

Chapter 16.004

FIRE CODE (Repealed and replaced by M-3659, Sec 4)

Sections:

- 16.004.010 Adoption of the international fire code.
- 16.004.020 Amendment of IFC Section 101.1 - Title.
- 16.004.030 Purpose.
- 16.004.040 Repealed by M-3957
- 16.004.050 Local amendments to the international fire code.
- 16.004.060 Definitions.
- 16.004.070 Office of the fire marshal.
- 16.004.075 Legal defense.
- 16.004.080 Minimum property maintenance code.
- 16.004.090 Amendment to IFC Section 104.5 - Enforcement.
- 16.004.095 Additions to IFC Section 105 - Permits and Fire Protection System Service Endorsements.
- 16.004.100 Amendment to IFC Section 108 - Building and fire codes commission.
- 16.004.110 Amendment to IFC Section 109 - Enforcement.
- 16.004.120 Amendment to IFC Section 110 - Unsafe buildings.
- 16.004.130 Amendment to IFC Section 111 - Stop work order.
- 16.004.135 Amendment to IFC Section 113 - Fees.
- 16.004.137 Amendment to IFC Section 308.1.4 - Open-flame cooking devices.
- 16.004.140 Amendment to IFC Section 401.5 - Making false report.
- 16.004.145 Amendment to IFC Section 401.
- 16.004.150 Adoption of Amended IFC Section 503 - Fire Apparatus Access Roads.
- 16.004.155 Temporary address signage.
- 16.004.160 Amendment to IFC Section 507 - Fire protection water supplies.
- 16.004.161 Amendment to IFC Section 609-Commerical Kitchen Hoods.
- 16.004.162 Amendment to IFC Section 901.2.1, Statement of Compliance.
- 16.004.163 Addition of IFC Section 901.2.2, Record Drawings.
- 16.004.164 Additions to IFC Section 901.4, Installation.
- 16.004.165 Amendment to IFC 901.6.2, Records.
- 16.004.166 Additions to IFC 901.6, Inspection, testing, and maintenance.
- 16.004.167 Access to fire protection system controls.
- 16.004.170 Amendment to IFC Section 903 - Automatic sprinkler systems - Automatic sprinkler systems in buildings larger than 12,000 square feet.
- 16.004.175 Amendment to IFC Section 903 - Alarms.
- 16.004.180 Retroactive application of VMC 16.004.170 - Automatic sprinkler systems in buildings larger than 12,000 square feet.
- 16.004.185 Amendments to IFC Section 904.11.6.4, Extinguishing system service.
- 16.004.190 Amendment to IFC Section 907 - Fire alarm and detection systems - Signs.
- 16.004.195 Amendments to IFC 907.8.2, Record of completion.
- 16.004.200 Amendment to IFC Section 907.9.5, Maintenance, inspection and testing.
- 16.004.210 Repealed by M-3957
- 16.004.220 Amendments to IFC Section 3301.1 - Explosives and fireworks - Scope.
- 16.004.230 Amendment to IFC Section 3301.1.1 - Explosives and fireworks - Explosive material standard.
- 16.004.240 IFC Section 3301.1.3 is not adopted.

- 16.004.250** **Amendment to IFC Section B105.2 (Appendix B) - Buildings other than one and two-family dwellings.**
- 16.004.270** **International building code (IBC) governs conflicts between the IBC and IFC.**
- 16.004.280** **Permits and fees.**
- 16.004.290** **Enforcement authority.**

Section 16.004.010 **Adoption of the international fire code.**

As required by RCW Chapter 19.27, the City of Vancouver hereby adopts by reference the 2012 International Fire Code (IFC), including appendices B and E, as amended by RCW Chapter 19.27, WAC Chapter 51-54 and the provisions of this chapter. Construction permits under IFC Section 105 shall be governed by VMC Chapter 17.08, Administrative Code.

(M-4052, Amended, 06/03/2013, Sec 1- Effective 07/01/2013; M-3957, Amended, 07/19/2010, Sec 1 - Effective 7/24/2010; M-3837, Amended, 07/16/2007, Sec 1; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.020 **Amendment of IFC Section 101.1 - Title.**

IFC Section 101.1 adopted in VMC 16.004.010 is amended to read as follows:

101.1 Title. These regulations shall be known as the fire code of the City of Vancouver, hereinafter referred to as “fire code”, “code” or “this code.”

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.030 **Purpose.**

The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises and to provide safety to fire fighters and emergency responders during emergency operations.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.050 **Local amendments to the international fire code.**

If any amendment to the IFC contained in VMC Chapter 16.004 proves void or otherwise unenforceable, the fire code official shall apply and enforce the IFC as adopted and amended by RCW 19.27 and WAC 51-54.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.060 **Definitions.**

Unless otherwise provided in this chapter, definitions included within the IFC shall govern this chapter. Undefined terms shall be defined by their plain meaning and context.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.070 **Office of the fire marshal.**

All references in fire code to the “Department of Fire Prevention” shall refer to the “Office of the Fire Marshal.”

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.075 Legal defense.

IFC Sections 103.4 and 103.4.1 are not adopted. Legal defense of the fire code official and other city employees charged with the administration and enforcement of this code shall be governed by the provisions in VMC Chapter 2.46.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.080 Minimum property maintenance code.

All references in the fire code to the “International Property Maintenance Code” shall refer to the “Minimum Property Maintenance Code”, VMC Chapter 17.14.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.090 Amendment to IFC Section 104.5 - Enforcement.

IFC Section 104.5 adopted in VMC 16.004.010 is amended to read as follows:

104.5 Enforcement. The fire code official is authorized to enforce the provisions of this code according to IFC Section 109.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.095 Additions to IFC Section 105 - Permits and Fire Protection System Service Endorsements.

105.8. Fire Equipment Service Endorsements. Except as provided in IFC Section 105.10, no person may design, inspect, install, alter, repair, maintain or test fire protection systems without first obtaining the appropriate fire protection system endorsement (endorsement), as required in this section. An endorsement shall also be required for the design, inspection, installation, alteration, repair, maintenance or testing of combination type systems which employ the use of fire protection equipment and other non-fire protection equipment such as security/burglar alarm systems (combination systems) and combination fire alarm and carbon monoxide for occupancies other than R-3 occupancy types.

105.8.1. Unless an applicant is ineligible to obtain an endorsement under the provisions of IFC Section 105.12, the fire code official shall issue an endorsement after receiving a complete endorsement application. As part of the endorsement application, an applicant must prove that he or she has obtained the necessary certification(s) as described in “Administrative Rule 9.01 - Qualification Requirements for Fire Protection System Contractors & Employees” from the National Institute for Certification in Engineering Technologies (NICET), or the State of Washington, as required in this section. In the event NICET certification or certification from the State of Washington is not available, the applicant must prove that he or she has obtained certification from a nationally recognized organization or association in accordance with Administrative Rule 9.01, relevant to the specific fire protection system or combination system that he or she intends to design, inspect, install, alter, repair, maintain or test.

