

TOWN OF EATONVILLE

Agenda Staff Report

Agenda Item No.:	_____	Meeting Date:	_____
Subject:	<u>Ordinance 2014-2 Amending</u>	Prepared by:	<u>Gregory Jacoby</u>
	<u>Titles 8, 13, 16, and 17 of Eatonville</u>		<u>Town Attorney</u>
	<u>Municipal Code To Replace References</u>	Atty Routing No:	<u>002-14</u>
	<u>To Fire Marshal with Fire Chief</u>	Atty Review Date:	_____

Summary: Review of the Eatonville Municipal Code reveals that multiple sections of the Code make reference to the Town of Eatonville’s “Fire Marshal.” Eatonville Fire and Rescue, the Town’s fire department, is managed by a Fire Chief. Ordinance 2014-2 would update the Eatonville Municipal Code by removing references to Fire Marshall and replacing them with the term Fire Chief. A review of the entire Eatonville Municipal Code was performed and seven sections were identified as requiring amendment or repeal.

Recommendation: Staff recommends approval of Ordinance 2014-2

Motion for consideration: I move to adopt Ordinance 2014-2 amending Eatonville Municipal Code sections 8.04.080, 13.04.260, 13.11.020, 13.11.060, 13.11.100, 16.20.020, and 17.16.030, removing references to Fire Marshal and replacing with references to Fire Chief.

Fiscal Impact: None.

Attachments: Ordinance 2014-2.

ORDINANCE 2014-2

AN ORDINANCE OF THE TOWN OF EATONVILLE, WASHINGTON, AMENDING AND REPEALING CERTAIN CODE SECTIONS OF TITLES 8, 13, 16, AND 17 OF THE EATONVILLE MUNICIPAL CODE BY REMOVING REFERENCES TO FIRE MARSHAL AND REPLACING THOSE REFERENCES WITH THE TERM FIRE CHIEF

WHEREAS, Eatonville Fire and Rescue, the Town of Eatonville's fire department, is managed by a Fire Chief; and

WHEREAS, certain sections of the Eatonville Municipal Code contain outdated references to a Town "Fire Marshal;" and

WHEREAS, the Town desires to amend and/or repeal certain Code sections so there are consistent references to a Fire Chief; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF EATONVILLE AS FOLLOWS:

Section 1. Eatonville Municipal Code Section 8.04.080 is amended to read as follows:

8.04.080 Outdoor dumping and burning. It is unlawful for any person to bury, burn, dump, collect, remove or in any manner dispose of garbage or swill upon any street, alley, public or private property within the town otherwise than as provided in this chapter. Wastepaper, boxes, rubbish and debris, brush, grass, leaves, weeds and cuttings from trees, lawns, shrubs and gardens may be burned on private property in furnaces; or, upon special permit from the fire chief ~~or fire marshal~~, they may be burned in outside fireplaces, private incinerators or in open fires. It is unlawful for any person to bury, burn or dump wastepaper, boxes, rubbish and debris, brush, grass, leaves, weeds and cuttings from trees, lawns, shrubs and gardens upon any street, alley or public place.

Section 2. Eatonville Municipal Code Section 13.04.260 is amended to read as follows:

13.04.260 Fire protection service – Equipment installation and maintenance.

A. Pipes for fire protection purposes must be fitted with such fixtures only as are needed for fire protection and such fixtures shall be sealed by the fire ~~marshal~~chief, and in no case shall such seal be broken, except in

case of fire or by the fire chief for the purpose of testing the pipes, fixtures or hose.

B. When seals are broken in case of fire, it shall be the duty of the owner or tenant of the premises to notify the fire ~~marshal~~chief within 24 hours after its occurrence, and the seal shall be replaced by the fire ~~marshal~~chief.

C. Violation of this section shall be deemed a misdemeanor. All fines collected shall be placed to the credit of the water/sewer operating fund.

D. No domestic water services shall be allowed to be connected to a dead-end water main that is designed to be installed on private property for fire protection. All domestic water services shall be connected to the water system within the road rights-of-way unless approved by the public works director.

Section 3. Eatonville Municipal Code Section 13.11.020 is amended to read as follows:

13.11.020 Definitions. The words and phrases used in this chapter shall have the following meanings:

A. "Agricultural building" means a structure designed and constructed to house farm implements, hay, grain, poultry, livestock or other horticultural products. This structure shall not be a place of human habitation or a place of employment where agricultural products are used by the public.

