

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 05-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, AMENDING SECTIONS 16.24.010, 16.24.025, 16.24.030, 16.24.040, 16.24.045, 16.24.050, 16.24.055, 16.24.085, 16.24.140, OF THE BUCKLEY MUNICIPAL CODE ENTITLED "FIRE CODE" TO BE CONSISTENT WITH THE WASHINGTON STATE BUILDING CODE ACT WHICH WENT INTO EFFECT ON FEBRUARY 1, 2021; ESTABLISHING AN APPEAL PROCESS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, certain existing Chapters of Title 16, Buildings and Construction, of the Buckley Municipal Code will not conform to RCW 19.27, Washington State Building Code Act, after February 1, 2021; and

WHEREAS, the City Council must update the provisions relating to BMC 16.24 the City Fire Code to be consistent with RCW 19.27 effective February 1, 2021; and

WHEREAS, a SEPA determination of non-significance (DNS) was issued by the Responsible Official on March 17, 2021 pursuant to BMC 12.04 and WAC 197-11-259. Comment period for the DNS expired on March 31, 2021; and

WHEREAS, the City Council desires to amend Chapters 16.24 of the Buckley Municipal Code to comply with RCW 19.27; now, therefore,

THE CITY COUNCIL OF THE CITY OF BUCKLEY, PIERCE COUNTY, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Chapter 16.24 of the Buckley Municipal Code entitled "Fire Code" is hereby amended as follows:

16.24.010 Adoption of International Fire Code.

The 2018 Edition of the International Fire Code, published by the International Code Council, including those standards of the National Fire Protection Association specifically referenced in the International Fire Code, and as amended by Chapter [51-54](#) WAC, and as subsequently amended by this chapter, is hereby adopted along with Appendices B, C, D, F, and G.

Whenever the following words appear in the International Fire Code, they are to be changed as follows:

- (1) "Chief of the Fire Department," "Fire Prevention Engineer," "Enforcement Official," "Fire Code Official" to "Fire Chief."
- (2) "Name of Jurisdiction" or "Jurisdiction" to "City of Buckley."
- (3) "Corporate Counsel" to "City Attorney."
- (4) "Fire Department" to "City of Buckley Fire Department." (Ord. 05-17 § 1, 2017; Ord. 17-10 § 2, 2010).

16.24.025 Permits required.

Section 105.6 of the International Fire Code is amended as follows:

- (A) Section 105.6.15, Fire hydrants and valves, is deleted.
- (B) Section 105.6.39, Private fire hydrants, is deleted. (Ord. 05-17 § 1, 2017; Ord. 17-10 § 2, 2010).

16.24.030 Fire alarm and detection systems and related equipment.

Section 105.7.6 of the International Fire Code is amended to read as follows:

Section 105.7.7 Fire alarm and detection systems and related equipment. A construction permit is required for installation of or modification to fire alarm and detections systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

EXCEPTION: Household fire alarm and detection system equipment installed in Group R-3 occupancies.

(Ord. 05-17 § 1, 2017; Ord. 17-10 § 2, 2010).

16.24.040 Appeals.

Section 109 of the International Fire Code is hereby repealed. Permit decisions made by the Fire Chief or their designee shall be subject to the review and appeal process outlined in BMC Title [20](#). Formal fire code interpretations made by the fire chief shall be considered a Type A-1 decision under BMC Title [20](#) for purposes of appeal rights and responsibilities. (Ord. 13-19 § 3, 2019; Ord. 05-17 § 1, 2017; Ord. 17-10 § 2, 2010).

16.24.045 Violation – Penalties.

Section 110.4 of the International Fire Code is deleted in its entirety and replaced as follows:

110.4 Violation Penalties. Persons who shall violate any provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or direction of the fire chief, or of a permit or certificate used under provisions of this code, shall be deemed in violation of this title and subject to penalties under the provisions of BMC [16.70](#) unless otherwise stated herein.

(Ord. 05-17 § 1, 2017; Ord. 17-10 § 2, 2010).

16.24.050 Unsafe buildings.

Section 111.5 is added to the International Fire Code to read as follows:

Section 111.5 Damaged buildings. The owner, occupant or other person having under their control any property or materials on a property damaged by a fire or explosion shall, when ordered by the Fire Chief, immediately secure the property against entry or unauthorized access by the public, by boarding up all openings, fencing, barricading or utilizing other appropriate measures.

