

ORDINANCE No. 119124

COUNCIL BILL No. 112271

W
Law Department

The City

AN ORDINANCE relating to and regulating conditions hazardous to life and property from fire, hazardous materials or explosion; adopting by reference the Uniform Fire Code, 1997 Edition, and 1997 Uniform Fire Code Standards; and repealing Seattle Municipal Code Chapter 22.600 and Ordinances 118018, 118019, 118436 and 118574; and adopting a new Seattle Municipal Code Chapter 22.600.

Honorable President:

Your Committee on _____

to which was referred the within report that we have considered the

COMPTROLLER FILE No. _____

Introduced: <u>AUG 5 - 1998</u>	By: <u>PODLODOWSKI</u>
Referred: <u>AUG 5 - 1998</u>	To: Public Safety, Health and Technology Committee
Referred:	To:
Referred:	To:
Reported: <u>8-24-98</u>	Second Reading:
Third Reading: <u>8-24-98</u>	Signed: <u>8-24-98</u>
Presented to Mayor: <u>8-24-98</u>	Approved: <u>AUG 26 1998</u>
Returned to City Clerk <u>AUG 24 1998</u>	Published: <i>Full [Signature] SPR</i>
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

Voting
B-24-98 FWD
(EXC)

FTL
forwarded

(1)

Department

The City of Seattle--Legislative Department

Date Reported
and Adopted

REPORT OF COMMITTEE

able President:

Committee on

h was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

24-98 MC TR Passed 5-0

24-98 Full Council Action: Passed 7-0

(Excused: Conlun, Podlowski)



Committee Chair

ORDINANCE 119124

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2
3 AN ORDINANCE relating to and regulating conditions hazardous to life and property from fire,
4 hazardous materials or explosion; adopting by reference the Uniform Fire Code, 1997 Edition, and 1997
5 Uniform Fire Code Standards; and repealing Seattle Municipal Code Chapter 22.600 and Ordinances
6 118018, 118019, 118436 and 118574; and adopting a new Seattle Municipal Code Chapter 22.600.

7 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

8 Section 1. Chapter 22.600 of the Seattle Municipal Code and Ordinance 118019, entitled:

9 "AN ORDINANCE relating to and regulating fire and explosion hazards; adopting by reference
10 the Uniform Fire Code, 1994 Edition, and the 1994 Uniform Fire Code Standards; and repealing
11 Seattle Municipal Code Chapter 22.600 and Ordinances 116334 and 116335,"
12 and Ordinance 118018, entitled:

13 "AN ORDINANCE relating to and regulating fire and explosion hazards; and amending the
14 Uniform Fire Code, 1994 Edition, as adopted by reference by Ordinance 118019"
15 and Ordinance 118436, entitled:

16 "AN ORDINANCE amending the Seattle Fire Code, Seattle Municipal Code Section
17 22.600.020 and Ordinance 118019, adding to amendments made by Ordinance 118018, and
18 relating to the disposition of tanks used for the storage of combustible liquids"
19 and Ordinance 118574, entitled:

20 "AN ORDINANCE relating to the application of the Seattle Fire Code to existing conditions and
21 the dispensing of flammable liquids from protected above-ground tanks, amending the Seattle
22 Fire Code, Sections 102.1, 5202.3.1, 5202.4.1 and Appendix II-F, Seattle Municipal Code
23
24



1 Section 22.600.020 and Ordinance 118019, adding to amendments made by Ordinances 118018
2 and 118436”

3 are hereby repealed; provided, that permits, notices and orders issued thereunder shall remain
4 valid until expiration, completion and supersession by action under this ordinance; and provided
5 further that the Fire Chief is authorized to apply technical provisions of the repealed ordinances
6 and Code sections to inspections and Fire Code compliance, as an alternative equivalent to the
7 technical provisions of this ordinance, until December 31, 1998. This repeal shall not affect any
8 pending prosecutions or enforcement actions.

9 Section 2. There is added to the Seattle Municipal code a new Chapter 22.600 as follows:

10 22.600.010 TITLE

11 This subtitle shall be known as the Seattle Fire Code

12 22.600.020 ADOPTION OF UNIFORM FIRE CODE

13 The Uniform Fire Code, 1997 Edition with Appendices I-C, II-A, II-B, II-C, II-D, II-E, II-F, II-
14 I, II-J, III-A, III-B, III-C, IV-A, IV-B, V-A, VI-A, VI-B, VI-C, VI-E, VI-F, VI-G, VI-H and VI-
15 I thereto, and the Uniform Fire Code Standards, 1997 Edition, both published by the
16 International Fire Code, one copy of which is filed with the City Clerk (C.F. 302780), are
17 adopted and by this reference made part of this subtitle. This Uniform Fire, together with the
18 City of Seattle amendments thereto, as adopted under separate ordinances and known as the
19 Seattle Fire Code Supplement, shall constitute the Official Seattle Fire Code. In any case in
20 which there is a conflict between the component parts of the Seattle Fire Code, the Seattle Fire
21 Code Supplement shall be controlling over the Uniform Fire Code.

