

CITY OF BUCKLEY, WASHINGTON

ORDINANCE NO. 05-17

AN ORDINANCE of the City Council of the City of Buckley, Pierce County, Washington, amending Chapters 16.24 of the Buckley Municipal Code entitled "Fire Code" to be consistent with the Washington State Building Code Act which went into effect on July 1, 2016 and replacing the Board of Appeals with the Hearing Examiner and fixing a date when the same shall become effective.

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 July 1, 2016; 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 July 1, 2016; and

WHEREAS, the SEPA Responsible Official determined that adoption of this ordinance is categorically exempt as a procedural action under WAC 197-11-800(20); and

WHEREAS, a SEPA determination of non-significance (DNS) was issued by the Responsible Official on February 2, 2017 pursuant to BMC 12.04 and WAC 197-11-259. Comment period for the DNS expired on March 8, 2017; and

WHEREAS, the Department of Commerce received the amendment ordinance on February 2, 2017, under material identification number (MID#) 23359; and

WHEREAS, the city was granted expedited review for on February 21, 2017; 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:

Chapter 16.24 FIRE CODE

16.24.010 Adoption of International Fire Code.

The 2015 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 the Washington Administrative Code Chapter 51-54, 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".

16.24.015 General.

Section 103.1 of the International Fire Code is deleted in its entirety and replaced as follows:

Section 103.1 General. The department of fire prevention, also known as the Fire Marshal, is established within the jurisdiction under the direction of the Fire Chief. The function of this department shall be the implementation, administration and enforcement of the provisions of this Code.

16.24.020 Appointment.

Section 103.2 of the International Fire Code is deleted in its entirety and replaced as follows:

Section 103.2 Appointment. The Fire Chief shall be appointed by the Mayor.

16.24.025 Permits Required.

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

- A. 105.6.16 Fire Hydrants and valves is deleted.
- B. 105.6.37 Private Fire Hydrants is deleted.

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 105.7.6 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.

16.24.035 Permit Fees.

Section 105.8 is added to the International Fire Code to read as follows:

1. Construction Permits. Fees for construction permits for new construction, including but not limited to tenant improvements, shall be based on the number of hours spent by the Fire Chief, or their designee, performing the plan review and fire code inspection. A per hour fee, established by a Resolution of the City Council, shall be assessed in 30-minute increments with the first 30 minutes or any portion thereof charged the full hourly rate.
 - a. Revocation. The Fire Chief is authorized to suspend or revoke a permit when it is determined that the permittee failed, refused or neglected to pay required fees within 30 days following mailing of an invoice to the permittee requiring payment. Mailing shall be accomplished by first class mail of the U.S. Postal Service.

16.24.040 Board of Appeals.

Section 108 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 Chapter 20.01 BMC. Formal Fire Code interpretations made by the Fire Chief shall be considered a Type A1 decision under Chapter 20.01 BMC for purposes of appeal rights and responsibilities.

16.24.045 Violation – Penalties.

Section 109.3 of the International Fire Code is deleted in its entirety and replaced as follows:

109.3 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.

16.24.050 Unsafe Buildings.

Section 110.5 is added to the International Fire Code to read as follows:

Section 110.5 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.

16.24.055 Failure to Comply.

Section 111.4 of the International Fire Code is deleted in its entirety and replaced as follows:

Section 111.4 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.

16.24.060 Definitions.

Section 502.1 of the International Fire Code is amended to add the following:

FIRE APPARATUS. Fire apparatus is a vehicle such as a fire pumper, aerial ladder truck, fire tender, elevated platform, rescue squad, fire ground support vehicle or similar fire-fighting or reserve equipment, including emergency medical response vehicles.

16.24.065 Fire apparatus access roads - Dimensions.

Section 503.2.1 of the International Fire Code is deleted in its entirety and replaced as follows:

503.2.1 Dimensions. Fire apparatus access roads serving one dwelling unit shall have an unobstructed width of not less than 15 feet, exclusive of shoulders. All other fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders. All fire apparatus access road shall have an unobstructed vertical clearance of not less than 13 feet 6 inches. When a fire apparatus access road is required, it shall extend from the public or private road or shared access facility to within 150 feet of all portions of an exterior wall of the first story, as measured in an approved route around the exterior of the building.

16.24.070 Fire department access roads – Turning radius.

Section 503.2.4 of the International Fire Code is deleted in its entirety and replaced as follows:

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be not less than 28 feet inside, and not less than 48 feet outside radius.