105.8.2. Endorsements are required for the following fire protection systems or combinations systems:

105.8.2.1. Commercial Cooking Exhaust Cleaner (CCEC) Endorsement.

105.8.2.2. Fire Alarm System Designer of Record (FASDR) Endorsement.

- 105.8.2.3. Fire Alarm System Installation or Repair (FASIR) Endorsement.
- 105.8.2.4. Fire Alarm System Testing (FAST) Endorsement.
- 105.8.2.5. Fixed Suppression System Designer of Record (FSSDR) Endorsement.
- 105.8.2.6. Fixed Suppression System Install, Repair, Testing (FSSIRT) Endorsement.
- 105.8.2.7. Pre-Engineered Kitchen & Spray Booth Suppression System (PEKSBS) Endorsement.
- 105.8.2.8. Sprinkler System Designer of Record – Level 1 (SSDR1) Endorsement.
- 105.8.2.9. Sprinkler System Designer of Record – Level 2 (SSDR2) Endorsement.
- 105.8.2.10. Sprinkler System Designer of Record – Level 3 (SSDR3) Endorsement.
- 105.8.2.11. Sprinkler System Designer of Record – Level U (SSDRU) Endorsement.
- 105.8.2.12. Sprinkler System Installation or Repair - Level 1 (SSIR1) Endorsement.
- 105.8.2.13. Sprinkler System Installation or Repair - Level 2 (SSIR2) Endorsement.
- 105.8.2.14. Sprinkler System Installation or Repair - Level 3 (SSIR3) Endorsement.
- 105.8.2.15. Sprinkler System Installation or Repair - Level U (SSIRU) Endorsement.
- 105.8.2.16. Sprinkler System Testing Technician – Level 1 (SSTT1) Endorsement.
- 105.8.2.17. Sprinkler System Testing Technician – Level 2 (SSTT2) Endorsement.

105.9. Endorsement Expiration. Fire sprinkler system contractors and individuals regulated by the State of Washington Fire Marshal’s Office will automatically be issued an endorsement to do the same work in the City of Vancouver. Those endorsements will remain valid unless the State licensure is not maintained or unless revoked for cause by the fire code official in accordance with IFC 105.12. Other fire protection contractors who apply for and receive City of Vancouver endorsements are required to maintain their applicable qualifications, certifications and licenses. The fire code official may periodically conduct random audits for compliance. Those endorsements will remain valid unless the endorsement holder fails to maintain their qualifications or unless revoked for cause by the fire code official in accordance with IFC 105.12.

105.10. Exceptions to the Requirement for a Fire Protection System Service Endorsement. The following individuals shall not be required to obtain a fire equipment service endorsement:

105.10.1. Federal, state, and local government employees, or insurance inspectors when acting in their official capacities.

105.10.2. A person or organization acting under court order.

105.10.3. A registered professional engineer acting solely in a professional capacity.

105.10.4. When doing work regulated under chapter 19.28 RCW, certified master electricians, journeyman electricians, specialty electricians or properly supervised trainees allowed to perform electrical installation work under Chapter 19.28 RCW.

105.10.5. When work is being done that involves electrical work regulated under chapter 19.28 RCW and programming or acceptance testing, reacceptance testing, or inspection, testing and maintenance of fire alarm systems as required by the fire code official, the individual shall:

a. Be an appropriately certified electrician being supervised by an individual possessing the appropriate endorsement; or

b. Must possess an endorsement and be an appropriately certified electrician.

105.10.6. Be a manufacturer's technician working on their unique proprietary equipment.

105.11. Contractor Endorsement. No contractor may engage in the design, inspection, installation, alteration, repair, maintenance or testing of fire protection systems or combination systems, unless the contractor has obtained an applicable contractor endorsement, as required in this section. For the purposes of this subsection, "contractor" means any form or type of business that engages in the design, inspection, installation, alteration, repair, maintenance or testing of fire protection systems or combination systems.

105.11.1. Unless an applicant for a contractor endorsement is ineligible to obtain an endorsement under the provisions of IFC Section 105.12, the fire code official shall issue an endorsement after receiving a complete endorsement application. An application requires a contractor to demonstrate that at least one currently employed individual has obtained any necessary individual endorsements, as required under IFC Section 105.8.

105.11.2. All contractor endorsement shall be posted in a conspicuous area within the place of business and be made available to any person upon request.

105.11.3. The fire code official requires businesses or contractors to obtain the following endorsements:

105.11.3.1. Commercial Cooking Exhaust Contractor (CCEC) Endorsement.

105.11.3.2. Fire Alarm System Contractor (FASC) Endorsement.

105.11.3.3. Fixed Suppression System Contractor (FSSC) Endorsement.

105.11.3.4. Kitchen & Spray Booth Suppression System Contractor (KSBSSC)Endorsement.

105.11.3.5. Sprinkler System Contractor – Level 1 (SSC1) Endorsement.

105.11.3.6. Sprinkler System Contractor – Level 2 (SSC2) Endorsement.

105.11.3.7. Sprinkler System Contractor – Level 3 (SSC3) Endorsement.

105.11.3.8. Sprinkler System Contractor – Level U (SSCU) Endorsement.

105.11.3.9. Sprinkler System Testing Contractor (SSTC) Endorsement.

105.12. Enforcement of Endorsement Requirements. The endorsement requirements of IFC Sections 105.8 and 105.11 shall be enforced under the provisions of VMC Title 22, Uniform Enforcement Code, except that the penalty for violation(s) of this code shall be determined by the provisions of this code. For the purposes of IFC Section 105, both an individual endorsement holder and the contractor endorsement holder may be subject to the enforcement penalties contained in this subsection. The city official and the city attorney or the city attorney's designee may negotiate settlement, compromise or otherwise dispose of an action when to do so would be in the best interest of the city.

105.12.1. Working Without Required Endorsements. Any person or contractor that engages in work without an endorsement, as required in IFC Section 105, shall be subject to a \$1,000.00 penalty for a first violation; \$2,500.00 for a second violation; and \$5,000.00 for each subsequent violation.

105.12.1.2. Working without a required endorsement, may result in ineligibility to obtain an endorsement for one month for a first violation; six months for a second violation; and twelve months for subsequent violations.

105.12.1.3. It is a misdemeanor for an individual or contractor to knowingly violate the endorsement requirements contained in IFC Section 105.

105.12.2. Inadequate Supervision of Regulated Work. The holder of any endorsement shall exercise reasonable supervisory control over the design, inspection, installation, alteration, repair, maintenance and testing of fire protection systems. "Reasonable supervisory control" means that the holder of any endorsement shall ensure that a qualified person is on the site for the duration of any inspection, installation, alteration, repair, maintenance or testing of fire protection systems, as required in IFC Section 904.

105.12.2.1. Any person or contractor that fails to exercise reasonable supervisory control shall be subject to a \$1,000.00 penalty for a first violation; \$2,500.00 for a second violation; and \$5,000.00 for each subsequent violation.

105.12.2.2. The fire code official may revoke the endorsement of any individual or contractor who fails to exercise reasonable supervisory control. A first violation may result in a one month revocation; six month revocation for a second violation; and a twelve month revocation for subsequent violations.

105.12.2.3. It is a misdemeanor for an individual or contractor to knowingly fail to exercise reasonable supervisory control.

105.12.3. Gross Negligence or Fraud. The holder of any endorsement shall be subject to the most severe penalties for engaging in or allowing instances of gross negligence or fraud. "Gross negligence" means the holder of an endorsement fails to meet the most basic levels of competency, as determined by a reasonably prudent and competent industry practitioner. "Gross negligence" means the same thing as "gross incompetency," and denotes an act or omission that is more than a mere oversight or mistake. "Fraud" means that the holder of an endorsement knowingly falsifies documents submitted to either the customer or fire code official; or knowingly allows another person to hold falsely him or herself out as the holder of the endorsement.