B. "Board of appeals" means the town council.

C. "Building valuation data" means the building standards issued monthly by the International Conference of Building Officials.

D. "Commercial areas" means any area proposed to be developed with buildings or structures other than family dwellings.

E. "Dead-end main" means a water main over 50 feet long and not being fed from both ends at the time of the installation.

F. "Family dwelling" means a building under one roof which accommodates not more than two families.

G. "Fire department" means the fire authority normally responsible for fire protection in the area.

H. "Fire flow" means the minimum flow of water required for fighting a fire at a specific building, development or within a specific area. The minimum flows shall be determined by the fire ~~marshal~~chief based on the criteria set forth in the insurance service office guide for determination of required fire flow (current edition).

I. "Fire hydrant" means a mechanical device which is self-draining and frost-free and is constructed to provided the required fire flow for the area served. The fire hydrant must be approved by the town's department of public utilities.

J. "Fire marshal~~chief~~" means the ~~building official of the town~~ chief of the Eatonville fire department.

K. "Flush-type hydrant" means a hydrant that is installed entirely below the grade.

L. "Gpm" means gallons per minute.

M. "IBC" means the International Building Code as adopted by the town.

N. "IFC" means the International Fire Code as adopted by the town.

O. "Industrial area" means an area developed with uses first permitted in zone classifications I (industrial) or subareas of A-D (airport district).

P. "I.S.O." means the insurance service office pamphlet entitled "Guide for Determination of Required Fireflow," current edition.

Q. "Private hydrant" means a fire hydrant situated and maintained to provide water for firefighting purposes. The location shall be such that it is readily accessible for immediate use by the fire department.

R. "Public fire protection" means the current edition of the pamphlet entitled "Public Fire Protection" published by the Washington Surveying and Rating Bureau.

S. "Public hydrant" means a fire hydrant so situated and maintained as to provide water for firefighting purposes without restrictions as to its use for the purpose of firefighting. The location is such that it is accessible for immediate use of the fire department.

T. "Purveyor" means the federal agency, state agency, county agency, city/town, municipal corporation, partnership, district, institution, person or persons owning or operating a public water system or the authorized agent.

U. "Substantial alteration" means any alteration, remodeling or structural change, with a total cost of 25 percent or more, of the current assessed valuation of the building. Substantial alterations will be cumulative over a five-year period. When the cumulative alteration costs reach 25 percent or more of the building's current assessed valuation, the building shall meet all water flow requirements.

V. "Travel distance" means that measurements are made by the route the fire engine would travel. Eatonville Municipal Code 13.11.060 13-11

W. "Water main" means the piping used to deliver fire flows intended for fire protection in amounts as required by this chapter.

Section 4. Eatonville Municipal Code Section 13.11.060 is amended to read as follows:

13.11.060 Fire hydrant requirements.

A. Standard fire hydrants shall have no less than five-inch main valve openings (MVO) with two-and-one-half-inch outlet ports and a four-and-one-half-inch steamer outlet. All ports shall have national standard threads

that meet the approval of the affected fire department. Fire hydrants shall meet AWWA standards for private fire hydrants.

B. Fire hydrants shall stand plumb and be set to the finished grade. The bottom of the lowest outlet of the fire hydrant shall be no less than 18 inches above the grade. The area around the fire hydrant shall be free of obstructions which would prevent adequate access to and use of the fire hydrant. Where the street cannot be clearly defined or recognized, the steamer port shall face the most likely route of approach by fire apparatus.

C. Fire hydrants shall not be obstructed by any structure, vegetation or have the visibility impaired for a distance of 50 feet in the direction of the vehicular approach to the fire hydrant. Blue reflectors in the street are also required to help locate the hydrant in the dark by the lights of the fire truck.

D. Fire hydrants are to be accessible for fire department pumpers.

E. Fire hydrants subject to vehicular damage (e.g., those located in parking lots) shall be adequately protected.

F. Table A, as set forth in this subsection, specifies the maximum allowable distance which buildings shall be from a fire hydrant:

Type of Development	Hydrant Spacing Maximum (in feet)	Distance to Structure Maximum (in feet)
Subdivisions and short subdivisions – limited to family dwellings	660	350
Multiple dwelling low density – 12 or less units per acre	500	250
Commercial and multiple dwelling – high density – more than 12 units per acre	400	200
Industrial, hospitals, shopping centers, schools, areas of more than 20 commercial establishments	300	150

G. When the center of a building to be protected is greater than the maximum travel distance from the structure to a fire hydrant, on-site fire hydrants shall be installed.

