

Ordinance No. 109766

AN ORDINANCE relating to and amending Ordinance 108678, the Seattle Fire Code, to provide authority to conduct regular, uniform and systematic inspections of vehicles transporting hazardous materials.

3-4-81 PSYJ PASS

REPEALED - ORD.

COMPTROLLER FILE NUMBER C.7. 290559 111001

Council Bill No. 202073

INTRODUCED FEB 09 1981	BY RICHARDS
REFERRED FEB 09 1981	TO PUB. SAFETY & JUSTICE
REFERRED	
REPORT MAR 09 1981	SECOND READING MAR 09 1981
THIRD READING MAR 09 1981	SIGNED MAR 09 1981
PRESENTED TO MAYOR MAR 10 1981	APPROVED MAR 18 1981
NET. BY CITY CLERK MAR 18 1981	PUBLISHED
VETOED BY MAYOR	VETO PUBLISHED
PASSED OVER VETO	VETO SUSTAINED

ff. C. 104

2/4/81

1 REPEALED - ORD.

2 111001

ORDINANCE

109766

3 AN ORDINANCE relating to and amending Ordinance 108678, the
4 Seattle Fire Code, to provide authority to conduct
5 regular, uniform and systematic inspections of vehicles
6 transporting hazardous materials.

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

8 Section 1. Article 80 of the Seattle Fire Code (Ordinance
9 108678) is amended by adding thereto a new section designated
10 Section 80.116, as follows:

11 INSPECTIONS/VEHICLES

12 Sec. 80.116 (a) In order to determine compliance with
13 this Article, the chief, upon presenting identification to
14 the owner, agent or operator, is authorized to enter and
15 inspect all vehicles, including equipment, containers and
16 labeling therein. Rules governing the conduct of regular,
17 uniform and systematic inspection, entry and, where appropriate,
18 impoundment of vehicles, shall be adopted by the chief,
19 pursuant to Section 2.102 of this Code.

20 (b) For purposes of this Article "vehicles" means:

21 (1) every "combination of vehicles," "commercial
22 vehicle," "motor truck," "motor vehicle," "semitrailer,"
23 "trailer," "truck tractor," or "vehicle," all as defined in
24 Chapter 11.14 of the Traffic Code (Ordinance 108200, as
25 amended; Seattle Municipal Code, Chapter 11.14); and

26 (2) container, cargo container, tank container,
27 and overseas van, whether or not connected to a chassis.

28 (c) The chief shall make a record of inspection and a
copy of said record shall be provided to the owner, operator
or agent, or attached to the vehicle. When necessary,
vehicles shall be resealed using a Fire Department seal.

(d) In the event of a violation of this article and in
the event that further unrestricted movement of a vehicle

1 may constitute a danger to persons or property, the chief
2 may order the impoundment of such vehicle and the immediate
3 correction of the violation.

4 (e) Upon the refusal of an owner, agent or operator to
5 allow entry or inspection by the chief acting under the
6 authority of subsection (a) of this section, the chief shall
7 order the impoundment of the vehicle, and shall proceed to
8 the Municipal Court of The City of Seattle and request an
9 administrative inspection warrant to complete the inspection.

10 (f) Failure to comply with the order of the Chief
11 concerning the impoundment of vehicles under this section,
12 or the failure to stop for purposes of allowing a request
13 for inspection to be made pursuant to subsection (a) of this
14 section, or the failure to permit inspection pursuant to a
15 lawfully issued inspection warrant, shall constitute a crime
16 as provided for in Chapter 12A.01 of the Seattle Criminal
17 Code (Ordinance 102843, as amended; Seattle Municipal Code,
18 Section 12A.02).

19 (g) The provisions of this section shall not limit the
20 authority of the chief to enter and inspect vehicles if
21 there is probable cause to believe there exists a violation
22 of this Article therein.
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(To be used for all Ordinances except Emergency.)

Section ²..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 9th day of March, 1981,
and signed by me in open session in authentication of its passage this 9th day of
March, 1981.

[Signature]
President..... of the City Council.

Approved by me this 18th day of March, 1981.
[Signature]
Mayor.

Filed by me this 18 day of March, 1981.

[Signature]
Attest:.....
City Comptroller and City Clerk.

(SEAL)

Published.....
By *[Signature]*
Deputy Clerk.

