Ordinance No. 3012

["Beginning July 1, 1998"]

(Amending or Repealing Ordinances)

Amended by Ord. 3691 (Sec. 9.01.120)
ORDINANCE NO. 3012

AN ORDINANCE of the City of Kent, Washington, amending the Kent Fire Code, Chapter 13.11 of the Kent City Code, to require that all telephone systems installed in new construction include both an interface with the Enhanced 911 system (E-911) and provide selective routing of 911 calls to the appropriate jurisdiction.

WHEREAS, the E-911 system has proven lifesaving benefits to the citizens of Kent because it provides automatic caller identification to the proper Public Safety Answering Point, such as Valley Communications, the area's emergency telecommunication center; and

WHEREAS, telephone systems utilizing Centron/Centrex (CTX) and/or Private Branch Exchanges (PBXs) have been installed at apartment complexes and large office/business buildings in order to sell phone service off the PBX to their tenants;

WHEREAS, the proliferation of such PBX systems is increasing, (one estimate provided to the City is that in 1988, King County had only 300 units served by PBX's, but in December, 1989 there were over 3,000) and the reason for this is the significant economic advantages for developers; and

WHEREAS, the effectiveness of the E-911 system is compromised by the use of PBXs and CTXs because a PBX/CTX user calling 911 will only have displayed the location and phone number identification of the PBX/CTX system to the Public Safety Answering Point, and not that of the caller; and
WHEREAS, this problem can be life-threatening when the caller is unable to verbally provide the exact location of the emergency, and the emergency dispatcher is unable to pinpoint the exact location of the caller because the PBX/CTX system is not at the same location as the caller; and

WHEREAS, an additional problem exists in that some phone systems are sold without selective routing, which may mean that a call placed to 911 within Kent would not be routed to the appropriate Public Safety Answering Point; and

WHEREAS, the citizens of Kent who are serviced by PBX telephone systems may be therefore denied the most important benefits of the E-911 system but may have the erroneous belief that this service is provided to them now; and

WHEREAS, telephone products have been developed which can be attached to PBX/CTX telephone systems and which will allow a PBX/CTX system to properly interface with the E-911 system (meaning that the installation of these interface products make the automatic number and location information feature available) and further, services are presently available to customers that will provide selective routing of calls to the appropriate Public Safety Answering Point; and

WHEREAS, the Kent City Council finds that it is in the best interest of the health, safety and welfare of the citizens of Kent that this problem not be amplified by allowing the number of PBX/CTX systems to increase in the City without the benefit of these life-saving services, and to therefore require that these PBX/CTX interface products be installed and selective routing
service provided in all telephone systems installed in new construction in the City; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF KENT DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. The Kent Fire Code is amended to add the following new chapter:

CHAPTER 13.11
ENHANCED 911 (E-911) SERVICE.

Section 1. Title. This ordinance shall be known and may be cited as the Kent E-911 Ordinance.

Section 2. Declaration of Policy, Findings and Intent.

A. It is declared to be the policy of the City, in the exercise of its police powers for the protection of the public health, safety and general welfare, that all of the citizens of Kent be provided with emergency telephone service that is on a par with, or is equal to the best available technology. The E-911 service currently available to the citizens of Kent allows caller identification and appropriate routing to an operator in the Public Safety Answering Point or emergency telecommunication center. It is the intent of the City, in the implementation of this ordinance, that all telephone systems installed in new construction must provide service or products that will interface with the E-911 system to provide these benefits to all citizens.
B. It is further declared that the installation of such products or services is not only critical to the health, safety and welfare of the general public, but also to provide an effective means for Kent's fire, medical and police units to efficiently locate and promptly respond to any emergency.

C. The express purpose of this ordinance is to provide for and promote the health, safety and welfare of the general public, and not to protect individuals or create or otherwise establish or designate any particular class or group of people who will or should be especially protected or benefitted by the terms of this ordinance. The obligation of complying with the requirements of this ordinance and the liability for failing to do so is hereby placed upon the owner and/or occupant or persons responsible for the conditions of the buildings or premises.

Section 3. Scope. This ordinance shall apply to all buildings, appurtenant structures and premises hereafter constructed in the City, in which telephone systems are installed; and shall also apply to any building, structure or premise which is hereafter altered, rehabilitated or repaired, and for which alteration, rehabilitation or repair any permit is required by any Kent City Code or ordinance. Existing buildings, appurtenant structures and premises which have been constructed prior to the effective date of this ordinance shall not be affected by the requirements described herein.

Section 4. Enforcement Authority.

A. Enforcement. The Kent Fire Chief is hereby designated the City Officer to exercise the powers granted under
this ordinance, except that the Fire Chief may call upon any City department to aid in implementation and enforcement of this ordinance.