H. Location of the fire hydrants shall be determined by the fire marshal, and/or fire chief.

I. The location of all water mains, fire hydrants and valves to be installed shall be properly and accurately marked on identifiable plans or drawings. Four copies of all plans and drawings shall be furnished to the town building department.

J. All fire hydrants must be approved by the appropriate water authority prior to installation and shall be the brands required by the town.

K. The installation of all fire hydrants and their attendant water system connections shall conform to the design standards and specifications promulgated by the appropriate water authority.

Section 5. Eatonville Municipal Code Section 13.11.100 is amended to read as follows:

13.11.100 Waivers. Some of the requirements of this chapter may be waived and/or alternate procedures approved by the fire marshal~~chief~~, if the alternate procedure will not result in an unreasonable risk to persons or property. All waivers and alternate procedures shall be in writing; the reasons shall be given for each; a copy shall be placed in a waiver notebook; a copy shall be mailed to the appropriate fire chief; and a copy shall be given to the board of appeals.

Section 6. Eatonville Municipal Code Section 16.20.020 is hereby repealed in its entirety.

~~**16.20.020 Administrative authority designated.**~~

~~The building official is also designated as the fire marshal for the town of Eatonville, and he shall have all the power and authority and jurisdiction provided by the Fire Code Standards.~~

Section 7. Eatonville Municipal Code Section 17.16.030 is amended to read as follows:

17.16.030 Application.

A. Applications for boundary line adjustments shall be made on forms provided by the town and shall be submitted to the public works director with five copies of a mylar plan, signed and stamped by a professional land surveyor, drawn to scale with accurate dimensions, clearly showing the following information:

1. The proposed lines for all affected lots, indicated by heavy solid lines;

2. The existing lot lines proposed to be changed, indicated by heavy broken lines;

3. The location and dimensions of all structures/ improvements existing upon the affected lots, and the distance between structure/improvements and the proposed lot/boundary lines. Note that all building setbacks as set forth in the town land use codes and regulations shall be met or variances must be secured for these exceptions prior to approval;

4. The original legal description of the entire property, together with new separate legal descriptions for each parcel, labeling them specifically as Parcel A, Parcel B, etc.;

5. All parcel numbers of affected lots;

6. The location of the property to quarter/ quarter section;

7. The location and dimensions of any drainfield, easement or right-of-way existing within or adjacent to any affected lots;

8. The area and dimensions of each lot following the proposed adjustment;

9. The existing, and if applicable, proposed future method of sewage disposal for each affected lot;

10. The mylar shall be titled on the top of the page, in large capital letters, the following:

RECORD OF SURVEY FOR BOUNDARY LINE
ADJUSTMENT

11. All requirements of Chapter 332-130 WAC governing minimum standards for land boundary surveys shall be met and a note shall be placed on the mylar that reads as follows:

THIS SURVEY COMPLIES WITH ALL STANDARDS
AND GUIDELINES OF CHAPTER 332-130 WAC.

B. The mylar for recording in the auditor's office shall contain all survey information required for a record survey under the "Survey Recording Act," Chapter 58.09 RCW, together with the following additional signature blocks which shall be fully executed before approval:

1. Surveyor's certificate;

2. Public works director;

3. Fire ~~marshal~~ chief;

4. Mayor;

5. Owner's signature.

C. Boundary line adjustment applications shall be submitted to Pierce County with a preliminary title report or certificate of ownership from the

title company. The preliminary title report or certification shall set forth all persons having an ownership interest in the lot affected by the boundary line adjustment. The preliminary title report must be dated no more than 30 days prior to application and must be updated to the date of boundary line adjustment approval if so requested by the town, without cost to the town.

D. An application for a boundary line adjustment shall be accompanied by a nonrefundable fee as set by town resolution.

Section 8. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be preempted by state or federal law or regulation, such decision or preemption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 9. This ordinance shall take effect after publication of a summary, consisting of the title, pursuant to RCW 35.27.300.

1ST READING: 03/__/2014
2ND READING: __/__/2014

PASSED by the Town Council of the Town of Eatonville and attested by the Clerk in authentication of such passage this ____ day of March 2014.

Mike Schaub
Mayor

ATTEST:

Kathy Linnemeyer
Town Clerk

APPROVED AS TO FORM:

Gregory A. Jacoby
Town Attorney