BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY
STATE OF WASHINGTON

ORDINANCE

NO. 2010-___

ORDINANCE ADOPTING A NEW TITLE IN THE KITTITAS COUNTY CODE FOR FIRE AND LIFE SAFETY

WHEREAS: Kittitas County Code does not currently provide for the Fire and Life Safety elements specific to Kittitas County;

WHEREAS: The health and safety of the citizens of Kittitas County are of paramount importance to the County's well-being;

WHEREAS: The Board finds that in order to protect the health, safety and welfare of the public, it is necessary to adopt certain fire safety requirements;

WHEREAS: The BOCC received recommendations from Fire Marshal to adopt a Fire and Life Safety Title into the Kittitas County Code;

WHEREAS: The BOCC held a public hearing on the adoption of Title 20, Fire and Life Safety;

NOW, THERFORE, BE IT ORDAINED That the Board of County Commissioners after due deliberation and in the best interest of the public, does hereby adopt a new Title into the Kittitas County Code as follows:

NOW, THEREFORE, BE IT ORDAINED, That a new Title 20 is added to the Kittitas County Code as follows:

Title 20
FIRE and LIFE SAFETY

Chapters:

20.01 General Authority and Responsibilities
20.02 Fire apparatus access
20.03 Gates
20.04 Key Boxes
20.05 Fire and Life Safety Inspections
20.06 Generators
20.07 Fire Hazards
20.08 Burn Ban
20.09 Amendments

Title 20.01
General Authority and Responsibilities

20.01.010 Fire District
20.01.020 Fire Marshal
20.01.030 Stop Work Order
20.01.040 Limited Commission
20.01.050 Violations—Penalties

20.01.010 Fire District. The Chief of the Fire District, or his/her authorized designee, is authorized to implement a burn permit system and take such lawful action, including the writing and issuance of citations for civil infractions, as may be required to enforce the provisions of the outdoor burning ordinance codified in this title.

20.01.020 Fire Marshal. The Fire Marshal is authorized to render interpretations of the codes, as mandated by state law and adopted by Kittitas County, and make and enforce such rules and regulations for the prevention and control of fires and fire hazards necessary to carry out the application and intent of this code.

20.01.030 Stop Work Order. Whenever any work is being done contrary to the provisions of the International Fire Code, International Building Code, International Property Maintenance Code, International Mechanical Code or the Kittitas County Code, which pertain to fire and life safety, the Fire Marshal may order the work stopped by notice in writing served on any person engaged in the doing or causing such work to be done, or by posting such notice in a conspicuous place on the premises where the violation is occurring, and any such person shall stop such work until authorized by the Fire Marshal to proceed with the work.

Whenever any work is being done contrary to the provisions of this code, the Fire Marshal may order the violations corrected without ordering all work stopped by issuing a correction notice which identifies the violation. The correction notice may require re-inspection prior to further construction. The correction notice shall be served or posted in the same manner as the Stop Work Order.

20.01.040 Limited Commission. The County Sheriff or his/her designee may appoint deputies from the Fire Marshal's Office. Such officers shall have the power of citation as may be appropriate and necessary for the proper performance of the duties of their office. Upon such appointment being made, the County Sheriff shall issue to the appointee a limited commission card. The appointment shall continue until the appointee is permanently terminated from county employment, but may be revoked at any time by the County Sheriff.

20.01.050 Violations—Penalties. All violations of this Title shall be through Title 18. Penalties shall be as defined in Title 18.

Title 20.02
Fire Apparatus Access

20.02.010 Definitions
20.02.020 Grade
20.02.030 Driveways
20.02.040 Fire Lanes
20.02.050 Bridges

20.02.010 Definitions.

Fire apparatus access road—An approved route that is always available for use by fire trucks and emergency services apparatus, and is designed to meet fire equipment load and access requirements.

20.02.020 Grade. No fire apparatus access road hereafter created shall have a grade or slope greater than 12%, unless a variance has been granted through the County variance process. Any variance which allows a grade greater than 12% shall have the following condition attached:

a. Any road with a slope or grade greater than 12% shall have an increase in width of 50%.
b. Other conditions may be required by the Fire Marshal.

Fire apparatus access roadways shall not be required where there are not more than two Group R, Division 3 or Group U occupancies as defined in the International Fire Code. Any commercial operation shall have an approved fire apparatus access.

20.02.030 Driveways. A driveway shall serve no more than two residences. Any County driveway hereafter created longer than 150' in length shall have a width of no less than 16 feet. County driveways less than 150' in length shall have a width of no less than 12 feet.

20.02.040 Fire Lanes. Fire lanes shall remain clear from obstructions, including snow accumulations, vehicles, and any other impediment to emergency services response.

