CITY OF MAPLE VALLEY, WASHINGTON

ORDINANCE NO. O-12-518

AN ORDINANCE OF THE CITY OF MAPLE VALLEY, WASHINGTON, AMENDING MAPLE VALLEY MUNICIPAL CODE SECTION 15.05.140, AFFECTING FIRE INSPECTION FEE RATES FOR PERMITTED OCCUPANCIES, PROVIDING FOR SEVERABILITY, ESTABLISHING AN EFFECTIVE DATE AND PROVIDING FOR CORRECTIONS.

WHEREAS, the City Council adopted Maple Valley Municipal Code Section 15.05.140 in 2010; and

WHEREAS, Maple Valley Fire and Life Safety provides fire marshal and inspection services, in accordance with the International Fire Code, on behalf of the City pursuant to an Interlocal Agreement; and

WHEREAS; Maple Valley Fire and Life Safety has requested an increase in the annual fire inspection fees for permitted occupancies in order to cover their costs of administering the inspection program; and

WHEREAS; such fee amount includes an amount to cover City costs for the billing, collection and distribution of fees;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MAPLE VALLEY, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Maple Valley Municipal Code, Section 15.05.140, International Fire Code adopted, is amended as follows:

15.05.140 International Fire Code adopted.
A. There is adopted and by this reference made a part of this chapter as though fully set forth herein, at length, that certain code known as the International Fire Code, 2009 Edition (IFC), as adopted by the State of Washington in Chapter 51-54 WAC, together with the Appendix Chapters B, C, and D.

B. IFC Section 102.7 Amended. Section 102.7 is hereby amended to read as follows:
102.7. Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 47 of the International Fire Code. Such standards and codes shall be considered part of the requirements of this code to the prescribed extent of each such reference as determined or modified by the fire code official. Where differences occur between the provisions of this code and the referenced standards, the provision of this code shall apply.

C. IFC Section 108 Deleted, Board of Appeals. IFC Section 108 is hereby deleted in its entirety and substitution is made to the City Hearing Examiner in accordance with MVMC 15.05.035.

D. IFC Section 109.2.2 Amended. Section 109.2.2 is hereby amended to read as follows:

109.2.2. Compliance with order and notices. Orders and notices issued or served as provided by this code shall be complied with by the owner, operator, occupant or other person responsible for the condition or violation to which the order or notice pertains. In cases of extreme danger to persons or property, immediate compliance is required.

E. IFC Section 111.1 Amended. Section 111.1 is hereby amended to read as follows:

111.1. Stop orders. When any work is being done or a condition is being established contrary to the provisions of this code, the Building Official may order the work stopped by notice in writing served on any persons engaged in or causing the work to be done. Such work shall then stop until continuation is authorized by the Building Official.

F. IFC Sections 105.1.1 Amended, Permits Required. Sections 105.1.1 are hereby amended to read as follows:

105.1.1 Permits required. Permits required by this code shall be obtained from the fire code official. Permit fees shall be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the fire code official. Permit fees for fire plan review and new construction inspections shall be collected based on time spent, at the rate of $100.00 per hour. Permit fees for annual inspections for those occupancies noted as needing a permit to operate as noted in section 105 of the 2009 International Fire Code shall be collected based on time spent, at the rate of $100.00 per hour.
G. IFC Section 105.6.30 Amended, Open Burning. Section 105.6.30 is hereby amended to read as follows:

Section 105.6.30 Open burning. Open burning is prohibited year round within the City of Maple Valley with the following exceptions:

1. Burning of flood or storm debris as provided for by State Law, provided that a burning permit must be issued with the approval of the fire code official.


Exception deleted.

H. IFC Section 307.1.1 Amended, Prohibited Open Burning. Section 307.1.1 is hereby amended to read as follows:

Section 307.1.1 Prohibited open burning. Open burning is prohibited year round within the City of Maple Valley with the following exceptions:

1. Burning of flood or storm debris as provided for by State Law, provided that a burning permit must be issued with the approval of the fire code official.

2. Recreational fires contained in an incinerator, outdoor fireplace, barbecue pit, or barbecue grill and with a total fuel area of 3 feet or less in diameter and 2 feet or less in height, for the purpose of pleasure, religious, or ceremonial observance, cooking, or similar purpose.

   a. A permit is not required for an exempt fire as defined above.

   b. General exemptions of recreational fires larger than defined in Section 307.4.2 may be allowed on a case by case basis with the approval of the fire code official. A permit may be issued upon the applicant showing that the proposed fire meets the provisions of this code. The permit applicant must demonstrate the following:
i. A safe location has been established to conduct the fire.

ii. The type of materials to be burned is clearly indicated and is in conformance with the requirements of Puget Sound Clean Air Agency.

iii. A designated responsible adult is available to be in attendance of the fire at all times.

iv. A means to extinguish the fire is available at all times.

v. All provisions of Puget Sound Clean Air Agency will be observed.