105.12.3.1. Any person or contractor that commits an act of gross negligence or fraud shall be subject to a \$2,500.00 penalty for a first violation; \$5,000.00 for a second violation; and \$7,500.00 for each

subsequent violation.

105.12.3.2. The fire code official may revoke the endorsement of any individual or contractor who commits an act of gross negligence or fraud.

105.12.3.3. It is a gross misdemeanor for an individual or contractor to knowingly commit an act of fraud or gross negligence.

(M-4052, Amended, 06/03/2013, Sec 2-Effective 07/01/2013; M-3957, Amended, 07/19/2010, Sec 2-Effective 7/24/2010; M-3819, Added, 05/21/2007, Sec 1)

Section 16.004.100 Amendment to IFC Section 108 - Building and fire codes commission.

IFC Section 108 adopted in VMC 16.004.010 is amended to read as follows:

Section 108 Building and Fire Codes Commission

108.1 Building and Fire Codes Commission. In order to advise the city council regarding building and fire prevention regulations and methods, and to provide for reasonable interpretations of this code, there shall be and is hereby created a Building and Fire Codes Commission consisting of members who are qualified by experience and training to pass upon matters pertaining to building construction, fire codes, and building service equipment.

108.2 Duties. The Building and Fire Codes Commission shall:

108.2.1. Investigate building code, fire code, and construction related issues.

108.2.2. Recommend uniform construction and fire prevention regulations.

108.2.3. Review and make recommendations to the council prior to its action on all new codes and proposed changes to existing construction codes and regulations relating to building and fire.

108.2.4. Hear and resolve disputes concerning the building official's and the fire chief's interpretation and application to permits sought under the codes they administer, provided that the building official's or fire chief's interpretation or application of any code requirement may be reversed only if the Building and Fire Codes Commission finds that the interpretation of the building official or fire chief was arbitrary and capricious or clearly erroneous; and provided further that the Building and Fire Codes Commission shall not have jurisdiction to hear appeals of notice of civil violation and orders, orders to revoke permits, summary abatements and stop work orders related to an enforcement action under VMC title 22.

108.3 Membership. The Building and Fire Codes Commission shall consist of five (or more) members appointed by the mayor and council from the following list: licensed architect, professional structural engineer, professional mechanical engineer, professional electrical engineer, general building contractor, residential contractor, mechanical contractor, plumbing contractor, electrical contractor, building material supplier, industry construction union, fire protection contractor, and public at large. Not more than one representative from a category may serve at any one time. A majority of the appointed membership shall constitute a quorum.

108.4 Term of Office. Each member of the Building and Fire Codes Commission shall be appointed to a six-year term. The first appointments shall be staggered so that not more than 1/6th of the board will be eligible for reappointment in any one year. A member may be appointed to succeed himself/herself in office.

108.5 Removal from Office. A member can be removed from the Building and Fire Codes Commission by the mayor and council for malfeasance or neglect or, when so requested by the board, for unexcused absences from three or more consecutive meetings.

108.6 Officers. The board shall elect a chairperson and vice-chairperson who shall serve a term of one year.

108.7 Ex Officio Members. The building official and the fire chief shall be ex officio and non-voting members of the board, with the building official acting as secretary.

108.8 Meetings. The board shall meet at least once a year to elect officers. The chair or the building official may call additional meetings as required to conduct the board's business.

108.9 Meeting Notice. All meetings shall be public with the time, place, and agenda published at least seven days prior to the meeting.

108.10 Conduct of the Meeting. The board shall use Robert's Rules of Order in the conduct of its business.

(M-4052, Amended, 06/03/2013, Sec 3-Effective 07/01/2013; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.110 Amendment to IFC Section 109 - Enforcement.

IFC Section 109 adopted in VMC 16.004.010 is amended to read as follows:

Section 109 Enforcement

109.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to erect, construct, alter, repair, remove, demolish or utilize a building, occupancy, premises or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

109.2 Enforcement. In addition to or as an alternative to any corrective actions or remedies included in the IFC, the fire code official shall enforce the provisions of the fire code under title 22 of the Vancouver Municipal Code.

109.3 Unauthorized tampering. Signs, tags or seals posted or affixed by the fire code official shall not be mutilated or destroyed or tampered with or removed without authorization from the fire code official.

109.4 Abatement of Violation. In addition to the imposition of the penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy or a structure on or about any premises.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.120 Amendment to IFC Section 110 - Unsafe buildings.

IFC Section 110.1 adopted in VMC 16.004.010 is not adopted and is amended to include a new section to read as follows:

110.5 Enforcement. The fire code official shall enforce the provisions of this section under title 22 of the Vancouver Municipal Code.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.130 Amendment to IFC Section 111 - Stop work order.

IFC Section 111 adopted in VMC 16.004.010 is amended to read as follows:

111.1 Order. Whenever the fire code official finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the fire code official is authorized to issue a stop work order according to the provisions of VMC 22.02.050.

111.2 Issuance. A stop work order shall be issued according to the provisions in VMC 22.02.050.

111.3 Emergencies. Where an emergency exists, the fire code official shall not be required to give a written notice prior to stopping the work. Notice of summary abatement shall be given as soon as reasonably possible according to the provisions in VMC 22.02.050.

111.4 Enforcement. Violation of a stop work order shall be enforced according to the provisions in title 22 of the Vancouver Municipal Code.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.135 Amendment to IFC Section 113 - Fees.

IFC Section 113 adopted in VMC 16.004.010 is amended to read as follows:

113.1 Fees. Permit fees for permits regulated under IFC Section 105.6 shall be as established in VMC Section 16.004.280. Permit fees for permits required under IFC Section 105.7 shall be established in VMC Chapter 17.08, Fees Table V Fire Fees, and VMC 20.180.080, Fire Fees.

(M-3957, Added, 07/19/2010, Sec 3-Effective 7/24/2010)

Section 16.004.137 Amendment to IFC Section 308.1.4 - Open-flame cooking devices.

308.1.4 Open-flame cooking devices. Charcoal burners and other open-flame cooking devices shall not be operated on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Exceptions:

1. Domestic Use.
2. Where buildings, balconies and decks are protected by an automatic sprinkler system.

3. LP-gas cooking devices having LP-gas container with a water capacity not greater than 21/2 pounds [nominal 1 pound (0.454 kg) LP-gas capacity].

(M-3957, Added, 07/19/2010, Sec 4-Effective 7/24/2010)

Section 16.004.140 Amendment to IFC Section 401.5 - Making false report.

IFC Section 401.5 adopted in VMC 16.004.010 is amended to read as follows:

401.5 Making false report. A person shall not give, signal or transmit a false alarm.

401.5.1 False alarm. For purposes of this subsection a "false alarm" means the activation of any device or equipment intended to activate audible, inaudible or visible alarms or signals in the event of a fire when no fire or emergency exists and signals are received by Clark Regional Emergency Services Agency. A "false alarm" includes:

a. Negligently or accidentally activated alarm signals; and

b. Alarm signals that are the result of faulty, malfunctioning, or improperly installed or maintained equipment.

401.5.2 False reporting. For purposes of this subsection, "false reporting" means the notification of Clark Regional Emergency Services Agency through electronic means of a fire or emergency which results in a response by the fire department where no fire or emergency exists.

401.5.3 Penalties. Monetary costs may be assessed according to VMC Chapter 22.02.070 (D) for each false alarm or false report received by Clark Regional Emergency Services Agency by the fire code official against the owner or lessee of a building possessing a fire alarm device or to an individual whenever the fire code official finds that more than four false alarms or false reports are received in any twelve-month period. Such assessments shall be subject to appeal pursuant to VMC Chapter 22.03.

