

ORDINANCE NO. 492

AN ORDINANCE of the City of Gig Harbor to be known as the Mechanical Code, regulating the construction, installation, maintenance and demolition of heating, ventilating, comfort cooling and refrigeration systems in the City of Gig Harbor; providing for the issuance of permits; providing penalties for the violation; adopting by reference a Uniform Mechanical Code, together with amendments thereto; amending Chapter 15.06 of the Gig Harbor Municipal Code, and adopting the 1985 Edition of the Uniform Mechanical Code, as amended.

WHEREAS, the Gig Harbor City Council, by Ordinance #337, enacted Chapter 15.06, Gig Harbor Municipal Code, Uniform Mechanical Code, and adopted the 1979 Edition of the Uniform Mechanical Code, as amended, applicable to the incorporated area of Gig Harbor; and

WHEREAS, the City is authorized and enabled by RCW 19.27.040 to amend the State Building Code, including the Uniform Mechanical Code, so long as minimum performance standards and objectives of the State Code are satisfied; and,

WHEREAS, it is in the public interest of the citizens of Gig Harbor and necessary and appropriate to protect the health, safety and welfare of said citizens by adopting the 1985 Edition of the Uniform Mechanical Code, adopted and published jointly by the International Association of Plumbing and Mechanical Officials, and the International Conference of Building Officials,

NOW, THEREFORE, the City Council of the City of Gig Harbor **DO ORDAIN** as follows:

Section 1. A new section 15.10.010 of the Gig Harbor Mechanical Code is hereby enacted to read as follows:

Section 15.10.010 Uniform Mechanical Code Adopted.
That certain documents, one (1) copy of which is on file in the office of the City Administrator/Clerk and the City of Gig Harbor being marked and designated as "Uniform Mechanical Code", 1985 Edition published jointly by the International Association of Plumbing and Mechanical Officials, and the International Conference of Building Officials, be and the same is hereby adopted as the code of the City of Gig Harbor for regulating the construction, installation, maintenance and demolition of heating, ventilating, comfort cooling and refrigeration systems in the City of Gig Harbor; providing for issuance of permits and collection of fees therefore, and each and all of the regulations, provisions, conditions and terms of such "Uniform

Mechanical Code", 1985 Edition, published jointly by the International Association of Plumbing and Mechanical Officials, and the International Conference of Building Officials, on file in the office of the City Administrator are hereby referred to, and made a part hereof as if fully set out in this ordinance.

Section 2. A new Section 15.10.020 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

Section 15.10.020 Conflict with State Energy Code.
In the case of conflict between the duct insulation requirements of Section 1005 of this code and the duct insulation requirements of Chapter 51-12 WAC, the provisions of Chapter 51-12 WAC shall govern.

Section 3. A new section 15.10.030 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

Section 15.10.030 Violations. Section 204 of the 1985 Edition of the Uniform Mechanical Code is hereby amended to read as follows:

VIOLATIONS

Section 204. It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish, equip, use or maintain any mechanical systems or equipment or cause or permit the same to be done in violation of this Code.

Section 4. A new section 15.10.040 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

Section 15.10.040 Validity. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 3. Section 2.101 subsection (b), 2.202, 3.101, 10.207 subsection (d), 10.207 subsection (e), 10.207 subsection (g), 10.208, 10.301 subsection (c), and Section 1 TESTING subsection (b) of Appendix III-A of the Uniform Fire Code and as adopted in section 15.12.020 of the Gig Harbor Municipal Code are hereby repealed.

Section 4. A new section 15.12.030 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

15.12.030 Conflicts with Other Codes.

In case of conflict between the Fire Code and any other City code, the Fire Code shall govern over all such Codes, with the exception of the Building Code.

Section 5. A new section 15.12.040 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

15.12.040 Definitions.

The following are additional definitions and abbreviations to those found in Article 9 of the Uniform Fire Code.

- (A) A.W.W.A. - shall mean the American Water Works Association.
- (B) Building Valuation Data - shall mean the Building Standards monthly publication issued by the International Conference of Building Officials.
- (C) Commercial Areas - shall mean any development with buildings other than dwellings or industrial structures. Questions arising in the administration of this regulation, concerning whether a development is commercial shall be resolved by reference to the Occupancy Tables contained in the Uniform Fire Code.
- (D) "Corporation Council" as used in the Uniform Fire Code, shall mean the City Attorney for Gig Harbor.
- (E) "Dead-end main" means a water main over fifty feet long and not being fed from both ends at the time of installation.
- (F) Draft Hydrant - shall mean 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.
- (G) Expanding Water System - shall mean an approved, expanding water system which is undertaking 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 said plan shall be approved by the Gig Harbor Public Works Department and the Gig Harbor Fire Marshal.

