



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

May 24, 2004

Ordinance 14915

Proposed No. 2004-0202.2

Sponsors Constantine

1 AN ORDINANCE relating to fire safety regulations in
2 King County; adopting, amending and supplementing the
3 International Fire Code; amending Ordinance 2097, Section
4 1, as amended, and K.C.C. 17.04.010, Ordinance 2097,
5 Section 2, as amended, and K.C.C. 17.04.020, Ordinance
6 12560, Section 148, as amended, and K.C.C. 17.04.01001,
7 Ordinance 2097, as amended, and K.C.C. 17.04.080,
8 Ordinance 12560, Section 153, as amended, and K.C.C.
9 17.04.01006, Ordinance 12560, Section 154, as amended,
10 and K.C.C. 17.04.01007, Ordinance 12560, Section 155, as
11 amended, and K.C.C. 17.04.01008, Ordinance 12560,
12 Section 157, as amended, and K.C.C. 17.04.01010,
13 Ordinance 12560, Section 151, as amended, and K.C.C.
14 17.04.01004, Ordinance 12560, Section 149, as amended,
15 and K.C.C. 17.04.01002, Ordinance 12560, Section 156, as
16 amended, and K.C.C. 17.04.01009, Ordinance 12560,
17 Section 150, as amended, and K.C.C. 17.04.01003,

18 Ordinance 12560, Section 158, as amended, and K.C.C.
19 17.04.01011, Ordinance 12560, Section 159, as amended,
20 and K.C.C. 17.04.01012, Ordinance 12560, Section 162, as
21 amended, and K.C.C. 17.04.01015, Ordinance 12560,
22 Section 164, as amended, and K.C.C. 17.04.01017,
23 Ordinance 12560, Section 165, as amended, and K.C.C.
24 17.04.01018, Ordinance 12560, Section 166, as amended,
25 and K.C.C. 17.04.01019, Ordinance 12560, Section 167, as
26 amended, and K.C.C. 17.04.0102, Ordinance 12560,
27 Section 168, as amended, and K.C.C. 17.04.01021,
28 Ordinance 7980, Section 1, as amended, and K.C.C.
29 17.04.070, Ordinance 14111, Section 201, and K.C.C.
30 17.04.010223, Ordinance 12560, Section 170, as amended,
31 and K.C.C. 17.04.01023, Ordinance, 14111, Section 202,
32 and K.C.C. 17.04.010225, Ordinance 14111, Section 203,
33 and K.C.C. 17.04.010227, Ordinance 14111, Section 205,
34 and K.C.C. 17.04.010231, Ordinance 14111, Section 213,
35 and K.C.C. 17.04.010239, Ordinance 14111, Section 206,
36 and K.C.C. 17.04.010232, Ordinance 14111, Section 210,
37 and K.C.C. 17.04.010236, Ordinance 6328, Section 4, as
38 amended, and K.C.C. 17.04.030, Ordinance 12560, Section
39 171, as amended, and K.C.C. 17.04.01024, Ordinance
40 14111, Section 215, and K.C.C. 17.04.010245, Ordinance

41 12560, Section 174, as amended, and K.C.C. 17.04.01027,
42 Ordinance 14111, Section 220, and K.C.C. 17.04.010275,
43 Ordinance 12560, Section 175, as amended, and K.C.C.
44 17.04.01028, Ordinance 14111, Section 211, and K.C.C.
45 17.04.010237, Ordinance 14238, Section 29, and K.C.C.
46 17.04.0815, Ordinance 14238, Section 30, and K.C.C.
47 17.04.0816, Ordinance 14238, Section 31, and K.C.C.
48 17.04.083, Ordinance 8726, Section 1, as amended, and
49 K.C.C. 17.04.040, Ordinance 5828, Section 2, and K.C.C.
50 17.08.010, Ordinance 5828, Section 4, as amended, and
51 K.C.C. 17.08.030, Ordinance 5828, Section 5, and K.C.C.
52 17.08.040, Ordinance 5828, Section 6, and K.C.C.
53 17.08.050, Ordinance 5828, Section 7, and K.C.C.
54 17.08.060, Ordinance 5828, Section 8, and K.C.C.
55 17.08.070, Ordinance 5828, Section 9, and K.C.C.
56 17.08.080, Ordinance 5828, Section 10, as amended, and
57 K.C.C. 17.08.090, Ordinance 5828, Section 11, and K.C.C.
58 17.08.130 and Ordinance 5828, Section 12, and K.C.C.
59 17.08.140 adding new sections to K.C.C. chapter 17.04,
60 recodifying K.C.C. 17.04.01001, 17.04.080, 17.04.01006,
61 17.04.01007, 17.04.01008, 17.04.01010, 17.04.01004,
62 17.04.01002, 17.04.01009, 17.04.01003, 17.04.01011,
63 17.04.01012, 17.04.01015, 17.04.01017, 17.04.01018,

