



Washington Association of Building Officials Accredited Code Official Program

WABO recognizes and supports the jurisdictions, agencies, and individuals responsible for safeguarding life, health and property and promoting public welfare through the administration and enforcement of the codes promulgated by the Washington State Building Code Council (SBCC) and adopted by the state and local jurisdictions. WABO is committed to enhancing and increasing the professional administration of codes by promoting and supporting the qualifications, technical knowledge and credentials of code officials.

WABO believes that local jurisdictions' code enforcement responsibilities are best administered by qualified code officials. WABO believes local authorities should appoint qualified individuals and that recognized qualifications for all code enforcement personnel should be applied throughout the state.

In response to concerns of the state legislative bodies, WABO supports and encourages professional accreditation for code officials to demonstrate qualification to administer state and local codes. Towards that end, WABO proposes to establish a WABO Accredited Code Official Program as outlined herein.

WABO Accredited Code Official Program Summary

The accreditation program demonstrates that the accredited code official has passed a WABO approved examination that covers Washington laws related to state building codes including, but not limited to, administrative procedures, architectural barriers, and Washington amendments to the administrative codes. It is intended that each jurisdiction employ a building official that meets certain minimum requirements, as specified herein. WABO is committed to supporting individual jurisdictions throughout the state in acquiring WABO accreditation. The program requirements are specified herein.

This accreditation program is voluntary and seeks to validate the individual requirements to work as a code official in the State of Washington. It does not intend to create separate classes of members within the organization, depending on whether one is accredited or not.

The accreditation of building officials is encouraged to provide recognized professional credentials for code officials, qualification standards for code enforcement agencies, and greater safety for citizens.

Issuance of Accreditation

Approval to be identified as a WABO Accredited Code Official (ACO) shall be granted by the Board to any person:

- 1) Who is of good character. Good character, for the purposes of this section, means a lack of a history of dishonest or felonious acts.
- 2) Who attests by their signature a commitment to uphold the values contained within the WABO Code of Ethics.
- 3) Who has met the educational standards as determined by the board.
- 4) Who has practical code administration work experience for a jurisdiction of no less than two years as a building official or service in a supervisory role, and maintains existing certifications, licenses, and professional credentials.
- 5) Who holds and maintains one of the following:
 - a) Certification as a Certified Building Official of the International Code Council, or
 - b) An architect's or engineer's professional license in the State of Washington and who has certifications, other than that of a CBO, in at least two other disciplines related to building department operations, or
 - c) Equivalent practical experience and education as determined by petition to the board.
- 6) Who has paid appropriate fees as established by rule by the board.
- 7) Who maintains a current active WABO membership.
- 8) That meets participation requirements as identified with this accreditation, which includes, but is not limited to participation on WABO committees, service on state or national committees, participation with local and statewide code development, training and mentoring of existing and apprentice code enforcement personnel and contractors, education of sellers of building materials, public education, and public outreach projects.
- 9) Who passes a written examination

WABO Accredited Code Official Program

Section 1 **Short Title.** This chapter is known as the “WABO Code Official Accreditation Program.”

Section 2 **Chapter Administration.** The provisions of this chapter shall be administered by the WABO Board of Directors.

Section 3 **Definitions,** as used in this chapter:

- 1) “Board” means the WABO Board of Directors.
- 2) “Building Official” means the officer or other designated authority charged with the administration and enforcement of codes, or duly authorized representative.
- 3) “Codes” means the building code, mechanical code, plumbing code, energy code, fire code, and other codes as approved by the Washington State Building Code Council (SBCC).
- 4) “Code enforcement personnel” or “Code official” means a building official, fire official, plans examiner, or inspector.
- 5) “Code Enforcement Agency” means an agency of the state or any of its political subdivisions which is responsible for issuing permits for construction regulated under the codes, or any other agency of the state or its political subdivisions specifically empowered with enforcement of the codes.
- 6) “Licensed professional” means one who is currently licensed as an architect or engineer by the State of Washington.
- 7) “Unprofessional conduct” is defined in accordance with Section 8.

