

Repealed By 2132 Date: _____ORDINANCE NO. 2046

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO FIRE PROTECTION AND PREVENTION, AND PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE AND AMENDING CHAPTER VI OF KIRKLAND ORDINANCE 1140.

BE IT ORDAINED by the City Council of the City of Kirkland as follows:

Section 1. Chapter VI of Ordinance 1140 of the City of Kirkland relating to fire protection and prevention be and it hereby is amended in its entirety to read as follows:

Section 6.1 There is hereby adopted the Fire Prevention Code as recommended by the American Insurance Association, being particularly the 1965 Edition thereof and the whole thereof, including appendixes A, B, and C, save and except such portions as are hereinafter deleted, modified, or amended, of which code not less than three (3) copies have been and are now filed in the office of the Clerk of the City of Kirkland and the same are hereby adopted and incorporated 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 Kirkland.

Section 6.2. The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City of Kirkland, which is hereby established, and which shall be operated under the supervision of the Chief of the Department.

Section 6.3. Definitions.

a. Wherever the word "municipality" is used in the Fire Prevention Code, it shall be held to mean the City of Kirkland.

b. Wherever the term "corporation counsel" is used in the Fire Prevention Code, it shall be held to mean the attorney for the City of Kirkland.

c. Wherever the words "Chief of the Bureau of Fire Prevention" are used in the Fire Prevention Code, it shall be held to mean the Chief of the Fire Department.

Section 6.4. Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.

The limits referred to in Section 12.5 b of the Fire Prevention Code, in which storage of explosives and blasting agents is prohibited, shall apply to all areas in which the Fire Prevention Code is in force; provided however, that the Chief of the Fire Department may issue a special permit for such storage where it appears in his judgment to be no undue danger to persons or property.

Section 6.5. Establishment of Limits of Districts in which storage of Flammable Liquids in Outside Aboveground Tanks is to be 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, shall apply to all areas in which the Fire Prevention Code is in effect; provided however that the Chief of the Fire Department may issue a special permit for such storage, where it appears in his judgment to be no undue danger to persons or property.

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, shall apply to all areas in which the Fire Prevention Code is in effect; provided however that the Chief of the Fire Department may issue a special permit for such storage, where it appears in his judgment to be no undue danger to persons or property.

Section 6.6 Establishment of Limits in which Bulk Storage of Liquefied Petroleum Gases is to Restricted.

The limits referred to in Section 21.6a of the Fire Prevention Code, in which bulk storage of liquefied petroleum gas is restricted, shall apply to all areas in which the Fire Prevention Code is in effect; provided however that the Chief of

the Fire Department may issue a special permit for such storage, where it appears in his judgment to be no undue danger to persons or property.

Section 6.7 Amendments in the Fire Prevention Code.

The Fire Prevention Code is amended and changed in the following respects:

a. Delete Article 13. Fireworks.
 b. Article 16, Division VI, Service Stations. Delete Section in Codebook, as published, and adopt the revised Article 16, Division VI As amended and published by the American Insurance Association in October 1966.

c. Section 16.71, Line 2 of Article 16, Division VI shall read:

Each service station shall be provided with at least one fire extinguisher having a minimum classification of 12 B; C located so that an extinguisher will be within 75 feet of each pump, dispenser, underground fill pipe opening and lubrication or service room. Other fire control devices shall be provided as required by the Chief of the Bureau of Fire Prevention.

d. Section 24.3, permit required, Delete.

e. Section 28.1 a and b to be changed as follows:

1. Open fires allowed only with permit. No person, firm, or corporation shall start or continue, or cause to be started or continued, an open fire in any clear or cultivated land within the limits of the City of Kirkland without a written permit therefor issued by authority of the City. No permit shall be issued for a fire on any forest or cut-over land.

2. Delegation of authority to issue permits. By resolution of the City Council, authority to issue such burning permits may be delegated to agents or employees of any fire protection district within whose boundaries the City of Kirkland is wholly or partially included.

3. Terms of issuance of permit. Such permits shall be issued upon request, without charge, by the persons authorized by the City Council or by the commissioners of such fire district

to whom authority therefor may have been delegated, when the issuing officer deems it safe to do so. The permit shall designate the premises and the exact location thereon where the fire may be started and continued; the nature of the material to be burned; the time limit of the permit; and may contain any special requirements pertaining to the fire and the control thereof as the issuing officer,, the chief of the City Fire Department, or the Fire District Commissioners deem necessary for safety.

4. Duties of permittee. The permittee shall comply with all the terms and conditions of the permit, and shall keep a responsible person in charge of the fire at all times, who shall hold the fire under control and not permit it to spread to other property or structures, and shall thoroughly extinguish the fire when the authorized burning is completed. The possession of such a permit shall not relieve the permittee from civil liability for any damages resulting from the fire for which he may be liable otherwise.