20.02.050 Bridges. Any bridge or box culvert hereafter erected, modified, altered or repaired shall meet a live load bearing of no less than 75,000 lbs. All box culvert, bridge designs, and load ratings shall be stamped by a registered professional engineer in the State of Washington. An approved sign with the load rating shall be posted on the ingress side of the bridge.

Exception: Repairs of less than one fourth of the bridge, with no structural elements included in the repair.

Title 20.03
Gates

20.03.010 Definitions
20.03.020 Gates

20.03.010 Definitions

Private Road-An access road serving 3 or more lots, residences or multi-family units, that is privately owned and maintained for the use of the owner(s) or those having expressed or implied permission from the owner(s).

20.03.020 Gates. Any gate hereafter installed on any private road within Kittitas County shall meet the following conditions:

1. The width of the gate shall be no less than 16 feet,
2. Any locking mechanism must be approved by the Fire Marshal,
3. The locking mechanism shall be electronic or key operated, with a Fire Marshal approved key box located at the gate,
4. Any electronic codes for the gate shall be given to the fire district and left in the approved key box. Upon any change to the code, the fire district shall be notified immediately as to the new code, and the key box shall be updated.
5. A permit shall be issued by the Fire Marshal prior to the commencement of any work.

Title 20.04
Key Boxes

20.04.010 Key Boxes

20.04.010 Key Boxes. A Key Box shall be installed on all buildings, occupancies or premises that are equipped with a fire protection system, and all other buildings or appurtenances where immediate access may be necessary, including gates to private communities, private roads, etc. The key box shall be an approved type and installed in a location recommended by the Fire Marshal and shall contain keys or codes to gain necessary access.

> Exception: Single family residences not used as a bed and breakfast, duplexes, and other type R-2 occupancies which do not meet the minimum requirements as listed above, are exempt.

Title 20.05
Fire and Life Safety Inspections

20.05.010 Authority
20.05.020 Process
20.05.030 Operational Permits
20.05.031 Temporary Business Permits
20.05.040 Construction Permits
20.05.050 Assembly/Special Event Permits
20.05.060 Fees

20.05.010 Authority. The Fire Marshal, or his/her designee, is authorized to inspect the following nonresidential occupancies in unincorporated Kittitas County;

1. Hospitals;
2. Nursing homes;
3. Assisted living facilities;
4. Medical Centers;
5. Schools;
6. Daycare facilities;

7. Any other recreational and/or educational centers, including but not limited to camps, riding arenas, etc.;
8. Retail stores;
9. Business offices;
10. Dining and entertainment establishments;
11. Industrial and manufacturing facilities;
12. Special events located in nonresidential occupancies;
13. Special events located in residential occupancies where a special event permit has been issued;
14. Repair garages and automotive maintenance garages;
15. Places of assembly;
16. Spray booth facilities; and
17. All other nonresidential occupancies which may pose a fire or life safety hazard to the public or employees, or as listed in the International Fire Code, as adopted in Title 14.

The Fire Marshal, or his/her designee, is also authorized to inspect the following residential occupancies in unincorporated Kittitas County;

1. The common areas of apartments and condominiums;
2. Commercial Vacation rentals;
3. Lodges, hotels and motels;
4. Mobile home parks; and
5. Recreational Vehicle parks

Exceptions:

a. The Fire Marshal or Deputy Fire Marshal will not make entrance into the individual apartment or condominium units unless a specific request is made by the occupant or owner of the property. A landlord may not grant permission to enter a premise that has a tenant.
b. Single family residences and duplexes shall not be regulated under this code.

20.05.020 Process. Any public or private business, including any building or property associated with such business to which the public or employees may make entrance into or upon, shall be required to have an annual fire and life safety inspection. Fire and life safety inspections shall occur during business hours of the business or Monday through Friday, at the discretion of the Fire Marshal. Inspections may or may not be scheduled prior to inspection of the premises.

Each business is responsible for payment of the fees assessed for the annual Fire and Life Safety inspection. Failure to pay the fee set by the County for an annual inspection may result in enforcement action as adopted by Title 18 of the Kittitas County Code. Nothing in this title shall limit the remedies available to the County as set forth in the International Fire Code, International Property Maintenance Code or other County Ordinance or state law.

20.05.030 Operational Permits. Any business or person engaging in any type of operation as defined in Section 105.6 of the International Fire Code shall first apply for and receive an Operational Permit from the Fire Marshal. Inspections of the type of operation shall be required on an annual basis. The permit is valid for a prescribed time period, or until such time as it is revoked by the Fire Marshal.

20.05.031 Permits for Temporary Businesses. Any temporary or seasonal business shall be required to apply for and receive a Temporary Operational Permit prior to opening for business. Applications shall be received by the Fire Marshal's Office no later than 14 days prior to the date the

business is to begin operations. A fire and life safety inspection shall be conducted prior to the business opening to the public.

