

**CITY OF GIG HARBOR  
ORDINANCE NO. 728**

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON,  
REVISING THE FIRE CODE TO REFLECT THE DESIGNATION OF THE  
FIRE CHIEF OF THE PIERCE COUNTY FIRE DISTRICT NO. 5 AS THE  
PERSON RESPONSIBLE FOR INVESTIGATING FIRES WITHIN THE CITY,  
AS REQUIRED BY CHAPTER 161, 1996 LAWS OF WASHINGTON,  
REPEALING SECTION 15.12.030 AND AMENDING SECTION 15.12.040 OF  
THE GIG HARBOR MUNICIPAL CODE.**

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**WHEREAS**, the Washington State Legislature has passed Chapter 161, 1996 Laws of Washington (SB 6403) and which became effective on June 1, 1996; and,

**WHEREAS**, the Gig Harbor Municipal Code must be amended to reflect the responsibilities designated to the Pierce County Fire District No.5 Fire Chief relating to fire investigation; and,

**WHEREAS**, Section 15.12.030 of the Gig Harbor Municipal Code designates the Gig Harbor Fire Marshal responsible for fire investigation within the City of Gig Harbor and should therefore be repealed; and,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GIG HARBOR,  
WASHINGTON, ORDAINS AS FOLLOWS:**

**Section 1.** Section 15.12.030 of the Gig Harbor Municipal Code is hereby amended as follows:

Section 15.12.030      Amendment to UFC Section 104.2.

Section 104.2 of the Uniform Fire Code is amended as follows:

~~104.2 Investigations. The fire department may be requested by the Gig Harbor Fire Marshal to assist in the investigation to determine the cause, origin and circumstances of each and every fire occurring in the jurisdiction involving loss of life or injury to person or destruction or damage to property and, if it appears to the Gig Harbor Fire Marshal that such fire is of suspicious origin, the Gig Harbor Fire Marshal is authorized to take immediate charge of all physical evidence relating to the cause of the fire and is authorized to pursue the investigation to its conclusion.~~

- ~~a. The chief is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials.~~
- ~~b. The Fire Marshal is authorized to investigate promptly the cause, origin and circumstances of each and every fire occurring within the City of Gig Harbor boundaries and involving loss of~~

~~life or injury to persons or destruction to or damage of property. If the Fire Marshal has reasonable cause to believe that arson or criminal activity is connected with the fire, then the Fire Marshal will report his findings to the Gig Harbor Police Department. The Fire Marshal shall assist the Gig Harbor Police Department throughout the investigation.~~

~~e. The Gig Harbor Fire Marshal or in his absence the Gig Harbor Police Chief, is authorized to request assistance by other approved inspection agencies in making fire investigations if after preliminary investigation, the Fire Marshal has reasonable cause to believe that arson or criminal activity is connected with the fire, or if a fatality is involved.~~

104.2 Investigations. The fire department Fire Chief of Pierce County Fire District No. 5 or his/her designee is authorized to investigate promptly the cause, origin and circumstances of each and every fire occurring in the jurisdiction City of Gig Harbor involving loss of life or injury to person or destruction or damage to property and, if it appears to the bureau of investigation that such fire is of suspicious origin, they are authorized to take immediate charge of all physical evidence relating to the cause of the fire and are authorized to pursue the investigation to its conclusion.

The chief Fire Chief of Pierce County Fire District No. 5 or his/her designee is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials.

The police department is authorized to assist the fire department in its investigations when requested to do so.

A copy of the fire investigation report issued by the Fire Chief of Pierce County Fire District No. 5 or his/her designee shall be submitted to the Washington State Patrol as required under Chapter 161, 1996 Laws of Washington and to the City Fire Marshal.

Section 2. Section 15.12.040 of the Gig Harbor Municipal Code is hereby amended as follows.

**15.12.040      Amendment to UFC Article 2.**

Article 2 of the Uniform Fire Code is amended as follows:

The following are additional definitions and abbreviations to those found in Article 2 of the Uniform Fire Code:

1. "AWWA" means the American Water Works Association.
2. "Building valuation data" means the Building Standards monthly publication issued by the International Conference of Building Officials.
3. "Commercial areas" means any development with buildings other than dwellings or industrial structures. Questions arising in the interpretation of this definition, concerning whether a development is commercial shall be resolved by reference to the occupancy tables contained in the Uniform Fire Code.