I. IFC Section 307.3 Amended, Extinguishment Authority. Section 307.3 is hereby amended to read as follows:

Section 307.3 Extinguishment authority. The fire code official is authorized to have the permit holder and/or recreational fires immediately discontinued if such fires have been determined by the fire code official to be offensive or objectionable because of smoke or odor emissions or when atmospheric conditions or local circumstances make such fires hazardous or constitute a hazardous condition.

J. IFC Sections 503.1 through 503.4 Amended, Where Required. Sections 503.1 through 503.4 are hereby amended to read as follows:

503.1. Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and the City of Maple Valley Road Standards. The fire code official may use Appendix D.

503.1.1. Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route.
around the exterior of the building or facility. Exception: The fire code official is authorized to increase the dimension of 150 feet (45,720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with 903.3.1.1, 903.3.1.2, or 903.3.1.3.

2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

3. There are not more than two Group R-3 or Group U occupancies.

503.1.2. Additional access. The fire code official is authorized to require more than one fire apparatus road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.2.1. Structures over 20,000 square feet. Structures with a gross floor area of 20,000 square feet or more shall be provided with at least a fire apparatus access road around the entire structure conforming to the requirements of IFC Appendix Chapter D101 and perimeter fire hydrants conforming to Appendix Chapter C105 on all sides of the structure.

503.1.3. High piled storage. Fire department vehicle access to buildings used for high piled combustible storage shall comply with the applicable provisions of Chapter 23.

503.2. Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.7.

503.2.1. Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).
503.2.2. Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.2.3. Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of a fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

503.2.4. Turning radius. The required turning radius of a fire apparatus shall be determined by the fire code official.

503.2.5. Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (47,720 mm) in length shall be provided with an approved area for turning around fire apparatus.

503.2.6. Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO Standard Specification for Highway Bridges. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed load of a fire apparatus. Vehicle loads shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs, or both shall be installed and maintained when required by the fire code official.

503.2.7. Grade. The grade of the fire apparatus access road shall be within the limits of no greater than fifteen percent as established by the fire code official based on the fire department’s apparatus.

503.3. Marking. Where required by the fire code official, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.
503.4. Obstruction of fire apparatus roads. Fire apparatus roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

K. IFC Section 507.1 Amended, Required Water Supply. Section 507.1 is hereby amended to read as follows:

507.1. Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

L. IFC Section 507.2 Amended, Types of Water Supply. Section 507.2 is hereby amended to read as follows:

507.2. Types of water supply. Water mains and fire hydrants. All new water mains and all extensions to existing water mains shall meet the requirements of Section 508, including the installation of fire hydrants. The fire code official shall adopt rules and regulations establishing standards as necessary to meet sound engineering practices and provide reasonable fire protection. The fire code official may use Appendix C as a guide for hydrant locations and distribution.

M. IFC Section 507.3 Amended, Fire Flow. Section 507.3 is hereby amended to read as follows:

507.3. Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by use of Appendix B and Appendix Table B 105.1. The minimum fire flow requirements for one- and two-family dwellings having a fire-flow calculation area which does not exceed 3600 square feet shall be 1000 gallons per minute. One- or two-family dwellings having a fire area in excess of 3600 square feet shall have a fire flow no less than that specified in Appendix B, Appendix Table B 105.1 as modified by related footnotes.

Exception: Fire flow is not required for structures under 500 square feet with a B, U or R-1 occupancy where structures are at least 30 feet from any other structure and are used only for recreation.
N. IFC Section 507.5 Amended. Where Required – Exception, as adopted by this chapter, is hereby amended with the following exceptions:

EXCEPTIONS:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 400 feet.

2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 400 feet.

O. Add New Definition to IFC Section 602. Section 602 is hereby amended by the addition of the following definition:

POWER TAP. A listed device for indoor use consisting of an attachment plug on one end of a flexible cord and two or more receptacles on the opposite end, and has overcurrent protection.

P. IFC Section 903.2.11.7 Added, Stand Alone Sprinkler Provisions. Section 903.2.11.7 is hereby added to read as follows:

903.2.11.7. Stand alone sprinkler provisions.

New buildings: Throughout all new buildings which exceed any of the following criteria:

1. Buildings with a gross floor area in excess of 5,000 square feet; provided, stand alone sprinklers are not required in single-family and multi-family residential buildings with a gross floor area of less than 10,000 square feet.