(M-3957, Amended, 07/19/2010, Sec 5-Effective 07/24/2010; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.145 Amendment to IFC Section 401.

IFC Section 401 adopted in VMC 16.004.010 is amended to include a new section to read as follows:

401.9 Access to 911. Customer provided telephone equipment installed within the city must access the 911 emergency telephone system terminating at the Clark Regional Emergency Services Agency.

(M-3957, Added, 07/19/2010, Sec 6-Effective 07/24/2010)

Section 16.004.150 Adoption of Amended IFC Section 503 - Fire Apparatus Access Roads.

a. WAC 51-0500 is not adopted.

b. IFC Section 503, Fire Apparatus Access Roads, as published by the International Code Council, is adopted by reference. IFC Section 503, as amended in this section, shall govern fire apparatus access roads in the City of Vancouver.

c. The fire code official is authorized to modify the requirements found in IFC Section 503.2 where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with IFC Section 903.3.1.1, 903.1.1.2 or 903.3.1.3.

2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and approved alternative means of fire protection is provided.

3. There are not more than two Group 3 R-3 or Group U occupancies.

d. IFC Section 503.2.5, Dead Ends is amended to read as follows:

503.2.5 Dead Ends. Dead-end fire apparatus access roads in excess of 200 feet (60,960 mm) in length shall be provided with an approved area for turning around fire apparatus.

e. Aerial Fire Apparatus Access. A new subsection, 503.1.4, is added to IFC Section 503.1 to read as follows:

Buildings four or more stories in height shall be provided with approved aerial fire apparatus access roads. Aerial fire apparatus access roads shall be provided within 25 feet of the building, but not less than 15 feet from the building, along the length of one side of the building.

(M-3837, Amended, 07/16/2007, Sec 3; M-3662, Amended, 10/05/2004, Sec 1; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.155 Temporary address signage.

Temporary premise address signage shall be posted as soon as construction commences and shall be visible and legible from the street or road front of the property for emergency response.

(M-4052, Added, 06/03/2013, Sec 4-Effective 07/01/2013)

Section 16.004.160 Amendment to IFC Section 507 - Fire protection water supplies.

IFC Section 507 adopted in VMC 16.004.010 is amended to read as follows:

507.1 Required water supply. An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction.

507.1.1 Timing. Building permits shall not be issued until plans required under 507.2.4 have been approved. Construction cannot commence until water mains and fire hydrants have been approved and accepted.

507.2 Type of water supply. All fire hydrants shall be served by the City of Vancouver water system unless the fire code official approves some other system. A water supply shall consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow at twenty pounds per square inch residual pressure.

507.2.1 Private fire service mains. Private fire service mains and appurtenances shall be installed in accordance with NFPA 24.

507.2.2 Water tanks. Water tanks for private fire protection shall be installed in accordance with NFPA 22.

507.2.3 Public fire service mains. Fire hydrant installations and attendant water system connections shall conform to the APWA Standards, as amended by the City of Vancouver.

507.2.4 Plans. Two copies of detailed plans or drawings accurately indicating the location of all valves and fire hydrants to be installed shall be submitted to the engineering department prior to the commencement of any construction.

507.2.5 Dead-end mains. Provisions shall be made wherever appropriate in any project for looping all dead-end mains. A minimum ten-foot easement shall be required.

507.3 Fire flow. Fire flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method. (See Appendix B)

507.4 Water supply test. The fire code official shall be notified prior to the water supply test. Water supply tests shall be witnessed by the fire code official or approved documentation of the test shall be provided to the fire code official prior to final approval of the water supply system.

507.4.1 Notification of installation. The city engineer or his designate and the fire department shall be notified in writing of the date the fire hydrant installation and its attendant water connection system will be available for use and the fire department shall be notified when all newly installed hydrants or mains are placed in service.

507.5 Fire hydrant systems. Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.8.

507.5.1 Where required. Fire hydrants shall be provided at 400 foot spacing along required fire apparatus access roads.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirements shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, the distance requirement shall be 600 feet (183 m).

507.5.1.1 Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirements shall be 600 feet (183 m).

2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

3. Where no more than two Group R-3 or Group U occupancies are being developed and the site is found to be remote by the fire code official, the distance shall be 1,000 feet.

507.5.2 Inspection, testing and maintenance. Fire hydrant systems shall be subject to periodic tests as required by the fire code official. Fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective. Additions, repairs, alterations and servicing shall comply with approved standards.

507.5.3 Private fire service mains and water tanks. Private fire service mains and water tanks shall be periodically inspected, tested and maintained in accordance with NFPA 25 at the following intervals:

1. Private fire hydrants (all types): Inspection annually and after each operation; flow test and maintenance annually.

2. Fire service main piping; Inspection of exposed, annually; flow test every five years.

3. Fire service main piping strainers: Inspection and maintenance after each use.

507.5.4 Obstruction. Posts, fences, vehicles, growth, trash, storage and other materials or objects shall not be placed or kept near fire hydrants, fire department inlets connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately discernable. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

507.5.5 Clear space around hydrants. A 3-foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

507.5.6 Physical protection. Where fire hydrants are subject to impact by a motor vehicle, guard posts or other approved means shall comply with Section 312.

507.5.7 Specifications. All fire hydrants must meet the following specifications:

1. An auxiliary valve shall be installed and connected to the hydrant by flanges to permit the repair and replacement of the hydrant without disruption of water service.

2. All hydrants shall be plumb, be set to the finished grade with the lowest outlet of the hydrant not less than eighteen inches or more than thirty-six inches above the grade and have no less than thirty-six inches in diameter of clear area about the hydrant for the clearance of hydrant wrenches on both outlets and on the control valve.

3. The pumper port shall face the street. Where the street cannot be clearly defined or recognized, the port shall face the most likely route of approach and location of the fire engine while pumping as determined by the fire department. The hydrant shall be installed within fifteen feet of the street or access roadway.

4. The hydrant lateral from the water main shall be no less than six inches in diameter.

5. The main valve opening of hydrants shall be a minimum of five inches.
6. The area of the hydrant barrel shall be a minimum of one hundred twenty percent of the main valve opening.
7. A drip valve of noncorrosive material shall be provided for draining the hydrant.
8. Hydrants shall have not fewer than two two-and-one-half-inch outlets and one pumper connection of four-and-one-half-inches.
9. Threads for hydrant two-and-one-half-inch outlets shall be national standard. The four-and-one-half-inch connection will be equipped with an approved quick connect coupling.
10. Flush type hydrants are prohibited unless approved by the fire and water-sewer departments.

507.5.8 Fire Department connections. A fire hydrant shall be located within 150 feet of all required and approved fire department connections. (See also Section 912).

(M-3957, Amended, 07/19/2010, Sec 7-Effective 07/24/2010; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.161 Amendment to IFC Section 609-Commercial Kitchen Hoods.

609.3.3.1 Inspection. Hoods, grease-removal devices, fans, ducts and other appurtenances shall be inspected at intervals specified in Table 609.3.3.1 or as approved by the fire code official. Inspection shall be completed by individuals possessing a valid Commercial Cooking Exhaust Cleaner (CCEC) endorsement issued under 105.8.2 employed by a contractor meeting the requirements of Section 105.11.