16.24.075 Fire department access roads – Grade.

Section 503.2.7 of the International Fire Code is deleted in its entirety and replaced as follows:

503.2.7 Grade. The road grade of a fire apparatus access road shall not exceed 12% with a minimum side slope of 2%. All sections of fire apparatus access roads with grades of over 10% shall be paved.

Exception: Side slope may be less than 2% as required or approved by the City Engineer.

16.24.080 Fire department access roads - Fire Lanes.

Section 511 is added to the International Fire Code to read as follows:

Section 511.1 Establishment of Fire Lanes. Fire lanes in conformance with this code shall be established by the fire chief or his/her authorized designee, and shall be referred to as designated fire lanes in this section.

Section 511.2 Definition of Fire Lanes. The area within any public right-of-way, easement, or on private property designated for the purpose of permitting fire apparatus use, travel upon, and parking.

Section 511.3 Marking of Fire Lanes. All designated fire lanes shall be clearly marked by signage and/or surface painting as required by the fire chief. Painted identification shall be by a four-inch wide line and block letters two feet high, painted in the lane in bright yellow or bright red, at 50-foot or such other intervals as determined by the fire chief, stating "Emergency Vehicles Only," and by posting of signs stating "Emergency Vehicles Only – No Parking – Violator Vehicles Subject to Impound." Signs shall be posted on or immediately next to the curb line, or on the building. Signs shall be 12 inches by 18 inches and shall have red letters on a white background, readily readable from at least a 50-foot distance. Signs shall be posted no further than 50 feet apart, unless a greater distance is deemed reasonable by the fire chief, nor shall they be more than four feet from the ground unless a greater height is determined necessary by the fire chief.

Section 511.4 Obstruction of Fire Lanes Prohibited. The obstruction of a designated fire lane by a parked vehicle or any other object is prohibited and shall constitute a traffic hazard as defined in state law and an immediate hazard to life and property.

Section 511.5 Maintenance of Fire Lanes. Fire lane markings shall be maintained at the expense of the property owner as often as needed to clearly identify the designated areas as being a fire lane.

Section 511.6 Property Owner Responsible. The owner, manager, or person in charge of any property upon which designated fire lanes have been established shall prevent the parking of vehicles or placement of other obstructions in such fire lanes.

Section 511.7 Violation – Civil Infraction. Any person who fails to mark or maintain the markings of a designated fire lane as prescribed in this chapter, or who parks a vehicle in, allows the parking of a vehicle in, obstructs, or allows the obstruction of a designated fire lane commits a civil infraction. The penalty for failing to mark or maintain the markings of a designated fire lane shall be \$150.00. The penalty for parking a vehicle in, allowing the parking of a vehicle in, obstructing, or allowing the obstruction of a designated fire lane shall be \$50.00.

Section 511.8 Impoundment. Any vehicle or object obstructing a designated fire lane is hereby declared a traffic hazard and may be abated without prior notification to its owner by impoundment pursuant to the applicable state law.

Section 511.9 Enforcement. The City of Buckley Police Department or any other designated representative of the fire chief shall have authority to enforce the provisions of this code.

16.24.085 Fire protection systems – Records.

Section 901.6.2 of the International Fire Code is deleted in its entirety and replaced as follows:

901.6.2 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.

16.24.090 Automatic Sprinkler Systems - Group A-1.

Section 903.2.1.1 of the International Fire Code is amended to read as follows:

903.2.1.1 Group A-1. An automatic sprinkler system shall be provided for Group A-1 occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupant load of 300 or more;
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.
4. The building contains a multi-theater complex.

16.24.095 Automatic Sprinkler Systems - Group A-3.

Section 903.2.1.3 of the International Fire Code is amended to read as follows:

903.2.1.3 Group A-3. An automatic sprinkler system shall be provided for Group A-3 occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

16.24.100 Automatic Sprinkler Systems - Group A-4.

Section 903.2.1.4 of the International Fire Code is amended to read as follows:

903.2.1.4 Group A-4. An automatic sprinkler system shall be provided for Group A-4 occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. The building has an occupant load of 300 or more.
3. The fire area is located on a floor other than a level of exit discharge serving such occupancies.

