade stamps have allowed big industry, with the blessing of the government, to accumulate power and become the gatekeeper to any project. This partnership between government and big industry is a thumb in the eye of the free market. Stamping, while meant to be readily available, cheap, and improving the quality of lumber for the consumer, has allowed government and big industry to wed in oligarchical matrimony.

Often forgotten by the powers that be, the wealth of knowledge of the lumber trade still resides in the millers and the builders. While slipping away, our traditions still can be found in our books, in our elders, and in the hands and eyes of those who mill each log and each board. Rather than seeing hundreds of pieces of lumber each hour, they see a handful. They know each board intimately, and with knowledge learned from the same sources as those who work in the big industry mills, or the certified stampers, they too have the ability to grade their lumber. Builders take on liability when they build, whether legally or by reputation. The stamp does not make quality lumber. The quality resides in the lumber. An experienced builder or a miller who sees every piece of lumber can, with research and experience, determine if it meets the minimum standard, or is equal to or better than #2.

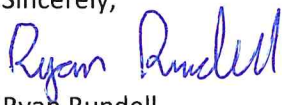
Governments are in place to protect the rights of individuals. In fact, the Washington State Constitution explicitly states this in Article I, Section 1. Government should not protect itself at the expense of the rights of the people. Stamped lumber is the minimum standard, but much of the stamped lumber would not meet the standard of a scrupulous builder, nor should a building official simply pass a stamped piece of lumber simply because it is stamped. While true that the effects of one piece of subpar lumber will be mitigated by spacing codes and other redundancies, it is also true that the same spacing codes and redundancies will be in effect for self-milled lumber which in all likelihood will be of higher quality than the minimum standard. The standard should be quality, not whether the lumber has a stamp that has diluted in quality over the years.

¹ <https://blog.spib.org/lumber-grade-marking-history-1926-2/>

The process to buy and build with lumber should be transparent, understandable, and accessible for the average citizen. Standards should be exceeded, not just met. It is for this reason I believe Columbia County should allow the use of unstamped lumber in certain, well controlled circumstances. The proposed lumber ordinance in question adds layers of safety and oversight to the process of using self-milled lumber. With it, the history and process of self-milled lumber will be documented and attached to the deed of the property for the life of the structures in which it is used. This will prevent any purchaser of the property from being unaware of the structure's special characteristics. For permanently occupied structures, the ordinance will also require the builder/owner to present a qualified third party to the Board of County Commissioners for their approval. This recognizes that there may be someone who does not hold certificates but has the proper knowledge to determine if the lumber in question meets or exceeds the same standard that a professionally stamped piece of lumber has. While it is true that the commissioners themselves are not qualified to determine the quality of the lumber, but they can interview and determine if the third party does. With careful questioning and research, the commissioners hire employees in the same manner. Some of those job seekers have certifications for their jobs and some may not. The commissioners would certainly vote to deny any candidate they determine to be unqualified, or one who has a personal stake in the project.

Rather than reducing the standards of the IBC, I believe with these added requirements, the IBC's standard will be greatly exceeded. This proposed ordinance will be utilized in a very small percentage of structures built, and would acknowledge and preserve the traditions and freedoms of local builders and millers. Thank you for your consideration and time.

Sincerely,



Ryan Rundell

Columbia County Commissioner District #1

311 E Main Street

Dayton, WA 99328

Office: (509) 382-4542

Cell: (509) 540-7598

ryan_rundell@co.columbia.wa.us