2. Buildings with a fire flow requirement as determined by Appendix B of the 2009 International Fire Code to be in excess of 2,000 gallons per minute.
3. Single- and two-family dwellings whose gross floor area exceed 3,600 square feet and are unable to meet the fire flow requirements as set forth in Appendix B of the 2009 International Fire Code, unless meeting a Type A construction (one hour fire resistive throughout).

4. Any buildings as well as single- or two-family dwellings that are unable to conform to current Fire Apparatus Road Access Standards.

5. Buildings with a floor level with an occupant load of 10 or more located 30 feet or more above the exterior ground level adjacent to the floor area to be occupied.

6. Group R-1 occupancies are to be sprinklered throughout every apartment building or condominium two or more stories in height or containing 5 or more dwelling units, every congregate residence two or more stories in height or having an occupant load of 20 or more, and every hotel two or more stories in height containing 10 or more guest rooms. Residential or quick response standard sprinklers shall be used in the dwelling units or guestroom portions of the building.

7. In any existing building not in compliance with these standards, where the alterations, repairs or additions exceed, within a three-year period, 50 percent of the building valuation established by the King County Assessor at the time of first application for permit.

8. Fire walls as noted in Chapter 7 of the International Building Code shall not be considered to separate a building to enable deletion of the requirements of this section.

EXCEPTIONS:

Airport control towers.

Open parking structures.

Q. IFC Section 903.4.2 Amended, Alarms. Section 903.4.2 is hereby amended to read as follows:
903.4.2. Sprinkler water flow alarms. Approved audible and visible alarm notification appliances shall be connected to every automatic sprinkler system in accordance with Section 907 and throughout areas designated by the fire code official. Sprinkler water flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic system shall actuate the building fire alarm system.

EXCEPTION:

At the approval of the fire code official, domestically supplied local systems with 10 heads or less per building.

R. IFC Section 906.1 Amended, Where Required. Section 906.1 is hereby amended to read as follows:

906.1. Where required. Portable fire extinguishers shall be installed in all group A, B, E, F, H, I, M, R-1, R-2, R-4 and S occupancies.

EXCEPTION is deleted.

S. IFC Section 907.1.3 Amended, Equipment. Section 907.1.3 is hereby amended to read as follows:

907.1.3 Equipment. Equipment systems and the components shall be listed and approved for the purpose for which they are installed. All new alarm systems shall be addressable. Each device shall have its own address and shall annunciate individual addresses at a UL central station.

T. IFC Section 907.1.4 Added, Panel Upgrades. Section 907.1.4 is hereby added to read as follows:

907.1.4 Panel upgrades. If an existing fire alarm control panel is replaced, the replacement must meet the requirements of Section 907.1.3.
U. IFC Section 907.2.24 Added, Square Footage Requirement for a Fire Alarm System. Section 907.2.24 is hereby added to read as follows:

907.2.24. Structures in excess of 3000 square feet. An approved total coverage automatic or manual and automatic fire alarm system shall be provided in accordance with NFPA Standard 72 in all structures in excess of 3000 square feet on all floor levels.

EXCEPTIONS: Group R-3 and U occupancies.

Use of fire walls to define separate buildings. For the purpose of Section 907, fire walls constructed in accordance to Chapter 7 of the IBC shall not define separate buildings.

V. IFC Section 903.7 Added, Riser Room Access. Section 903.7 is hereby added to read as follows:

903.7 Riser room access. All risers shall be located in a dedicated room with an exterior door, lighting and heat. This shall include NFPA 13, 13R, and a 13D system serving five or more dwelling units. Exception shall not be required for 13D single- and two-family residences or town home sprinkler systems with four units or less.

W. IFC Section 1404.5 Amended, Fire Watch. Section 1404.5 is hereby amended to read as follows:

1404.5. Fire watch. When required by the fire code official for building construction or demolition that is hazardous in nature, qualified personnel shall be provided to serve as an on-site fire watch. Fire watch personnel shall be provided with at least one approved means for notification of the fire department and their sole duty shall be to perform constant patrols and watch for the occurrence of fire.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or
federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. A summary of this Ordinance shall be published in the official newspaper of the City, and this ordinance shall take effect and be in full force January 1, 2013.

Section 4. Corrections by City Clerk or Code Reviser. Upon approval of the City Attorney, the City Clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; references to other local, state or federal laws, codes, rules, or regulations; or ordinance numbering and section/subsection numbering.

ADOPTED BY THE CITY COUNCIL AT A SPECIAL MEETING THEREOF ON THE 13TH OF NOVEMBER, 2012.

CITY OF MAPLE VALLEY

__________________________________
William T. Allison, Mayor

ATTEST/AUTHENTICATED:

______________________________
Shaunna Lee-Rice, City Clerk

Approved as to form:

______________________________
Christy A. Todd, City Attorney

Date of Publication: November 20, 2012
Effective Date: November 25, 2012