- (H) "Fire Chief", "Chief", or "Chief of the Fire Prevention Bureau" as used in the Uniform Fire Code, shall mean the Fire Marshal of Gig Harbor.
- (I) "Fire flow" means the flow of water required for fire fighting at a specific building or within a specific area.
- (J) "Fire Marshal" means the City of Gig Harbor Fire Marshal or his appointee.
- (K) "Flush-type hydrant" means a hydrant installed entirely below grade.
- (L) G.P.M. - shall mean gallons per minute.
- (M) "Hydrant". Hydrants shall have a minimum of two, two-and-one-half-inch hose outlets, and one, four-inch inner- diameter pumper port outlet. All outlet ports shall be approved by the Fire Department. Special purpose adapters may be used with approval of the Fire Department.
- (N) Industrial Area - shall mean manufacturing operations (as outlined in Chapter 4, NFPA LSC #101, 1981 Edition; warehouses, cold storage, freight terminals, truck and marine terminals, bulk oil storage, hangars, grain elevators; and unusual structures that are not classified) conducted in buildings of conventional design suitable for various types of manufacture.
- (O) "Inspector" of the Fire Department, or Bureau of Fire Prevention, shall mean personnel designated and assigned to perform the fire inspection functions and assigned to perform the fire inspection functions by the Fire Marshal of Gig Harbor.
- (P) I.S.O. - shall mean Insurance Services Office Pamphlet entitled "Guide for Determination of Required Fire Flow," 1974 Edition.
- (Q) "Office of Fire Prevention and Arson Control" as used in the Uniform Fire Code and as amended herein, shall mean that office as recognized by the Fire Marshal to be able to perform the necessary functions of arson control.
- (R) "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.

- (S) "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 at all times.
- (T) "Standby Firemen", "fire watch" and "fire guard" as used in the Uniform Fire Code as herein amended shall mean 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 25.117 of the Uniform Fire Code.
- (U) Substantial Alteration - shall mean any alteration, remodeling or structural change to a structure, which change shall cost 40% or more of the building valuation within a twelve (12) month period; provided that if the cost of said change is less than \$50,000.00, said alteration shall not be considered a substantial alteration. Building valuation shall be determined by the "Building Valuation Data".
- (V) Transmission Main - shall mean a main used to transport water from a source to storage, source to source, source or storage to water main.
- (W) "Water authority" and "purveyor" means the City of Gig Harbor Public Works Department, a water district or other body legally supplying water in the area and approved by the City of Gig Harbor.
- (X) Water Main - shall mean the piping used to deliver domestic water and water intended for fire protection.
- (Y) Yard System - shall mean any extension from a transmission main and/or water main onto a development site. Such system is defined in NFPA Pamphlet #24, Private Fire Service Main.

Section 6. Section 14.12.050 of the Gig Harbor Municipal Code is hereby amended to read as follows:

15.12.050 Definitions.

The following definitions are amendments to those found in the Uniform Fire Code.

- (A) Single Family Dwellings (are) any buildings which contains not more than (two) one dwelling unit(s).

(B) FIRE DEPARTMENT shall mean the Department of Planning and Community Development. Except where referencing or pertaining to suppression or extinguishing of fires at which time "Fire Department" means the fire authority normally responsible for the fire protection in the area.

Section 7. A new section 15.12.060 is hereby enacted to read as follows:

15.12.060 New sections to the Uniform Fire Code, 1985 Edition are hereby added as follows:

1. Section 2.202 of the Uniform Fire Code.
 - (a) The Fire Marshal should 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 person 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 Gig Harbor Police Department shall take primary responsibility for the investigation, may take immediate possession and charge of all physical evidence relating to the fire, and shall investigate the fire. If in the exercise of judgment and discretion, the Gig Harbor Police Department believes that, after preliminary investigation, there is insufficient evidence to indicate arson or criminal activity in connection with the fire, the Gig Harbor Police Department may decline further investigation of the fire. The Fire Marshal shall assist the Gig Harbor Police Department throughout the investigation.
 - (b) 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.
2. Sub-Section 10.207(d) of the Uniform Fire Code.
 - (d) Access Surface and Gradients. All developments shall be served by access roadways

with all-weather driving surface; plans to be approved by the Gig Harbor Public Works Director. Driveways which serve one (1) single family residence and are less than one hundred fifty (150) feet long are exempt from this provision.

