

ORDINANCE NO. 3798

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING TITLE 19 OF THE EDMONDS COMMUNITY DEVELOPMENT CODE TO REVISE CHAPTERS 19.25 AND 19.65 CONCERNING FIRE CODE AND MARINAS, RESPECTIVELY; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

WHEREAS, Chapter 19.27 RCW establishes the State Building code and requires each jurisdiction to enforce the provisions of the State Building code, and

WHEREAS, the International Fire code is a part of the State Building code, and

WHEREAS, pursuant to Chapter 19.27.060, the City has the ability to amend administrative provisions thereof, NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF EDMONDS, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Title 19 of the Edmonds Community Development Code ("ECDC") is hereby amended by the repeal of Chapter 19.25 ECDC and the adoption of a new Chapter 19.25 ECDC relating to Fire Code, which shall read as follows:

**Chapter 19.25
FIRE CODE**

Sections:

- 19.25.000 International Fire Code adopted.
- 19.25.005 Section amendments.
- 19.25.010 Department of fire prevention.
- 19.25.015 Definitions.
- 19.25.020 Permits.
- 19.25.025 Charges for fire review and inspection.
- 19.25.030 Modifications, interpretations and appeals.
- 19.25.035 Automatic sprinkler systems.
- 19.25.040 Fire protection water supplies.

- 19.25.045 Charges for water mains and hydrants.
- 19.25.050 Mains and service lines.
- 19.25.055 Location of public hydrants.
- 19.25.060 Location of private hydrants.
- 19.25.065 Hydrant specifications.
- 19.25.070 Penalties.

19.25.000 International Fire Code adopted.

Under the statutory authority of RCW 19.27.031 and 19.27.074, the International Fire Code (IFC), 2009 Edition, as published by the International Code Council including amendments set forth in Chapter 51-54 of the Washington Administrative Code, and subsequently revised by this chapter, is hereby adopted including reference standards of the National Fire Protection Association and Appendix Chapters B, C, and J.

19.25.005 Section amendments.

The following sections of the IFC have been added, amended, deleted or replaced as follows:

A. Chapter 1 Administration.

1. Section 102.5 Application of Residential Code. Adopted as originally set forth in IFC (notwithstanding revisions thereto by the state building council).
2. Section 103.1-.2 Department of Fire Prevention. Replaced by 19.25.010 ECDC
3. Section 104.8 Modifications. Replaced by 19.25.030 ECDC
4. Section 104.10.1 Assistance from other agencies. Police and other enforcement agencies shall have the authority to render necessary assistance in the investigation of fires and enforcement of the life safety provisions of this code when requested by the fire marshal
5. Section 105.1.1 Permits required. Replaced by 19.25.020 ECDC
6. Section 108 Board of appeals. Replaced by Chapter 19.80 ECDC
7. Section 109.3 Violation Penalties. Replaced by 19.25.070 ECDC

B. Chapter 5, Fire Service Features

Section 503 Fire Apparatus Access Roads. The following sections are adopted as originally set forth in the IFC (notwithstanding revisions thereto by the state building council):

1. Section 503.1 Where required.
2. Section 503.1.1 Buildings and facilities.
3. Section 503.1.2 Additional access.
4. Section 503.1.3 High-piled storage.
5. Section 503.2 Specifications.
6. Section 503.3 Marking.
7. Section 503.4 Obstruction of fire apparatus access roads.

C. Chapter 33, Explosives and Fireworks.

Section 3301.1.3 Fireworks. Replaced by Chapter 5.27 ECC.

D. Chapter 34 Flammable and Combustible Liquids.

Sections 3404.2.9.6.1 (outside) and 3406.2.4.4 (inside) Locations where above-ground tanks are prohibited. Class I and II flammable liquids in aboveground storage tanks are restricted for the protection of residential districts and shall be no more than 1,000 gallons capacity in residential zones designated by the city.

E. Chapter 38 Liquified Petroleum Gases.

Section 3804.2 Maximum capacity within established limits. The maximum capacity for each installation is restricted for the protection of residential districts within the city and shall be no more than 500 gallons water capacity in residential zones designated by the city.

F. Chapter 45, Marinas. Replaced in entirety by Chapter 19.65 ECDC.

19.25.010 Department of fire prevention.

A. There is established in the city a department of fire prevention supervised by the fire marshal or deputy chief of fire prevention acting under the supervision of the fire chief. The function of the department shall be the implementation, administration and enforcement of the provisions of this code.

B. An annual report shall be provided to the mayor containing proceedings under this code, with other statistics as the fire marshal and mayor wish to include. The fire marshal may also recommend any changes to the code.