20.05.040 Construction Permits. A construction permit is required when a safety related system or hazardous material storage is installed or an existing system or facility is modified, as stated in Section 105.7 of the International Fire Code. A plan review of the installation shall be approved prior to the installation of the system. An inspection of the system shall be conducted by the fire inspector prior to system initiation.

20.05.050 Assembly/Special Event Permits. Public assembly/special event permits are required for events held inside a structure or outdoors where people may be confined by fences, walls, buildings, trees, or are located in any area where egress may not be adequate. Assembly/Special Event Permits are required for events including but not limited to trade shows, exhibits, conventions, meetings, food festivals, farmer's markets, street fairs, art festivals, music festivals, or similar functions. The following criteria apply when determining whether an Assembly/Special Event Permit is required:

1. The calculated load is 50 people or greater,
2. These gatherings are not physically laid out in accordance with floor plans approved as part of the annual fire and life safety inspections.

Exceptions:

1. An Assembly/Special Event permit is not required for events at public assemblages which conform to seating plans approved under the annual fire and life safety permit. If the seating plan is altered for the gathering, a permit is required.

Inspections for these events shall occur prior to the event opening, and may, by nature of the event, need to be conducted on weekends or after normal business hours.

20.05.060 Fees. Fees shall be set by resolution of the Board of County Commissioners. Failure to pay the fee set by the County or receive a passing inspection shall be grounds for revocation of a permit granted under sections KCC 20.05.030 and 20.05.031, or enforcement as adopted by Title 18 of the Kittitas County Code.

Title 20.06
Generators

20.06.010 Definitions
20.06.020 Authority
20.06.030 Permits
20.06.040 Violations

20.06.010 Definitions.

Portable generator—a generator which can be moved at any time, is hooked up to a fuel line, has to be manually started and hooked up to the building loads.

Whole-house generator—also known as a stationary or standby generator is permanently set in one location, can start immediately either by push of a button or automatically because it is already hooked into the house wiring and to the fuel source.

20.06.020 Authority. The Fire Marshal or his/her designee is authorized to permit and inspect the installation of stationary, whole-house generators placed within the unincorporated areas of Kittitas County.

20.06.030 Permits. A permit shall be required prior to the installation of a whole-house generator. The installation shall comply with the National Electrical Code (NEC), NFPA 54 and NFPA Gas codes, ICC/IRC/IFC and other provisions affecting life safety.

Exception: A permit is not required for the placement or use of a portable generator.

A separate permit is required for any placement of, or modification to a natural gas or LPG system.

Title 20.07
Fire Hazards

20.07.010 Authority
20.07.020 Piles of Natural Vegetation for Burning
20.07.030 Recreational Fires

20.07.010 Authority. The Fire Marshal or his/her designee may deem a property or condition on a property as a fire hazard.

20.07.020 Piles of Natural Vegetation for Burning. Piles of natural vegetation for burning shall be no greater than 10' in diameter, and no more than 10' in height. If prior approval is obtained by the Fire Marshal and local fire district, pile sizes may be increased. It shall be the responsibility of the property owner to contact the local fire district to determine if a permit will be required, as well as to notify the fire district upon commencement of burning.

The following rules shall apply to all Outdoor Burning at all times:

a. The burning of garbage, trash, rubbish, or utilization of burn barrels, etc. is illegal;
b. No open burning within 50 feet of any structure or combustible material;
c. Pile size shall be no greater than 10' in diameter, unless prior approval to increase pile size is obtained from the Fire Marshal and fire district;
d. No more than one pile may be burned on any property at the same time;
e. Piles may be stored on a property no longer than twelve months;
f. Conditions that may cause the fire to spread shall be eliminated prior to ignition;
g. No open burning shall occur when wind speeds or gusts exceed 10 mph, unless prior approval is obtained by the Fire Marshal and local fire district:
h. A person capable of utilizing fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment, etc., shall be on site at all times; and
i. Fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment or any equipment that will provide suppression of the proposed fire, shall be on site at all times while the fire is burning.

20.07.030 Recreational Fires. Recreational fires are allowed in unincorporated areas of Kittitas County, provided that no restrictions or burn bans are in effect.

The following rules for Recreational Fires shall apply at all times:

a. Recreational fires, camp fires, cook fires, etc. shall be no greater than 3' x 3' in diameter and no more than 2' in height;
b. No recreational fires shall be located within 25 feet of any structure;
c. A person capable of utilizing fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment, etc., shall be on site at all times; and
d. Fire extinguishing equipment such as buckets, shovels, garden hoses connected to a water supply, fire extinguishers, heavy equipment or any equipment that will provide suppression of the proposed fire, shall be on site at all times while the fire is burning.