3. Section 10.207(e) of the Uniform Fire Code.
(e) Width. The minimum cleared vehicular roadway, driveway, or street, width shall be twelve (12) feet from shoulder to shoulder for one single family residence, fifteen (15) feet from shoulder to shoulder for one way traffic in other developments, and twenty-four (24) feet minimum driving surface for all two-way traffic.
4. Section 10.207(g) of the Uniform Fire Code.
(g) Turning Radius. A minimum turning radius of forty-five (45) feet shall be provided for lanes, streets, driveways, and cul-de-sacs, the latter which are in excess of one hundred fifty (150) feet. (See Appendix A.)
5. Section 10.208 of the Uniform Fire Code.
(b) Private Road Identification. All private roads, recognized as a part of the addressing system of the City, shall be marked with road signs constructed and installed in accordance with Gig Harbor City Road Sign Standards. Costs of signs and their installation shall be the responsibility of the property owner and/or developer.
6. Section 10.301 of the Uniform Fire Code.
(c) Water Supply.
(1) An approved water supply capable of supplying required fire flow for fire protection shall be provided to all premises upon which buildings or portions of buildings are hereafter constructed. When any portion of the building protected is in excess of 150 feet from a water supply on a public street or private road, there shall be provided, when required by the Fire Marshal, on-site fire

hydrants and mains capable of supplying the required fire flow. Water supply may consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed system capable of supplying the required fire flow.

(2) Fire flow for all new construction, new subdivisions of land, substantial alterations or additions to existing commercial or industrial projects, multiple dwelling occupancies, mobile home parks, and RV parks, shall be in accordance with I.S.O. Standards; except: that for dwellings, the requirement shall be 750 Gallons Per Minute at 20 p.s.i. for a period of forty-five (45) minutes.

(3) Industrial and Commercial Area Requirements. The requirements stated in this section apply to all commercial and industrial areas:

(I)

TABLE 3

MINIMUM DURATION FOR REQUIRED FIRE FLOW

*Gallons Per Minute	Hours
1,000	One (1)
1,250	One and one-half (1½)
2,000	Two (2)

* Gallons Per Minute are derived from the I.S.O. Guide

(II) When the required fire flow exceeds 2,500 GPM, the fire hydrants shall be served on the property by a looped main capable of supplying the required flow.

(4) Installation requirements.

(I) New or replace water mains (water main repair excluded) shall be a minimum of eight (8") inches in diameter for dead-ends, and six (6") inches for circulating mains, provided that for deadend cul-de-sacs, an eight (8") inch main need only extend to the last required fire hydrant and normal domestic mains may be installed thereafter to the remaining residences. Hydrant leads less than fifty (50') feet in length shall be a minimum of six (6") inches in diameter. A deadend main which extends across a street only for the purpose of serving a hydrant shall be of a size capable of providing the required fire flow, but it shall not be less than (6") inches in diameter. All mains shall have hydrants and/or tees and valves installed to conform with this regulation, except that no hydrants, tees or valves shall be required along transmission mains. Any service connection

made to a transmission main may require that a hydrant or hydrants be installed, pursuant to Table IX, Fire Hydrant Spacing.

(II) Standard hydrants shall have not less than five (5") inch main valve openings (MVO) with two two-and-one-half (2½") inch outlet ports and one four (4") inch steamer outlet. All two and one-half (2½") inch outlet ports and the steamer port outlet shall have National Standard Threads that correspond with and meet the approval of Pierce County Fire District #5. Hydrants shall meet the current A.W.W.A. Standards (IOWA or equal).

(III) There shall be an auxiliary gate valve installed to permit the repair and replacement of the hydrants without disruption of water service.

(IV) Hydrants shall stand plumb and be set to the finished grade. The bottom of the lowest outlet of the hydrant shall be no less than eighteen (18") inches above the finished grade, and the bottom of the ground flange shall be a minimum of one (1") inch above finished grade. There shall be thirty-six (36") inches of clear area about the hydrant for operation of a hydrant wrench on the outlets and on the control valve. The pumper port shall face the street. Where the street cannot be clearly defined or recognized, the port shall face the most likely route of approach and the location of the fire truck while pumping, as determined by the Gig Harbor Fire Marshal.

(V) Hydrants shall not be obstructed by any structure or vegetation, or have the visibility impaired for a distance of fifty (50') feet in the direction of vehicular approach to the hydrant.

(VI) Hydrants are to be accessible for fire department pumbers.