4. "Corporation counsel," as used in the Uniform Fire Code, means the city attorney for Gig Harbor.
5. "Dead-end main" means a water main over 50 feet long and not being fed from both ends at the time of installation.
6. "Draft hydrant" means a mechanical device designed for the removal of water by a fire pumper by applying a negative pressure without going through the normal domestic water system.
7. "Expanding water system" means an approved, expanding water system which is under taking new construction (definition follows) to provide water service to additional service connections. Any expanding water system shall install facilities sized to meet the necessary minimum design criteria for area being served. The expanding system shall show by plans submitted by a registered professional engineer how fire flow, if required, is to be provided and the plan shall be approved by the Gig Harbor public works department and the Gig Harbor fire marshal.
8. "Fire chief," "chief," or "chief of the fire prevention bureau," as used in the Uniform Fire Code, means the Pierce County Fire District No.5 Fire Chief for the purposes of fire investigation and fire suppression and means the fire marshal of Gig Harbor for the purposes of enforcement of the uniform fire code and Chapter 15 of the Gig Harbor Municipal Code.
9. "Fire Department" is a regularly organized fire department, fire protection district or fire company regularly charged with the responsibility of providing fire protection to the jurisdiction. Where referenced within this code the fire department shall mean the Department of Planning and Building.
10. "Fire flow" means the flow of water required for fire-fighting at a specific building or within a specific area.
11. "Fire marshal" means the city fire marshal or his appointee.
12. "Flush-type hydrant" means a hydrant installed entirely below grade.
13. "G.P.M." or "g.p.m."means gallons per minute.
14. "Hydrants" shall mean fire hydrants as approved by the city fire marshal. Special purpose adapters may be used with approval of the fire department.
15. "Industrial area" means manufacturing operations conducted in buildings of conventional design suitable for various types of manufacture.
16. "Inspector" of the fire department, or bureau of fire prevention, means personnel designated and assigned to perform the fire inspection functions by the fire marshal of Gig Harbor.

17. "Office of fire prevention and arson control," as used in the Uniform Fire Code and as amended in this chapter means that office as recognized by the city fire marshal to be able to perform the necessary functions of arson control.

18. "Private hydrant" means a fire hydrant situated and maintained to provide water for fire-fighting purposes with restrictions as to use. The location may be such that it is not readily accessible for immediate use by the fire department for other than certain private property.

19. "Public hydrant" means a fire hydrant so situated and maintained as to provide water for fire-fighting purposes without restriction as to use for the purpose. The location is such that it is accessible for immediate use of the fire department for all nearby property.

20. "Standby firemen," "fire watch," and "fire guard," as used in the Uniform Fire Code and as amended in this chapter means one or more experienced firemen or other qualified persons, as required and approved by the Gig Harbor fire marshal. They shall be uniformed and have available the necessary fire protection equipment. Also see Section 2501.19 of the Uniform Fire Code.

21. "Substantial alteration" is any alteration, where the total cost of all alterations (including but not limited to electrical, mechanical, plumbing, and structural changes) for a building or facility within any 12-month period amounts to 60 percent or more of the appraised value.

22. "Transmission main" means a main used to transport water from a source to storage, source to source, source or storage to water main.

23. "Water authority" and "purveyor" means the city public works department, a water district, or other body legally supplying water in the area and approved by the city.

24. "Water main" means the piping used to deliver domestic water and water intended for fire protection.

25. "Yard system" means any extension from a transmission main and/or water main onto a development site.

**Section 3. Severability.** If any section, sentence, clause or phrase of this ordinance should 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.** This Ordinance shall take effect and be in full force five days after a publication of a summary.

PASSED by the Gig Harbor City Council and approved by its Mayor at a regular meeting of the council held on the 8th day of July, 1996.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST/AUTHENTICATED:

Mark E. Hoppen, City Administrator

FILED WITH THE CITY CLERK: 6/23/96

PASSED BY THE CITY COUNCIL: 7/8/96

PUBLISHED: 7/17/96

EFFECTIVE DATE: 7/22/96

ORDINANCE NO. 728

**SUMMARY OF ORDINANCE NO. 728  
of the City of Gig Harbor, Washington**

On July 8, 1996, the City Council of the City of Gig Harbor, Washington, approved Ordinance No. 728, the summary of text of which is as follows:

**AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, REVISING THE FIRE CODE TO REFLECT THE DESIGNATION OF THE FIRE CHIEF OF THE PIERCE COUNTY FIRE DISTRICT NO. 5 AS THE PERSON RESPONSIBLE FOR INVESTIGATING FIRES WITHIN THE CITY, AS REQUIRED BY CHAPTER 161, 1996 LAWS OF WASHINGTON, REPEALING SECTION 15.12.030 AND AMENDING SECTION 15.12.040 OF THE GIG HARBOR MUNICIPAL CODE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR:**

The full text of this ordinance will be mailed upon request.

APPROVED by the City Council at their regular meeting of July 9, 1996.

BY:\_\_\_\_\_  
Mark E. Hoppen  
City Administrator/Clerk