64 17.04.01019, 17.04.01020, 17.04.01021, 17.04.070,
65 17.04.010223, 17.04.01023, 17.04.010225, 17.04.010227,
66 17.04.010231, 17.04.010239, 17.04.010232, 17.04.010236,
67 17.04.030, 17.04.01024, 17.04.010245, 17.04.01027,
68 17.04.010275, 17.04.01028, 17.04.0815, 17.04.0816, 17.04,
69 083 and 17.04.040 and repealing Ordinance 14111, Section
70 187, and K.C.C. 17.04.010105, Ordinance 12560, Section
71 160, as amended, and K.C.C. 17.04.01013, Ordinance
72 12560, Section 161, as amended, and K.C.C. 17.04.01014,
73 Ordinance 12560, Section 163, as amended, and K.C.C.
74 17.04.01016, Ordinance 14111, Section 198, and K.C.C.
75 17.04.010205, Ordinance 12560, Section 169, as amended,
76 and K.C.C. 17.04.01022, Ordinance 14111, Section 207,
77 and K.C.C. 17.04.010233, Ordinance 14111, Section 208,
78 and K.C.C. 17.04.010234, Ordinance 14111, Section 209,
79 and K.C.C. 17.04.010235, Ordinance 14111, Section 212,
80 and K.C.C. 17.04.010238, Ordinance 12560, Section 172,
81 as amended, and K.C.C. 17.04.01025, Ordinance 12560,
82 Section 173, as amended, and K.C.C. 17.04.01026,
83 Ordinance 14111, Section 219, and K.C.C. 17.04.010273,
84 Ordinance 14111, Section 221, and K.C.C. 17.04.010277,
85 Ordinance 12641, Section 4, as amended, and K.C.C.
86 17.04.01029, Ordinance 12560, Section 176, as amended,

87 and K.C.C. 17.04.01030, Ordinance 12560, Section 177, as
88 amended, and K.C.C. 17.04.01031, Ordinance 12560,
89 Section 178, as amended, and K.C.C. 17.04.01032,
90 Ordinance 12560, Section 179, as amended, and K.C.C.
91 17.04.01033, Ordinance 12560, Section 180, as amended,
92 and K.C.C. 17.04.01034, Ordinance 12560, Section 181, as
93 amended, and K.C.C. 17.04.01035, Ordinance 12560,
94 Section 182, as amended, and K.C.C. 17.04.01036,
95 Ordinance 12560, Section 183, as amended, and K.C.C.
96 17.04.01037, Ordinance 12560, Section 184, as amended,
97 and K.C.C. 17.04.01038, Ordinance 14111, Section 236,
98 and K.C.C. 17.04.082, Ordinance 14111, Section 237, and
99 K.C.C. 17.04.084, Ordinance 14111, Section 238, and
100 K.C.C. 17.04.086, Ordinance 14111, Section 239, and
101 K.C.C. 17.04.087, Ordinance 14111, Section 240, and
102 K.C.C. 17.04.089 and Ordinance 2097, Section 15, and
103 K.C.C. 17.04.090.

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106 SECTION 1. Ordinance 2097, Section 1, as amended, and K.C.C. 17.04.010 are
107 each hereby amended to read as follows:

108 **Adoption.** The ~~((Uniform))~~ International Fire Code ~~((Volumes I and II with~~
109 ~~Appendices, 1997))~~ 2003 Edition, as published by the International ~~((Fire))~~ Code

110 ((Institute)) Council, as amended in chapters 51-44 and 51-45 WAC, effective July 1,
111 ((1998)) 2004, together with amendments, additions, and deletions ((hereinafter)) adopted
112 in this chapter by reference, together with King County modifications are adopted as the
113 Fire Code of King County, and ((hereinafter)) referred to in this chapter as "this code."
114 Administrative rules may be adopted in accordance with K.C.C. chapter 2.98 to further
115 clarify and implement these code requirements. The King County modifications shall be
116 codified in this chapter.

117 SECTION 2. Ordinance 2097, Section 2, as amended, and K.C.C. 17.04.020 are
118 each hereby amended to read as follows:

119 **Term amendments.** Whenever the following words appear in this code, they are
120 to be changed as follows:

121 A. Fire chief, chief of the fire department, fire prevention engineer((s)) and fire
122 code official to King County fire marshal.