(VII) Fire hydrants located in areas subject to regular private, commercial or industrial motor vehicle traffic shall be protected against vehicle damage by curbs, space separation, grade-level changes, guard posts, or other means acceptable to the Fire Marshal.

(VIII) All hydrants shall be subject to testing and inspection by the fire department, subject to reasonable notice and scheduling with the water authority.

(IX) Fire Hydrant Spacing. The following table specifies the maximum permissible spacing between hydrants:

TABLE IX

<u>Type of Development</u>	<u>Hydrant Spacing**</u>
Subdivisions and Short Sub- division - Limited to Single Family Dwellings	600 feet
Multiple Dwelling - Low Density Twelve or Less Units Per Acre	500 feet
Commercial and Multiple Dwelling High Density - More than Twelve Units Per Acre	400 feet
Industrial, Hospitals, Shopping Centers, Schools, Areas of More Than 20 Commercial Establishments	300 feet

** Spacing shall be measured by the pathway required for the fire department to lay the fire hose. This spacing shall be determined by the Gig Harbor Fire Marshal.

Where possible hydrants shall be located at street intersections, except that in no event shall any hydrant be more than three hundred (300') feet from the center of the frontage of any lot except on dead-end cul-de-sacs with dwellings only. When the deadend cul-de-sac exceeds six hundred (600') feet from the center of the intersection to the end of the cul-de-sac, a hydrant shall be located at the intersection and additional hydrant(s) will be required. The hydrant(s) shall be located three hundred (300') feet from the center of the frontage from the last lot on the cul-de-sac, and shall comply with the maximum spacing requirements listed above.

(A) Commercial building requirements.

- (i) All new commercial buildings and substantial alterations or additions to existing buildings shall be provided with water mains and fire hydrants capable of supplying the required fire flow. Hydrants and mains shall be operational when building construction commences.
- (ii) Change of occupancy from a lower to a higher classification per the Uniform Building Code shall require that the existing building be provided with water

mains and fire hydrants capable of supplying the required fire flow per this ordinance.

(iii) Commercial buildings and additions so located that a portion is more than one hundred fifty (150') feet from a street property line as measured by vehicular travel shall have mains extended to them, with fire hydrants, capable of supplying the required fire flow.

(iv) Commercial buildings with a ground floor area of over twenty thousand square feet or a group of buildings with a required fire flow of more than three thousand gallons per minute shall require fire hydrants located around the buildings or group of buildings as determined by the Fire Marshal. Other buildings may have fire hydrants located only on one side, but the required number of hydrants shall be located within one hundred fifty (150') feet of all portions of the building.

(v) The number of fire hydrants required shall be determined on an average of three hundred (300') feet, computed on an imaginary perimeter that is parallel to and fifty (50') feet from the building or group of buildings. The number of fire hydrants required shall be increased by one for each story over two stories and basement. See table in paragraph (B) of this section for minimum number of hydrants.

(vi) The fire marshal shall determine the location of fire hydrants depending on utility, topography and building location. Hydrants shall be a minimum of fifty (50') feet out from the building except when it is impractical due to topography or property lines.

(B) Fire flow criteria. Required fire flows determined by the fire marshal shall be based on criteria set forth in the Guide for Determination of Required Fire Flow, 1974 Edition, published by the Insurance Service Office. Such required fire flow shall be for a minimum of two hours of continuous flow, with a minimum number of fire hydrants per the following table:

REQUIRED FIRE FLOW PER I.S.O. GUIDE						
(GPM)	500-	1251-	2501-	3751-	5001-	6251-
	1250	2500	3750	5000	6250	7500
<u>Minimum</u>						
No. of	1	2	3	4	5	6
<u>Hydrants</u>						

EXCEPTIONS: a. This requirement shall not apply to those projects which have previously received approval (and conform to the standards in effect at the time of installation) for adequacy of water or water supply in regards to fire flow from the City of Gig Harbor as of the effective date of the ordinance codified in this section.

b. This requirement shall not apply to those projects where it has been documented to be impractical due to topography, property lines or other site conditions and when alternate methods of protection are provided as approved by the Fire Marshal.

(C) Building construction classifications. The Insurance Service Guide, published by the Insurance Services Offices, and the Uniform Building Code as adopted by the Gig Harbor City Council, which provide classification of all buildings by types of construction, as shown below, shall be used in calculating fire flow.

Insurance Service Guide

Uniform Building Code

Fire-resistive	IF.R-IIF.R.
Noncombustible	II N-II 1hr.
Ordinary	III 1 hr.-III N-IV H.T.-V 1hr.
Wood frame	VN

(X) The location of hydrants shall be determined by the Gig Harbor Fire Marshal.

