LEGISLATION FOR ADOPTION OF

THE INTERNATIONAL FIRE CODE

ORDINANCE NO. 531

An ORDINANCE of the Town of Yacolt adopting the 2012 edition of the International Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises in the Town of Yacolt; providing for the issuance of permits and collection of fees therefor; repealing Ordinance No. 454, and No. 450 of Town of Yacolt and all other ordinances or parts of laws in conflict therewith.

The Town Council of the Town of Yacolt does ordain as follows:

Section 1. That a certain document, one (1) copy of which are on file in the office of the City Clerk of Town of Yacolt, being marked and designated as the International Fire Code, 2012 edition, including Appendix Chapters "A", "B", "C", "D", "F", "H", "I" and "J". (see International Fire Code Section 101.2.1, 2012 edition), as published by the International Code Council, be and is hereby adopted as the Fire Code of Town of Yacolt, in the State of Washington regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefor; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of Town of Yacolt are hereby referred to, adopted, and made a part hereof, as if fully set out in this legislation, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance.

Section 2. That Ordinance No. 454 and Ordinance No. 440 of Town of Yacolt and also the Interlocal Agreegment entered into under the authority of the Interlocal Cooperation Act, Chapter 39.34 RCW, between Clark County, a polititcal subdivision of the State of Washington, ("County") and the Town of Yacolt, ("Town) since 1973 for the purpose of the administration and enforcement of the Washington State Building Code for structures within the corporate limits of the Town of Yacolt and subject to the interlocal agreement provisions thereof mutually agree that the County shall no longer act as the Town of Yacolt agent in and for the administration and enforcement of the Washington State Building Codes, as amended; and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 3. That the following sections are hereby revised:

Section 101.1. Revise:
101.1 Title. *These regulations shall be known as the Fire Code of Town of Yacolt, hereinafter referred to as "this code."*

Section 109.4. Revise:
109.4 Violation penalties. *Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair an aquatic vessel in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be guilty of a violation punishable by a fine of not more than $1,000.00 dollars Each day that a violation continues after due notice has been served shall be deemed a separate offense.*

Section 111.4. Revise:
111.4 Failure to comply. *Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not less than $250.00 dollars or more than $1,000.00 dollars.*

Section 4. That the geographic limits referred to in certain sections of the 2012 International Fire Code are hereby established as follows:

Section 5704.2.9.6.1
5704.2.9.6.1 Locations where above-ground tanks are prohibited*. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.*

Section 5706.2.4.4
5706.2.4.4 Locations where above-ground tanks are prohibited. *The storage of Class I and II liquids in above-ground tanks is prohibited within the limits established by law as the limits of districts in which such storage is prohibited*

Section 5806.2
5806.2 Limitations. *Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the limits established by law as the limits of districts in which such storage is prohibited.*

Section 6104.2
6104.2 Maximum capacity within established limits. *Within the limits established by law restricting the storage of liquefied petroleum gas for the protection of heavily populated or*

congested areas, the aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons (7570 L).

Exception: *In particular installations, this capacity limit shall be determined by the fire code official, after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.*

Section 5. That Ordinance No. 454 and Ordinance No. 440 of Town of Yacolt and also the Interlocal Agreement entered into under the authority of the Interlocal Cooperation Act, Chapter 39.34 RCW, between Clark County, a political subdivision of the State of Washington, ("County") and the Town of Yacolt, ("Town) since 1973 for the purpose of the administration and enforcment of the Washington State Building Code for structures within the corporate limits of the the Town of Yacolt and subject to the interlocal agreement provisions thereof mutually agree that the County shall no longer act as the Town of Yacolt agent in and for the administration and enforcement of the Washington State Building Codes, as amended; and all other ordinances or parts of laws in conflict herewith are hereby repealed.

Section 6. That if any section, subsection, sentence, clause or phrase of this legislation is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Town of Yacolt hereby declares that it would have passed this law, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 7. That nothing in this legislation or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 3 of this law; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this legislation.

Section 8. That the Town of Yacolt's, City Clerk is hereby ordered and directed to cause this legislation to be published in a newspaper in general circulation.

Section 9. That this law and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect from January 28, 2015 and after the date of its final passage and adoption.

Section 10 – Severability.
If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by a court of competent jurisdiction, the remaining portion of this Ordinance shall remain in full force and effect.

Section 11 - Effective Date.
This Ordinance shall take effect on January 28, 2015, following publication of the following summary, according to law.

Town of Yacolt - Summary of Ordinance #531

The Town Council of the Town of Yacolt adopted Ordinance #531 at its regularly scheduled Town Council meeting held on January 20, 2015. The content of the Ordinance is summarized in its title as follows:

AN ORDINANCE ADOPTING THE INTERNATIONAL FIRE CODE 2012 EDITION.

A copy of the full text of the Ordinance will be mailed upon request to the undersigned at the Town of Yacolt Town Hall, P.O. Box 160, Yacolt, WA 98675: (360) 686-3922.

Published this 28th day of January, 2015.
Cindy Marbut, Town Clerk/Treasurer

PASSED by the Town Council of the Town of Yacolt, Washington, at a regular meeting thereof this 20th day of January, 2015.

TOWN OF YACOLT

Jeff Carothers, Mayor

Attest:

Cindy Marbut, Town Clerk/Treasurer

Approved as to Form:

David W. Ridenour, Town Attorney

Ayes:
Nays:
Absent: Karl-Myers
Abstain: