File #: 2005-0427, **Version:** 1

AN ORDINANCE relating to creating the fire marshal division in the department of development and environmental services; and amending Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055; Ordinance 7919, Section 9, as amended, and K.C.C. 6.40.080; Ordinance 2097, Section 2, as amended, and K.C.C. 17.04.020; Ordinance 12560, Section 154, as amended, and K.C.C. 17.04.230; and Ordinance 14111, Section 205, as amended, and K.C.C. 17.04.480.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055 are each hereby amended to read as follows:

Department of development and environmental services - duties - divisions.

A. The department of development and environmental services is responsible to manage and be fiscally accountable for the building services division, land use services division, fire marshal division and administrative services division. The director of the department shall be the county planning director, ((~~building official, fire marshal and~~)) zoning adjuster and ((~~the~~)) responsible official for purposes of administering the state Environmental Policy Act, and may delegate those functions to qualified subordinates. The department shall be responsible for regulating the operation, maintenance and conduct of county-licensed businesses, except taxicab and for-hire drivers and vehicles. The department shall be responsible for managing and coordinating the implementation of Growth Management Act requirements, coordinating county and regional land use planning with public and private agencies, developing proposed policies to address regional

land use planning and developing and overseeing the countywide program for implementation of the county's Comprehensive Plan including coordinating the implementation of plans that are developed by departments.

B. The building services division shall be responsible for ensuring consistent and efficient administration of environmental, building and land use codes and regulations for commercial and residential projects by means of permit review and approval, construction inspections and public information. The manager of the building services division shall be the county building official. The duties of the division shall include the following:

1. Permit center and public information;

2. Building plan and application review, including ((~~fire, fire-flow,~~)) building, mechanical, barrier-free, energy, security and other uniform code reviews;

3. Site review, including engineering and ((~~sensitive~~)) critical areas review of permit applications; and

4. Inspections, including new-construction inspections for compliance with site((~~, fire~~)) and building code requirements((~~; and~~

~~5. Pursue and resolve code violations, including preparing for administrative or legal actions, evaluating the division's success in obtaining compliance with King County rules and regulations and designing measures to improve compliance~~)).

C. The land use services division shall be responsible for the effective processing and timely review of land development proposals, including zoning variance and reclassification, master drainage plans, variances from the surface water design manual and the King County road standards, ((~~sensitive~~)) critical area, subdivision, right-of-way use, urban planned development, clearing and grading, shoreline, special use and conditional use applications. The duties of the division shall include the following:

1. Permit center and public information;

2. Plan review, including the review of applications for compliance with shorelines, ((~~sensitive~~)) critical areas, subdivision and other zoning regulations, road standards and variances from the surface water

design manual, as well as community plans and utility comprehensive plans;

3. Engineering review and inspection, including the review of clearing and grading applications and review of engineering plans for compliance with adopted road and drainage standards and specifications;

4. Development inspection, including inspection of construction activity to ensure compliance with approved plans and codes;

5. Develop and assist in implementing local and subarea specific plans for urban and rural areas, consistent with the Comprehensive Plan;

6. Develop proposed policies to address long-range comprehensive land use planning and analyze and provide proposed updates to the Comprehensive Plan on an annual basis;

7. Develop proposed county plans, programs and policies and implement regulations on environmental issues, including ((~~environmentally sensitive~~)) critical areas and mineral resources, and serve as the contact for cities and agencies, providing appropriate research in support of county initiatives on these issues;

8. Administer the state Environmental Policy Act and act as lead agency, including making the threshold determinations, determining the amount of environmental impact and reasonable mitigation measures and coordinating with other departments and divisions in the preparation of county environmental documents or in response to environmental documents from other agencies; ((~~and~~))

9. Monitor the cumulative effects of the county's Comprehensive Plan and other plans, policies and laws intended to protect natural and community resources while permitting development and growth, and providing periodic status reports to the executive and council; and

10. Pursue and resolve code violations, including preparing for administrative or legal actions, evaluating the department's success in obtaining compliance with King County rules and regulations and designing measures to improve compliance.

D. The fire marshal division shall be responsible for programs designed to reduce the potential risk of

fires and for investigating the causes of fires. The manager of the fire marshal division shall be the county fire marshal. The duties of the division shall include the following:

1. Development and implementation of an inspection program to identify fire hazards and require conformance with K.C.C. Title 17;

2. Investigation into the origin, cause, circumstances and extent of loss of all fires;

3. Review of building plans and applications for compliance with K.C.C. Title 17; and

4. Inspections, including inspections of new construction, for compliance with K.C.C. Title 17.

E. The administrative services division shall provide support services throughout the department, including personnel and payroll support, budget support, financial services, information services, facilities management and support, and records management and program analysis services.

SECTION 2. Ordinance 7919, Section 9, as amended, and K.C.C. 6.40.080 are each hereby amended to read as follows:

Requirements for licensing/operation.