(XI) The location of all water mains, fire hydrants, and valves to be installed shall be properly and accurately marked on identifiable plans or drawings, which shall be prepared by a registered professional engineer. Two copies of all plans or drawings shall be furnished to the Gig Harbor Fire Marshal and Public Works Director prior to installation.

(XII) After construction is completed, two copies of the "As Built" drawings shall be filed with the Gig Harbor Fire Marshal and Public Works Director, as well as test results showing the amount of fire flow at each hydrant at 20 p.s.i.

(XIII) Maintenance of Hydrants:

(A) Pierce County Fire District #5 will, after notifying the purveyor, test hydrants for flow capability with proper notification to the purveyor.

(B) The Gig Harbor Public Works Department will maintain exterior working parts of hydrants above ground, including keeping brush and other physical obstructions from blocking access to, operation of hydrants. Exception: Private hydrants shall be maintained and kept accessible by the property owner.

(C) Pierce County District #5 will check operation of hydrants and notify the water authority of any malfunction or leaking which will require correction.

(5) Procedures for Compliance. The following shall be required for site plan, subdivisions, short subdivisions, commercial and industrial area, all water systems, and all other areas which must comply with this regulation:

(I) Requirements for formal subdivisions:

(A) Upon submittal of site plan or preliminary plat, the applicant shall submit to the Gig Harbor Fire Marshal, a letter from the water authority addressing its willingness and ability to satisfy the requirements of this regulation.

(B) Prior to final plat approval, the following shall be required:

(1) Water system plans and specifications which comply with these regulations must be designed and stamped by a registered professional engineer. Said plans shall be signed by the purveyor and must be approved by, and filed with the Gig Harbor Fire Marshal and the Gig Harbor Public Works Department.

(2) Water system plans shall be approved in writing by the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(3) The approved water system shall be installed prior to final plat approval; however, this requirement may be waived if

a bond or other security is posted and approved prior to said plat approval. The form of security, if other than a bond, shall be approved by the Gig Harbor City Attorney. The bond or security shall be in an amount sufficient to pay for the approved water system as determined by the Director of Public Works after consultation with the engineer who designed the system and the water authority who will supply the water. The bond amount shall be not less than 125% of the estimated cost of improvement. The bond or other security shall be issued to the City of Gig Harbor and shall be approved by the Gig Harbor Public Works Director. Prior to said approval, the water authority (if other than the City of Gig Harbor) shall submit a letter to the Gig Harbor Public Works Director stating its commitment to install the water system in the event the system is not installed by the applicant.

(4) Two (2) copies of the "as built" drawings shall be filed with the Gig Harbor Fire Marshal and Public Works Director, as well as test results showing the amount of fire flow at each hydrant at 20 p.s.i.

(C) When the distribution system is installed, said installation must be under the direction of a registered professional engineer who shall certify that the construction of the system is in accordance with the approved design. In the event a bond is posted, installation of the system must be completed and operable, in accordance with this regulation, prior to occupancy or any other use of any structure.

(II) Requirements of short subdivisions and commercial and industrial areas. (site plan)

(A) Prior to approval of plat/site plan, the applicant shall submit to the Gig Harbor Fire Marshal a letter from the water authority if other than the City of Gig Harbor, addressing its willingness and ability to satisfy the requirements of this regulation. Water system plans and specifications which comply with these regulations must be designed and stamped by a registered professional

engineer. Said plans shall be signed by the water authority and shall be filed with the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(B) Water system plans shall be approved in writing by the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(C) The approved water system must be installed prior to the issuance of a building permit; provided that this requirement may be waived if a bond or other security is posted and approved prior to said issuance. The form of security, if other than a bond, shall be approved by the Gig Harbor City Attorney. The amount of the bond or security shall be determined by the water authority supplying the water. The bond or other security shall be issued to the City of Gig Harbor and shall be approved by the Gig Harbor Public Works Director. Prior to said approval, the water authority (if other than the City of Gig Harbor) shall submit a letter to the Gig Harbor Public Works Director stating its commitment to install the water system in the event the system is not installed by the applicant.

(D) After the system is installed, two (2) copies of the "as built" drawings shall be filed with the Gig Harbor Fire Marshal and Public Works Director, as well as test results showing the amount of fire flow at each hydrant at 20 p.s.i.

(III) Requirements for Water System, Water Storage and Comprehensive Water System Plans.