123 B. Fire department to King County fire marshal's office.

124 C. Fire marshal to director, department of development and environmental
125 services.

126 D. Department to the department of development and environmental services.

127 SECTION 3. K.C.C. 17.04.01001, as amended by this ordinance, is hereby
128 recodified as a new section in K.C.C. chapter 17.04.

129 SECTION 4. Ordinance 12560, Section 148, as amended, and K.C.C.
130 17.04.01001 are each hereby amended to read as follows:

131 ~~((Administration – Supplemental rules and regulations))~~ General authority
132 and responsibilities - General. Section ~~((101.4))~~ 104.1 of the ~~((Uniform))~~ International
133 Fire Code is not adopted and the following is substituted:

134 ~~((Supplemental rules and regulations (UFC 101.4)))~~ General (IFC 104.1). The
135 Fire Marshal is authorized to render interpretations of this code and make and enforce
136 such rules and regulations, pursuant to the provisions of K.C.C. chapter 2.98, for the
137 prevention and control of fires and fire hazards as necessary to carry out the application
138 and the intent of this code, including but not limited to:

139 1. Procedures to assure that building permits for structures shall conform to the
140 requirements of this code.

141 2. Procedures to assure that applicable standards of this code shall be reviewed as
142 part of the subdivision, short subdivision, urban planned development, rezone,
143 conditional use, special use, site development permit, binding site plan and building
144 permit processes.

145 3. Procedures to assure that ~~((Uniform Building Code Standard 9-3))~~ the standard
146 known as NFPA 13R shall be applied as a minimum standard to all R~~((4))~~ occupancies.

147 4. Procedures to allow for relaxation of the hydrant spacing requirements by as
148 much as 50% pursuant to K.C.C. chapter 17.08, except when such allowances would
149 unreasonably reduce fire protection to the area or structures served.

150 5. A minimum of one certified copy or the number required by governing law of
151 such rules and regulations shall be filed with the clerk of the council and shall be in effect
152 immediately thereafter and additional copies shall be kept in the King County Fire
153 Marshal's Office for distribution to the public.

154 SECTION 5. K.C.C. 17.04.080, as amended by this ordinance, is hereby
155 recodified as a new section in K.C.C. chapter 17.04.

156 SECTION 6. Ordinance 2097 (part), as amended, and K.C.C. 17.04.080 are each
157 hereby amended to read as follows:

158 **General authority and responsibilities- General - Enforcement**~~((, general))~~.

159 Section ~~((103.4.1.1))~~ 104.1 of the ~~((Uniform))~~ International Fire Code is ~~((not adopted~~
160 ~~and))~~ supplemented with the following ~~((is substituted))~~:

161 **Enforcement** ~~((UFC 103.4.1.1))~~ **(IFC 104.1.1)**. 1. The fire marshal or the fire
162 marshal's authorized designee is authorized to enforce the provisions of this chapter, the
163 ordinances codified in it, and any adopted rules and regulations ~~((adopted thereunder~~
164 ~~pursuant to))~~ in accordance with the enforcement and penalty provisions of K.C.C. Title
165 23.

166 2. The fire marshal, or his authorized designee, any officer of the department of
167 public safety, and the chief of the fire district, or his authorized designee, is authorized to
168 take such lawful action, including the writing and issuance of citations for civil
169 infractions, as may be required to enforce the provisions of the fire lane ordinance
170 codified in this title.

171 SECTION 7. K.C.C. 17.04.01006, as amended by this ordinance, is hereby
172 recodified as a new section in K.C.C. chapter 17.04.

173 SECTION 8. Ordinance 12560, Section 153, as amended, and K.C.C.
174 17.04.01006 are each hereby amended to read as follows:

175 ~~((Inspection and enforcement))~~ **General authority and responsibilities-**
176 **General - Additional conditions** ~~((UFC 103.2.1.3))~~. Section 104.1 of the
177 International Fire Code is supplemented with the following:

178 **Additional conditions (IFC 104.1.2).** The Fire Marshal or his/her designee
179 retains the authority ~~((under section 1001.9 of the Uniform Fire Code))~~ to impose
180 additional conditions, including but not limited to increased setbacks, use of fire retardant
181 materials, installation of fire sprinkler systems, automatic fire suppression systems,
182 automatic fire detection systems or standpipes where determined necessary to mitigate
183 identified fire protection impacts.

