ORDINANCE NO. 4201

AN ORDINANCE of the City Council of the City of Kent, Washington, amending Ch. 13.01 of the Kent City Code to adopt the 2015 edition of the International Fire Code and to make other housekeeping amendments and amendments applicable to Kent.

RECITALS

A. In response to legislative amendments adopted by the State of Washington, the Kent City Council enacted Ordinance No. 4082 on May 21, 2013, which adopted the 2012 edition of the International Fire Code. The state recently adopted the 2015 edition of this code, which takes effect and applies to all cities in the state on July 1, 2016. Therefore, it is necessary to amend the Kent City Code to formally adopt the same.

B. In addition to adopting the 2015 code edition, this ordinance also includes other housekeeping amendments, including updating references to code sections that have been renumbered in the 2015 edition, and local amendments which maintain the ban on the use of sky lanterns, provide additional tools in the enforcement of fire lanes, standardize requirements to help streamline reporting and inspections, and create additional flexibility in development regulations in the area of fire department access and water supply.

Amend KCC 13.01 - Re: Fire Codes
NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENT, WASHINGTON, DOES HEREBY ORDAIN AS FOLLOWS:

ORDINANCE

SECTION 1. - Amendment. Section 13.01 of the Kent City Code, entitled “Fire Codes,” is hereby amended as follows:

Chapter 13.01
FIRE CODES

Sec. 13.01.010 Fire code – Adopted. In accordance with Chapter 19.27 RCW, the International Fire Code, 2012–2015 Edition, published by the International Code Council, Inc., together with any additions, deletions, and exceptions currently enacted or as may be amended from time to time by the state of Washington through its Building Code Council pursuant to Chapter 51-54A WAC, and as further amended in this chapter, is hereby adopted and incorporated by this reference.

One (1) copy of the International Fire Code and the appendices adopted in KCC 13.01.030(A) are on file with the city’s fire code official.

Sec. 13.01.020 Code conflicts. To the extent allowed by RCW 19.27.040, if a conflict exists between the provisions of the International Fire Code adopted and amended by the Washington State Building Code Council and the provisions of this chapter, the Kent City Code provisions shall govern.

Sec. 13.01.030 Amendments to the International Fire Code – Chapter 1, Scope and Administration. The following local amendments to Chapter 1 of the International Fire Code, entitled "Scope and Administration," including all amendments enacted by the state of
Washington, are hereby adopted and incorporated into the International Fire Code as follows:

A. **Scope and General Requirements – Fire code appendix adopted.** Section 101 of the International Fire Code, entitled “Scope and General Requirements,” is amended by adding the following new subsection 101.6:

   **Sec. 101.6. Fire code appendix adopted.** Appendix B of the International Fire Code is hereby adopted.

B. **General authority and responsibilities – Retained authority.** Section 104 of the International Fire Code, entitled “General Authority and Responsibilities,” is amended by adding the following new subsection 104.1.1:

   **Sec. 104.1.1. Retained authority** – Additional conditions. The fire code official retains the authority to impose additional conditions where the official determines it necessary to mitigate identified fire protection impacts and problematic fire protection systems. These conditions may include, by way of example and without limitation, increased setbacks, use of fire retardant materials, installation or modification of standpipes, automatic fire sprinkler and fire alarm systems.

C. **General authority and responsibilities – Lot lines and setback lines.** Section 104 of the International Fire Code, entitled “General Authority and Responsibilities,” is amended by adding the following new subsection 104.12:

   **Sec. 104.12. Lot lines and setback lines.** Notwithstanding the authority of the fire code official to administer and enforce the fire code, the fire code official shall have no duty to verify or establish lot lines or setback lines. No such duty is created by this code and none shall be implied.
D. Permits – Term. Section 105 of the International Fire Code, entitled “Permits,” is amended by adding the following new subsection 105.1.4:

**Sec. 105.1.4. Term.** Operational permits issued in accordance with this code shall be valid for a 12 month period and are renewable at the end of that 12 month term.

E. Permits – Expiration of project permit application. Section 105 of the International Fire Code, entitled “Permits,” is amended by substituting subsection 105.2.3 with the following:

**Sec. 105.2.3. Expiration of project permit application.** Project permit applications that are subject to Ch. 12.01 KCC or that require SEPA review are subject to those deadlines. All other project permit applications shall expire by limitation if no permit is issued within 180 days after the determination that a fully complete project permit application has been submitted, unless the fire code official determines, in his or her sole discretion, that the application has been pursued in good faith. The fire code official may extend the time for action on the permit application for one or more periods, each period not exceeding 90 days, upon written request by the applicant if the applicant can demonstrate, to the satisfaction of the fire code official, that circumstances beyond the applicant’s control have prevented action from being taken. If an application has expired, plans and other data previously submitted for review may thereafter be returned to the applicant or destroyed by the fire code official. In order to renew action on an expired application, the applicant shall resubmit plans and pay a new review fee.

F. Permits – Electronic image. Section 105 of the International Fire Code, entitled “Permits,” is amended by adding the following new subsection 105.4.7:

**Sec. 105.4.7. Electronic Image.** Prior to final inspection, the applicant shall provide to the fire code
official an electronic image of issued construction
documents and corrected documents in accordance with
105.4.6.

G.  Permits – Commercial kitchens. Section 105 of the International Fire
Code, entitled “Permits,” is amended by adding the following new
subsection 105.6.4750:

Sec. 105.6.4750. Commercial Kitchen. An operational
permit is required for all commercial kitchens with type I
hood systems.

H.  Permits – Emergency and standby power systems. Section 105 of
the International Fire Code, entitled “Permits,” is amended by adding the
following new subsection 105.6.4851:

Sec. 105.6.4851. Emergency and standby power
systems.  An operational permit is required for
emergency or standby power systems required by code
and identified in NFPA 110.

I.  Permits – Emergency and standby power systems. Section 105 of
the International Fire Code, entitled “Permits,” is amended by adding the
following new subsection 105.7.1721:

Sec. 105.7.1721. Emergency and standby power
systems.  A construction permit is required for the
installation of an emergency or standby power system
required by code and identified in NFPA 110.