(A) Prior to approval of new developments, water system plans and specifications subject to these regulations, must be designed and stamped by a registered professional engineer. Said plans shall be signed by the water authority and shall be filed with the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(B) Water storage and water system plans shall be approved in writing by the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(C) Prior to final approval, two (2) copies of "as built" drawings shall be filed with the Gig Harbor Fire Marshal and Gig Harbor Public Works Director, as well as test results showing the amount of fire flow at each hydrant at 20 p.s.i., as required by this ordinance.

(IV) Water authority responsibility.

(A) Water authorities shall not be required to exercise police or regulatory powers toward the enforcement of this chapter. The only role of water authorities shall be to provide information, such as:

(1) The water authority may be requested by the Gig Harbor Fire Marshal to indicate in writing its capability to provide water service, consistent with the standards contained in this chapter, to any building permit, subdivision, or short subdivision, site plan applicant, or to the City.

(2) The water authority will notify the Pierce County Fire District #5 in writing when a water system installed pursuant to this chapter is available for use.

(3) All purveyors shall continuously supply water at or above the minimum flow requirements at all times specified herein; provided that the purveyor need not comply with these requirements in the event of vandalism, acts of God, loss of power, temporary shut down for repairs and/or replacement.

(B) Enforcement responsibility, for determining whether or not to approve a building permit, subdivision, or short subdivision application, based on information provided by the water authority, shall belong solely to the Gig Harbor Fire Marshal.

(V) Minimum Flow Variance for Water Purveyor. In the event a subdivision, short subdivision or commercial or industrial area is unable to provide adequate water flow due to the unavailability of an adequate water supply, the development may be allowed to proceed pursuant to this variance. The applicant shall submit the following:

(A) A letter to the Gig Harbor Fire Marshal from the water authority indicating the reason the water company is unable to provide the fire flows in accordance with this ordinance.

(B) A plan designed by a registered professional engineer must be submitted to the Fire Marshal which shows the system improvement necessary to increase the water flows, and shall be in accordance with the current water system plan for the purveyor, approved by the Department of Social and

Health Services for the service area, and it shall comply with this regulation in the time period specified herein. The system improvements or expansion shall be designed so that the water supply for the remainder of the supplier's service will not be detrimentally affected.

(C) A letter from the water purveyor stating that at the very minimum, the purveyor will comply with the following schedule:

<u>Type of Development</u>	Percent of Compliance with Required Fire Flow GPM	Time When Applicable Percent Must Be Satisfied
Family Dwelling	50% of GPM	Prior to Issuance of Building Permit
Commercial or Industrial	100% of GPM	Within 5 Years After Issuance of Building Permit
	75% of GPM	Prior to Issuance of Building Permit
	100% of GPM	Within 5 Years After Issuance of Building Permit

(D) The letter from the purveyor shall specify dates when aspects of the plan must be satisfied and that said purveyor will notify the Gig Harbor Fire Marshal as to when these dates occur and what progress has been made.

(E) The letter shall include a breakdown of the necessary costs for the system improvements and must include the purveyor's sources for the funds necessary to implement said system.

Based on the information supplied and any other available information, including the water supplier's past history for reliability, the Gig Harbor Fire Marshal shall approve or disapprove the applicant's request to proceed under this variance.

A variance shall not be granted unless the Fire Marshal finds that adequate fire protection will be provided for the development through the use of fire protection measures in excess of the minimum requirements

of this code per the following schedule:

Single Family and Duplex	Provide an automatic fire sprinkler system per the Uniform Building Code (NFPA 13-D, or similar system as approved by the Gig Harbor Fire Marshal may be used as an approved alternative system)
All other development	Provide an automatic fire sprinkler system per the Uniform Building Code.

Alternate fire protection shall be submitted to the Board of Appeals for approval, or be approved by the Gig Harbor City Council during site plan review. Alternate fire protection shall include one or any combination of the following:

- 1) Fire-resistive construction
- 2) Two (2) hour area separation walls
- 3) One (1) hour exterior fire walls with parapets
- 4) A letter signed by the chief or assistant chief of Fire District #5 stating that a sufficient number of tanker trucks are available under normal circumstances to provide minimum fire suppression for the development.

The above listed alternate fire protection measures shall not be considered if they were used in the original calculations to determine required fire flow per the ISO Guide or if they were required by other sections of this code or the Uniform Building Code.

The Gig Harbor Fire Marshal's decision shall be made in writing and shall briefly explain the primary basis for the decision.

(F) If at the end of five years, the purveyor shows intent to comply in accordance with the approved plan but development in the area has not been as expected so that the purveyor is not in full compliance, an extension of time may be granted a water purveyor based on unforeseen circumstances and approval by the Gig Harbor Fire Marshal and the Public Works Director. The extension of time shall not exceed five years.

