ORDINANCE NO. 14-26

AN ORDINANCE of the City of Kent, Washington, adopting a Fire Prevention Code prescribing regulations governing conditions hazardous to life and property from fire or explosion, and establishing a Bureau of Fire Prevention and providing Officers therefor and defining their powers and duties.

THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DO
ORDAIN AS FOLLOWS:

Section 1. Adoption of Fire Prevention Code.

There is hereby adopted by the City of Kent, Washington, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code recommended by the American Insurance Association, being particularly the 1965 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended (by Section 7 of this Ordinance), of which code not less than three (3) copies have been and now are filed in the Office of the Clerk of the City of Kent and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this Ordinance shall take effect, the provisions thereof shall be controlling within the limits of the City of Kent.

Section 2. Establishment and Duties of Bureau of Fire Prevention.

(a) The Fire Prevention Code shall be enforced by the Bureau of Fire Prevention in the Fire Department of the City of Kent which is hereby established and which shall be operated under the supervision of the Chief of the Fire Department.

(b) The person in charge of the Bureau of Fire Prevention shall be appointed by the Kent Fire Chief.

(c) The Chief of the Fire Department may detail such members of the Fire Department as inspectors as shall from time
to time be necessary. The Chief of the Fire Department shall 
recommend to the Mayor of the City of Kent the employment of 
technical inspectors, who, when such authorization is made, shall 
be selected through an examination to determine their fitness for 
the position. The examination shall be open to members and non-
members of the Fire Department, and appointments made after 
examination shall be for an indefinite term with removal only for 
cause.

(d) A report of the Bureau of Fire Prevention shall 
be made annually and transmitted to the Chief Executive Officer 
of the municipality; it shall contain all proceedings under this 
code, with such statistics as the Chief of the Fire Department 
may wish to include therein; the Chief of the Fire Department 
shall also recommend any amendments to the code which, in his 
judgment, shall be desirable.

Section 3. Definitions.
(a) Wherever the word "Municipality" is used in the 
Fire Prevention Code, it shall be held to mean the City of Kent.
(b) Wherever the term "Corporation Counsel" is used 
in the Fire Prevention Code, it shall be held to mean the Attorney 
for the City of Kent.

Section 4. Establishment of Limits of Districts 
in which Storage of Explosives and Blasting Agents is to be 
prohibited.
The limits referred to in Section 12.5b of the Fire 
Prevention Code, in which storage of explosives and blasting 
agents is prohibited are hereby established as follows: Fire 
District No. 1 and No. 3 and areas zoned R-5.

Section 5. Establishment of Limits of Districts in 
which Storage of Flammable Liquids in Outside Aboveground Tanks 
is to be Prohibited.
(a) The limits referred to in Section 16.22a of the Fire Prevention Code in which storage of flammable liquids in outside above-ground tanks is prohibited, are hereby established as follows: Fire District No. 1 and No. 3 and areas zoned R-5.

(b) The limits referred to in Section 16.51 of the Fire Prevention Code, in which new bulk plans for flammable or combustible liquids are prohibited, are hereby established as follows: Fire District No. 1 and No. 3 and areas zoned R-5.

Section 6. Establishment of Limits in which Bulk Storage of Liquefied Petroleum Gases is to be Restricted.

The limits referred to in Section 21.6a of the Fire Prevention Code, in which bulk storage of liquefied Petroleum gas is restricted, are hereby established as follows: Fire District No. 1 and No. 3 and areas zoned R-5.

Section 7. Modifications.

The Chief of the Bureau of Fire Prevention shall have power to modify any of the provisions of the Fire Prevention Code upon application in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decision of the Chief of the Bureau of Fire Prevention thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant.

Section 8. Appeals.

Whenever the Chief of the Fire Department 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 -3-
wrongly interpreted, the applicant may appeal from the decision
of the Chief of the Fire Department to the City Council of the
City of Kent within 30 days from the date of the decision
appealed.

Section 9. New Materials, Processes or Occupancies which
may Require Permits.

The Building Inspector of the City of Kent, the Chief
of the Fire Department and the Chief of the Bureau of Fire
Prevention shall act as a committee to determine and specify,
after giving affected persons an opportunity to be heard, any
new materials, processes or occupancies, which shall require
permits, in addition to those now enumerated in said code. The
Chief of the Bureau of Fire Prevention shall post such list in
a conspicuous place in his office, and distribute copies thereof
to interested persons.

Section 10. 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 other order made thereunder, or
who shall build in violation of any detailed statement of speci-
fications 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 as
affirmed or modified by the City Council of the City of Kent, or by
a court of competent jurisdiction, within the time fixed herein,
shall severally for each and every such violation and noncompliance
respectively, be guilty of a misdemeanor, punishable by a fine
of not less than $100.00, nor more than $300.00, or by imprison-
ment for not less than 30 days, nor more than 90 days or by both
such fine and imprisonment. 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 other-
wise specified, each ten days that prohibited conditions are main-
tained shall constitute a separate offense.

(b) The application of the above penalty shall not be
held to prevent the enforced removal of prohibited conditions.

Section 11. Repeal of Conflicting Ordinances.

All former Ordinances or parts thereof conflicting or incon-
sistent with the provisions of this Ordinance or of the code hereby
adopted are hereby repealed.

Section 12. Validity.

The City Council of the City of Kent hereby declares that
should any section, paragraph, sentence, or word of this Ordinance
or of the code hereby adopted be declared for any reason to be
invalid, it is the intent of the City Council of the City of Kent
that it would have passed all other portions of this Ordinance
independent of the elimination herefrom of any such portion as may
be declared invalid.

Section 13. Date of Effect.

This Ordinance shall take effect and be in force five
days from and after its approval, passage and publication as
provided by law.

ALEX THORNTON, MAYOR

Attest:

MARIE JENSEN, CITY CLERK

Approved as to form:

JOHN B. BERLITER, CITY ATTORNEY

PASSED the 17 day of , 1967.
APPROVED the 19 day of , 1967.
PUBLISHED the 20 day of , 1967.

I hereby certify that this is a true copy of Ordinance
No. 1470, passed by the City Council of the City of Kent and
approved by the Mayor of the City of Kent as hereon indicated.

MARIE JENSEN, CITY CLERK