Section 4 **Enforcement of Codes – Agency responsibility**

The responsibility for permitting and inspection of construction projects, administration and enforcement of provisions of the codes shall be with the enforcement agency having jurisdiction over the construction projects and the applicable codes.

WABO believes that:

- a) The code enforcement agency of each political subdivision of the state shall be under the administrative and operational control of a qualified code official. The code official shall be appointed by the local appointing authority and shall meet the requirements of this chapter for WABO accreditation.
- b) The requirement for qualification of code enforcement personnel should apply to all enforcement agencies of the state. Enforcement agencies not having properly qualified code enforcement personnel may contract with another county, city, or

private administrative provider for the enforcement of the state building codes within its jurisdictional boundaries.

Section 5 Board – Rules

The board shall prescribe rules consistent with this chapter as necessary for implementation and may include the following rules specifying:

- 1) Procedures to govern the conduct of matters before the board.
- 2) Professional conduct for an accredited code official in order to establish and maintain high standards of competence and ethics including rules dealing with independence, objectivity, integrity, and freedom from conflicts of interest.
- 3) Actions and circumstances deemed to constitute holding oneself out as an accredited code official in connection with the practice of a code official.
- 4) The manner and circumstances of the use of the title of “WABO Accredited Code Official”
- 5) Educational requirements to take the Accredited Code Official examination.
- 6) Requirements to maintain or improve the professional competence as a condition to maintaining accreditation.
- 7) Experience requirements in order to qualify for accreditation.
- 8) Requirements for members to qualify for accreditation under this chapter which must include provisions for meeting educational and experience requirements prior to application for accreditation.
- 9) Accreditation requirements for WABO members in good standing.
- 10) Ethics requirements for accredited members that include the process for reporting enforcement with those requirements.
- 11) Parameters for revocation of accreditation.
- 12) Any other rule which the board finds necessary or appropriate to implement this chapter.

Fees

The board shall set its fees at a level adequate to pay for the cost of administering this program.

Examinations

The WABO Accredited Code Official shall pass an initial examination as set forth by the board.

- 1) The examination for an accredited code official's certificate of accreditation shall be held at least annually at such time and place as the board determines.
- 2) The board shall determine the content, scope, and grading process of the examination. The examination shall test the code officials' knowledge of the SBCC code provisions and the Washington Administrative Code (WAC) and other subjects as determined by the Board.

Applicants who fail to pass the examination with a minimum score of 75% shall be permitted to retake the exam as prescribed by the board.

Section 6 **Qualifications of Code Enforcement Personnel**

All WABO Accredited Code Officials representing a local or state appointing authority to enforce provisions of the codes adopted pursuant to this chapter shall:

- 1) Meet minimum qualifications as established by this chapter and be certified by a nationally recognized organization which promulgates codes adopted under this chapter, or;
- 2) Be a currently licensed professional by the state as meeting those minimum qualifications, and;
- 3) Be subject to revocation or suspension of their accreditation or may be placed on probation if found guilty of unlawful or unprofessional conduct.

A local or state appointing authority or enforcement agency may contract for the services of an ACO not regularly employed by the appointing authority or agency.

Section 7 **Renewal Cycle – Procedures**

Each accreditation shall be kept current in accordance with the parameters as described in this section. Application for renewal of accreditation shall be submitted to the board for approval, prior to expiration.

- 1) Each accreditation is valid for three years.
- 2) The board shall establish rules for continuing education credits and WABO involvement necessary for renewal.
- 3) The fee for renewal shall be determined by the board.

Section 8 **Unprofessional Conduct**

Any person may file a complaint of unprofessional conduct as identified in this section for any of the following reasons. The Board may take disciplinary action as described in Section 9. Reasons may include, but are not limited to:

- 1) Knowingly failing to inspect or issue correction notices for any code violation, which when left uncorrected, would constitute a hazard to the public health and safety and knowingly failing to require that correction notices are complied with;
- 2) The use of alcohol or the illegal use of drugs while performing duties as a code official or at any time to the extent that the code official is physically or mentally impaired and unable to effectively perform his duties as a code official.
- 3) Gross negligence in the performance of official duties.
- 4) Failure to supervise an inspector-in-training for which an inspector assumes responsibility in accordance with these rules or in a manner to ensure the public health, safety, and welfare.
- 5) The personal use of information or knowingly revealing information to unauthorized persons when that information has been obtained by the code official as a result of their employment, work, or position, except when information must be revealed by applicable disclosure laws.
- 6) Unlawful acts or acts which are clearly unethical under generally recognized standards of conduct of a code official.
- 7) Engaging in fraud or knowingly misrepresenting a fact relating to the performance of duties and responsibilities as a code official.
- 8) Knowingly approving work which materially varies from approved documents.

