

WHEREAS, the Town of Gig Harbor entered into an agreement with the State of Washington's Department of Social and Health Services, and

WHEREAS, specific condition "F" of said agreement requires the Town to coordinate with Tacoma regarding future interties, and

WHEREAS, such coordination would be in the best interests of the health, safety, general welfare and morals of the citizens of Gig Harbor,

NOW, THEREFORE, BE IT RESOLVED that the Town of Gig Harbor will coordinate with Tacoma regarding future interties.

Ruth M. Bogue
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MAYOR

ATTACHED:

1-1-2013 1-1-2013
DONALD J. AVERY CLERK

RENEGOTIATION OF THE BOARD OF PIERCE COUNTY COMMISSIONERS REPEALING RESOLUTION 13679 AND ADOPTING THE UNIFORM FIRE CODE, 1973 EDITION, COVERING ALL OF THE UNINCORPORATED AREAS OF PIERCE COUNTY AND CERTAIN INCORPORATED AREAS WHERE REQUESTED, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION AND PROVIDING PENALTIES THEREFOR.

WHEREAS, the County Commissioners have expressed their concern with the health and safety of the people of Pierce County by creating a new department entitled, the Pierce County Fire Prevention Bureau; and

WHEREAS, it is the responsibility of the Fire Prevention Bureau to enforce regulations, and the various codes effecting fire safety in the unincorporated areas and also in any city which may choose to participate in the program; and

WHEREAS, Pierce County has the authority under RCW 36.43.010 to adopt standard fire regulations; Now, Therefore,

BE IT RESOLVED BY THE BOARD OF PIERCE COUNTY COMMISSIONERS:

Section 1. Resolution 13679 be and the same is hereby repealed.

Section 2. There is hereby adopted for the purpose of prescribing regulations governing conditions hazardous to life and property from fire and explosion in all of the unincorporated areas of Pierce County, and in the incorporated Towns and Cities of the County where requested and/or agreed to by contract, that certain code known as the Uniform Fire Code, 1973 edition, a copy of which is attached hereto as Exhibit A, and the whole thereof, together with all amendments or additions thereto, save and except such portions as are hereinafter deleted, modified or amended by Sections 4 through 12 of this resolution.

There shall be three (3) copies of this code filed in the office of the County Auditor, one (1) copy filed in the office of the Fire Marshal, one (1) copy filed in the office of each city clerk and one (1) copy filed in the office of each Fire Protection District within the unincorporated area of the County. This code is hereby adopted and incorporated as fully as is set out at length herein.

Section 3. The Uniform Fire Code, 1973 edition, shall apply and govern over all other such codes in the unincorporated areas of Pierce County and in the incorporated Towns and Cities of the County where requested and/or agreed to by contract.

Section 4. Definitions.

- (a) Wherever the word "Jurisdiction" is used in the Fire Prevention Code, it shall be held to mean Pierce County.
- (b) Wherever the term "Corporation Counsel" is used in the Fire Prevention Code, it shall be held to mean the Prosecuting Attorney for Pierce County.
- (c) Wherever the term "The Police Department" or "Police officers" is used in the Fire Prevention Code, it shall be held to mean to include the Pierce County Sheriff's Office.
- (d) Wherever reference is made in the Fire Prevention Code to "Inspector" of the Fire Department, or Bureau of Fire Prevention, the same shall mean personnel designated and assigned to perform the fire inspection functions by the Fire Department Chief of the Fire Protection District in which the Fire Prevention Code is in force.
- (e) Wherever the words "Firechief", "Chief" or "Chief of the Fire Prevention Bureau" appear in the Fire Prevention Code, it shall be held to mean "Fire Marshal".

Section 2. Amendment. Article 17153 (Cont.)

The Uniform Fire Code is amended and changed in the following respects:

A. Section 1.208 is amended as follows:

(a) The Fire Department shall investigate promptly the cause, origin and circumstances of each and every fire occurring in the municipality involving loss of life or injury to person or destruction or damage to property, and if it appears to the members of the Fire Department making the investigation that such fire is of suspicious origin, he shall then take immediate charge of all physical evidence relating to the cause of the fire and shall pursue the investigation to its conclusion. The Fire Department shall make a report in writing to the Fire Marshal of all facts and findings relative to each investigation, and should it appear during any investigation that a fire is of suspicious origin he shall notify the Fire Marshal forthwith.