(Ord. 05-17 § 1, 2017; Ord. 17-10 § 2, 2010).

16.24.055 Failure to comply.

Section 112.4 of the International Fire Code is deleted in its entirety and replaced as follows:

Section 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as the person is directed to perform to remove a violation or unsafe condition shall be guilty of a civil infraction as specified in BMC [16.24.045](#).

(Ord. 05-17 § 1, 2017; Ord. 17-10 § 2, 2010).

16.24.085 Fire protection systems – Records.

Section 901.6.3 of the International Fire Code is deleted in its entirety and replaced as follows:

901.6.3 Records. Records of all system inspections, testing and maintenance required by the referenced standards shall be maintained on the premises for a minimum of 3 years. A copy of any inspection, test or maintenance shall be forward to the Fire Chief within 30 days of the service.

(Ord. 05-17 § 1, 2017; Ord. 17-10 § 2, 2010).

16.24.140 Appendices adopted.

2018 IFC Appendix B, Fire-Flow Requirements for Buildings, is amended as follows:

Section B105 of the International Fire Code is deleted in its entirety and replaced as follows:

B105 Fire-Flow requirements for buildings. Prior to the issuance of a building permit for any building, portion of a building, or substantial alteration thereto, fire-flow shall be provided in the amount required by this Section. Fire-flow shall be automatically available and supplied at a residual pressure of not less than 20 pounds per square inch (psi) (138 kPa).

B105.1 One- and Two-family dwellings. The minimum fire-flow requirements for one- and two-family dwellings (Group R-3) having a fire-flow calculation area which does not exceed 3,600 square feet shall be 750 gallons per minute (GPM) for one (1) hour for each hydrant providing fire flow. Fire-flow for buildings of 3,600 square feet or more in floor area including attached garages, covered porches and under upper story decks shall be 1,000 GPM for one (1) hour for each hydrant providing fire flow.

EXCEPTIONS:

- i) Fire-protection credits as described in Table B105.2 may be used in lieu of providing minimum fire-flow requirements for one- and two-family dwellings (Group R-3) on lots which are one gross acre or more in area.
- b) Fire-protection credits as described in Table B105.2 may be used in lieu of providing minimum fire-flow requirements for one- and two-family dwellings (Group R-3) if a water main capable of providing at least 500 GPM of fire-flow is not available to the building, portion of a building, or substantial alteration thereto. If the above fire-flow can be provided by the addition of a fire hydrant, the fire hydrant shall be installed.
- c) When at least 500 GPM is available from an approved fire hydrant, it shall be credited toward the required fire-flow for one- and two-family dwellings (Group R-3). The additional fire-flow requirements may be provided by using fire-protection credits as described in Table B105.2 in lieu of providing additional fire flow.

B105.2 Group U Occupancies. The minimum fire-flow requirements for Group U occupancies shall be 750 GPM for one (1) hour for each hydrant providing fire flow.

EXCEPTIONS:

1. Minimum fire-flow is not required for Group U occupancies meeting all of the following criteria:
 - a) It does not exceed 2,500 square feet; and
 - b) It is accessory to a one- or two-family dwelling (Group R-3) that has fire-flow or 100% of fire protection credits as described in Table B105.2; and
 - c) It has setbacks from side and rear lot lines of at least 20 feet, and is at least 10 feet from other buildings on the same lot.
2. Fire-protection credits as described in Table 105.2 may be used in lieu of providing minimum fire-flow requirements for Group U occupancies on lots which are one gross acre or more in area.
3. Fire-protection credits as described in Table B105.2 may be used in lieu of providing minimum fire-flow requirements for Group U occupancies if a water main capable of providing at least 500 GPM of fire-flow is not available to the building, portion of a building, or substantial alteration thereto. If the above fire-flow can be provided by the addition of a fire hydrant, the fire hydrant shall be installed.
4. When at least 500 GPM is available from an approved fire hydrant, it shall be credited toward the required fire-flow for Group U occupancies. The additional fire-flow requirements may be provided by using fire-protection credits as described in Table B105.2 in lieu of providing additional fire flow.