J.  Board of appeals. Section 108 of the International Fire Code,
entitled “Board of appeals,” is amended by substituting Section 108 with
the following:

Sec. 108. Board of appeals. The City of Kent hearings
examiner is designated as the board of appeals in order
to hear and decide appeals of orders, decisions, or
determinations made by the fire code official relative to
the suitability of alternate materials, designs, and methods of construction and appeals of the reasonable application and interpretation of the building and fire codes. Appeals shall be made as set forth in section 13.01.140 of the Kent City Code.

K. **Violation - Penalties.** Section 109 of the International Fire Code, entitled "Violations," is amended by substituting subsection 109.3 with the following:

**Sec. 109.3. Violation - penalties.** Any person who violates a provision of this code, or fails to comply with any of its requirements, or who erects, constructs, alters, or repairs a building or structure in violation of (a) the approved construction documents, (b) a directive of the fire code official, or (c) a permit or certificate issued under the provisions of this code, shall be subject to penalties as set forth in Ch. 13.02 of the Kent City Code or as otherwise provided by law.

L. **Fees.** Section 113 of the International Fire Code, entitled "Fees," is amended by substituting subsection 113.1 with the following:

**Sec. 113.1. Fees.** The fire code official shall collect fees as a condition to issuance or renewal of any permit or certificate.

M. **Fees - Schedule of permit fees.** Section 113 of the International Fire Code, entitled "Fees," is amended by substituting subsection 113.2 with the following:

**Sec. 113.2. Schedule of Permit Fees.** The fire code official shall prepare a resolution establishing a schedule of fees for council consideration, which fees shall include the cost involved in the processing, issuance, and renewal of permits and certificates. Any fee schedule adopted by resolution shall govern the fee amount to be assessed for any permit or certificate.
N. **Fees – Work commencing before permit issuance.** Section 113 of the International Fire Code, entitled “Fees,” is amended by substituting subsection 113.3 with the following:

**Sec. 113.3. Work commencing before permit issuance.** When work for which a permit is required by this code has commenced without a permit, the fees shall be doubled. The payment of such fees shall not relieve any persons from the requirements of this code from any penalties prescribed by this code.

O. **Fees – Termination.** Section 113 of the International Fire Code, entitled “Fees,” is amended by adding the following new subsection 113.6:

**Sec. 113.6. Termination.** Failure to pay for either an original permit or the required renewal within 60 days of the date notice is given shall result in the City’s termination of the permit or certificate application.

**Sec. 13.01.040 Amendments to the International Fire Code – Chapter 2, Definitions.** The following local amendments to Chapter 2 of the International Fire Code, entitled “Definitions,” including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Fire Code as follows:

A. **Definitions – General.** Section 202 of the International Fire Code, entitled “Definitions,” is amended by adding the following definition to subsection 202:

**OUTDOOR STORAGE.** The storage of materials on-site which are not in transit.

**PROBLEMATIC FIRE PROTECTION SYSTEM.** A fire protection system that generates repeated preventable.
Sec. 13.01.050 Amendments to the International Fire Code – Chapter 3, General Requirements. The following local amendments to Chapter 3 of the International Fire Code, entitled “General Requirements,” including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Fire Code as follows:

A. Open Flames – Sky Lanterns. Section 308 of the International Fire Code, entitled “Open Flames,” is amended by substituting subsection 308.1.6.3 with the following:

Sec. 308.1.6.3 Sky Lanterns. The use of sky lanterns is prohibited.

B. Miscellaneous combustible materials. General storage – Idle pallets. Section 315 of the International Fire Code, entitled “Miscellaneous Combustible Materials General Storage,” is amended by adding a new subsection 315.4.3 as follows:

Sec. 315.4.3. Idle Pallets. Idle pallets shall be stored in accordance with Sections 315.4.3.1 through 315.4.3.4.

Sec. 315.4.3.1. Buildings protected with automatic sprinklers. In buildings protected with approved automatic sprinklers, the storage of idle pallets shall be in accordance with NFPA 13 Table A12.12.1.1.

Sec. 315.4.3.2. Buildings without sprinkler protection. In buildings that do not have protection through approved automatic sprinklers, the storage of idle pallets shall be in accordance with Table 315.4.3.2.

Table 315.4.3.2 Clearances

1 Between Storage and Buildings
<table>
<thead>
<tr>
<th>Construction Type</th>
<th>Openings</th>
<th>0-50 Pallets</th>
<th>51-200 Pallets</th>
<th>Over 200 Pallets</th>
</tr>
</thead>
<tbody>
<tr>
<td>Masonry</td>
<td>None</td>
<td>5</td>
<td>5</td>
<td>10</td>
</tr>
<tr>
<td>Masonry</td>
<td>1 hour protected openings</td>
<td>5</td>
<td>10</td>
<td>20</td>
</tr>
<tr>
<td>Masonry</td>
<td>3/4 hour protected openings</td>
<td>10</td>
<td>20</td>
<td>30</td>
</tr>
<tr>
<td>Masonry</td>
<td>Non protected openings</td>
<td>20</td>
<td>30</td>
<td>50</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td>20</td>
<td>30</td>
<td>50</td>
</tr>
</tbody>
</table>

1. All distances measured in feet.

**Sec. 315.4.3.3. Separation from other storage.** The storage of idle pallets shall be separated from other storage in accordance with Table 315.4.3.3.
Table 315.4.3.3 Clearance to Other Storage

<table>
<thead>
<tr>
<th>Pile Size</th>
<th>Minimum Distance(^1)</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-50</td>
<td>20</td>
</tr>
<tr>
<td>51-200</td>
<td>30</td>
</tr>
<tr>
<td>Over 200</td>
<td>50</td>
</tr>
</tbody>
</table>

1. All distances measured in feet.

**Sec. 315.4.3.4. Stacks.** Pallet stacks shall be arranged to form stable piles. Piles shall be limited to an area not greater than 400 square feet. A distance half the pile height or not less than 8 ft. shall separate stacks.

