

ORDINANCE NO. 2394

Repealed by 3946

AN ORDINANCE OF THE CITY OF KIRKLAND RELATING TO THE ESTABLISHMENT AND MAINTENANCE OF FIRE LANES AND ADDING CHAPTER 21.34 TO TITLE 21 OF THE KIRKLAND MUNICIPAL CODE.

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

Section 1. There is hereby added to Title 21 of the Kirkland Municipal Code a new chapter to be known as Chapter 21.34 to read as follows:

21.34.010 Definition - Fire Lane. A parcel of land designated and maintained by the owner thereof, as a public way, as defined in Section 3301(c) Uniform Building Code, to provide access from an improved public street, for fire fighting and other emergency equipment and personnel.

21.34.020 Duty to Establish. It shall be the duty of the owner, or such owner's designated agent, of any real property improved by a structure (exclusive of a single family residential structure not within the exception provided in subsection 1 of this section) to designate and maintain at all times a fire lane appurtenant to such structure. Designation and maintenance shall include the installation and maintenance of signs identifying the fire lane. Such signs shall be in a format approved by the Director of Fire Services.

1) Driveways and/or easements serving more than one single family residence shall be designated and maintained as fire lanes where necessary in order to at all times provide a minimum of a 12 foot clearance through such driveway or easement.

2) When the exception in subsection 1 of this section applies, all duties imposed upon "owner" within this chapter shall be imposed upon each owner of a single family residence serviced by a driveway or easement falling within said exception. Likewise, any charge or lien authorized against an owner in this chapter shall be authorized against each such owner on an apportioned basis.

21.34.030 Duty of Department of Fire Services.

Whenever it may come to the attention of the Director of Department of Fire Services or any employee or officer of the Department of Fire Services, that a required fire lane has either not been designated or is not being maintained as herein required, the Director shall:

1) Cause notice to be given to the owner of said property or his designated agent that failure to designate

and maintain a fire lane is a violation of this ordinance, and that such violation must be corrected within 30 days of the date of giving such notice, and that in the event the violation continues beyond the 30 day period; that the Fire Department may commence enforcement proceedings either by the filing of an ordinance violation complaint with a court of competent jurisdiction or in the alternative, come on to the property of the violator and designate and sign the required fire lane.

2) Whenever notice of violation is required to be given by the Department of Fire Services to a property owner, under the provisions of this subsection, such notice shall be in writing and shall be served upon the property owner by mailing to him at his address as appears on the property tax rolls maintained in the office of the King County Director of Finance (ex officio County Treasurer) and by posting a copy of said notice in a conspicuous place on the premises where the violation is occurring.

21.34.040 Failure to comply - Lien on Property.
Any expense reasonably incurred by the City of Kirkland, as a result of the Department of Fire Services carrying out its duty imposed by Section 21.34.030 of this chapter, shall become a charge against the owner of the property and a lien against the property.

21.34.050 Notice of lien - Form - Enforcement.
The notice of lien hereinbefore provided shall be substantially the same form as provided by law for liens for labor and material in the State of Washington, shall be filed with the same officer within the same time and manner and enforced and foreclosed as is provided by Washington law for liens of labor and material.

21.34.060 Duty to Honor Designated Fire Lanes.
It shall be unlawful for any person to cause or allow any vehicle or other impeding object to remain in a designated fire lane.

1) Any person who fails to meet the duty imposed by this section shall be guilty of a misdemeanor.

21.34.070 Enforcement.

1) The Kirkland Police Department is authorized to impound any motor vehicle or impeding object remaining in a designated fire lane.

2) The cost of impoundment shall be charged to the registered owner of any motor vehicle in violation of Section 21.34.060 of this chapter.

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3) The cost of impounding an impeding object other than a motor vehicle, left in a designated fire lane in violation of Section 21.34.060 shall be charged to the person found, through investigation by the Kirkland Police Department, to be responsible for such violation.

21.34.080 Duty of owner to report violations. It shall be the duty of the owner of real property or such owner's designated agent to immediately report any known violations of Section 21.34.060.


1) A violation of this section shall constitute a misdemeanor.

ADOPTED BY MAJORITY VOTE of the Kirkland City Council in regular meeting on the 5th day of June, 1978.

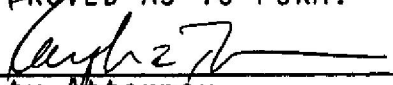
SIGNED IN AUTHENTICATION thereof on the 5th day of June, 1978.


MAYOR

ATTEST:


Director of Administration
and Finance
(ex officio City Clerk)

APPROVED AS TO FORM:


City Attorney