

**CITY OF BLAINE**  
**REQUEST FOR COUNCIL ACTION**  
**MEETING DATE:** August 27, 2007

**SUBJECT:** Adoption of the 2006 International Fire Codes

**SUBMITTING DEPT:** Whatcom County Fire District 21 and City of Blaine

**PREPARED BY:** \_\_\_\_\_  
(Digital Signature)

**AGENDA LOCATION:** ☐ Comments/Communications; ☐ Consent; ☐ Committee Reports  
☐ Unfinished Business; ☒ Council Action Items; ☐ Public Hearing; ☐ Standing Committees

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**ATTACHMENTS:**

- Draft Ordinance 07-2672
- Exhibit A

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**ANALYSIS/SUMMARY:** RCW 19.27 is known as the State Building Code. The purpose of this code is to promote the health, safety, and welfare of the occupants or users of buildings and structures and the general public by the provisions of building codes throughout the state. RCW 19.27.031 states: "...there shall be in effect in all counties and cities the state building code which..." shall include the 2006 International Fire Code (IFC). The International Fire Codes are designed and promulgated to be adopted by reference by ordinance. Adoption of this ordinance regulates and governs the standards for facilities and conditions essential to ensure that structures are safe and fit for occupation and use. Amendments to the 2003 Editions will carry over to the 2006 Editions unless noted as a proposed change.

The IFC also denotes four individual appendices (i.e., A – D) that the IFC-adopting entity may also selectively adopt, or not at all. Furthermore, if the IFC-adopting entity chooses to adopt a particular Appendix, it may adopt it as is, or it may adopt its own version.

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**RECOMMENDATION:** ☒ Waive 2<sup>nd</sup> Reading: Staff recommends a first reading in order to allow the Council to review the proposed amendments prior to adoption of Ordinance 07-2672. In particular, Exhibit A to the ordinance as written includes the adoption of Appendix B as is; however, ongoing discussions between the City and NWFRS might yield a recommendation to adopt a customized version of the Appendix.

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**FISCAL ANALYSIS:** No impact.

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**REVIEWED BY:**  
City Manager \_\_\_\_\_ Finance Director \_\_\_\_\_ City Clerk \_\_\_\_\_  
(Digital Signature) (Digital Signature) (Digital Signature)

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**COUNCIL ACTION:**  
☐ Approved ☐ Denied ☐ Tabled/Deferred ☐ Assigned to: \_\_\_\_\_

**COUNCIL ACTION:** \_\_\_\_\_

## ORDINANCE NO. 07-2672

### **AN ORDINANCE OF THE CITY OF BLAINE, WASHINGTON, AMENDING THE BLAINE MUNICIPAL CODE, TITLE 15 BUILDING AND CONSTRUCTION; CHAPTER 15.08 INTERNATIONAL FIRE CODE AND 15.09 AUTOMATIC FIRE SPRINKLER SYSTEM; REPEALING ORDINANCES IN CONFLICT; ESTABLISHING PENALTIES FOR NON-COMPLIANCE; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.**

**WHEREAS**, Washington statutes require all jurisdictions in the state to adopt by reference and enforce the same International Fire Code 2006 as its model fire code, replacing the International Fire code 2003 edition; and

**WHEREAS**, the City of Blaine adopted the International Fire Code 2003 edition and desires to replace it with the International Fire Code 2006 edition to be consistent with the State Fire Marshal's office; and

**WHEREAS**, the City of Blaine recognizes that there are certain Appendices to the International Fire Code 2006 edition which can be adopted separately, of which the City of Blaine wishes to adopt Appendices A, B, C and modified version of D;

**NOW, THEREFORE**, the City Council of the City of Blaine, Washington, do ordain as follows:

**Section 1.** Findings of fact:

1. Adoption of the 2006 International Fire Code (IFC) is a state mandated requirement.
2. Adoption of the International Fire Code 2006 edition will insure a consistent set of standards with those of other cities and Counties in Washington State.
3. Adoption of Appendices A, B, C and D will insure a consistent set of standards with those of Whatcom County.
4. The IFC includes standards and requirements in terms of performance and nationally accepted standards.
5. The IFC permits the use of modern technical methods, devices and improvements.

**Section 2.** Chapter 15.084 of the Blaine Municipal Code is hereby amended as set forth in **EXHIBIT A**, which is attached hereto.

**Section 3. Severability.** If any section, sentence, clause or phrase of this ordinance shall 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 be in full force and effect upon the date of the Mayor's signature, during the month of August, 2007.