19.25.015 Definitions.

A. Whenever the term "fire code official" is used in the IFC, it shall mean the fire marshal or deputy chief of fire prevention.

B. Whenever the word "jurisdiction" is used in the IFC, it shall mean the City of Edmonds.

C. Whenever the term "legal representative of the jurisdiction" is used in the IFC, it shall mean the city attorney.

D. Whenever the term "police" is used in the IFC, it shall mean the City of Edmonds Police Department.

19.25.020 Permits.

A. Permits required under the city's fire code and regulated by the city shall be issued by the fire marshal. The application for the permit shall be accompanied by the full application fee in order to vest rights under the permit and to constitute a complete permit application. The permit fee shall be set by the city council annually by resolution or on such review cycle as the council, in its discretion, shall determine. All permits shall be renewed annually unless the specific time period is set forth when the permit is granted. No permit shall be transferable and each permit shall be issued on a single job, transaction, owner, or occupancy basis, except that the fire marshal is authorized to consolidate permits for a single location, building, or unit.

B. In the event that the activity, location or risk associated with the activity requires a fire safety inspection in excess of the time estimated within the permit fee (one hour) an inspection fee equal to the actual cost to the city of providing the inspection shall be charged pursuant to ECDC 19.25.025.

19.25.025 Charges for fire review and inspection.

A. Certain licenses and permits issued by the city include a fire department inspection. The cost of the permit may include an estimate of the normal time associated with the fire inspection. Where the permit does not include such an estimate, or when the estimate of time established within the ordinance is exceeded by the actual time spent inspecting a premises, location or activity, the actual cost of conducting the inspection shall be charged. The administrative services director is authorized to establish on an annual basis, in conjunction with or immediately following the budget process, a fee for the hourly charge associated with the

provision of services by reasonable classifications of city employees.

B. The permittee shall pay the actual charges of inspection, in addition to the permit fee associated with such activity. Licenses and permits requiring the actual payment of inspection charges include, but are not limited to, public amusement licenses issued pursuant to Chapter 4.32 ECC, cabaret dance licenses issued pursuant to Chapter 4.48 ECC, adult entertainment facility licenses issued pursuant to Chapter 4.52 ECC, and aircraft landing licenses issued pursuant to Chapter 4.80 ECC.

C. No charge shall be levied against any department or agency of the city of Edmonds operating within the city's general fund.

19.25.030 Modifications, interpretations and appeals.

A. The fire marshal shall have the authority to modify any of the provisions of the IFC or this chapter on written application by the owner, lessee, or his duly authorized agent when there are practical difficulties in carrying out the strict letter of the code. Approved modifications, including alternative materials and methods, shall observe the spirit of the code, preserve fire- and life-safety, secure the public health, and do substantial justice. A signed copy of approved modifications shall be promptly given to the applicant.

B. Details of actions granting modifications and related interpretations shall be recorded and preserved in the records of the department of fire prevention to aid in conformance and uniform application of related codes, ordinances, and standards.

C. Whenever the fire marshal disapproves an application or refuses 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 fire marshal to the board of appeals. Such appeals shall be governed by the procedures set forth in Chapter 19.80 ECDC.

19.25.035 Automatic sprinkler systems.

An automatic sprinkler system shall be installed and maintained throughout every building constructed under the International Residential Code containing five or more attached dwelling units. Residential or quick response standard sprinkler heads shall be used in accordance with their approved listing in the dwelling.

19.25.040 Fire protection water supplies.

All fire hydrant, water main and appurtenance installations shall meet the provisions of this chapter as well as other applicable plans, standards and codes adopted by the city of Edmonds, as a condition of approval of subdivisions and building permits.

19.25.045 Charges for water mains and hydrants.

A. For private development, owners shall be responsible for the replacement (upgrade) of the existing public main (including fire hydrants and appurtenances) to city standard when identified by the city engineer as a condition of development approval. The city will pay the difference in material costs only between six inches and the size that is required to be installed only when the existing system is a looped system.

B. A hydrant use permit issued by the public works director is required in order for any person or entity other than fire department personnel to draw water from any fire hydrant.

C. The installation of water mains, fire hydrants and appurtenances to properties not previously served shall be sized in accordance with the city's water comprehensive plan, built to city standard and shall be at the benefited property owner's or developer's expense.

D. Oversized water mains required for special use demands relating to a particular property or development shall be installed at the developer's or property owner's expense.

E. If the water mains installed pursuant to subsections (C) and (D) of this section provide service or benefits to properties other than owned by the water main installer, latecomer agreements may be arranged between the city and the installer for the construction and dedication of the water facilities pursuant to the provisions of Chapter 35.91 RCW.