7. Section 1, TESTING, subsection (b) of Appendix III-A of the Uniform Fire Code.
(b) The test established by this regulation, when required, shall be conducted by a person qualified to perform the full testing procedure for the particular system or device being tested. The owner shall bear the cost of such tests.
8. Section 3.101 of the Uniform Fire Code: Enforcement, Violations, Penalties and Appeals.
(I) No final plat for subdivisions shall be approved by any City of Gig Harbor official until receipt of verification from the Gig Harbor Fire Marshal that the provisions of this regulation have been satisfied. No building permit shall be issued for short subdivisions or commercial and industrial structures until the Building Department has received verification from the Gig Harbor Fire Marshal that the provisions of this regulation have been satisfied.
(II) In the event a water purveyor has violated the terms of this regulations, the Gig Harbor Fire Marshal shall issue a Violation Notice to the purveyor.

(III) In addition to the above, the Gig Harbor Fire Marshal and/or the Building Official shall issue cease and desist orders whenever any person, firm or corporation is taking any action which is in violation of this regulation. Such Cease and Desist Order shall not cause any interruption of domestic service provided by a water purveyor. Such Order shall specify each violation and shall state that a hearing may be requested by the affected party by sending a written request for the hearing to the Board of Appeals within ten (10) days of receipt of the said Order.

(IV) Penalties. 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 within the time fixed herein, shall severally for each and every violation and noncompliance, respectively, be guilty of an infraction, and subject to a penalty not to exceed THREE HUNDRED AND NO/100 DOLLARS (\$300.00) as provided in Gig Harbor Code 1.16.010(4). The imposition of a penalty for any such 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 (10) days that prohibited conditions are maintained shall constitute a separate offense.

(V) Appeals. Decisions or orders of the Gig Harbor Fire Marshal made pursuant to the authority granted herein may be appealed by an aggrieved party to the Board of Appeals (as established by Gig Harbor City Code) by making a written request for a hearing to such Board within ten (10) days of the receipt of such written order or decision. The board of Appeals shall hold a hearing within thirty (30) days and may uphold, modify, or reverse the decision of the Gig Harbor Fire Marshal. Decisions of the Board of Appeals may be appealed to the Gig Harbor City Council within ten (10) days of receipt of the Board's final order, pursuant to the provisions of Gig Harbor City Code. All issues which are on appeal are stayed until final

resolution by the Board of Appeals to the City Council. No plat shall be approved, no building permit shall be issued nor development continued during this stayed appeal period unless such is authorized by the authority before which the appeal is pending.

Section 8. A new Section 15.12.070 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

15.12.070 Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids in Outside Above-ground Tanks is to be Prohibited.

The limits referred to in Section 79.501 of the Uniform Fire Code, in which storage of flammable or combustible liquids in outside aboveground tanks is prohibited, are hereby established and shall apply to all areas in which the Uniform Fire Code is in force; provided, however, that the Office of the Fire Marshal may issue a special permit for such storage, where there appears in its judgement to be no undue danger to persons or property and where such storage would not be in conflict with other Gig Harbor City Codes.

Section 9. A new Section 15.12.080 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

15.12.080 Establishment of Limits in which Bulk Storage or Liquefied Petroleum Gases is to be Restricted.

The limits referred to in Section 82.105(a) of the Uniform Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established and shall apply to all areas in which the Uniform Fire Code is in force; provided, however, that the Office of the Fire Marshal may issue a special permit for such storage, where there appears in its judgement to be no undue danger to persons or property and where such storage would not be in conflict with other Gig Harbor City Codes.

Section 10. A new Section 15.12.090 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

15.12.090 Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents is to be Prohibited.

The limits referred to in Section 77.106(b) of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited, are hereby established

and shall apply to all areas in which the Uniform Fire Code is in force; provided, however, that the Office of the Fire Marshal may issue a special permit for such storage, where there appears in its judgement to be no undue danger to persons or property and where such storage would not be in conflict with other Gig Harbor City Codes.

Section 11. A new Section 15.12.100 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

15.12.100 NFPA Codes Adopted by Reference.

Section 2.303(b) Of the Uniform Fire Code.

Whenever this code is inapplicable for any reason to any situation involving the protection of persons and property from hazards of fire and explosions, the materials, methods of construction, installations, practices, or operations necessary to provide such protections, shall, to a reasonable degree, be in accordance with nationally recognized and accepted standards, principals and tests, and generally recognized and well established methods of fire prevention and control, as set forth in publications by recognized national authorities and the 1985 Edition of the National Fire Protection Association Volumes 1 through 16 which are adopted by reference as a part of this code as if set forth in full herein.