1-721

Affidavit of Publication

February 24, 1981

STATE OF WASHINGTON
KING COUNTY -33-

Robert L. Swartout, Chief
Seattle Fire Department
301 Second Avenue South
Seattle, Washington 98104

Dear Chief Swartout:

This is to advise you that the Public Safety and Justice Committee will consider Council Bill 102083, an ordinance relating to and amending Ordinance 108673, the Seattle Fire Code, to provide authority to conduct regular, uniform and systematic inspections of vehicles transporting hazardous materials.

The meeting will be held at 9:30 a.m. on March 4, 1981 in the City Council Chambers, 1101 Seattle Municipal Building.

You and/or your representatives are invited to be present and participate.

Sincerely,

FLORENCE HARRELL, Legislative Assistant
Public Safety and Justice Committee

FH:kc

Subscribed and sworn to before me on
March 21, 1981

[Signature]
Notary Public for the State of Washington
Qualified to Notarize

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

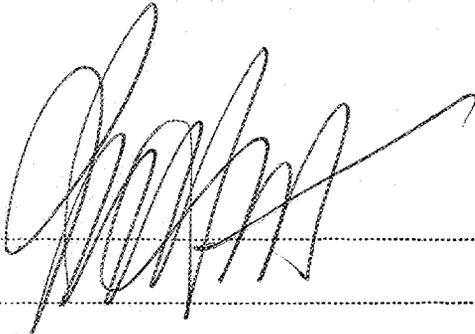
Your Committee on PS&J

MAR 9 1981

to which was referred C.B. 102083

Relating to and amending ordinance 108678, the seattle fire code to provide authority to conduct regular, uniform and systematic inspections of vehicles transporting hazardous materials.

recommends that same do pass.



Chairman

Chairman

Committee

Committee

ORDINANCE 108678

AN ORDINANCE relating to and amending Ordinance 108678, the Seattle Fire Code, to provide authority to conduct regular, uniform and systematic inspections of vehicles transporting hazardous materials.

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Article 80 of the Seattle Fire Code (Ordinance 108678) is amended by adding thereto a new section designated Section 80.116, as follows:

INSPECTIONS/VEHICLES

Sec. 80.116 (a) In order to determine compliance with this Article, the chief, upon presenting identification to the owner, agent or operator, is authorized to enter and inspect all vehicles, including equipment, containers and labeling therein. Rules governing the conduct of regular, uniform and systematic inspection, entry and, where appropriate, impoundment of vehicles, shall be adopted by the chief, pursuant to Section 2.102 of this Code.

(b) For purposes of this Article "vehicles" means:

(1) every "combination of vehicles," "commercial vehicle," "motor truck," "motor vehicle," "semitrailer," "trailer," "truck tractor," or "vehicle," all as defined in Chapter 11.14 of the Traffic Code (Ordinance 108200, as amended; Seattle Municipal Code, Chapter 11.14); and

(2) container, cargo container, tank container, and overseas van, whether or not connected to a chassis.

(c) The chief shall make a record of inspection and a copy of said record shall be provided to the owner, operator or agent, or attached to the vehicle. When necessary, vehicles shall be resealed using a Fire Department seal.

(d) In the event of a violation of this article and in the event that further unrestricted movement of a vehicle may constitute a danger to persons or property, the chief may order the impoundment of such vehicle and the immediate correction of the violation.

(e) Upon the refusal of an owner, agent or operator to allow entry or inspection by the chief acting under the authority of subsection (a) of this section, the chief shall order the impoundment of the vehicle, and shall proceed to the Municipal Court of The City of Seattle and request an administrative inspection warrant to complete the inspection.

(f) Failure to comply with the order of the Chief concerning the impoundment of vehicles under this section, or the failure to stop for purposes of allowing a request for inspection to be made pursuant to subsection (a) of this section, or the failure to permit inspection pursuant to a lawfully issued inspection warrant, shall constitute a crime as provided for in Chapter 12A.01 of the Seattle Criminal Code (Ordinance 102843, as amended; Seattle Municipal Code, Section 12A.02).

(g) The provisions of this section shall not limit the authority of the chief to enter and inspect vehicles if there is probable cause to believe there exists a violation of this Article therein.

Section 2. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 9th day of March, 1981,

and signed by me in open session in authentication of its passage this 9th day of

March, 1981. *[Signature]*
President of the City Council.

Approved by me this 13th day of March, 1981. *[Signature]*
Mayor.

Filed by me this 13th day of March, 1981.

[Signature]
Attest: City Controller and City Clerk.

(SEAL)

[Signature]
Deputy Clerk.