19.25.050 Mains and service lines.

A. All public hydrants in single-family areas shall be supplied by not less than six-inch looped water mains. All hydrants in areas other than single-family residential shall be supplied by not less than eight-inch looped water mains. Dead-end water mains to hydrants shall be at least eight inches in diameter, with the exception of mains up to 50 feet long which may be no less than six inches in diameter.

B. The service line from the water main to the hydrant shall be no less than six inches in diameter. Any service lines over 50 feet in length from water main to hydrant shall be no less than eight inches in diameter.

C. When city streets, or state highways having water mains in the public right-of-way, are improved to permanent street or highway improvement standards, any water mains in the public right-of-way of said streets or highways that are substandard as to size or material according to applicable city standards shall be replaced with ductile iron water mains conforming to applicable city standards and plans.

19.25.055 Location of public hydrants.

- A. Public hydrants are those owned by the city.
- B. All public fire hydrants shall be installed at street intersections where possible. Public hydrant spacing shall be measured along vehicle access routes.
- C. In areas zoned for single-family residential use, public hydrants shall be spaced no more than 600 feet apart. If dead-end streets, or driveways, singly or in combination, are over 300 feet long, additional public hydrants shall be installed so that the public hydrant spacing is not over 600 feet.
- D. In areas other than single-family residential, public fire hydrants shall be spaced an average of 300 feet apart. If dead-end streets or driveways, singly or in combination, are over 150 feet long, additional public hydrants shall be installed so that the public hydrant spacing is not over 300 feet.

19.25.060 Location of private hydrants.

- A. A private hydrant is privately owned, but is subject to the use of the city for inspection and testing at reasonable times, and for fire suppression at any time. All private hydrants shall be connected to the city water main through a privately owned and maintained double detector check valve assembly.
- B. All buildings except single-family dwellings that are located so that a portion is more than 200 feet from a street, as measured along vehicle access routes, shall have private fire hydrants located at the building. Single-family dwellings with a fire-flow calculation area greater than 4,800 square feet may require a private hydrant.
- C. Buildings having required fire flows of 3,000 gallons per minute may have fire hydrants on one side of the building only. There shall never be fewer than two fire hydrants for any building larger than 5,000 square feet in the first floor area including covered parking and storage. When the required fire flow is 3,000 gallons per minute or greater, the fire hydrants shall be served by a looped main around the building or complex of buildings.
- D. Fire hydrants shall be spaced on an average 300 feet around the perimeter line, 50 feet out of the buildings. All hydrants shall be placed in locations accessible to fire department vehicles adjacent to fire apparatus access roads. The fire marshal shall determine the location of fire hydrants depending on utility, topography and building location for maximum fire protection.

19.25.065 Hydrant specifications.

- A. The installation of flush type hydrants (hydrants entirely below grade) is prohibited.
- B. Fire hydrants shall have two two-and-one-half-inch hose outlets and one four-and-one-half-inch pumper outlet. All outlets'

ports shall have national standard thread. Additionally, the pumper outlet shall be provided with a four-inch Storz adapter. Fire hydrants shall meet the American Water Works Association, Standard No. C-502 and current city standards.

C. Fire hydrants and appurtenances shall be installed in accordance with generally accepted engineering practices and city standards, and to the approval of the city engineer, who shall also approve the selection and use of all pipe fittings and valves. There shall be a foot valve installed between the service main and the hydrant sufficient to permit the repair and replacement of the hydrant without disruption of water service. The foot valve shall be installed to city standards. The location of all such valves installed shall be properly and accurately marked on as-built plans or drawings with generally acceptable engineering detail, two copies of which shall be furnished to the public works department. Valves shall be furnished with a standard valve box.

D. Hydrants shall stand plumb, be set to established street grade with the lowest outlet of the hydrant at least 18 inches above the adjacent finished grade and at least 36 inches of clear area around the hydrant for clearance of hydrant wrench on both outlets and on the control valve. The pumper port shall face the street, as determined by the fire marshal.

E. Where reasonably necessary to protect a hydrant from damage, the fire marshal may require hydrants to be protected by two or more posts, eight inches in diameter by five feet long, made either of reinforced concrete or steel.

F. If there presently exist fire hydrants which do not conform to these requirements, they shall be replaced with conforming hydrants upon redevelopment or the timetable established by the city's comprehensive plan.

G. No person shall plant any vegetation, erect any structure or perform any action which results in the obstruction of a fire hydrant for a distance of 50 feet along the immediate route of approach. The owner-occupant of any area in which a hydrant is located shall be responsible for removing weed and tree growth from around the hydrant for a distance of not less than five feet. The purpose of this section is to maintain clear approach and visual area around the hydrant.