Section 9. Disciplinary Action – Prohibited conduct, acts, and conditions.

In addition, for any unprofessional conduct herein described, the Board may take disciplinary action for the following conduct, acts, or conditions:

- 1) Offering to pay, paying or accepting, either directly or indirectly, any substantial gift, bribe, or other consideration to influence the award of professional work.
- 2) Being willfully untruthful or deceptive in any professional report, statement, or testimony.
- 3) Attempting to injure falsely or maliciously, directly or indirectly, the professional reputation, prospects, or business of anyone.
- 4) Violations of any provisions of this chapter.
- 5) Conflict of Interest – Having a financial interest in bidding for or performance of a contract to supply services or materials for or to construct a project for which there is an affiliation as a code official, except with the consent of the client or employer after disclosure of such facts; or allowing an interest in any business to affect a decision regarding code official work for which retained, employed, or called upon to perform.

- 6) Nondisclosure – Failure to promptly disclose to a client or employer any interest in a business which may compete with or affect the business of the client or employer.
- 7) Committing any other act, or failing to act, which act or failure are customarily regarded as being contrary to the professional conduct or standard generally accepted of those practicing as code officials.

Discipline of Registrant - Board's power - Reissuance of accreditation.

The Board shall have the exclusive power to discipline the code official and sanction the accreditation of any registrant.

All complaints shall be in writing and shall be sworn to in writing by the person making the allegation. A registrant against whom a complaint was made must be immediately informed of such complaint by the Board.

The Board, for reasons it deems sufficient, may reinstitute accreditation to any person who has been suspended, providing a majority of the Board vote in favor of reinstatement.

Section 10. Appeal Process

A registrant who has been disciplined by the Board may file an appeal per the following process:

- 1) Appeals must be filed within 30 days of the disciplinary action.
- 2) A properly filed appeal must provide documentation to dispute the findings of the Board.
- 3) The appeal must be in writing and submitted to WABO, P. O. Box 7310, Olympia, WA 98507.
- 4) Alternatively, the registrant may request to present an appeal in person, meeting all of the above requirements.

The Board may appoint a special committee to review the appeal. The appeals committee shall make a recommendation to the Board based on the appeal hearing. The Board will have 60 days to review the findings and reaffirm or reverse its original decision. The decision of the Board will be final.

Section 11. Violations and Penalties- Good character, severability.

Any person who shall practice, or offer to practice, as a WABO Accredited Code Official in this state without being accredited in accordance with provisions of the chapter, or any person presenting or attempting to use as his own the certificate of accreditation of another, or any person who shall give any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate of accreditation, or any person who shall falsely impersonate any other registrant, or any person who shall attempt to use an expired or revoked certificate of accreditation, or any person who shall violate any of the provisions of this chapter shall be subject to forfeiture of his accreditation.

Good Character

The board may refuse to grant accreditation on the ground of failure to satisfy this requirement only if there is a substantial connection between a lack of good character of the applicant and the professional and ethical responsibilities of a member and if the finding by the board of lack of good character is supported by a preponderance of evidence. When an applicant is found to be unqualified for accreditation because of a lack of good character, the board shall furnish the applicant a statement containing the findings of the board and a notice of the applicant’s right of appeal.

It shall be the duty of all board members to enforce the provisions of this chapter.

Severability

If any section of this chapter shall be declared unconstitutional or invalid, such adjudication shall not invalidate any other provision or provisions thereof.

Washington Association of Building Officials

President, Joe Wizner

Signature: _____

Date: _____

Executive Director, Julie Rogers

Signature: _____

Date: _____