

CITY OF REDMOND, WASHINGTON

ORDINANCE NO. 442

AN ORDINANCE, adopting a Fire Prevention Code; prescribing regulations governing conditions hazardous to life and property from fire or explosion; establishing a Bureau of Fire Prevention; and providing penalties for violations.

THE CITY COUNCIL OF THE CITY OF REDMOND DO ORDAIN AS FOLLOWS:

Section 1. Adoption of Fire Prevention Code. There is hereby adopted by the City of Redmond, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code recommended by the American Insurance Association, 1965 Edition, including the October, 1966, Revision of Division IV, Article 16, except such portions as may be deleted, modified or amended by Section 7 of this Ordinance, and the same are hereby adopted by this reference thereto and incorporated herein as fully as if set out in length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Redmond. Three (3) copies of said code, including the October, 1966, revision, shall be filed with and kept on file by the City Clerk.

Section 2. Establishment and Duties of Bureau of Fire Prevention.

(a) The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City of Redmond, which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

(b) The Chief or Fire Marshal in charge of the Bureau of Fire Prevention shall be appointed by the Mayor on the basis of examination to determine his qualifications. His appointment shall continue during good behavior and satisfactory service, and he shall not be removed from office except for cause, after a public hearing if requested.

(c) The Chief of the Fire Department may detail such members of the fire department as inspectors as shall from time to time be necessary. The Chief of the Fire Department shall recommend to the Mayor the employment of technical inspectors, who, when such authorization is made, shall be selected through an examination to determine their fitness for the position. The examination shall be open to members and non-members of the fire department, and appointments made after examination shall be for an indefinite term with removal only for cause.

(d) A report of the Bureau of Fire Prevention shall be made annually and transmitted to the Mayor and City Council; it shall contain all proceedings under this code, with such statistics as the Chief of the Fire Department may wish to include therein; the Chief of the Fire Department shall also recommend any amendments to the code which, in his judgment, shall be desirable.

Section 3. Definitions.

(a) The word "Municipality" as used in the Fire Prevention Code shall be held to mean the City of Redmond.

(b) The term "Corporation Counsel" as used in the Fire Prevention Code shall be held to mean the City Attorney for Redmond.

(c) The title "Chief of the Bureau of Fire Prevention" as used in the Fire Prevention Code shall be held to mean the Fire Marshal if the latter term is used by the City to designate the official in charge of the Bureau of Fire Prevention.

Section 4. Establishment of Limits Where Storage of Explosives is Prohibited. The limits referred to in Section 12.5b of the Fire Prevention Code, in which storage of explosives and blasting agents is prohibited, are hereby established as follows: throughout the City limits except in areas zoned Heavy Industrial (I-H) and Industrial Park (I-P) under the Redmond Zoning Plan.

Section 5. Establishment of Limits Where Storage of Flammable Liquids in Outside Aboveground Tanks is Prohibited.

(a) The limits referred to in Section 16.22a of the Fire Prevention Code in which storage of flammable liquids in outside aboveground tanks is prohibited is hereby established as follows: throughout the City limits except in areas zoned for Industrial use under the Redmond Zoning Plan, by special permit.

(b) The limits referred to in Section 16.51 of the Fire Prevention Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established as follows: throughout the City except in areas zoned for Industrial use under the Redmond Zoning Plan, by special permit.

Section 6. Establishment of Limits Where Bulk Storage of Liquefied Petroleum Gases is Restricted. The limits referred to in Section 21.6a of the Fire Prevention Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows: throughout the City limits except areas zoned Commercial-Industrial (C-I) or Industrial under the Redmond Zoning Plan.

Section 7. Amendments Made in the Fire Prevention Code. Reserved.

Section 8. Modifications. The Chief or Fire Marshal in charge of the Bureau of Fire Prevention shall have the power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief or Fire Marshal in charge of the Bureau of Fire Prevention thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

Section 9. Appeals. Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the City Council or committee thereof established for such purpose within thirty (30) days from the date of the decision appealed.

Section 10. New Materials, Processes or Occupancies which may Require Permits. The Director of Public Works, the Chief of the Fire Department, and the Chief or Fire Marshal in charge of the Bureau of Fire Prevention, shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies, which may require permits, in addition to those now enumerated in said code. The Chief or Fire Marshal in charge of the Bureau of Fire Prevention shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

Section 11. Penalties for Violations. Any person who shall violate any of the provisions of the Fire Prevention Code or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the City Council or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine not to exceed \$500.00 or by imprisonment in jail for a period not to exceed six (6) months, or by both such fine and imprisonment. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten days that prohibited conditions are maintained shall constitute a separate offense.

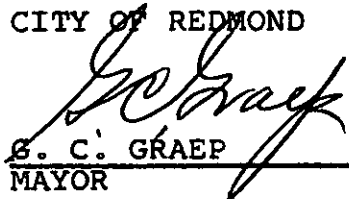
The imposition of penalties upon conviction shall not preclude the City of Redmond and Chief of the Fire Department from taking further appropriate legal action to cause compliance with the provisions of the Fire Prevention Code or to remove prohibited conditons.

Section 12. Construction - Validity. Should any section, subsection, paragraph, sentence, clause, or phrase of this ordinance or of the code hereby adopted, or the application thereof to any person or circumstance be held unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the remaining portions of this ordinance or code adopted hereby, or the application of such provisions to other persons of circumstances; and to this end the provisions of this ordinance and code adopted hereby are declared to be severable and independent, as if the ordinance and code had been enacted without the invalid provision.


Section 13. Effective Date. This ordinance and the code hereby adopted shall take effect and be in force five (5) days after the date of the publication of this ordinance in the manner provided by law.

PASSED by the City Council of the City of Redmond, Washington, at a regular meeting thereof, and APPROVED by the Mayor this 13<sup>th</sup> day of June, 1967.

CITY OF REDMOND

  
G. C. GRAEP  
MAYOR

ATTEST:

  
EDWARD FROEBE  
CITY CLERK

APPROVED AS TO FORM:

  
JOHN D. LAWSON  
CITY ATTORNEY

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