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Mayor

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## **EXHIBIT A**

### **AMMENDMENTS TO THE BLAINE MUNICIPAL CODE, TITLE 15, BUILDING AND CONSTRUCTION; CHAPTER 15.08 AND 15.09 INTERNATIONAL FIRE CODE.**

#### **Chapter 15.08 INTERNATIONAL FIRE CODE**

##### **15.08.010 Purpose.**

This chapter is enacted as an exercise of the police power of the city for the benefit and protection of the public at large. It is not intended to create a special relationship with or between any individual or individuals or with or between the city and any individual or individuals, nor is it intended to identify and protect any particular class of persons. The purpose of this chapter is to provide minimum standards to safeguard life or limb, health or property and public welfare, by regulating and controlling building construction and related work thereto. It is not the intent or purpose of this chapter to impose liability on the city for failure to perform any discretionary act. Rather, it is the intent and purpose of this chapter to place the obligation of compliance with its requirements upon the party or parties involved with building construction and related work thereto, including the owner and/or the contractor.

Nothing contained in this chapter shall be construed to relieve from or to lessen the responsibility or liability of any person or persons for injury or damage to persons or property caused by or resulting from any defect of any nature in any construction work performed by said person or any construction equipment owned, controlled, operated or used by the contractor; nor shall the city of Blaine or any officer, agent or employee thereof incur or be held as assuming by reason or in consequence of any permission, certificate of inspection, inspection or approval authorized herein, or issued or given as herein provided or by reasons or consequence of any things done or acts performed pursuant to the provisions of this chapter.

Certain documents, copies of which are on file in the office of the city clerk of the city of Blaine, being marked and designated as the International Fire Code, - 2006 Edition, including Appendix A, B, and C as published by the International Code Council, and modified version of D, are hereby adopted and incorporated as fully as if set out in this chapter, and from the date on which the ordinance codified in this chapter shall take effect, the provisions thereof shall be controlling within the limits of the city of Blaine.

a. Section D101.1 Scope. Fire apparatus access roads shall be in accordance with this chapter and all other applicable requirements of the International Fire Code as required by the Fire Marshal.

b. Section D102.1 Required access. 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 when the facility is in excess of one hundred fifty feet (150') from fire apparatus access.

c. Section D103 Minimum Road Specifications.

1) Driveways serving one (1) or two (2) residential lots where access is less than one hundred fifty feet (150) in length. Driveways where building is less than one hundred fifty feet (150') from approved access roads have no specific requirement.

2) Driveways over one hundred fifty feet (150') long serving one (1) lot:

i. Width – twelve foot (12') driving surface with turnouts every six hundred feet (600') when required by the fire marshal. To create a turnout, the road shall be widened to twenty feet (20') in the direction of travel for a distance of one hundred feet (100') to allow vehicles to pull over and allow emergency vehicles to proceed. Turnout shall be located approximately midpoint for driveways over six hundred feet (600') but less than one thousand two hundred feet (1200').

ii. Vertical clearance – thirteen foot six inch (13'6") unobstructed head clearance.

iii. Surface – City of Blaine Public Works road standards.

iv. Turning radius – 35 foot radii.

v. Turnarounds – 20 feet wide 60 feet deep or City of Blaine Public Works road standards.

vi. Bridges – designed to HS20 load, posted at both end.

vii. Grade – per City of Blaine Public Works road standards.

3) Fire Department Vehicle Access Roads – Access serving other than Two (2) residential units shall meet the following:

i. City of Blaine Public Works road standards.

NOTE: These standards apply to existing legal lots of record and are for building permits only. These standards are in no way intended to eliminate the need for full compliance with land division requirements.

ii. The Fire Marshal may make modifications in these standards if the road is not buildable because of topography, waterways, nonnegotiable grades, or similar conditions. These modifications are based on:

- a) The building being protected by NFPA 13D Automatic Sprinkler System.
- b) Additional fire protection features as required by the Fire Marshal.

Exceptions may be made for minor additions or small accessory buildings to existing dwellings when in the opinion of the Fire Marshal the addition or accessory building will not create significantly more dangerous situations.

4) Emergency vehicle access roads or driveways shall not be obstructed in any manner, including the parking of vehicles. Width and clearance requirements of these standards shall be maintained at all times.

#### **15.08.020 Responsibility for enforcement.**

The International Fire Code, 2006 Edition, as adopted by the city of Blaine shall be enforced by the city of Blaine

The fire marshal is the person appointed by Whatcom County Fire District 21 to enforce the provisions of the International Fire Code..

#### **15.08.030 Definitions.**

Wherever the word “fire code official” is used in the International Fire Code, it is the city fire chief, or his/her designee, as may be appointed by the Fire District, or, as may be appointed, any other person, entity or organization with which the city has contracted for fire prevention services.

Wherever the term “fire area” is used in the International Fire Code, it shall be defined as the total floor area in square feet for all floor levels within the exterior walls, including the horizontal projections of the roof of the building. Each portion of a building separated by one or more four-hour area separation walls without openings, and provided with a 30-inch parapet constructed with the International Building Code, as adopted by the city of Blaine, may be considered as separate fire areas and serve as the basis for calculating required fire flow.