**Sec. 13.01.060 Amendments to the International Fire Code – Chapter 5, Fire Service Features.** The following local amendments to Chapter 5 of the International Fire Code, entitled “Fire Service Features,” including all amendments enacted by the state of Washington, are adopted and incorporated into the International Fire Code as follows:

A. **Fire service features – Fire apparatus access roads.** Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is hereby adopted.

B. **Fire apparatus access roads – Dimensions.** Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by substituting subsection 503.2.1 with the following:

**Sec. 503.2.1. Dimensions.** The following minimum dimensions shall apply for fire apparatus access roads:
1. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6,096 mm), except for approved security gates in accordance with section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4,115 mm).

2. Fire apparatus access road routes shall be approved by the fire code official.

C. Fire apparatus access roads – Surface. Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by substituting subsection 503.2.3 with the following:

Sec. 503.2.3. Surface. Fire apparatus access roads shall be constructed with a surface of asphalt, concrete, or other approved driving surface capable of supporting the imposed load of fire apparatus weighing at least 30 tons (27,240 kg).

D. Fire apparatus access roads – Turning radius. Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by substituting subsection 503.2.4 with the following:

Sec. 503.2.4. Turning radius. All fire apparatus access roads shall have a 30 foot minimum inside turning radius and a 50 foot minimum outside turning radius. The radius must be measured from the travel lane edge, unless otherwise approved.

E. Fire apparatus access roads – Dead ends. Section 503 of the International Fire Code is amended by substituting subsection 503.2.5 with the following:

Sec. 503.2.5. Dead ends. Dead-end fire apparatus access roads in excess of 150 feet (45.72 m) in length shall be provided with an approved turnaround designed as illustrated in the Kent Design and Construction Standards, unless otherwise approved.

Amend KCC 13.01 - Re: Fire Codes
F. **Fire apparatus access roads – Bridges and elevated surfaces.** Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by substituting subsection 503.2.6 with the following:

**Sec. 503.2.6. Bridges and elevated surfaces.** Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge or elevated surface shall be constructed and maintained in accordance with specifications established by the fire code official and the City’s public works director, or their designees; at a minimum, however, the bridge or elevated surface shall be constructed and maintained in accordance with AASHTO Standard Specifications for Highway Bridges. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of a 30 or more ton fire apparatus, the total imposed load to be determined by the fire code official. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for that use, approved barriers or approved signs, or both, shall be installed and maintained, if required by the fire code official.

G. **Fire apparatus access roads – Grade.** Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by substituting subsection 503.2.7 with the following:

**Sec. 503.2.7. Grade.** Fire apparatus access roads shall not exceed 15 percent longitudinal and/or 6 percent laterally in grade. Approach and departure angle for fire apparatus access shall be as determined by the fire code official.

H. **Fire apparatus access roads – Access road width with a hydrant.** Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by adding the following new subsection 503.2.9:

**Sec. 503.2.9. Access road width with a hydrant.** Where a fire hydrant is located on a fire apparatus access
road, the minimum road width shall be 26 feet for 20 feet
on both sides of the hydrant operating nut and shall be
marked as a fire lane per Section 503.3.

I. Fire apparatus access roads - Marking. Section 503 of the
International Fire Code, entitled "Fire Apparatus Access Roads," is
amended by substituting subsection 503.3 with the following:

Sec. 503.3. Marking. Fire apparatus access roads shall
be marked whenever necessary to maintain the
unobstructed minimum required width of roadways.
Subject to the fire code official's prior written approval,
marked fire apparatus access roads, or "fire lanes," may
be established or relocated at the time of plan review,
pre-construction site inspection, and/or post construction
site inspection as well as any time during the life of the
occupancy. Only those fire apparatus access roads
established by the fire code official can utilize red marking
paint and the term "fire lane." Fire lanes shall be marked
as directed by the fire code official with one or more of
the following types of markings in accordance with the
Kent Design and Construction Standards:

Sec. 503.3.1. Type 1. Type 1 marking shall be installed
to identify fire lanes on commercial and multi-family
developments or as directed by the fire code official.

Sec. 503.3.2. Type 2. Type 2 marking shall be installed
to identify fire lanes in one- and two-family dwelling
developments, turnarounds, or as directed by the fire
code official.

Sec. 503.3.3. Type 3. Type 3 marking shall be installed
to address situations where neither Type 1 or 2 marking
is effective as determined by the fire code official.

—1. Specific areas designated by the fire code
official shall be marked with diagonal striping across the
width of the fire lane. Diagonal marking shall be used in
conjunction with painted curbs and/or edge striping and
shall run at an angle of 30 to 60 degrees from one side to
the other. These diagonal lines shall be in red traffic
paint, parallel with each other, at least 6 inches in width,
and 24 inches apart. Lettering shall occur as with Type 1 marking.

1. **Fire apparatus access roads - Establishment of fire lanes.** Subsection 503.7 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by adding the following new subsection 503.7.1 as added to read as follows:

   **Sec. 503.7 Establishment of fire lanes.** Fire lanes in conformance with this code shall be established by the fire code official or designee, and shall be in accordance with 503.7.1 through 503.7.8.

   **Sec. 503.7.1 Obstruction of fire lanes prohibited.** The obstruction of a designated fire lane by a parked vehicle or any other object is prohibited and shall constitute a traffic hazard as defined in State law and an immediate hazard to life and property.

   **Sec. 503.7.2 Existing fire lane signs and markings.** The following signs and markings shall be provided:

   1. Signs (minimum nine-inch by 16-inch) may be allowed to remain until there is a need for replacement and at that time the sign shall meet the requirements of subsection 503.3.2

   2. Markings may be allowed to remain until there is a need for repainting and at that time the provisions outlined in 503.3 shall be complied with.

   **Sec. 503.7.3 Maintenance.** Fire lane markings shall be maintained at the expense of the property owner(s) as often as needed to clearly identify the designated area as being a fire lane.

   **Sec. 503.7.4 Towing notification.** At each entrance to property where fire lanes have been designated, signs shall be posted in a clearly conspicuous location and shall clearly state that vehicles parked in fire lanes may be impounded, and the name, telephone number, and address of the towing firm where the vehicle may be redeemed.