A. ((~~Massage business - public bathhouse.~~)) The director shall refer applications for massage business - public bathhouse to the Seattle-King County ((~~health~~)) department of public health and the King County fire marshal((~~'s office~~)) with a request to inspect the premises or proposed premises and submit a written report as to its sanitary and safety conditions ((~~and to submit a written report thereon; provided, however, that a~~)). An application for a massage business conducted in the applicant's home shall not be referred to the King County fire marshal((~~'s office~~)). All licensees shall:

1. Comply with the applicable safety and sanitation requirements of ((~~Section~~)) K.C.C. 6.40.100 ((~~of this chapter~~));

2. Keep business receipts showing the date of service(((~~s~~))) or services given, the type of service(((~~s~~))) or services rendered and the name and license number of the employee rendering the service(((~~s~~))) or services. These business receipts shall be retained for a period of three years after the date of the services(((~~s~~))) or

services, and shall be open to inspection by the director and the King County department of public safety;

3. Allow any police officer, the director((,)) or a representative from the Seattle-King County ((~~health~~)) department of public health or the King County fire marshal((~~'s office~~)) entry to the premises during the hours the massage business or public bathhouse is open for business, upon presentation of proper identification, for purposes of inspecting the premises;

4. Provide that all doors in ((~~such~~)) the premises, excluding doors in office and storage rooms, unless ((~~such~~)) the doors provide access to service areas, are so equipped that they may not be fastened shut so as to prevent reasonable access by ((~~such~~)) the authorities listed in subsection A.2. or 3. of this section who announce their authority to enter prior to inspection of ((~~such~~)) the premises;

5. Comply with the applicable standards of conduct requirements set out in ((~~Section~~)) K.C.C. 6.40.110 ((~~of this chapter~~));

6. Comply with the applicable provisions of the King County building, fire and zoning codes;

7. Submit proof of a current Washington State massage business license;

8. Shall post in a prominent place a list of all services offered with a brief description of what the service entails along with the costs for such services. All business transactions with customers must be conducted in accordance with said posted list; and

9. Shall not distribute or consume liquor ((~~and/~~))or controlled substances on licensed premises.

B. ((~~Massage practitioner.~~)) All applicants for a massage practitioner's license or license renewal shall:

1. Be at least eighteen years of age;

2. Submit to a background check in accordance with the procedures of the King County department of public safety;

3. Submit proof of a current Washington State massage license;

4. Comply with the applicable standards of conduct requirements of ((~~Section~~)) K.C.C. 6.40.110 ((~~of this chapter~~)); and

5. Comply with the applicable safety and sanitation requirements of ((~~Section~~)) K.C.C. 6.40.100 ((~~of this chapter~~)).

SECTION 3. Ordinance 2097, Section 2, as amended, and K.C.C. 17.04.020 are each hereby amended to read as follows:

Term amendments. Whenever the following words appear in this code, they are to be changed as follows:

A. "Fire chief," "chief of the fire department," "fire prevention engineer" and "fire code official" to "King County fire marshal".

B. "Fire department" to "King County fire marshal((~~'s office~~)) division."

C. ((~~Fire marshal to director, department of development and environmental services.~~

~~D.~~)) "Department" to "the department of development and environmental services."

SECTION 4. Ordinance 12560, Section 154, as amended, and K.C.C. 17.04.230 are each hereby amended to read as follows:

General authority and responsibilities - General - Duties of the fire marshal((~~'s office~~)) division and fire districts. Section 104.1 of the International Fire Code is supplemented with the following:

Duties of the fire marshal((~~'s office~~)) division and fire districts (IFC 104.1.3).

1. The ((~~F~~))fire marshal((~~'s Office~~)) division within the King County department of development and environmental services shall be operated under the direction of the Fire marshal, and shall have responsibility for investigation, administration and inspection functions to promote compliance of the fire prevention provisions of this code.

2. The Chiefs of the King County Fire Districts and((~~/or~~)) Fire Departments shall have responsibility for fire suppression or extinguishing provisions of this code within their respective jurisdictions.

3. The ((~~Fire marshal's Office~~)) fire marshal may, by written contract, delegate to the chiefs of the fire districts ((~~and/~~))or fire departments authority for inspections of the fire prevention provisions of this code

within their respective jurisdictions.

4. The ((~~Fire marshal's Office~~)) fire marshal division may, at the request of a fire districts ((~~and/~~))or fire department((~~s~~)), assume an advisory status in matters of operations, function, expenditure, tactics, personnel and equipment or any other function performed by the fire district((~~s~~)) or fire department((~~s~~)).

SECTION 5. Ordinance 14111, Section 205, as amended, and K.C.C. 17.04.480 are each hereby amended to read as follows:

General - Construction documents. Section 901.2 of the International Fire Code is not adopted and the following is substituted:

Construction documents (IFC 901.2). Complete plans and specifications for fire alarm systems; water -mains supplying required fire flow, fire-extinguishing systems, including automatic sprinklers and wet dry standpipes; halon or clean agent systems and other special types of automatic fire-extinguishing systems; basement pipe inlets; and other fire-protection systems and appurtenances thereto shall be submitted to the fire marshal((~~'s office~~)) for review and approval prior to system installation. Plans and specifications for fire alarm systems shall include, but not be limited to, a floor plan; location of all alarm-initiating and alarm-signaling devices; alarm control- and trouble-signaling equipment; annunciation; power connection; battery calculations; conductor type and sizes; voltage drop calculations; and manufacturer, model numbers and listing information for all equipment, devices and materials.

SECTION 6. **Effective date.** This ordinance takes effect January 1, 2006.

SECTION 7. **Severability.** If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the provision to other persons or circumstances is not affected.