22 22.600.025 EXCLUSION PURSUANT TO RCW 36.70B.140(2)

1 The special circumstances presented by the fire and life safety hazards regulated by this code
2 warrant a review process different from that provided in RCW 36.70B.060 through 36.70B.090
3 and 36.70B.110 through 36.70B.130, and therefore the processing and review of any applications
4 for permits required pursuant to the provisions of this chapter is excluded from the requirements
5 of RCW 36.70B.060 through 36.70B.090 and 36.70B.110 through 36.70B.130. Applications for
6 permits required pursuant to this chapter will be processed and reviewed according to the
7 provisions of this code and applicable Fire Department regulations.

8 22.600.030 FEES

9 Fees for permits, certificates, inspections, plans review and code alternates required by the
10 Seattle Fire Code shall be as established in Chapter 22.602 of the Seattle Municipal Code.

11 22.600.040 PENALTY

12 A person who violates or fails to comply with any provision of this subtitle or any order, rule or
13 regulation issued by the Fire Chief under authority of the Fire Code is guilty of a crime subject
14 to the provisions of Chapters 12A.02 and 12A.04 of the Seattle Municipal Code, except that
15 absolute liability shall be imposed for such a violation or failure to comply and none of the
16 mental states described in Section 12A.04.030 of the Seattle Municipal Code need be proved.

17 Any person convicted of a violation of this subtitle or an order, rule or regulation issued by the
18 Fire Chief under authority of the Fire Code may be punished by a fine of not more than One
19 Thousand Dollars (\$1,000.00), or by imprisonment for no more than One Hundred Eighty (180)
20 days, or by both such fine and imprisonment. A corporation which violates or fails to comply
21 with any provision of this subtitle or any order, rule or regulation issued by the Fire Chief under
22



1 authority of the Fire Code shall be punished by a fine of not more than One Thousand Dollars
2 (\$1,000.00). Each day's violation constitutes a separate offense .

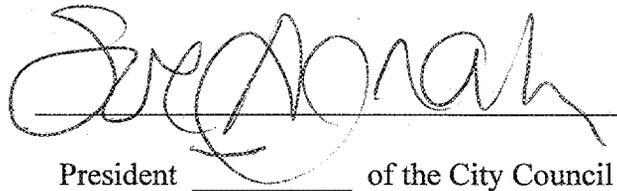
3 22.600.050 EXAMINATIONS - DURATION

4 Certificates indicating successful completion of an examination shall be valid for a period of
5 three (3) years from the date of examination.

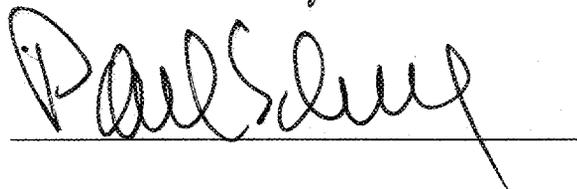
6 Section 3. SEVERABILITY. The several provisions of this Ordinance are hereby declared to be separate
7 and severable and the invalidity of any clause, sentence, paragraph, sub-division, section or portion of
8 this ordinance or the invalidity of the application thereof to any person or circumstance shall not affect
9 the validity of the remainder of this Ordinance or the validity of its application to other persons or
10 circumstances.

11 Section 4. This ordinance shall take effect and be in force thirty (30) days from and after its approval by
12 the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall
13 take effect as provided by Municipal Code Section 1.04.020.

14 PASSED by the City Council of the City of Seattle this 24th day of August
15 1998, and signed by me in open session in authentication of its passage this 24th day of
16 August, 1998.

17
18 
19 President _____ of the City Council

20 Approved by me this 28th day of August, 1998.

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23
24

Mayor

Filed by me this 28 day of August, 1998.

Car Donfeld

acting City Clerk

(Seal)

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City of Seattle

Paul Schell, Mayor

Seattle Fire Department

James E. Sewell, Chief

LETTER OF TRANSMITTAL

July 10, 1998

The Honorable Sue Donaldson
President
Seattle City Council

Via the Honorable Mayor Paul Schell

Subject: AN ORDINANCE relating to and regulating conditions hazardous to life and property from fire, hazardous materials or explosion; adopting by reference the Uniform Fire Code, 1997 Edition, and 1997 Uniform Fire Code Standards; and repealing Seattle Municipal Code Chapter 22.600 and Ordinances 118018, 118019, 118436 and 118574; and adopting a new Seattle Municipal Code Chapter 22.600.