609.3.3.3 Records. Records for inspections shall state the individual and company performing the inspection, a description of the inspection and when the inspection took place. Records for cleanings shall state the individual and company performing the cleaning and when the cleaning took place. Such records shall be completed after each inspection or cleaning, maintained on the premises for a minimum of three years and shall be submitted to the fire code official by the contractor inspecting/cleaning the hood within 30 days from the service date.

(M-3957, Added, 07/19/2010, Sec 8-Effective 07/24/2010)

Section 16.004.162 Amendment to IFC Section 901.2.1, Statement of Compliance.

901.2.1 Statement of Compliance. Before requesting final approval of the installation, the installing contractor shall furnish a written statement to the fire code official that the subject fire protection system has been installed in accordance with approved plans and the installed equipment has been completely tested in accordance with the manufacturer's specifications and the appropriate installation standard. Any deviations or variances from the design standards shall be noted and copies of the approvals for such deviations shall be attached to the written statement. The written statement shall be furnished on forms approved by the fire code official for the respective fire protection system(s) and any deficiencies found during the pre-testing shall be corrected prior to requesting a final inspection.

The Statement of Compliance shall be updated as needed and maintained by the property owner for the life of the system.

Section 16.004.163 Addition of IFC Section 901.2.2, Record Drawings.

901.2.2 Record Drawings. If the installation does not match the approved plans, Record Drawings shall also be provided with the written Statement of Compliance prior to scheduling the final acceptance test(s). The Record Drawings shall be signed by the Designer of Record and the installing contractor. Record drawings may be in “red line” or “clouded” format for inspection, but final approval will not be issued until the receipt of record drawings in final format.

(M-3819, Added, 05/21/2007, Sec 3)

Section 16.004.164 Additions to IFC Section 901.4, Installation.

901.4.5 Compliance. All fire protection system contractors and persons installing, inspecting, maintaining, servicing or testing fire protection systems or any part of such a system shall comply with the provisions of IFC Section 901.4. Endorsements are governed by IFC Section 105.

901.4.6 Sprinkler System Plan Submittals. Working plans and layout drawings submitted to the City of Vancouver for water based fire protection systems shall be stamped and approved by a qualified person to be in compliance with the Vancouver Municipal Code. Any changes to the working plans shall be approved and stamped by a qualified person prior to review by the city. An Owner’s Certificate shall be provided with the submitted sprinkler plans. A qualified person shall possess a current and appropriate level Sprinkler System Designer of Record (SSDR) Endorsement and the stamp shall be provided by the Washington State Fire Marshal’s Office.

EXCEPTIONS:

1. Federal, state, and local government employees, or insurance inspectors when acting in their official capacities.
2. A person or organization acting under court order.
3. A registered professional engineer acting solely in a professional capacity.

901.4.7 Sprinkler System Installation, Maintenance or Repair. The installation, maintenance, or repair of water based fire protection systems and associated appliances shall be performed by a qualified person. A qualified person for the purposes of this subsection is one who possesses a current Sprinkler System Install and Repair (SSIR) Endorsement at the appropriate level for the type of sprinkler system being worked on.

EXCEPTIONS:

1. Federal, state, and local government employees, or insurance inspectors when acting in their official capacities.
2. A person or organization acting under court order.
3. A registered professional engineer acting solely in a professional capacity.

4. An owner/occupier of a single-family residence performing his or her own installation in that residence. This subsection shall not exempt builders or contractors who install their own sprinkler systems in single-family residences under their ownership which they plan to sell, lease, or rent.

901.4.7.1 A minimum of one SSIR endorsement holder shall be on site during installation or while any repairs, maintenance or acceptance test is being performed. Work on electrically operated alarm attachments forming part of an auxiliary, central station, local protective, proprietary, or remote station signaling system shall be performed by persons meeting qualifications found in Section 901.4.9.

901.4.8 Automatic Fire Alarm System Plan Submittals. Working plans submitted to the City of Vancouver for automatic fire alarm systems shall be prepared by a qualified person, and the working plans shall be in compliance with all code requirements. Any changes to the working plans shall be reviewed and resubmitted by the qualified person prior to review by the city. A qualified person shall possess a current Fire Alarm Designer of Record (FASDR) Endorsement.

901.4.9 Automatic Fire Alarm System Installation, Maintenance or Repair. The installation or repair of electrically operated alarm attachments forming part of an auxiliary, central station, local protective, proprietary, or remote station signaling fire alarm system shall be performed by or supervised by a qualified person. A qualified person making electrical connections for alarm attachments within the fire alarm control panel, shall work for a properly licensed electrical contractor; be an appropriately certified electrician, as identified by the Washington Department of Labor and Industries; and possess a current Fire Alarm System Installation or Repair (FASIR) Endorsement. A properly licensed electrical contractor may make connections within the fire alarm panel provided it is limited to the power supply line voltage or dedicated circuits back to the breaker box without possessing a FASIR Endorsement.

901.4.9.1 The FASDR endorsement holder representing the licensed fire alarm contractor shall verify in writing that the installation complies with the submitted and approved plans. If the installation does not comply with the approved plans, Record Drawings shall be provided prior to final acceptance test(s). A Vancouver Fire Department Automatic Fire Alarm System Record of Completion Form shall be accurately completed and submitted to the City of Vancouver prior to scheduling of a final acceptance test.

901.4.9.2 A minimum of one FASIR endorsement holder shall be onsite during installation or while any repairs, maintenance or acceptance test is being performed.

901.4.10 Gaseous Fire Protection System Plan Submittals. Submitted working plans for gaseous fire suppression systems (e.g., Halon, CO₂, or Clean Agents) shall be approved and signed by a qualified person as required by this ordinance, and the working plans shall be in conformance with all code requirements. Any changes to the working plans shall be approved and signed by a qualified person prior to review by the city. A qualified person under this subsection is one who possesses a current Fixed Suppression System Designer of Record (FSSDR) Endorsement.

901.4.11 Gaseous Fire Protection System Installation, Maintenance or Repair. The installation or repair of gaseous fire suppression systems (Halon, CO₂, Clean Agents, etc.) shall be performed by or directly overseen by a qualified person. A qualified person under this subsection is one who possesses a current Fixed Suppression System Installer, Repair, Test (FSSIRT) Endorsement.

901.4.11.1 Work on electrically operated alarm attachments forming part of an auxiliary, central station, local protective, proprietary, or remote station signaling system shall be performed by persons meeting qualifications found in Section 901.4.9.

901.4.11.2 A qualified person meeting the requirements in Section 901.4.10 shall verify in writing that the installation complies with the submitted and approved plans. If the installation does not comply with the approved plans, record drawings shall be provided prior to scheduling the final acceptance test(s).

901.4.11.3 A minimum of one FSSIRT endorsement holder shall be onsite during installation or while any repairs, maintenance or acceptance test is being performed.

901.4.12 Commercial Cooking & Spray Booth Fire Protection System Plan Submittals. Working plans submitted to the City of Vancouver for automatic fire suppression systems used to protect commercial cooking equipment shall be approved and signed by a qualified person to be in compliance with the Vancouver Municipal Code. Any changes to the working plans shall be approved and signed by a qualified person prior to review by the city.

901.4.12.1 Chemical-Based Systems. A qualified person shall possess a current Pre-Engineered Kitchen & Spray Booth Suppression System (PEKSBS) Endorsement.

901.4.12.2 Water-Based Systems. Water based extinguishing systems used to protect commercial cooking equipment shall meet the requirements of Section 901.4.6, Section 901.4.7 and Section 901.6.3.1.