Title 20.08
BURN BANS

Sections

20.08.010 Established when.
20.08.020 Fire District Zones Established
20.08.030 Open burning prohibited.

20.08.010 Established when.

1. When the Fire Marshal determines it is the public interest, the Fire Marshal may establish a prohibition against burning in incinerators, open burning and recreational fires as defined in the 2009 International Fire Code adopted in Title 14. The Fire Marshal shall notify the Board upon implementation of the burn ban, and provide the Board with a Resolution implementing the burn ban within 14 days. In the event that the Fire Districts in a particular zone as set in KCC 20.08.020, believe that a burn ban is warranted they may submit a written recommendation to the Fire Marshal, which the Fire Marshal shall forward to the Board of County Commissioners with his or her own recommendation.

2. The Kittitas County Fire Marshal may rescind the establishment of a burn ban or modify the condition of a burn ban when necessary. The Fire Marshal shall present to the Board the recommendations as to such action.

3. The Kittitas County Fire Marshal may grant campgrounds or special events an exemption to a burn ban upon application to the county Fire Marshal and the payment of a processing fee in the amount of sixty-five dollars per hour with a minimum of one hour. Any exemption shall contain such conditions as the Fire Marshal and Fire District deems necessary to mitigate the concerns for extreme fire hazard. Such exemptions and conditions shall be in writing and included in the Exemption permit issued by the Fire Marshal's Office. A copy of the permit shall be prominently posted at the burning site. An Exemption Permit issued by the Fire Marshal shall satisfy the requirements for the Fire District where the property is located.

20.08.020 Fire District Zones Established.

The following zones are hereby established for burn ban initiation and implementation.

1. Zone 1—Kittitas Valley Fire and Rescue and Fire District 4

2. Zone 2—Fire District 1

3. Zone 3—Fire District 3, Fire District 6 and Fire District 7

4. Zone 4—Fire District 8 and Fire District 51

These zones are established for ease in the implementation of a burn ban and are not a limit on the Board's authority to specify different boundaries in imposing such bans.

20.08.030 Open burning prohibited.
It is unlawful to engage in burning in any unincorporated area in Kittitas County in an incinerator, open fire or recreational fire after the Kittitas County Fire Marshal has established a burn ban and prior to the ban being lifted unless such burning is conducted in accordance with a written the Exemption Permit pursuant to Section 20.02.020.

If the land or property is outside of a fire district, no recreational fires shall be allowed during burn bans.

Exception: The Department of Natural Resources may allow recreational fires in designated campgrounds with approved fire pits on DNR protected lands located outside of a fire district.

Title 20.09
Amendments

20.09.010 Amendments to the International Fire Code 2009 Edition.
20.09.020 Fire Protection Systems – Standards – Amendments

20.09.010 Amendments to the International Fire Code 2009 Edition.
The following amendments to the International Fire Code, as adopted in Washington State RCW 19.27 and Kittitas County Code Title 14 are hereby adopted. To the extent allowed by RCW 19.27.040, if a conflict exists between the provisions of the International Fire Code adopted and amended by the Washington State Building Code Council and the Kittitas County Code, the Kittitas County Code provisions shall govern.

20.09.020 FIRE PROTECTION SYSTEMS - STANDARDS—AMENDMENT

International Fire Code Section 901.6.1 is amended as follows:

901.6.1 Standards. *Fire Protection Systems* shall be inspected, tested and maintained in accordance with the referenced standards *listed* in Table 901.6.1. Additionally, personnel shall have the following certifications if servicing a system in the unincorporated areas of Kittitas County:

System Type	*Certification Required*
Restaurant Hood and Duct Extinguishing Systems	IKECA
Water –based fire protection systems	NICET II

NOW, THEREFORE, BE IT ORDAINED, That Title 18, 18.01.010 shall be amended to include subsection 10) Fire and Life Safety;

NOW, THEREFORE, BE IT ORDAINED, That Title 15.08 shall be modified to reflect that Titles 15.08.010, 15.08.020 and 15.08.030 have been recodified to 20.08.010, 20.08.020 and 20.08.030

BE IT FURTHER ORDAINED That such amendment shall be effective immediately upon execution of this document by the Board of County Commissioners.

ADOPTED this _____ day of _____ 2010.

BOARD OF COUNTY COMMISSIONERS
KITTITAS COUNTY, WASHINGTON

_____
Commissioner Mark McClain, Chairman

_____
Commissioner Paul Jewell, Vice-Chairman

_____
Commissioner Alan Crankovich

ATTEST:

_____
Julie A. Kjorsvik,
Clerk of the Board

APPROVED AS TO FORM:

_____
Gregory L. Zempel
Prosecuting Attorney
WSBA #19125