   **Sec. 503.7.5 Responsible property owner.** The owner, manager, or person in charge of any property
upon which designated fire lanes have been established shall prevent the parking of vehicles or placement of other obstructions in such fire lanes.

Sec. 503.7.6 Violation – Penalty. Any person who fails to mark or maintain the marking of a designated fire lane as prescribed herein, or who obstructs or allows the obstruction of a designated fire lane, other than the parking of a vehicle, shall be deemed to have committed a violation. The penalty for violation of this section shall be the monetary penalty identified in the current fee resolution.

Sec. 503.7.7 Violation – Civil penalty. In addition to, or as an alternate to, the penalties specified above, the City is authorized to enforce alla violation of any provisions of this chapter constitutes a civil violation under —pursuant to— Chapter 1.04 KCC for which a monetary penalty may be assessed and abatement may be required and/or otherwise enforced as provided therein.

Sec. 503.7.8 Impoundment. Any vehicle or object obstructing a designated fire lane is declared a traffic hazard and may be abated without prior notification to its owner by impoundment pursuant to the applicable State law. The owner or operator shall be responsible for all towing and impound charges.

JK. Fire apparatus access roads – Commercial and industrial developments. Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by adding the following new subsection 503.7g:

Sec. 503.7g. Commercial and Industrial Developments. Fire apparatus access roads serving commercial and industrial developments shall be in accordance with Sections 503.7g.1 through 503.7g.3.

Sec. 503.7g.1. Buildings exceeding three stories or 30 feet in height. Buildings or facilities exceeding 30 feet or three stories in height shall have at least two means of fire apparatus access for each structure.

Amend KCC 13.01 - Re: Fire Codes
Sec. 503.78.2. Buildings exceeding 62,000 square feet in area. Buildings or facilities having a gross building area of more than 62,000 square feet shall be provided with two separate and approved fire apparatus access roads.

Exception: Projects having a gross building area of up to 124,000 square feet that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

Sec. 503.78.3. Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses or as approved by the fire code official and the fire chief.

KL. Fire apparatus access roads – Aerial fire apparatus access roads. Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by adding the following new subsection 503.89:

Sec. 503.89. Aerial fire apparatus roads. The fire apparatus access roads that accommodate aerial fire apparatus shall be in accordance with Sections 503.89.1 through 503.89.3.

Sec. 503.89.1. Where required. Buildings or portions of buildings or facilities exceeding 30 feet in height above the lowest level of fire department vehicle access shall be provided with approved fire apparatus access roads that are capable of accommodating fire department aerial apparatus. Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway.

Sec. 503.89.2 Width. Fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet in height.
Sec. 503.89.3 Proximity to building. At least one of the required access routes meeting this condition shall be positioned parallel to one entire side of the building. The location of the parallel access route shall be approved.

LM. Fire apparatus access roads – Multifamily residential developments.
Section 503 of the International Fire Code, entitled “Fire Apparatus Access Roads,” is amended by adding the following new subsection 503.910:

Sec. 503.910. Multi-family residential developments. The fire apparatus access roads serving multi-family residential developments shall be in accordance with Sections 503.910.1 through 503.910.23.

Sec. 503.910.1. Projects having from 100 through 200 dwelling units. Multi-family residential projects having from 100 through 200 dwelling units shall be provided with two separate and approved fire apparatus access roads.

Exception: Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

Sec. 503.910.2. Projects having more than 200 dwelling units. Multi-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

Sec. 503.10.3. Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses or as approved by the fire code official and the fire chief.
MN. Fire apparatus access roads - One- and two-family residential developments. Section 503 of the International Fire Code, entitled "Fire Apparatus Access Roads," is amended by adding the following new subsection 503.4011:

Sec. 503.4011. One- and Two-family residential developments. The fire apparatus access roads serving one- and two-family residential developments shall be in accordance with Section 503.4011.1 and 503.11.2.

Sec. 503.4011.1. Projects having more than 30 dwelling units. Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section 503.7.3.

Exceptions:

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3 of the International Fire Code, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will, within a reasonable time, connect with future development, as determined by the fire code official.

Sec. 503.11.2. Remoteness. Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses or as approved by the fire code official and the fire chief.
Fire apparatus access roads – Underground structures. Section 503 of the International Fire Code, entitled, "Fire Apparatus Access Roads," is amended by adding the following new subsection 503.11:

Sec. 503.11. Underground structures. Installation of underground structures under or within 10 feet of fire apparatus access roads shall be designed using approved load criteria that shall accommodate the loading of fire department aerial apparatus unless otherwise approved.

Fire protection water supplies – Inspection, testing and maintenance. Section 507 of the International Fire Code, entitled "Fire Protection Water Supplies," is amended by substituting subsection 507.5.2 with the following:

Sec. 507.5.2. Inspection, testing and maintenance. Private fire hydrant systems shall be subject to annual testing. Fire hydrant systems shall be maintained in operative condition at all times and shall be repaired where defective. Additions, repairs, alterations, and servicing shall comply with approved standards.

P. Fire protection water supplies – Records. Section 507 of the International Fire Code, entitled "Fire Protection Water Supplies," is amended by adding a new subsection 507.5.32.1:

Sec. 507.5.32.1. Records. Records of all system inspections, tests and maintenance required by the referenced standard shall be maintained on the premises; copies shall be delivered to the fire code official within 30 calendar days of each test, inspection, or maintenance of the system.

Q. Fire protection water supplies – Physical protection. Section 507 of the International Fire Code, entitled "Fire Protection Water Supplies," is amended by substituting subsection 507.5.6 with the following:

Sec. 507.5.6. Physical protection. Where fire hydrants are subject to impact by a motor vehicle, guard posts
shall be designed and installed in accordance with the Kent Design and Construction Standards.

R. **Fire protection water supplies – Fire hydrant.** Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by adding a new subsection 507.5.7 as follows:

**Sec. 507.5.7. Fire hydrant.** Fire hydrants shall be designed and installed in accordance with the local water purveyor’s design and construction standards.