901.4.13 Commercial Cooking Fire Protection System Installation, Maintenance or Repair. The installation or repair of automatic fire suppression systems used to protect commercial cooking equipment shall be performed by or overseen by a qualified person. A qualified person under this subsection is one who possesses a current Pre-Engineered Kitchen & Spray Booth Suppression System (PEKFS) Endorsement.

901.4.13.1 Work on electrically operated alarm attachments forming part of an auxiliary, central station, local protective, proprietary, or remote station signaling system shall be performed by persons meeting qualifications found in Section 901.4.9.

901.4.13.2 A qualified person meeting the requirements in Section 901.4.12 shall verify in writing that the installation complies with the submitted and approved plans. If the installation does not comply with the approved plans, record drawings shall be provided prior to scheduling the final acceptance test(s).

901.4.13.3 A minimum of one PEKFS endorsement holder shall be onsite during installation or while any repairs, maintenance or acceptance test is being performed.

901.5.2 Requesting Acceptance Tests. Requests for acceptance tests on fire protection systems governed by this chapter, shall be made by an employee of a fire protection contractor meeting the requirements of Section 105.11. The fire code official can combine the final inspection on work performed under Section 105.7 with the final inspection requested on the general construction permit.

(M-3957, Amended, 07/19/2010, Sec 10-Effective 07/24/2010; M-3819, Amended, 05/21/2007, Sec 5; M-3819, Added, 05/21/2007, Sec 4)

Section 16.004.165 Amendment to IFC 901.6.2, Records.

901.6.2 Records. Records of all system inspections, tests, and maintenance required by the referenced standards shall be maintained on the premises for a minimum of 6 years and shall be submitted to the fire code official upon request.

(M-3819, Added, 05/21/2007, Sec 7)

Section 16.004.166 Additions to IFC 901.6, Inspection, testing, and maintenance.

901.6.2.2 Reports. Results of inspections, tests and maintenance shall be completed using an inspection form approved by the Vancouver Fire Department for the respective fire protection system. The approved fire protection contractor providing the inspection, test or maintenance, shall forward a copy of the report to the Vancouver Fire Department within 30 days from the service date. If the initial inspection results in deficiencies that are subsequently repaired within the first (30) days, the initial and follow up reports may be submitted as one report.

901.6.2.3 Copies of test reports shall be maintained on the premises within a durable storage container mounted in the following locations:

A. Sprinkler test reports shall be mounted within close proximity to the fire alarm panel monitoring water flow alarms. Systems with no electronic supervision, the report shall be mounted within proximity to the riser or spare sprinkler head box.

B. Fire alarm test reports shall be mounted within close proximity to the main fire alarm control panel.

C. Test reports for fixed suppression systems in buildings protected by either a sprinkler system or fire alarm system may be mounted with the fire alarm system reports. Test reports for systems installed in a facility without a sprinkler or fire alarm system shall be mounted in close proximity to the system in clear view.

901.6.2.4 Inspection Tags. When performing installation, testing, or maintenance, the name of the servicing firm, firm address, firm phone number, date of work, signature and endorsement number of the technician performing the work shall be placed on the service label.

No person shall remove a service label from, or place a service label on a life safety system or item of life safety equipment except when installation, testing or maintenance is performed. A new label shall be attached whenever testing or maintenance is performed.

901.6.2.5 Documenting Changes. Any maintenance or repairs that results in changes, modification or additions to existing or non-functioning devices in a fire alarm or fire sprinkler system shall be updated on the Statement of Compliance (i.e. Record of Completion, Certificate of Completion, etc.) by the person(s) conducting the inspection. If these documents are not available for updating, new documents shall be issued and maintained by the property owner or building representative accordingly.

901.6.3 Qualifications of Testing Personnel. The provisions of 901.6.3 and its subsections apply only to persons inspecting and testing fire protection systems. Persons performing maintenance shall possess the qualifications required in Section 901.4. Endorsements are governed by IFC Section 105.

901.6.3.1 Water-Based Systems. Inspection, testing and maintenance for water based fire protection systems shall be conducted by a qualified person. At least one qualified person shall be on-site actively participating in any inspection or testing.

901.6.3.1.1 Underground water mains. A qualified person under this section is one who possesses a current Sprinkler System Installation or Repair - Level U (SSIRU) Endorsement.

901.6.3.1.2 Wet and Dry Pipe Sprinkler Systems. A qualified person under this section is one who possesses a current Sprinkler System Testing Technician Endorsement.

901.6.3.1.3 Pre-Action, Deluge, Anti-Freeze, Fire Pumps or Foam Systems. A qualified person under this section is one who is employed by a Washington State Level III Fire Sprinkler Contractor working under the supervision of an individual possessing a current Sprinkler System Designer of Record (SSDR3) Endorsement. Inspection, testing and maintenance records shall signed by the SSDR3 endorsement holder.

901.6.3.2 Fire Alarm Systems. Inspection and testing of automatic fire alarm systems shall be conducted by a qualified person. A qualified person under this section is one who possesses a current Fire Alarm System Inspection and Testing (FASIT) Endorsement. At least one qualified person shall be on-site actively participating in any inspection or testing.

901.6.3.3 Gaseous Fire Protection Systems. Inspection, and testing of gaseous fire suppression systems (Halon, CO2, Clean Agents, etc.) shall be conducted by a qualified person. A qualified person under this section is one who possesses a Fixed Suppression System Installer, Repair, Test (FSSIRT) Endorsement. At least one qualified person shall be on-site actively participating in any inspection or testing.

901.6.3.4 Commercial Cooking Fire Protection System. Inspection and testing of automatic fire suppression systems used to protect commercial cooking equipment & spray booths shall be conducted by a qualified person. A qualified person under this section is one who possesses a Pre-Engineered Kitchen & Spray Booth Suppression System (PEKSBS) Endorsement. At least one qualified person shall be on-site actively participating in any inspection or testing.

901.6.3.5 Commercial Cooking Hood Cleaning. Persons involved in cleaning commercial cooking hoods or exhaust systems shall follow the requirements of NFPA Standard 96, Removal of Smoke and Grease Laden Vapors from Commercial Cooking Equipment. Persons cleaning commercial hood and ducts in accordance with Section 904.11.6.3, shall also possess a current Commercial Cooking Exhaust Cleaner (CCEC) Endorsement.

(M-3957, Amended, 07/19/2010, Sec 11-Effective 07/24/2010; M-3819, Added, 05/21/2007, Sec 8)

Section 16.004.167 Access to fire protection system controls.

Controls for fire protection systems serving more than one tenant in a multi-tenant building shall be accessible from a common area without passing through a tenant space.

(M-4052, Added, 06/03/2013, Sec 5-Effective 07/01/2013)

Section 16.004.170 Amendment to IFC Section 903 - Automatic sprinkler systems - Automatic sprinkler systems in buildings larger than 12,000 square feet.

IFC Section 903 adopted in VMC 16.004.010 is amended to include a new section to read as follows:

903.2.11.7 Buildings larger than 12,000 square feet. Automatic fire extinguishing systems shall be installed and maintained in operable condition in all buildings containing a floor area of over 12,000 square feet, or which are more than 36 feet in height above grade.

Exceptions:

1. Each portion of a building separated from other portions by one or more four-hour rated fire barrier assembly(ies) may be considered a separate building if such four-hour rated fire barrier walls meet the requirements of International Building Code Section 706.
2. This amendatory ordinance shall not apply to a building or portions of a building used only for open parking garages as these are defined and regulated in Section 406.3 of the International Building Code and IFC Section 903.2.10.
3. Automatic fire extinguishing systems may be omitted from areas over swimming pools, tennis courts and other such areas when authorized by the building official and the fire code official consistent with this chapter.