H. The installation of the fire hydrants and mains may be accomplished by city capital contract, developers (as a condition of development) or public works department employees. All installations are to be approved by the city engineer.

I. Following the installation of fire hydrants, all pipes, valves and hydrants shall be pressure tested, purified, flushed and sampled to meet the requirements of the American Water Works Association, Standard No. C-502.

19.25.070 Penalties.

A. Any person who violates any of the provisions of the IFC including those standards of the National Fire Protection Association specifically referenced in the IFC as adopted and amended herein or fails to comply therewith, or who violates or fails to comply with any order made thereunder, or who builds in violation of any detailed statement of specifications or plans submitted and approved thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by decision of the city's board of appeals or by a court of competent jurisdiction, within the required time, shall severally for each and every such violation and noncompliance, respectively, be guilty of a gross misdemeanor, punishable as provided in ECC 5.50.020.

B. The imposition of one penalty for any violation shall not excuse the violation nor 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 day that prohibited conditions exist or are maintained shall constitute a separate offense. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 2. Title 19 of the Edmonds Community Development Code ("ECDC") is hereby amended by the repeal of Chapter 19.65 ECDC and the adoption of a new Chapter 19.65 ECDC relating to Marinas, which shall read as follows:

**Chapter 19.65
MARINAS**

Sections:

- 19.65.000 Application.
- 19.65.005 Building code – Compliance required.
- 19.65.010 Design live loads.
- 19.65.015 Materials.
- 19.65.020 Area and location requirements.
- 19.65.025 Fire Protection Standard Adopted.
- 19.65.030 Fuel floats.

19.65.000 Application.

The provisions of this chapter apply to the construction, changes, repair and use of a small boat marina providing covered

floating boat moorage within the city. A marina is a basin of safe anchorage providing moorage for small vessels.

19.65.005 Building code – Compliance required.

All construction on or in connection with a marina shall comply with all the provisions of this title including permits, permit fees and penalties and all other applicable ordinances of the city and other applicable laws.

19.65.010 Design live loads.

A. Decks. Float decks shall have a design live load of at least 40 pounds per square foot minimum.

B. Roofs. The roof structures shall have a design live load of at least 25 pounds per square foot minimum.

C. Ramps. The ramps to floats shall have a design live load of at least 40 pounds per square foot minimum.

19.65.015 Materials.

A. Roofs. Roof coverings shall be noncombustible.

B. Floats. Floating structures and floats shall be material of a type approved by the building official.

19.65.020 Area and location requirements.

A. Length of Floats. The maximum length of any combination of floats shall be 500 feet from the shore end of the gangplank to the outer end of the main float. A main float is a center or side float connected by a ramp to the shore, being fixed laterally by a system of piling but allowed to move vertically, and may have finger floats connected at intervals.

B. Length of Roofs. The maximum length of any roof over floats shall be 400 feet, measured along a main float. At least 75 percent of the exterior walls shall be open. The maximum area covered shall be 30,000 square feet over any single main float area.

C. Separation. The minimum separation of covered moorage shall be 20 feet.

D. Floats, piers, and walkways shall provide an aisle not less than 44 inches in width.

E. Slips and mooring spaces shall be individually identified by an approved numeric or alphabetic designator that shall be posted at each space. Signs indicating the space designators located on finger piers and floats shall be posted at the base of all piers, finger piers, floats and finger floats.

19.65.025 Fire Protection Standard Adopted.

A. The "Fire Protection Standard for Marinas and Boatyards," 2006 Edition, of the National Fire Protection Association Publication No. 303 is hereby adopted to provide the minimum

acceptable level of safety to life and property from fire and electrical hazards at marinas and boatyards. The most restrictive requirements from all codes and adopted standards may apply. In the event of any conflict between provisions of the fire and electrical codes of the city of Edmonds as adopted by this title, the fire and electrical codes shall prevail.

B. Access and Water Supply. Piers shall be provided with fire apparatus access roads and water-supply systems with on-site hydrants where required by the Fire Marshal. The maximum distance from any point on a float system to an approved fire hydrant shall be 600 feet, except for fuel floats there shall be 300'.

C. Emergency operations staging areas. Approved areas on piers and ashore shall be provided for the staging of emergency equipment. These areas shall be posted with approved signage to keep clear for emergency operations..

19.65.030 Fuel floats.

1. Fuel floats shall be constructed of gas-resistant flotation material and shall be separated from other floats by at least 80 feet of open water.