S. **Fire protection water supplies – Backflow prevention.** Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by adding a new subsection 507.5.8 as follows:

**Sec. 507.5.8. Backflow prevention.** All private fire systems shall be isolated by an approved method in accordance with the local water purveyor.

T. **Fire protection water supplies – Capacity for residential areas.** Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by adding a new subsection 507.6 as follows:

**Sec. 507.6. Capacity for residential areas.** All hydrants installed in single family residential areas shall be capable of delivering 1,500 gpm fire-flow over and above average maximum demands at the farthest point of the installation.

U. **Fire protection water supplies – Spacing.** Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by adding a new subsection 507.7 as follows:

**Sec. 507.7. Spacing.** The spacing of hydrants shall be in accordance with Sections 507.7.1 through 507.7.5.
Sec. 507.7.1. Single family. The maximum fire hydrant spacing serving single family residential areas shall be 600 feet as measured along the fire apparatus access road.

Sec. 507.7.2. Commercial, industrial and multi-family. The maximum fire hydrant spacing serving commercial, industrial, multi-family or other areas shall be 300 feet as measured along the fire apparatus access road.

Sec. 507.7.3. Medians. Where streets are provided with median dividers which cannot be crossed by firefighters pulling hose lines, hydrants shall be provided on each side of the street and be arranged on an alternating basis, providing, on each side of the street, no more than the maximum spacing.

Sec. 507.7.4. Arterials. Where arterial streets are provided with four or more traffic lanes hydrants shall be provided on each side of the street and be arranged on an alternating basis, providing, on each side of the street, no more than the maximum spacing.

Sec. 507.7.5. Transportation. Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at a spacing not to exceed 1,000 feet to provide for transportation hazards.

V. Fire protection water supplies - Required hydrants. Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by adding a new subsection 507.8 as follows:

Sec. 507.8. Required hydrants. The number of hydrants required for a building shall be based on the calculated fire-flow. The first hydrant will be calculated for up to 1,500 gpm. An additional hydrant will be required for every additional 1,000 gpm, or fraction thereof. The required hydrants shall be within 600 feet of the building.
as measured along the fire apparatus access roads serving the building.

W.  *Fire protection water supplies – Notification.* Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by adding a new subsection 507.9 as follows:

**Sec. 507.9. Notification.** The owner of property on which private hydrants are located and the public agencies that own or control public hydrants must provide the fire code official with the following written service notifications in accordance with 507.9.1 and 507.9.2:

**Sec. 507.9.1. In-service notification.** The fire code official shall be notified when any newly installed hydrant or main is placed into service.

**Sec. 507.9.2. Out-of-service notification.** Where any hydrant is out of service or has not yet been placed in service, the hydrant shall be identified as being out of service and shall be appropriately marked as out of service, by a method approved by the fire code official.

X.  *Fire protection water supplies – Building permit requirements.* Section 507 of the International Fire Code, entitled “Fire Protection Water Supplies,” is amended by adding a new subsection 507.10 as follows:

**Sec. 507.10. Building permit requirements.** No building permit shall be issued until all plans required by this section have been submitted and approved in accordance with the provisions of this section.

No construction beyond the foundation shall be allowed until all hydrants and mains required by this section are in place and approved.

**Sec. 13.01.070 Amendments to the International Fire Code – Chapter 6, Building Services and Systems.** The following local amendments to Chapter 6 of the International Fire Code, entitled “Building
Services and Systems,” including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Fire Code as follows:

A. **Mechanical refrigeration – Testing of equipment.** Section 606 of the International Fire Code, entitled “Mechanical Refrigeration,” is amended by substituting 606.6 with the following:

   **Sec. 606.6 Testing of equipment.** Refrigeration equipment and systems having a refrigerant circuit more than 220 pounds of Group A1 or 30 pounds of any other group refrigerant shall be subject to periodic testing in accordance with Section 606.6.1. A written record of the required testing shall be maintained on the premises for a minimum of three years; a copy shall be sent to the fire code official within 30 calendar days of the testing; and a label or tag shall be affixed to the individual system identifying the date of the testing. Tests of emergency devices or systems required by this chapter shall be conducted by persons trained and qualified in refrigeration systems.

B. **Commercial kitchen hoods – Where required.** Section 609 of the International Fire Code, entitled “Commercial Kitchen Hoods,” is amended by adding the following subsections to section 609.2:

   **Sec. 609.2.2. Permit Required.** Permits shall be required as set forth in Section 105.6.

   **Sec. 609.2.3. Approved drawing.** The stamped and approved cook line drawing shall be displayed adjacent to the suppression system pull station prior to the final inspection. The approved drawing shall be maintained and available for inspection.

C. **Commercial kitchen hoods – Records.** Section 609 of the International Fire Code, entitled “Commercial Kitchen Hoods,” is amended by substituting subsection 609.3.3.3 with the following:
Sec. 609.3.3.3 Records. Records for inspections shall state the individual and company performing the inspection, a description of the inspection, and the date on which the inspection took place. Records for cleanings shall state the individual and company performing the cleaning and the date on which the cleaning took place. Such records shall be completed after each inspection or cleaning, and maintained on the premises for a minimum of three years; a copy shall be sent to the fire code official within 30 days of the inspection or cleaning; and a label or tag shall be affixed to the individual system identifying the date of the inspection or cleaning.

Sec. 13.01.080 Amendments to the International Fire Code – Chapter 7, Fire-Resistance-Rated Construction, Fire and Smoke Prevention Features. The following local amendments to Chapter 7 of the International Fire Code, entitled “Fire-Resistance-Rated Construction, Fire and Smoke Prevention Features,” including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Fire Code as follows:

A. Fire-resistance-rated construction – Testing. Section 703 of the International Fire Code, entitled “Fire-Resistance-Rated Construction,” is amended by substituting 703.4 with the following:

Sec. 703.4. Testing. Horizontal, vertical sliding and rolling fire doors shall be inspected and tested annually to confirm proper operation and full closure. A written record shall be maintained on the premises for three years; a copy shall be sent to the fire code official within 30 calendar days of the inspection or test; and a label or tag shall be affixed to the individual assembly identifying the date of the scheduled confidence test.