(M-3957, Amended, 07/19/2009, Sec 12-Effective 07/24/2010; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.175 Amendment to IFC Section 903 - Alarms.

IFC Section 903.4.2 adopted in VMC 16.004.010 is amended to read as follows:

903.4.2 Alarms. Approved audible devices shall be connected to every automatic sprinkler system. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. The alarm device shall be marked with a sign which reads "FIRE ALARM – CALL 911". Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

(M-3837, Added, 07/16/2007, Sec 3)

Section 16.004.180 Retroactive application of VMC 16.004.170 - Automatic sprinkler systems in buildings larger than 12,000 square feet.

a. It is not the intent of Section VMC 16.004.170, IFC 903.2.10.4, to require automatic fire-extinguishing equipment to be installed in buildings constructed pursuant to building permits issued on or before December 3, 1978 which are more than thirty-six feet in height above grade or which have a total floor area over twelve thousand square feet, unless the building official, after consultation with the fire code official, determines by use of the following criteria that the building constitutes a hazard to life.

b. In making determinations under this section, the building official and fire code official shall consider the building and building contents and all the following factors:

1. Whether or not the building lacks adequate exits, including stairways, corridors, and sufficient doorways, based upon the standards therefore set out in the International Building Code.

2. Whether or not the building has an interior finish with a flame spread classification and/or smoke density greater than that permitted under Chapter 8 of the International Building Code.

3. Whether or not the building has unprotected vertical openings in excess of that permitted in the International Building Code.

c. It is provided, however, in the case of buildings constructed pursuant to building permits issued on or before December 3, 1978, without automatic fire-extinguishing systems and required under this section to install such systems, that the owner of such property, within thirty days of notice by the building official to comply with this section, may apply to the building department for a temporary permit of occupancy for the building without an automatic fire-extinguishing system for its present purposes for a period not to exceed one year from the date of the permit. Such temporary permit shall be issued and then prior to the end of such period such fire-extinguishing system must be lawfully installed; provided such temporary permit shall not be granted in any case in which an immediate and grave hazard of fire or explosion is found to exist by the building official.

d. Orders or determinations under this section shall be subject to appeal by the property owner or tenant under the provisions of VMC title 22.

e. No occupancy permit shall be issued to a building covered by this section to permit its change of use unless its change is to a use for which an automatic fire extinguishing system is not required or unless the system is installed in the building.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.185 Amendments to IFC Section 904.11.6.4, Extinguishing system service.

904.11.6.24 Extinguishing system service. Automatic fire-extinguishing systems shall be serviced at least every 6 months and after activation of the system. Inspection shall be by qualified individuals possessing a proper endorsement from Section 105, and a certificate of inspection shall be forwarded by the contractor to the fire code official within (30) business days from completion of the service or inspection.

(M-3957, Amended, 07/19/2010, Sec 13-Effective 07/24/2010; M-3819, Added, 05/21/2007, Sec 9)

Section 16.004.190 Amendment to IFC Section 907 - Fire alarm and detection systems - Signs.

IFC Section 907.5.2.4 adopted in VMC 16.004.010 is amended to read as follows:

907.5.2.4 Signs. Where fire alarm systems are not monitored by a supervising station, an approved permanent sign shall be installed adjacent to each manual fire alarm box that reads: LOCAL ALARM ONLY – CALL 911.

Exception: Where the manufacturer has permanently provided this information on the manual fire alarm box.

(M-3957, Amended, 07/19/2010, Sec 14-Effective 07/24/2010; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.195 Amendments to IFC 907.8.2, Record of completion.

907.8.2 Record of Completion. A record of completion in accordance with NFPA 72 verifying that the system has been installed in accordance with the approved plans and specifications shall be provided prior to scheduling the final acceptance test as required in Section 901.

(M-3957, Amended, 07/14/2010, Sec 15-Effective 07/24/2010; M-3819, Added, 05/21/2007, Sec 10)

Section 16.004.200 Amendment to IFC Section 907.9.5, Maintenance, inspection and testing.

IFC Section 907.9.5 adopted in VMC 16.004.010 is amended to read as follows:

907.9.5 Maintenance, inspection and testing. The building owner shall be responsible maintain the fire and life safety systems in an operable condition at all times. Service personnel shall meet the requirements of Section 105.8 for maintaining, inspecting and testing such systems. A written record shall be maintained on site for 6 years and shall be forwarded to the fire code official by the contractor providing the service work.

Exception: In dwelling units the maintenance of single-station smoke and carbon monoxide alarms shall be the responsibility of the occupant. Alarm devices shall be maintained in the manner specified by the manufacturer.

(M-3957, Amended, 07/19/2010, Sec 16-Effective 7/24/2010; M-3819, Amended, 05/21/2007, Sec 11; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.220 Amendments to IFC Section 3301.1 - Explosives and fireworks - Scope.

IFC Section 3301.1 adopted in VMC 16.004.010 is amended to read as follows:

3301.1 Scope. The provisions of this chapter shall govern the possession, manufacture, storage, handling, sale and use of explosives, explosive materials, and small arms ammunition. The manufacture, storage, handling, sale, use, and possession of fireworks shall be governed by chapter 70.77 RCW, and by chapter 212-12 WAC and chapters 16.20 and 16.30 of the VMC.

Exceptions:

1. The Armed Forces of the United States, Coast Guard or National Guard.
2. Explosives in forms prescribed by the official United States Pharmacopoeia.
3. The possession, storage and use of small arms ammunition when packaged in accordance with DOT packaging requirements.
4. The possession, storage and use of not more than 1 pound (0.454 kg) of commercially manufactured sporting black powder, 20 pounds (9 kg) of smokeless powder and 10,000 small arms primers for hand loading of small arms ammunition for personal consumption.

5. The use of explosive materials by federal, state and local regulatory, law enforcement and fire agencies acting in their official capacities.
6. Special industrial explosive devices which in the aggregate contain less than 50 pounds (23 kg) of explosive materials.
7. The possession, storage and use of blank industrial-power load cartridges when packaged in accordance with DOT packaging regulations.
8. Transportation in accordance with DOT 49 CFR Parts 100-178.
9. Items preempted by federal regulations.
(M-3672, Amended, 11/15/2004, Sec 3; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.230 Amendment to IFC Section 3301.1.1 - Explosives and fireworks - Explosive material standard.

IFC Section 3301.1.1 adopted in VMC 16.004.010 is amended to read as follows:

3301.1.1 Explosive material standard. In addition to the requirements of this chapter, NFPA 495 shall govern the manufacture, transportation, storage, sale, handling and use of explosive materials. See also chapter 70.74 RCW and chapter 296-52 WAC.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.240 IFC Section 3301.1.3 is not adopted.

IFC Section 3301.1.3 is not adopted.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.250 Amendment to IFC Section B105.2 (Appendix B) - Buildings other than one and two-family dwellings.

IFC Section B105.2 adopted in VMC 16.004.010 is amended to read as follows:

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 a specified in Table B105.1.

Exception: A reduction in required fire flow of up to 75 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 or the International Fire Code.

(M-3957, Amended, 07/19/2010, Sec 17-Effective 07/24/2010; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.270 International building code (IBC) governs conflicts between the IBC and IFC.