See also: **Related Ordinance** referred to as the Seattle Fire Code Supplement amending the Uniform Fire Code, 1997 Edition.

Dear President Donaldson:

Enclosed is a draft ordinance adopting by reference the Uniform Fire Code, 1997 Edition, and the 1997 Uniform Fire Code Standards, and repealing Seattle Municipal Code Chapter 22.600 and Ordinances 118018, 118019, 118436 and 118574, and adopting a new Seattle Municipal Code Chapter 22.600. A related Ordinance, referred to as the Seattle Fire Code Supplement, contains Seattle amendments to the Uniform Fire Code, 1997 Edition.

The proposed ordinances and amendments represent the consensus recommendation of the Seattle Fire Code Advisory Board and the Seattle Fire Department. This recommendation is the result of extensive review conducted over the past twelve months by the Board, its subcommittees and Fire Department staff.

The draft ordinances reflect the increased scrutiny and involvement of business and industry in the code development and review process resulting from the change in composition and structure of the Fire Code Advisory Board directed by Ordinance in 1995. To aid the code user, references to adopted Administrative Rules are included in the body of the code for the first time. These Administrative Rules, developed through consultation with affected business and industry, provide specific information and requirements to supplement the code articles.

Fire Prevention Division, 220 Third Avenue South, Seattle, WA 98104-2608

Tel: (206) 386-1450, Fax: (206) 386-1348

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Major revisions appearing in the 1997 edition of the Uniform Fire Code include the addition of one new article relating to stationary lead-acid battery systems and two new appendices (flammable liquids in below-grade vaults and cryogenic fluids); the substantial revision of six articles (repair garages, wood products, tents and canopies, hot work, semiconductor fabrication facilities, and cryogenic fluids) and two appendices (refrigerant groups and hazard ranking); and the deletion of an article containing provisions for pesticide storage.

Proposed amendments which make significant changes to Fire Code technical provisions include:

- Amendments to Article 79 will allow approved aboveground tanks of limited size containing flammable and combustible liquids for fueling of equipment to be located outside the Industrial Zone. This will aid equipment rental operations, golf courses and other small businesses in equipment fueling. The current prohibition on fuel dispensing from aboveground tanks remains inside the downtown Fire District.
- Amendments to Article 82 will allow gas cylinder exchange operations. The gas cylinder exchange industry, prevalent in other areas of the country, provides retailers with pre-filled gas cylinders used for gas-fueled barbecue grills. Citizens return their empty gas cylinder to the local retailer and exchange it for a full cylinder.
- Article 80 includes amendments drafted as a result of a Fire Code Advisory Board subcommittee on solvent distillation units (sdu's). These units recover clean solvent and remove contaminants from used solvents. The proposed amendments facilitate waste recovery efforts while allowing for public safety by establishing standards by which existing solvent distillation units can safely operate. New solvent distillation units are subject to more stringent requirements under Uniform Fire Code language.

Two issues still to be addressed by the Fire Code Advisory Board relate to unsupervised dispensing of flammable liquids, such as occurs at some card operated gasoline fueling stations, and "wet hose fueling" in which tank vehicles are used to fuel motor vehicle fleets and equipment on site. We anticipate bringing these issues to you as a supplement in the next six to twelve months when the Fire Code Advisory Board and its flammable liquids subcommittee will have completed their work on these issues.

We recommend passage of the proposed legislation to facilitate effective Fire Code enforcement. Passage will also eliminate conflicts which may arise if the Seattle Building Code and Seattle Fire Code are based on different versions of the Uniform Codes.



Letter of Transmittal
July 10, 1998
Page 3

Thank you for your consideration of this proposal. Any questions concerning this draft ordinance should be directed to Chief Gregory M. Dean, Fire Marshal, at 386-1450.

Very truly yours,



James E. Sewell, Chief
Seattle Fire Department

JES:GMD:dh

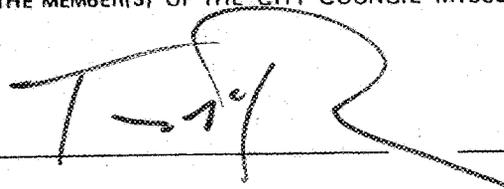
Enclosures (2)



TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE



STATE OF WASHINGTON - KING COUNTY

97382

City of Seattle, City Clerk

—ss.

No. FULL ORDINAN

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORD 119124

was published on

09/11/98

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

R. Patterson

Subscribed and sworn to before me on

09/11/98

McClintock

Notary Public for the State of Washington,
residing in Seattle