Sec. 13.01.090 Amendments to the International Fire Code – Chapter 9, Fire Protection Systems. The following local amendments to Chapter 9 of the International Fire Code, entitled “Fire Protection
Systems,” including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Fire Code as follows:

A. Fire protection systems – Scope and application. Section 901 of the International Fire Code, entitled “General,” is amended by supplementing subsection 901.1 with the following:

Sec. 901.1. Scope and application. The provisions of this chapter shall apply to all occupancies and buildings, shall specify where fire protection systems are required, and shall apply to the design, installation, inspection, operation, testing, and maintenance of all fire protection systems; however, nothing contained in this chapter shall diminish or reduce the requirements of any duly adopted building codes, including state and local amendments, or other city ordinances, resolutions, or regulations. In the event of any conflict in requirements among these codes, ordinances, resolutions, or regulations, the more stringent provision shall apply.

B. Fire protection systems – Records. Section 901 of the International Fire Code, entitled “General,” is amended by substituting 901.6.2 with the following:

Sec. 901.6.2. Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for three years; copies shall be delivered to the fire code official within 30 calendar days of each test, inspection, or maintenance of the system; and a label or tag shall be affixed to the individual system identifying the date of the scheduled confidence test.

C. Fire protection systems – General. Section 901 of the International Fire Code, entitled “General,” is amended by adding the following new subsection 901.11 with the following:

Sec 901.11. Emergency contacts. It shall be the responsibility of the owner of any monitored fire
protection system to provide and maintain a minimum of three emergency contacts that are capable of responding to the system location with their monitoring company.

**D. Fire protection systems – Definitions.** Section 902 of the International Fire Code, entitled “Definitions,” is amended by adding the following to the list in subsection 902.1:

**PROBLEMATIC FIRE PROTECTION SYSTEM**

**D. Automatic sprinkler systems – Where required.** Section 903 of the International Fire Code, entitled “Automatic Sprinkler Systems,” is amended by supplementing subsection 903.2 with the following:

**Sec. 903.2. Where required.** Approved automatic fire sprinkler systems shall be installed as follows:

1. In all buildings without adequate fire flow.

**Exception:** Miscellaneous Group U Occupancies.

2. All new buildings and structures regulated by the International Building Code requiring 2,000 gallons per minute or more fire flow, or with a gross floor area of 10,000 or more square feet (929 m²), or where this code provides a more restrictive floor/fire area requirement, and shall be provided in all locations or where described by this code.

**Exception:** Spaces or areas in telecommunications buildings used exclusively for telecommunications equipment, associated electrical power distribution equipment, batteries, and standby engines, provided those spaces or areas are equipped throughout with an automatic smoke detection system in accordance with Section 907.2 and are separated from the remainder of the building by not less than 1 hour fire barriers constructed in accordance with Section 707 of the International Building Code or not less than 2 hour.
horizontal assemblies constructed in accordance with Section 712 of the International Building Code, or both.

3. Where this code requires the installation of an automatic sprinkler system to protect an occupancy within an otherwise non-sprinklered building, then automatic sprinkler protection will be required throughout the entire building.

4. When the required fire apparatus access roadway grade is 12 percent or greater.

EE. Automatic sprinkler systems – Speculative use warehouses. Section 903 of the International Fire Code, entitled “Automatic Sprinkler Systems,” is amended by adding the following new subsection 903.2.9.3:

Sec. 903.2.9.3. Speculative use warehouses. Where the occupant, tenant, or use of the building or storage commodity has not been determined or it is otherwise a speculative use warehouse or building, the automatic sprinkler system shall be designed and installed to protect not less than Class IV non-encapsulated commodities on wood pallets, with no solid, slatted, or wire mesh shelving, and with aisles that are 8 feet or more in width and up to 20 feet in height.

FG. Automatic sprinkler systems – Check valve. Section 903 of the International Fire Code, entitled “Automatic Sprinkler Systems,” is amended by adding a new subsection 903.3.8 as follows:

Sec. 903.3.8. Check valve. All automatic sprinkler system risers shall be equipped with a check valve.

GH. Automatic sprinkler systems – Riser room access. Section 903 of the International Fire Code, entitled “Automatic Sprinkler Systems,” is amended by adding a new subsection 903.7 as follows:
**Sec. 903.7. Riser room access.** All risers shall be located in a dedicated room with an exterior door, and with lighting and heat for the room.

**Hi. Fire alarm and detection systems – General.** Section 907 of the International Fire Code, entitled “Fire Alarm and Detection Systems,” is amended by substituting subsection 907.1.3 with the following:

**Sec. 907.1.3. Equipment.** Systems and their components shall be listed and approved for the purpose for which they are installed. All new alarm systems shall be addressable. Each device shall have its own address and shall annunciate individual addresses at a UL Central Station.

1. **Fire alarm and detection systems – Initiating device identification.** Section 907 of the International Fire Code, entitled “Fire Alarm and Detection Systems,” is amended by substituting subsection 907.6.3 with the following:

**Sec. 907.6.3 Initiating device identification.** The fire alarm system shall identify the specific initiating device address, location, device type, floor level where applicable and status including indication of normal, alarm, trouble and supervisory status, as appropriate.

**Exception:** Special initiating devices that do not support individual device identification.

**K. Fire alarm and detection systems – Records.** Section 907 of the International Fire Code, entitled “Fire Alarm and Detection Systems,” is amended by substituting subsection 907.8.5.1 with the following:

**Sec. 907.8.5.1. Records.** Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for three years; a copy shall be sent to the fire code official within 30 calendar days of each test, inspection, or maintenance of the system; and a label or tag shall be
affixed to the individual system identifying the date of the scheduled confidence test.

II. Fire alarm and detection systems – Latched alarms. Section 907 of the International Fire Code, entitled “Fire Alarm and Detection Systems,” is amended by adding a new subsection 907.10-11 as follows:

Sec. 907.1011. Latched alarms. All signals shall be automatically “latched” at the fire alarm control unit until their operated devices are returned to normal condition, and the control unit is manually reset.