16.24.105 Automatic Sprinkler Systems - Group B ambulatory health care facilities.

Section 903.2.2 of the International Fire Code is amended to read as follows:

Section 903.2.2 Group B ambulatory health care facilities. An automatic sprinkler system shall be provided for Group B ambulatory health care facility occupancies where one of the following conditions exists:

1. The building exceeds 5,000 square feet;
2. Four or more care recipients are incapable of self-preservation;
3. One or more care recipients who are incapable of self-preservation are located at other than the level of exit discharge serving such an occupancy.

16.24.110 Automatic Sprinkler Systems - Group R

Section 903.2.8 of the International Fire Code is deleted in its entirety and replaced as follows:

903.2.8 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided for Group R occupancies.

Exception: An automatic sprinkler system is not required in Group R-3 occupancies where the total living space of the building does not exceed 5,000 square feet.

16.24.115 Fire Department Connections - Location.

Section 912.2 of the International Fire Code is deleted in its entirety and replaced as follows:

912.2 Location. With respect to hydrants, driveways, buildings and landscaping, fire department connections shall be so located that fire apparatus and hose connected to supply the system will not obstruct access to the buildings for other fire apparatus. The location of the fire department connection shall be approved by the Fire Chief and shall not be closer than 50 feet from a structure or 1 ½ times the height of the structure.

16.24.120 Tire rebuilding and tire storage – Outdoor Storage

Section 3405 of the International Fire Code is deleted in its entirety and replaced as follows:

- A. Whenever outside storage of more than 300 tires exists on a property, the following requirements shall apply:
 1. Each pile of tires shall not be greater than 10 feet in height.
 2. Piles of tires shall not be within 50 feet of a property line or right-of-way, or within 50 feet of a building or structure.
 3. Piles of tires shall not be in excess of 40 feet in any horizontal dimension.
 4. There shall be a minimum separation of 40 feet between piles of tires and such separation shall be maintained free of rubbish, equipment, weeds or other vegetation, and other materials at all times.
 5. There shall be a fence at least 6 feet in height surrounding the tire storage yard provided with gates at least 20 feet wide. Gates shall be kept clear of obstructions, be fully operable at all times, and shall be locked when the tire storage yard is not staffed. The fence shall be constructed of a material and in such a way as to obstruct view of the tire storage yard.

- B. Whenever outside storage of more than 2,500 tires exists on a property, the following requirements in addition to those set forth in subsection A shall apply:
 - 1. A dirt berm or barrier not less than 5 feet in height shall be erected around each pile of tires.
 - 2. The separation between piles of tires shall be a minimum of 40 feet to include 10 feet at the base of each dirt berm or barrier plus 20 feet between dirt berms or barriers.
 - 3. Tire storage shall not exceed 30,000 tires per acre.
 - 4. Fire apparatus access roads shall be provided to within 150 feet of all portions of the tire storage yard.
 - 5. Fire flow shall be provided at not less than 1,500 gpm for a duration of 2 hours.
 - 6. The number of fire hydrants and their location shall be determined by the fire chief.

- B. Cleanup following a fire. If any dangerous, hazardous, or extremely hazardous wastes occur, or are stored, on the site of a tire storage yard, due to the results of a fire in such yard, or due to any other occurrence, such wastes shall be disposed of and cleaned up in accordance with all applicable Federal, State, and Local waste disposal regulations. No further tire storage may occur until the appropriate agency has certified that proper disposal has occurred.

16.24.125 Tire rebuilding and tire storage – Fire Department Access

Section 3406 of the International Fire Code is deleted in its entirety.

16.24.130 Tire rebuilding and tire storage – Fencing

Section 3407 of the International Fire Code is deleted in its entirety.

16.24.135 Tire rebuilding and tire storage – Fire Protection

Section 3408 of the International Fire Code is amended as follows:

- A. 3408.1 Water Supply is deleted.

16.24.140 Appendices adopted.

2015 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.

| 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 |
| 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 3A or B roof | -15% | -10% |
| 60% brick/stone exterior or approved non-combustible exterior | -15% | -10% |

-
combustible fueling station canopies shall be exempt from all fire flow provisions.

- (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.

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 it's passage and five days following it's publication as required by law. A summary of this Ordinance may be published in lieu of publishing the ordinance in its entirety.

Passed by the City Council on the 14th day of March, 2017.


Mayor Pat Johnson

Attest:


Joanne Starr, City Clerk

APPROVED AS TO FORM:


Phil Olbrechts, City Attorney

PUBLISHED: March 29, 2017
EFFECTIVE: April 3, 2017