184 **SECTION 9.** K.C.C. 17.04.01007, as amended by this ordinance, is hereby
185 recodified as a new section in K.C.C. chapter 17.04.

186 **SECTION 10.** Ordinance 12560, Section 154, as amended, and K.C.C.
187 17.04.01007 are each hereby amended to read as follows:

188 ~~((Inspection and enforcement))~~ **General authority and responsibilities-**
189 **General - Duties of the fire marshal's office and fire districts.** Section ~~((103.2.1.2))~~
190 104.1 of the ~~((Uniform))~~ International Fire Code is ~~((not adopted and))~~ supplemented
191 with the following ~~((is substituted))~~:

192 **Duties of the fire marshal's office and fire districts** ~~((UFC 103.2.1.2))~~ **(IFC**
193 **104.1.3).**

194 1. The Fire Marshal's Office within the King County department of development
195 and environmental services shall be operated under the direction of the Fire Marshal, and
196 shall have responsibility for investigation, administration and inspection functions to
197 promote compliance of the fire prevention provisions of this ~~((€))~~ code.

198 2. The Chiefs of the King County Fire Districts and/or Fire Departments shall
199 have responsibility for fire suppression or extinguishing provisions of this ((€))code
200 within their respective jurisdictions.

201 3. The Fire Marshal's Office may, by written contract, delegate to the chiefs of
202 the fire districts and/or fire departments authority for inspections of the fire prevention
203 provisions of this ((€))code within their respective jurisdictions.

204 4. The Fire Marshal's Office may, at the request of fire districts and/or fire
205 departments, assume an advisory status in matters of operations, function, expenditure,
206 tactics, personnel and equipment or any other function performed by the fire districts or
207 fire departments.

208 SECTION 11. K.C.C. 17.04.01008, as amended by this ordinance, is hereby
209 recodified as a new section in K.C.C. chapter 17.04.

210 SECTION 12. Ordinance 12560, Section 155, as amended, and K.C.C.
211 17.04.01008 are each hereby amended to read as follows:

212 ~~((Inspection and enforcement))~~ **General authority and responsibilities - Right**
213 **of entry.** Section ~~((103.3.1.2))~~ 104.3 of the ~~((Uniform))~~ International Fire Code is not
214 adopted and the following is substituted:

215 **Right of entry** ~~((UFC 103.3.1.2))~~ **(IFC 104.3).** The right of entry shall be in
216 accordance with the procedures specified in K.C.C. Title 23.

217 NEW SECTION. SECTION 13. There is hereby added to K.C.C. chapter 17.04
218 a new section to read as follows:

219 **General authority and responsibilities - Right of entry - Warrant.** Section
220 104.3.1 of the International Fire Code is not adopted.

221 SECTION 14. K.C.C. 17.04.01010, as amended by this ordinance, is hereby
222 recodified as a new section in K.C.C. chapter 17.04.

223 SECTION 15. Ordinance 12560, Section 157, as amended, and K.C.C.
224 17.04.01010 are each hereby amended to read as follows:

225 ~~((Inspection and enforcement – Service of notice))~~ General authority and
226 responsibilities - Notices and orders. Section ~~((403.4.2))~~ 104.5 of the ~~((Uniform))~~
227 International Fire Code is not adopted and the following is substituted:

228 ~~((Service of n))~~Notices and orders ~~((UFC 103.4.2))~~ (IFC 104.5). Orders and
229 notices authorized or required by this code shall be given or served ~~((pursuant to the~~
230 ~~provisions of))~~ in accordance with K.C.C. Title 23.

231 SECTION 16. K.C.C. 17.04.01004, as amended by this ordinance, is hereby
232 recodified as a new section in K.C.C. chapter 17.04.

233 SECTION 17. Ordinance 12560 Section 151, as amended, and K.C.C.
234 17.04.01004 are each hereby amended to read as follows:

235 ~~((Inspection and enforcement))~~ General authority and responsibilities -
236 Modifications – Deviations (UFC 103.1.6)). Section 104.8 of the International Fire
237 Code is supplemented with the following:

238 Deviations (IFC 104.8.1). The Fire Marshal or his/her designee shall have the
239 authority to consider deviations from the standards established for life safety/rescue
240 access, fire detection systems and fire sprinkler systems.

241 1. If the Fire Marshal finds that the deviation would not unreasonably reduce fire
242 protection to the area or structures served, and determines that the deviation should be
243 approved, the Fire Marshal shall notify the fire chief of the applicable fire district of the

244 deviation request. The Fire Marshal may approve the deviation if the fire chief of the
245 applicable fire district either concurs in writing with the Fire Marshal or does not respond
246 in writing within seven working days after notification of the deviation request. The fire
247 district chief's lack of response shall be taken as an indication that the fire chief concurs
248 with the Fire Marshal's finding.