III. Fire alarm and detection systems – Resetting. Section 907 of the International Fire Code, entitled “Fire Alarm and Detection Systems,” is amended by adding a new subsection 907.11-12 as follows:

Sec. 907.1112. Resetting. All fire alarm control units shall be reset only by an approved person.

Sec. 907.1112.1. Reset code. The reset code for the fire alarm control unit or keypad shall be 3-7-1-2-3-4. The reset code shall not be changed without approval of the fire code official.

IV. Fire alarm and detection systems – Fire alarm control unit location. Section 907 of the International Fire Code, entitled “Fire Alarm and Detection Systems,” is amended by adding a new subsection 907.12-13 as follows:

Sec. 907.1213. Fire alarm control unit location. All fire alarm control units shall be located in the riser room designed and installed in accordance with Section 903.7, or an approved location.

VQ. Smoke control systems – Written record. Section 909 of the International Fire Code, entitled “Smoke Control Systems,” is amended by substituting 909.20.2 with the following:
Sec. 909.20.2. Written record. The records shall include the date of the maintenance, identification of the servicing personnel and notification of any unsatisfactory condition and the corrective action taken, including parts replacement. The written record of smoke control system testing and maintenance shall be maintained on the premises for three years and copies shall be delivered to the fire code official within 30 calendar days of each test or maintenance of the system; and a label or tag shall be affixed to the individual system identifying the date of the scheduled testing.

MP. Fire protection systems – Signs. Section 912 of the International Fire Code, entitled “Fire Department Connections,” is amended by substituting 912.4-5 with the following:

Sec. 912.45. Signs. Fire department connections shall be clearly identified in an approved manner.

All fire department connections shall have an approved sign attached below the Siamese clapper. The sign shall specify the type of water-based fire protection system, the structure, and the building areas served.

Sec. 13.01.100 Amendments to the International Fire Code – Chapter 11, Construction Requirements for Existing Buildings. The following local amendments to Chapter 11 of the International Fire Code, entitled “Construction Requirements for Existing Buildings,” including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Fire Code as follows:

A. Fire safety requirements for existing buildings – Additions and alterations. Section 1103 of the International Fire Code, entitled “Fire Safety Requirements for Existing Buildings,” is amended by adding a new subsection 1103.5.3 as follows:
**Sec. 1103.5.3. Substantial Alterations.** The provisions of this chapter shall apply to substantial alterations to existing buildings regardless of use when a substantial alteration occurs in a structure equaling 10,000 or greater square feet. For purposes of this section, a substantial alteration shall be defined as an alteration that costs 50 percent or more of the current assessed value of the structure and impacts more than 50% of the gross floor area.

B. **Fire safety requirements for existing buildings – Fire alarm control unit replacement.** Section 1103 of the International Fire Code, entitled “Fire Safety Requirements for Existing Buildings,” is amended by adding a new subsection 1103.7.8 as follows:

**Sec. 1103.7.8. Fire alarm control unit replacement.**
If an existing fire alarm control unit is replaced with identical equipment it shall be considered maintenance.

**Sec. 13.01.110 Amendments to the International Fire Code – Chapter 80, Referenced Standards.** The following local amendments to Chapter 80 of the International Fire Code, entitled “Referenced Standards,” including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Fire Code as follows:

A. **Referenced standards – NFPA.** Section NFPA of the International Fire Code, entitled “Reference Standards,” is amended by modifying the standard reference number dates of publication as follows:

13- Installation of Sprinkler Systems
13D Installation of Sprinkler Systems in One- and Two-family Dwellings and Manufactured

**Amend KCC 13.01 - Re: Fire Codes**
Homes

13R- Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height

20- Installation of Stationary Pumps for Fire Protection

24- Installation of Private Fire Service Mains and Their Appurtenances

72- National Fire Alarm and Signaling Code

110- Emergency and Standby Power Systems

111- Stored Electrical Energy Emergency and Standby Power Systems

720- Installation of Carbon Monoxide (CO) Detection and Warning Equipment

**Sec. 13.01.120 Amendments to the International Fire Code – Appendix B, Fire-Flow Requirements for Buildings.** The following local amendments to Appendix B to the International Fire Code, entitled “Fire-Flow Requirements for Buildings,” including all amendments enacted by the state of Washington, are hereby adopted and incorporated into the International Fire Code as follows:
A. Fire-flow requirements for buildings – Increases. Section B103 of the International Fire Code, entitled “Fire-Flow Requirements for Buildings,” is amended by substituting subsection B103.1 with the following:

**B103.1 Increases.** The fire chief is authorized to increase the fire-flow requirements where exposures could be impacted by fire. An increase shall not be more than twice that required for the building under consideration.

B. Fire-flow requirements for buildings. Section B105 of the International Fire Code, entitled “Fire-Flow Requirements for Buildings,” is amended by substituting section B105.1 with the following:

**B105.1 One- and two-family dwellings.** Fire-flow requirements for one- and two-family dwellings shall be in accordance with Sections B105.1.1 through B105.1.3.

**B105.1.1 Buildings less than 3,600 square feet.** The minimum fire-flow and flow duration requirements for buildings less than 3,600 square feet shall be 1,000 gallons per minute for 1 hour.

**Exception:** A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is equipped with an approved automatic sprinkler system.

**B105.1.2 Buildings greater than 3,600 square feet or more.** The minimum fire-flow and flow duration requirements for buildings that are 3,600 square feet or larger shall not be less than that specified in Table B105.1(2).

**Exception:** A reduction of fire-flow and flow duration to 1,000 gallons per minute for 1 hour, as approved, is allowed when the building is equipped with the following:

1. An approved automatic sprinkler system.
2. 1-hour fire resistant rated exterior walls tested in accordance with ASTM E 119 or UL 263 with exposure on the exterior side and projections with 1-hour underside protection, fire blocking installed from the wall top plate to the underside of the roof sheathing and no gable vent openings.

**Exception:** Walls with a distance greater than 11' to the nearest exposure or face an unbuildable lot, tract or buffer. The distance shall be measured at right angles from the face of the wall.