2. All fuel storage tanks shall be located underground.

3. All fuel lines shall be provided with flexible connections from shore to floating facilities.

4. Fire extinguishers shall be provided near fuel dispensers as approved by the Edmonds fire department.

5. Gangplank access from shore to fuel floats shall be within 175 feet of fuel dispensers.

6. Fresh water taps shall be available on fuel floats.

7. All portions of a fuel float shall be located within 300 feet of a fire hydrant.

8. Moorage at any fuel float shall be prohibited and unlawful except during the shortest time necessary to take on fuel. Moorage shall be unlawful at any fuel float at any time the fuel pumps are not open for business and physically attended by the fuel pump proprietor, his agent, employee or port tenant trained to a fire department approved environmental and safety standard. It shall be the independent responsibility of the fuel pump proprietor, vessel operator, and vessel owner to comply with this subsection and each said person or class of persons shall be subject to the penalties of ECC 5.50.020 for any and all violations hereof.

9. All fuel spills shall be reported immediately in accordance with local, state and federal requirements.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction,

such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall take effect five (5) days after passage and publication of an approved summary thereof consisting of the title.

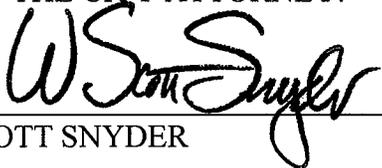
APPROVED:


MAYOR GARY HAAKENSON

ATTEST/AUTHENTICATED:


CITY CLERK, SANDRA S. CHASE

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY 
W. SCOTT SNYDER

FILED WITH THE CITY CLERK:	06-11-2010
PASSED BY THE CITY COUNCIL:	06-15-2010
PUBLISHED:	06-20-2010
EFFECTIVE DATE:	06-25-2010
ORDINANCE NO. <u>3798</u>	

SUMMARY OF ORDINANCE NO. 3798

of the City of Edmonds, Washington

On the 15th day of June, 2010, the City Council of the City of Edmonds, passed Ordinance No. 3798. A summary of the content of said ordinance, consisting of the title, provides as follows:

AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING TITLE 19 OF THE EDMONDS COMMUNITY DEVELOPMENT CODE TO REVISE CHAPTERS 19.25 AND 19.65 CONCERNING FIRE CODE AND MARINAS, RESPECTIVELY; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.

DATED this 16th day of June, 2010.



CITY CLERK, SANDRA S. CHASE

Affidavit of Publication

STATE OF WASHINGTON,
COUNTY OF SNOHOMISH

} S.S.



SUMMARY OF ORDINANCE NO. 3798

of the City of Edmonds, Washington
On the 15th day of June, 2010, the City Council of the City of Edmonds, passed Ordinance No. 3798. A summary of the content of said ordinance, consisting of the title, provides as follows:
AN ORDINANCE OF THE CITY OF EDMONDS, WASHINGTON, AMENDING TITLE 19 OF THE EDMONDS COMMUNITY DEVELOPMENT CODE TO REVISE CHAPTERS 19.25 AND 19.65 CONCERNING FIRE CODE AND MARINAS, RESPECTIVELY; PROVIDING FOR SEVERABILITY; AND FIXING A TIME WHEN THE SAME SHALL BECOME EFFECTIVE.

The full text of this Ordinance will be mailed upon request.
DATED this 16th day of June, 2010.
CITY CLERK, SANDRA S. CHASE
Published: June 20, 2010.

The undersigned, being first duly sworn on oath deposes and says that she is Principal Clerk of THE HERALD, a daily newspaper printed and published in the City of Everett, County of Snohomish, and State of Washington; that said newspaper is a newspaper of general circulation in said County and State; that said newspaper has been approved as a legal newspaper by order of the Superior Court of Snohomish County and that the notice

Summary of Ordinance

No.3798

Fire Code and Marinas

a printed copy of which is hereunto attached, was published in said newspaper proper and not in supplement form, in the regular and entire edition of said paper on the following days and times, namely:

June 20, 2010

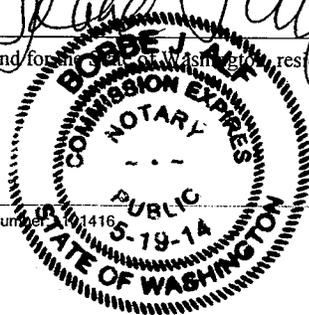
and that said newspaper was regularly distributed to its subscribers during all of said period.

Principal Clerk

Subscribed and sworn to before me this 21st

day of June, 2010

Notary Public in and for the State of Washington, residing at Everett, Snohomish County.



RECEIVED

JUL 01 2010

EDMONDS CITY CLERK

Account Name: City of Edmonds

Account Number: 416

Order Number: 0001700474