Section 12. A new Section 15.12.110 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

15.12.110 Violations.

It shall be unlawful for any person, firm or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy or maintain any building or structure or cause or permit the same to be done in violation of this code.

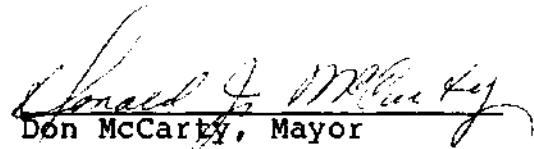
Section 13. A new Section 15.12.120 of the Gig Harbor Municipal Code is hereby enacted to read as follows:

15.12.120 Validity. 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.

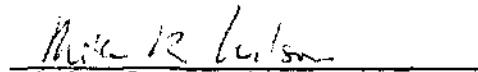
Fire Code
Page Twenty-One

Section 14. This ordinance shall be and is hereby declared to be in full force and effect five days after approval and official publication as required by law.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the council held on this 25th day of August, 1986.


Donald J. McCarty, Mayor

ATTEST:

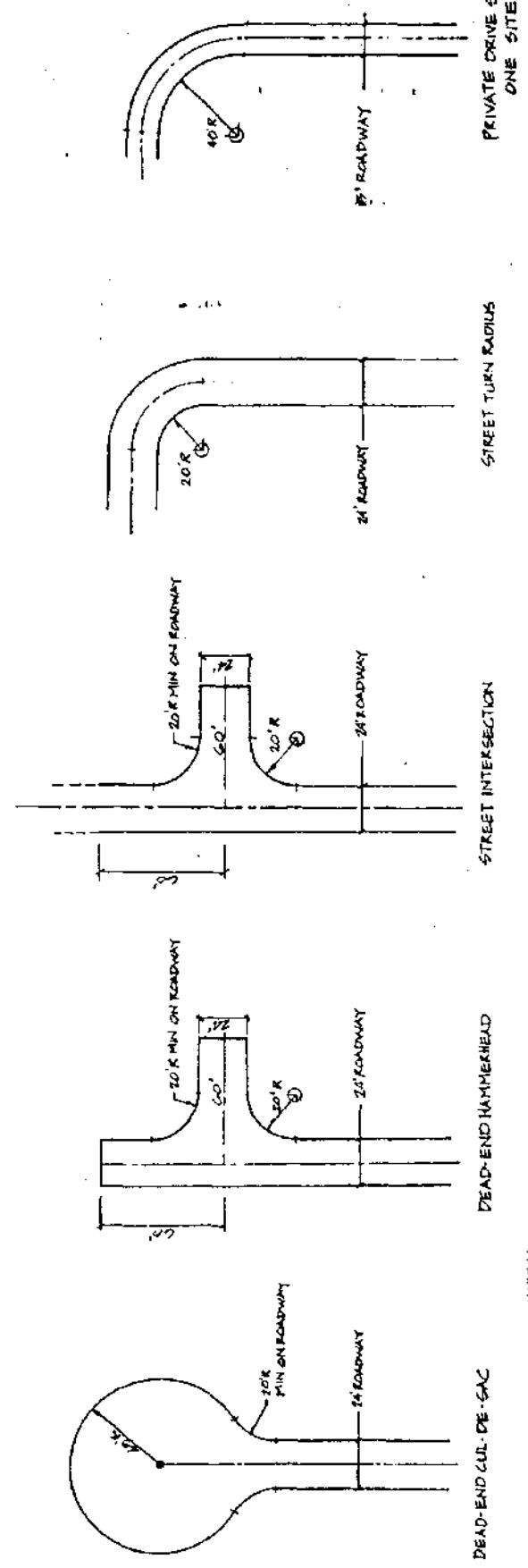


Michael R. Wilson
City Administrator/Clerk

Filed with city clerk: 5/22/86
Passed by city council: 8/25/86
Date published: 9/3/86
Date effective: 9/8/86

APPENDIX "A"

MINIMUM ROADWAY WIDTHS TURNING RADIUS



NOTES:
45' RADIUS ROADWAY SECTION
IF PAVED, 10' RADIUS PAVEMENT SECTION
WITH 5' GRAVEL SHOULDER.

SCALE 1" = 50'

PRIVATE DRIVE SERVING
ONE SITE

STREET TURN RADIUS

STREET INTERSECTION

DEAD-END HAMMERHEAD