5. Proof of compliance with all applicable air pollution control requirements and regulations shall be submitted at the time request for permit is made. Such proof shall be in the form of a burning permit issued by the air pollution control authority having competent jurisdiction unless the type of fire for which permit is requested is one exempt from air pollution permit requirements and regulations of such air pollution control authority.

f. Section 30.3, a, A permit shall be required of each company, corporation, copartnership or owner-operator performing welding or cutting operations except as provided in section 30.3b. This permit shall not be required for each welding or cutting job location. The company, corporation, copartnership or owner-operator shall notify the Bureau of Fire Prevention in advance where such work is taking place on or within a building, except where such work is done in response to an emergency call that does not allow time for the Bureau of Fire Prevention to be notified in advance of the work.

g. Section 30.3 a, the following exception shall be added:

Exception: Group I and J Occupancies shall be exempt from the provisions of this section.

h. Article 31, list of Standards and Publications.

The below listed editions of the standards listed are to be used for reference in this Code in lieu of the edition's listed in the article as published in the 1965 edition.

ASME	Code for Unfired Pressure Vessels	1965
ASME	Code for Power Boilers	1965
ASTM	D 56 Test for Flash Point	1964
ASTM	D 92 Test for Flash Point	1966
ASTM	D 93 Test for Flash Point	1966
ASTM	D 396 Specifications for Fuel Oils	1966
ASTM	B 88 Seamless Copper Water Tube	1966
API	650 Welded Steel Tanks for Oil	1966
API	620 Large Welded Low Pressure Tanks	1966
API	2510 LPG Installations (Marine etc.)	1965
NPFI	Ammonium Nitrate Fertilizer Tests	1964
ASA	K 61.1 Handling of Anhydrous Ammonia	1966
(USASI)	ASA B 31.3 Petroleum Refinery Piping	1966
(USASI)	ASA B 31.4 Oil Transportation Piping	1966
UL	Gas and Oil Equipment List	1966
UL 58	Standard for Underground Tanks	1966
UL 80	Inside Tanks for Oil Burner Fuel	1966
UL 142	Aboveground Tanks for Flammable Fuels	1966
NFPA 10	Portable Fire Extinguishers	1966
NFPA 10A	Maintenance of Extinguishers	1966
NFPA 13	Sprinkler Systems	1966
NFPA 31	Oil Burner Equipment	1965
NFPA 56	Flammable Anesthetics	1965
NFPA 58	L P Gas Storage and Handling	1965
NFPA 70	National Electrical Code	1966
NFPA 77	Static Electricity	1966
NFPA 80	Fire Doors and Windows	1966
NEPA 86	Ovens and Furnaces (A-B-C-D)	1966
NEPA 102	Places of Outdoor Assembly	1966
NEPA 385	Tank Vehicles for Flammables	1966
NEPA 490	Storage of Ammonia Nitrate	1966
NFPA 495	Explosives and Blasting Agents	1965
NFPA 566	Bulk Oxygen Systems	1965
NFPA 655	Sulphur Fires and Explosives	1959

Section 6.8 Modifications. The Chief of the Bureau of Fire Prevention shall have 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 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 6.9. 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 Building and Mechanical Codes Board of Appeals, within 30 days from the date of the decision appealed.

Section 6.10. New Materials, Processes or Occupancies which may Require Permits.

The City Manager, the Building Official, and the Chief of the Fire Department 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 shall require permits, in addition to those now enumerated in said code. The Chief 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 6.11. Additions to the Fire Prevention Code

a. No portion of any building or other structure supported by piers or piling, and extending over water, shall be more than 250 feet from an improved public street or alley giving access thereto for fire engines and other fire fighting equipment.

Section 6.12 Penalties

a. Any person who shall violate any of the provisions of the code hereby adopted 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 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. 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.

b. The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

Section 6.13 Validity.

Should any section, paragraph, sentence, or work of this ordinance or of the code hereby adopted be declared for any reason to be invalid, it is the intent of the City Council that it would have passed all other portions of this ordinance independent of the elimination herefrom of any such portion as may be declared invalid.

Section 2. Date of Effect

This ordinance shall take effect and be in force five days from and after its passage by the Council and publication as required by law.

PASSED by the City Council in regular meeting on the 21ST day of April, 1969.

SIGNED in authentication thereof on the 21ST day of April, 1969.

William E. Woods
Mayor

Attest:

Tom Edison
Director of Administration and Finance
(ex officio City Clerk)

Approved as to form:

City Attorney

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