**B105.2 Buildings other than one- and two-family dwellings.** The minimum fire-flow and flow duration for buildings other than one- and two-family dwellings shall be as specified in Table B105.1(2).

**Exception:** A reduction in required fire-flow of 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system. The resulting fire-flow shall not be less than 1,500 gallons per minute for the prescribed duration as specified in Table B105.1(2).

**B105.2.1 Tents and Membrane structures.** No fire flow is required for tents and membrane structures.

**B105.2.2 Accessory residential Group U buildings.** Accessory residential Group U buildings shall comply with the requirements of B105.1.

**B105.3 Water supply for buildings equipped with an automatic sprinkler system.** For buildings equipped with an automatic sprinkler system, the water supply shall be capable of providing the greater of:

1. The automatic sprinkler system demand, including hose stream allowance.
2. The required fire flow.

C. **Fire-flow requirements for buildings.** Section B105 of the International Fire Code, entitled “Fire-Flow Requirements for Buildings,” is amended by deleting the following tables from section B105 as follows:
Table B105.1 (1) Required Fire-Flow for One- and two-family dwellings, Group R-3 and R-4 Buildings and Townhomes.

Table B105.2 Required Fire-Flow for Other than One- and two-family dwellings, Group R-3 and R-4 Buildings and Townhomes.

D. Section B105 of the International Fire Code is amended by adding new subsection B105.4 as follows:

B105.4 Alternative Fire Flow Mitigation. For development projects, where it has been determined not feasible to extend the water main by the local water purveyor, the following alternative fire flow mitigations are approved for use in accordance with Sections B105.4.1 through B105.4.2

B105.4.1 One- and two-family dwellings. Fire flow will not be required for one- and two-family dwellings if all of the following mitigations are met:

1. The fire-flow calculation area is less than 3600 square feet

2. The construction type of the dwelling is Type VA

3. The dwelling is equipped with a central station monitored automatic fire sprinkler system installed in accordance with Section 903.3.1.3 with a water supply of no less than 30 minutes

4. The dwelling has a fire separation distance of no less than 150 feet on all sides

B105.4.2 Buildings other than one- and two-family dwellings. Fire flow will not be required for buildings other than one- and two-family dwellings if all of the following mitigations are met:

1. The fire-flow calculation area is less than 3600 square feet

2. The construction type of the dwelling is not Type VB
3. The dwelling is equipped with a central station monitored automatic fire sprinkler system installed in accordance with Section 903.3.1.1 with a water supply of no less than 30 minutes

4. The dwelling has a fire separation distance of no less than 150 feet on all sides

Sec. 13.01.130 Fire codes – Fees. The city council shall, by resolution, establish the fees to be assessed to implement and enforce the fire codes adopted in this title.

Sec. 13.01.140 Appeals.
A. Appeals to the hearing examiner.

1. Jurisdiction. In order to hear and decide appeals of orders, determinations, or decisions made by the fire code official relative to the suitability of alternate materials, designs, and methods of construction, and to provide for reasonable application and interpretation of the provisions of the International Fire Code, the city of Kent hearings examiner is hereby designated as the board of appeals created pursuant to Section 108 of the International Fire Code adopted in KCC 13.01.030 for all matters concerning the application of the fire codes. The city hearings examiner, however, shall have no authority relative to interpretation of the administrative provisions of these codes, nor shall the city hearings examiner be empowered to waive requirements of these codes.

2. Filing. Appeals shall be filed with the hearings examiner by 5:00 p.m. of the fourteenth calendar day following the date of the order, determination, or decision being appealed. When the last day of the appeal period so computed is a Saturday, Sunday, or federal or city holiday, the period shall run until 5:00 p.m. on the next business day. The appeal shall
be accompanied by payment of the filing fee. Specific objections to the fire code official’s decision and the relief sought shall be stated in the written appeal.

3. **Standing.** Standing to bring an appeal under this chapter is limited to the following persons:

   a. The applicant and the owner of property to which the permit decision is directed.

   b. Another person aggrieved or adversely affected by the order, determination, or decision, or who would be aggrieved or adversely affected by a reversal or modification of the order, determination, or decision. A person is aggrieved or adversely affected within the meaning of this section only when all of the following conditions are present:

   i. The order, determination, or decision has prejudiced or is likely to prejudice that person;

   ii. A judgment in favor of that person would substantially eliminate or redress the prejudice to that person caused or likely to be caused by the order, determination, or decision; and

   iii. The appellant has exhausted his or her administrative remedies to the extent required by law.

B. **Appeals to superior court.** Appeals to the hearings examiner shall be made pursuant to Chapter 2.32 KCC. The decision of the hearings examiner shall be final and conclusive unless within twenty-one (21) calendar days of the hearings examiner’s decision an appeal is filed with the superior court. When the last day of the appeal period so computed is a Saturday, Sunday, or federal or city holiday, the period shall run until the next business day.
SECTION 2. – Severability. If any one or more section, subsection, or sentence of this ordinance is held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this ordinance and the same shall remain in full force and effect.

SECTION 3. – Corrections by City Clerk or Code Reviser. Upon approval of the city attorney, the city clerk and the code reviser are authorized to make necessary corrections to this ordinance, including the correction of clerical errors; ordinance, section, or subsection numbering; or references to other local, state, or federal laws, codes, rules, or regulations.

SECTION 4. – Effective Date. This ordinance shall take effect and be in force 30 days from and after its passage, as provided by law.

Suzette Cooke
SUZETTE COOKE, MAYOR

ATTEST:

Ronald F. Moore
RONALD F. MOORE, CITY CLERK

APPROVED AS TO FORM:

TOM BRUBAKER, CITY ATTORNEY

PASSED: 17th day of May, 2016.
APPROVED: 17th day of May, 2016.
PUBLISHED: 20th day of May, 2016.
I hereby certify that this is a true copy of Ordinance No. 4201 passed by the City Council of the City of Kent, Washington, and approved by the Mayor of the City of Kent as hereon indicated.

RONALD F. MOORE, CITY CLERK