B. **Rules.** The Chief is authorized to adopt such rules that are necessary to implement the requirements of this ordinance and to carry out the duties hereunder.

**Section 5. Fees.** No fees shall be charged for inspection of buildings or premises for compliance with this ordinance, if such inspection is carried out in conjunction with any required inspection under the Kent Building and Fire Codes.

**Section 6. Liability.** Nothing contained in this ordinance is intended to be nor shall be construed to create or form the basis for any liability on the part of the City, or its officers, employees or agents, for any injury or damage resulting from the failure of an owner of property or land to comply with the provisions of this ordinance, or by reason or in consequence of any inspection, notice, order certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this ordinance, or by reason of any action or inaction on the part of the City related in any manner to the enforcement of this ordinance by its officers, employees or agents.

**Section 7. Definitions.** For the purposes of this ordinance, certain words, terms, phrases and their derivations shall be construed as specified in this ordinance.

A. "ALI" means Automatic Location Identification, which is made up of the telephone number, the class of service of the
phone (residence, business, coin, PBX, etc.) the date and time of
the call. ALI further includes the name, address and city of the
caller's location, the routing code of the call, the pilot number
and the port or trunk that the call was received on. The name of
the PSAP is listed along with the predetermined agencies which are
responsible for Police, Fire or Medical response to that address.

B. "ANI" means that data stream which is made up of a
single digit which indicates the trunking of the call and the
seven-digit telephone number of the calling party's phone.

C. "CTX" means Centron/Centrex/Centraflex, which is a
single line phone service over a dedicated central office line,
delivered to individual desks in a business, with added features.

D. "E-911" means the telephone service that enables the
public to dial the three-digit emergency telephone number "9-1-1"
and reach the appropriate Public Safety Answering Point, based on
the location of the calling party, and also provides certain caller
information ("ANI" and "ALI") to the PSAP Telecommunicator as each
call is taken.

E. "PBX" means Private Area Branch Exchange, which is
a private phone system allowing communication within a business and
between a business and the outside world. PBX lines were designed
to provide telephone communications to large groups of people
without having dedicated central office lines for each station.

F. "PSAP" means the Public Safety Answering Point,
which is normally based upon the calling party's address.
G. "Selective Routing" means that function of telephone service which will direct the call to the proper PSAP, based upon the calling party's address.

Section 8. Service or Interface Products Required.

A. Every building, appurtenant structure or premise within the City shall, where a telephone system is installed, also have telephone services or products installed which will properly interface with the E-911 system by making the following ALI-ANI information available to the PSAP on the PSAP's receiving screen when any party within the system calls 9-1-1:

1. Name.
2. Address -- building number, unit number (if applicable).
3. Telephone number.
4. City.
5. Appropriate police, fire response
6. Class of service (PBX, coin phone, residence).

B. In addition to the above, service must also be provided which will selectively route 9-1-1 calls to the appropriate PSAP jurisdiction on any phone in the building, appurtenant structure or premise.

Section 9. Enforcement. No permit or certificate of occupancy shall issue for any construction not conforming to the requirements of this ordinance. For the purposes of this
ordinance, a "permit" shall mean either a building permit or tenant improvement permit.

Section 10. Appeals. Any party affected by a decision of the Chief not to issue a permit or certification of occupancy pursuant to Section 9 herein may, within fifteen (15) days after the date of the decision, petition the Superior Court of King County for review of the Chief's decision. There shall be no appeal from this ordinance to the Board of Appeals as provided in the Kent Fire Code (Uniform Fire Code, adopted under K.C.C. Section 13.02.010) Section 2.303.

Section 11. Severability. The provisions of this ordinance are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons or circumstances.

Section 12. Effective Date -- Statement of Emergency. As stated in the preamble to this ordinance, the problem that this ordinance seeks to remedy is health and safety related, and potentially life-threatening. It is in the best interests of the public that no further development take place in Kent which contains tele-communications systems incompatible with E-911, or that would contribute to the problem defined in this ordinance, since post-construction correction may be technologically difficult and expensive. This ordinance, therefore, is necessary for the immediate preservation of public peace, health and safety, and shall take effect and be in force and effect five (5) days from the
time of its final approval and passage as provided by law.

DAN KELLEHER, MAYOR

ATTEST:

BRENDA JACOBER, DEPUTY CITY CLERK

APPROVED AS TO FORM:

ROGER A. LUDOVICH, CITY ATTORNEY

PASSED the 19 day of November, 1991.
APPROVED the 20 day of November, 1991.
PUBLISHED the 21 day of November, 1991.

I hereby certify that this is a true and correct copy of Ordinance No. 3012, passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

BRENDA JACOBER, DEPUTY CITY CLERK

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