Wherever the term “jurisdiction” is used in the International Fire Code, it is the city of Blaine.

#### **15.08.040 Limitations.**

The limits referred to in certain sections of the 2006 International Fire Code are hereby established as follows:

A. Storage of Flammable Cryogenic Fluids. The limits referred to in Section 3204.3.1.1 of the International Fire Code, in which the storage of flammable

cryogenic fluids in stationary containers is prohibited, are hereby established for in all zones except "Manufacturing."

B. Storage of Class I and II Flammable Liquids. The limits referred to in Sections 3404.2.9.5.1 and 3406.2.4.4 of the International Fire Code, in which the storage of Class I and II in aboveground tanks is prohibited, are hereby established for in all zones except "Manufacturing."

Exception: The fire chief, or his/her authorized agent, is authorized to permit the installation of outside aboveground storage and dispensing tank(s) of motor vehicle fluid in prohibited zones where the tank(s) comply with the following:

Tank design, construction and location are in accordance with nationally recognized engineering standards for the materials, construction and location, and comply with Section 3404 and Section 3406 of the International Fire Code.

Aboveground dispensing tanks shall be screened as necessary from public view, and from residential neighborhoods.

C. Storage of Explosives and Blasting Agents. The storage of explosives and blasting agents, except for temporary storage and use as specifically defined in Section 3304 of the International Fire Code, shall be prohibited in all zones of the city, except in areas zoned as "Manufacturing."

D. Storage of Liquefied Petroleum Gases. The limits referred to in Section 3804.2 of the International Fire Code restricting the storage of liquefied petroleum gases are established as follows: The aggregate capacity for liquefied petroleum gases of any one installation shall not exceed a water capacity of 2,000 gallons (7,570 L) within the limits of the City of Blaine, except in areas zoned as "Manufacturing."

E. Storage of Compressed Natural Gas. Within the limits established by law restricting the storage of CNG for the protection of heavily populated or congested commercial areas, the aggregate capacity of any one installation shall not exceed 183,000 cubic feet (5,181,974 L). Such installations shall be prohibited within the limits of the city of Blaine, except in areas zoned as "Manufacturing."

**15.08.050 Reserved.**

**15.08.060 Reserved.**

**15.08.070 Reserved.**

**15.08.080 Reserved.**

**15.08.090 Reserved.**

**15.08.100 Amendments and changes.**

A. The following sections of the International Fire Code, 2006 Edition, are hereby amended and changed as follows:

Section 101.1. Insert: "City of Blaine."

Section 105.2. Replace with:

Application for permits shall be made to the Building Department in such form and detail as prescribed by the City. Applications for permits shall be accompanied by such plans as required by the fire code official.

Add Section **105.2.1**:

Fees for permits, plan review and inspections services shall be collected by the City Finance Department.

Section 109.3. Insert: "misdemeanor, punishable by a fine of not more than \$1000.00, or imprisonment for up to one year."

#### **15.08.110 Appeals.**

Whenever the fire code official 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 the decision of the fire code official to the Blaine board of appeals within 10 days from the date the decision is appealed.

#### **15.08.120 New materials, processes or occupancies that may require permits.**

The fire code official and the building official shall act as a committee to determine and specify, after giving affected persons an opportunity to be heard, any new materials, processes or occupancies for which permits are required in addition to those now enumerated in the International Fire Code. The fire code official shall post such list in a conspicuous place at City Hall and distribute copies thereof to interested persons.

#### **15.08.130 Penalties.**

Any person who violates any provisions of the International Fire Code 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, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who fails to comply with such an order as affirmed or modified by the Blaine 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 misdemeanor, punishable by a fine of no more than \$1,000, or by imprisonment for up to one year, or by both such fine and imprisonment, at the discretion of the court. 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 day that prohibited conditions are maintained shall constitute a separate offense. The application of this penalty shall not be held to prevent the enforced removal of prohibited conditions.

## **Chapter 15.09**

### **AUTOMATIC FIRE SPRINKLER SYSTEMS**

Sections:

[15.09.030](#) Sprinkler systems required.

[15.09.031](#) New construction.

#### **15.09.030 Sprinkler systems required.**

A. An automatic fire sprinkler system shall be installed and maintained in all new building construction as required by the International Fire and Building Codes, and in all multifamily construction containing between nine and 15 units, and buildings that exceed two floors.

B. Exceptions.

1. All new construction not exceeding two stories may be exempt from fire extinguishing systems when the type of construction exceeds the requirements of the IBC and IFC.

2. All single-family and duplex dwellings.

#### **15.09.031 New construction.**

This chapter shall not allow new construction to be less restrictive than state and locally adopted codes.