B105.3 Buildings other than One- and Two-family dwellings (Group R-3) and Group U occupancies. The minimum fire-flow requirements for buildings other than one- and two-family dwellings (Group R-3) and Group U occupancies shall not be less than that specified in Table B105.1 of the International Fire Code (IFC).

EXCEPTIONS:

1. A reduction in required fire-flow of up to 50%, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 of the IFC. Where buildings are also of Type I or II construction and are a light-hazard occupancy as defined by NFPA 13, the reduction may be up to 75%. However, the minimum amount of fire-flow required shall at no time be less than 1,500 GPM except as noted in Exception number 2 below. Fire-flow and duration of fire-flow shall be the fire-flow and duration of the actual fire-flow required after reductions for fire protection features described above.
2. When at least 1,000 GPM is available from an existing approved water main, or is provided by the extension of or from an existing water main, it shall be credited toward the required fire-flow. The fire-flow requirement may be reduced to that available by using fire-protection features such as approved monitored automatic sprinkler systems or fire resistive building construction as specified in Table B105.2 in lieu of additional fire-flow. Fire-flow and duration of fire-flow shall be the fire-flow and duration of the actual fire-flow required after reductions for fire protection features described above.
3. Non-combustible fueling station canopies shall be exempt from all fire-flow provisions.

TABLE B105.2

Fire Protection Credits

(1)

Options to reduce Fire-Flow ⁽²⁾	Group R-3 & U ⁽³⁾	All Others ^{(3) (4) (5)}
	% of reduction	% of reduction
Building less than 2,000 sq. ft.	-35%	-25%
Building 2,000 sq. ft. to 3,600 sq. ft.	-20%	n/a
NFPA 13 D extended coverage sprinkler system ⁽⁶⁾	-65%	n/a
NFPA 13 D sprinkler system	-50%	n/a

TABLE B105.2**Fire Protection Credits**

(1)

Options to reduce Fire-Flow ⁽²⁾	Group R-3 & U ⁽³⁾	All Others ^{(3) (4) (5)}
	% of reduction	% of reduction
NFPA 13 R sprinkler system	-50%	n/a
Residential Range-top Fire Suppression System	-15%	n/a
NFPA 13 sprinkler system	n/a	-50%
30' minimum setback from property lines ⁽⁸⁾	-25%	-15%
Monitored Fire Alarm	-25%	-25%
1-hour construction ⁽⁷⁾	-15%	-25%
Class A or B roof	-15%	-10%
60% brick/stone exterior or approved non-combustible exterior	-15%	-10%

(1) Each portion of a building shall be considered as a separate fire area when separated by one or more four-hour fire walls with no openings and a 30-inch parapet, constructed in accordance with the International Building Code (IBC).

(2) Credits used for or with substantial alterations shall be applied to the entire structure.

(3) Types of construction are based upon the IBC.

(4) Shall not apply to IBC Group-H Occupancy classifications.

(5) In Types IA and IB construction, only the three largest successive floor areas shall be used.

(6) Consists of a 13D sprinkler system with sprinkler coverage extended into the garage, attic, small bathrooms and closets, and porch coverings.

(7) Consists of a minimum of "type X" drywall throughout interior for Group R-3 and U occupancies. Other occupancy groups shall meet the requirements for one-hour construction specified by the IBC.

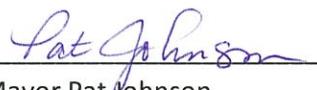
(8) The 30-foot setback is from side and rear property lines. Front setbacks may be allowed by the zoning of the property.

(Ord. 05-17 § 1, 2017; Ord. 17-10 § 2, 2010).

Section 3. If any provision of this ordinance is declared by any court of competent jurisdiction to be invalid, then such provision shall be null and void and shall be severable from the remaining provisions of this ordinance, and shall in no way affect the validity of the other provisions of this ordinance.

Section 4. This ordinance shall take effect and be in force from and after its passage and five days following its publication as required by law. A summary of this Ordinance may be published in lieu of publishing the ordinance in its entirety.

Approved by the City Council on this 13th day of April 2021.



Mayor Pat Johnson

Attest:



Treva Percival, City Clerk

APPROVED AS TO FORM:



Phil Olbrechts, City Attorney

PUBLISHED: April 21, 2021
EFFECTIVE: April 26, 2021