249 2. If a response is received within seven days which is not in accordance with the
250 opinion of the director of the department of development and environmental services or
251 his/her designee, the issue shall be submitted to the King County fire code appeals board.

252 SECTION 18. K.C.C. 17.04.01002, as amended by this ordinance, is hereby
253 recodified as a new section in K.C.C. chapter 17.04.

254 SECTION 19. Ordinance 12560, Section 149, as amended, and K.C.C.
255 17.04.01002 are each hereby amended to read as follows:

256 ~~((Administration))~~ **General authority and responsibilities - Notice to fire**
257 **districts ((UFC 101.10))**. Section 104 of the International Fire Code is supplemented
258 with the following:

259 **Notice to fire districts (IFC 104.12).**

260 A. Prior to submitting an application for a commercial building permit, site
261 development permit, binding site plan, a preliminary subdivision or short subdivision
262 approval, final subdivision or short subdivision, urban planned development, zoning
263 reclassification, conditional use and special use permits to the ~~((King County))~~
264 department ~~((of development and environmental services))~~:

265 1. the applicant shall submit a copy of his application to the ((King County
266 F))fire ((Protection D))district providing fire protection services to the proposed
267 development;

268 2. subdivisions and short subdivisions applied for and/or recorded before
269 February 1, 1989, shall be submitted once to the applicable fire district for review at the
270 time of the first building permit by the applicant for that building permit;

271 3. it shall be the responsibility of the fire district to issue a receipt to the
272 applicant the same day it receives a copy of a permit application. The receipt shall
273 constitute proof to the director of the notification;

274 4. the applicant shall include the fire district receipt with the permit application
275 to the department;

276 5. it shall be the responsibility of the fire district to notify the fire marshal of any
277 comments within seven days of the receipt of an applied for permit.

278 SECTION 20. K.C.C. 17.04.01009, as amended by this ordinance, is hereby
279 recodified as a new section in K.C.C. chapter 17.04.

280 SECTION 21. Ordinance 12560, Section 156, as amended, and K.C.C.
281 17.04.01009 are each hereby amended to read as follows:

282 ~~((Inspection and enforcement))~~ **Permits – Compliance with code – Penalties**
283 ~~((UFC 103.3.2.4))~~. Section 105.3.6 of the International Fire Code is supplemented with
284 the following:

285 **Penalties (IFC 105.3.6.1).** When installation of a fire protection system, which
286 requires approval of the Fire Marshal, is started or proceeded with prior to obtaining said
287 approval, the ordinary fees specified in K.C.C. Title 27 shall be doubled. The payment of

288 such double fee shall not relieve any persons from fully complying with the requirement
289 of this code in the execution of the work nor from any other penalties prescribed herein.

290 SECTION 22. K.C.C. 17.04.01003, as amended by this ordinance, is hereby
291 recodified as a new section in K.C.C. chapter 17.04.

292 SECTION 23. Ordinance 12560, Section 150, as amended, and K.C.C.
293 17.04.01003 are each hereby amended to read as follows:

294 ~~((Inspection and enforcement-))~~ **Board of ((A))appeals – Board of appeals**
295 **established.** Section ~~((103.1.4))~~ 108.1 of the ~~((Uniform))~~ International Fire Code is not
296 adopted and the following is substituted:

297 **Appeals ((UFC 103.1.4)) (IFC 108.1).** To determine and decide the suitability
298 of alternate materials and methods of construction and to provide reasonable
299 interpretations of the provisions of the code there shall be and hereby is created a fire
300 code board of appeals. The board shall consist of ~~((nine (9)))~~ five members who are
301 qualified by experience and training to pass judgment upon pertinent matters. The Fire
302 Marshal shall be an ex officio member and he/she or a designated appointee shall act as
303 secretary of the board. The fire code appeals board shall be appointed by the executive,
304 confirmed by the council, and shall serve for not more than two four-year terms or until
305 their successor is appointed and qualified. The board shall adopt reasonable rules and
306 regulations for conducting its investigations and shall render decisions and findings in
307 writing to the Local Fire District Chief, with a duplicate copy to the appellant, which
308 shall be advisory unless otherwise specified in this ~~((€))~~code. The board may also
309 recommend to the council new legislation regarding the subject matter of this ~~((€))~~code.

