ORDINANCE NO. 876

AN ORDINANCE of the City of Kent adopting a fire prevention code, prescribing regulations governing conditions hazardous to life and property from fire or explosion, providing for enforcement thereof, defining powers and duties of officers, and providing penalties.

THE CITY COUNCIL OF THE CITY OF KENT DO ORDAIN as follows:

SECTION 1. Adoption of fire prevention code. There is hereby adopted by the City of Kent 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 National Board of Fire Underwriters, being particularly the 1953 Edition thereof and the whole thereof, as hereafter amended, 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. Enforcement vested in Fire Chief.

(a) The Fire Prevention Code shall be enforced by the Chief of the Fire Department of the City of Kent.

(b) 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 may 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.

SECTION 3. Definitions. Wherever the word "municipality" is used in this Fire Prevention Code, it shall be held to mean the City of Kent.

SECTION 4. Establishment of limits of districts in which storage of flammable liquid in outside, above ground tanks is to be prohibited.

(a) The limits referred to in Section 15.201 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 Fire District No. 2, as established by Ordinance No. 664 of the City of Kent, as amended by Ordinance No. 760, and by Ordinance No. 856 of the City of Kent.

(b) The limits referred to in Section 15.401 of the Fire Prevention Code, in which new bulk plants for flammable liquids are prohibited, are hereby established as follows:

Fire District No. 1 and Fire District No. 2, as established by Ordinance No. 664 of the City of Kent, as amended by Ordinance No. 760, and by Ordinance No. 856 of the City of Kent.

SECTION 5. Establishment of limits in which bulk storage of liquefied petroleum gases is to be restricted. The limits referred to in Section 20.06a of the Fire Prevention Code, in which bulk storage of liquefied petroleum gases is restricted, are hereby established as follows:

Fire District No. 1 and Fire District No. 2, as established by Ordinance No. 664 of the City of Kent, as amended by Ordinance No. 760, and by Ordinance No. 856 of the City of Kent.

SECTION 6. Modifications. The Fire Chief of the City of Kent 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 Fire Department thereon, shall be entered upon the records of the department, and a signed copy shall be furnished the applicant.

SECTION 7. Appeals. Whenever the Chief of the Fire Department shall disapprove an application, or refuse to grant a license or 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
Code have been misconstrued or 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 thirty (30) days from the date of the decision from which appeal is taken.

SECTION 8. New materials, processes or Occupancies which may require permits. The Mayor, the Chief of the Fire Department and the Building Inspector of the City of Kent 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 Fire Department shall post such list in a conspicuous place in his office, and distribute copies thereof to interested persons.

SECTION 9. Penalties. Any person who shall violate any of the provisions of the code hereby adopted or of this Ordinance, or shall 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 as affirmed or modified by the City Council or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every 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 imprisonment 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 person 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.
(b) The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions.

SECTION 10. Repeal of Conflicting Ordinances. All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or of the code hereby adopted, particularly Ordinances Nos. 185, 206, 207, 571, 597, 598, and 599, are hereby repealed.

SECTION 11. 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 12. Effective Date. This ordinance shall take effect and be in force five (5) days after its passage, approval, and publication, as required by law.

Passed May 17, 1954
Approved May 18, 1954
Published May 20, 1954
Adapting Fire Prevention Code

Repealing Acts
185, 206, 207, 571,
597, 598 and 599

Repealed by
Ord. 1943