(b) The Fire Marshal may request and shall assist the Law Enforcement Agency in its investigations.

B. Section 1.216 is amended as follows:

Whenever this Code is inapplicable for any reason to any situation involving the protection of persons and property from hazards of fire and explosion, 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, principles 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 National

Fire Protection Association Voluntary through 10 which are adopted by reference as a part of this code as if set forth in full herein.

C. Sections 11.101 through 11.106 of Article 11, are hereby deleted.

D. Sections 12.101 through 12.106, Article 12, are hereby deleted.

E. Appendix "B" is hereby deleted in its entirety.

F. Appendix "E" is hereby deleted in its entirety.

G. Appendix "F" is hereby deleted in its entirety.

Section 6. Establishment of Limits of Districts in Which Storage of Flammable or Combustible Liquids in Outside Aboveground Tanks Is To Be Prohibited.

(a) The limits referred to in Section 15.201 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 Fire Prevention Code is in force; provided however, that the Pierce County Chief of the Bureau of Fire Prevention may issue a special permit for such storage, where there appears in his judgment to be no undue danger to persons or property and where such storage would not be in conflict with other Pierce County Codes.

(b) The limits referred to in Section 15.601 of the Uniform Fire Code, in which new bulk plants for flammable or combustible liquids are prohibited, are hereby established and shall apply to all areas in which the Fire Prevention Code is in force; provided however, that the Pierce County Chief of the Bureau of Fire Prevention may issue a special permit for such storage, where there appears in his judgment

to be no undue danger to persons or property and where such storage would not be in conflict with other Pierce County Codes.

Section 1. Establishment of Limits in Which Bulk Storage of Liquefied Petroleum Gases Is to Be Restricted.

The limits referred to in Section 20.105(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 Fire Prevention Code is in force; provided however, that the Pierce County Chief of the Bureau of Fire Prevention may issue a special permit for such storage, where there appears in his judgment to be no undue danger to persons or property and where such storage would not be in conflict with other Pierce County Codes.

Section 2. Establishment of Limits of Districts in Which Storage of Explosives and Blasting Agents Is To Be Prohibited.

The limits referred to in Section 11.106(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 Fire Prevention Code is in force; provided however, that the Pierce County Chief of the Bureau of Fire Prevention may issue a special permit for such storage, where there appears in his judgment to be no undue danger to persons or property and where such storage would not be in conflict with other Pierce County Codes.

Section 9. The Chief of a fire protection district within the county, acting under the supervision of the Board of Fire Commissioners in his district, and in coordination with the Bureau of Fire Prevention, shall perform the duties specified in the Fire Prevention Code within the geographical boundaries of his particular Fire Protection District

within the unincorporated areas of Pierce County, to the full extent required by the Bureau of Fire Prevention.

Section 10. Appeals. Whenever the Board of Appeals shall disapprove an application or refuse 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 wrongfully interpreted, the applicant may appeal the decision of the Board of Appeals to the Board of Pierce County Commissioners within thirty (30) days from the date of the decision appealed.

Section 11. Penalties.

(a) 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 a misdemeanor, and upon conviction thereof shall be punishable by a fine not to exceed \$250 or by imprisonment in the County jail for 90 days or both. 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 days that prohibited conditions are maintained shall constitute a separate offense.

Section 12. Repeal of Conflicting Resolutions. All former Resolutions or parts thereof conflicting or inconsistent with the provisions of this Resolution, or of the Code hereby adopted, are hereby repealed.

Section 13. Validity. Should any section, paragraph, sentence or word of the Resolution or of the Uniform Fire Code, 1973, hereby adopted, be declared for any reason to be invalid, it is the intent of the Board of Pierce County Commissioners that it would have passed all other portions of this Resolution and of the Uniform Fire Code, 1973, hereby adopted, independent of the elimination herefrom and any such portion as may be declared invalid, and accordingly, such declaration of invalidity shall not effect the validity of the Resolution as a whole or any part thereof other than the part so declared to be invalid.

Section 14. Date of Effect. This resolution shall take effect and be in force from and after its adoption as required by Law.

PASSED and APPROVED by the Board of Pierce County Commissioners this 7TH day of MAY, 1974.

Clay H. Tegt
Chairman

Patrick J. Gallagher

George S. Steiner
Board of Pierce County Commissioners

Approved as to form:

Robert J. Backstein
ROBERT J. BACKSTEIN
Chief Civil Deputy