In the event a conflict exists between the International Building Code (IBC) and the IFC, as adopted and amended in this chapter, the IBC shall control.

(M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.280 Permits and fees.

a. Whenever any permit is required by the fire code, such permit shall be in addition to all other permits or licenses required by law or other ordinance.

b. Permit fees for permits required under IFC Section 105.7 shall be established in VMC Chapter 17.08, Fees Table V Fire Fees, and VMC 20.180.080, Fire Fees.

c. The owner or occupant of buildings that have any of the existing occupancy types listed in this section shall pay a periodic inspection fee, according to fee schedule listed in VMC 16.004.280(c)(1) – (2). For the purposes of this section, “periodic inspection” means an inspection of the existing occupancy types listed in this section, according to the fire code official’s pre-set inspection schedule. A “periodic inspection” under this section is not related to any inspection associated with a construction permit, required under VMC Chapter 17.08. For the purposes of this section, “special inspection” means any inspection of the existing occupancy types listed in this section to ensure compliance with newly adopted rules or regulations, compliance with a manufacturer’s recall, or any inspection related to a fire code enforcement investigation. There shall be no special inspection fee if a fire code complaint does not result in identifying a fire code violation.

	1. Scheduled Code-Compliance Inspection, Including First-Re-Inspection	Occupancy Group 1. B, M & R (Not Including R-3 Occupancies) & U	Occupancy Group 2. A, E & LC	Occupancy Group 3. F, H, I & S
A	0 - 3,000 sq. ft.	\$60	\$80	\$100
B	3,001 - 5,000 sq. ft.	\$95	\$115	\$135
C	5,001 - 7,500 sq. ft.	\$125	\$165	\$215
D	7,501 - 10,000 sq. ft.	\$135	\$205	\$300
E	10,001 - 12,500 sq. ft.	\$150	\$235	\$320
F	12,501 - 15,000 sq. ft.	\$170	\$275	\$335
G	15,001 - 17,500 sq. ft.	\$180	\$295	\$350
H	17,501 - 20,000 sq. ft.	\$190	\$310	\$365
I	20,001 - 30,000 sq. ft.	\$205	\$325	\$380
J	30,001 - 40,000 sq. ft.	\$230	\$365	\$390
K	40,001 - 50,000 sq. ft.	\$245	\$390	\$405

L	50,001 - 60,000 sq. ft.	\$260	\$415	\$415
M	60,001 - 70,000 sq. ft.	\$275	\$440	\$440
N	70,001 - 100,000 sq. ft.	\$285	\$460	\$460
O	100,001 - 150,000 sq. ft.	\$305	\$485	\$485
P	150,001 - 200,000 sq. ft.	\$340	\$515	\$515
Q	Over 200,000 sq. ft.	\$415	\$540	\$540
2	If the actual costs, (including, but not limited to, preparation, administration and inspection time) exceeds double the fee established in Section 1 of the fee table an additional hourly rate may apply.	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)
3	Where the inspectable portions of the building is less than 50% of the total building square footage; then an hourly rate may be applied in lieu of the fee established in Section 1 of the fee table.	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)
4	Second and subsequent Re-Inspections	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)
5	Special inspections or other fire code inspections or fire code related activities	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)	\$65 per hour (actual costs, including, but not limited to, preparation, administrative, and inspection time)

d. Operational permits required by IFC Section 105.6. An applicant for an operational permit, required under IFC Section 105.6, shall pay a flat fee of \$60.00 for operational permits, except that the following sub-categories of operational permits are hereby created:

1. SPECIAL EVENT MASTER PERMIT - Event producers shall obtain such permit for amusement buildings (IFC 105.6.2), organized carnivals and fairs (including festivals and concerts), (IFC 105.6.4), exhibits and trade shows (IFC 105.6.13), and etc. The fee for a Special Event Master Permit shall be: \$125 (includes fire permit & fire inspection).

Operational permits issued for the storage and use of LP-gas in structures with an aggregate quantity less than 125 gallons (water capacity) shall be issued at not fee.

e. Inspection, Testing and Maintenance Report Processing Under IFC Section 901.6. There shall be a review fee for reports submitted to the fire code official under IFC 901.6, according to the following schedule:

1.	Each Commercial Cooking Maintenance (includes suppression systems and hood cleaning reports)	\$40 per address
2.	Each Fixed Chemical System (Fixed Chemical Systems Include All Systems Defined in the IFC And Paint Booths and Clean Rooms)	\$40 per address
3.	Fire Sprinkler	\$40 per address
4.	Fire Alarm	\$40 per address
5.	Fire Pump	\$40 per address
6.	Emergency Generator	\$40 per address
7.	Standpipes	\$40 per address
8.	All Other Fire Protection Systems	\$40 per address

(M-3957, Amended, 07/19/2010, Sec 18-Effective 07/24/2010; M-3882, Amended, 06/16/2008, Sec 1-Effective 7/16/2008; M-3768, Amended, 11/13/2006, Sec 1 - Effective 01/01/2008; M-3659, Added, 07/12/2004, Sec 1)

Section 16.004.290 Enforcement authority.

The provisions of all ordinances relating to fire prevention shall be enforced by the Fire Marshal’s Office of the Fire Department of the city, which shall be operated by employees under the supervision of the chief of the Fire Department.

(M-3659, Added, 07/12/2004, Sec 1)

Chapter 16.20

FIREWORKS

Sections:

- 16.20.010 Unlawful to sell without permit.**
- 16.20.015 Fire Chief's authority to issue, deny and revoke permits.**
- 16.20.020 Permit fee.**
- 16.20.030 Terms and conditions for issuance of a permit for a public firework's display.**
- 16.20.055 No Exemption for Unlicensed Use of Fireworks.**
- 16.20.060 Number of permits limited.**
- 16.20.070 Number of retail outlets limited--Transfer of permit prohibited.**
- 16.20.090 Terms and conditions for issuance of permit.**
- 16.20.100 Fireworks stand use, construction and operation.**
- 16.20.110 Application of chapter.**
- 16.20.120 Interpretation and construction of chapter.**
- 16.20.130 Enforcement.**
- 16.20.140 Penalties for violations.**
- 16.20.150 Appeal.**

Section 16.20.010 Unlawful to sell without permit.

It is unlawful for any person, firm, or corporation, without first having obtained a permit pursuant to the provisions of this chapter to:

- A. Manufacture, import, possess or sell any fireworks at wholesale or retail for any use; or
- B. Make a public display of fireworks.
(M-3642, Repealed & Replaced, 01/26/2004, Sec 1)

Section 16.20.015 Fire Chief's authority to issue, deny and revoke permits.

City council hereby delegates to the Fire Chief or his or her designee the authority to investigate applications for permits to have a public firework's display or sell fireworks by all means authorized under Washington state law, and to grant, deny and/or revoke firework stand permits under this chapter and under RCW 70.77.260, RCW 70.77.270, RCW 70.77.280 and RCW 70.77.535 and as hereinafter amended. If the Fire Chief grants an applicant a permit to sell fireworks, then the permit shall be granted by June 10th, or no less than thirty (30) days after receipt of an application whichever date occurs first, for sales commencing on June 28th and on December 27th; or by December 10th, or no less than thirty (30) days after receipt of an application whichever date occurs first, for sales commencing only on December 27th. The Fire Chief or designee may deny or revoke a permit if the applicant has been convicted of a felony within a ten (10) year period or has violated any provision of this chapter. The revocation of a license shall apply to the selling season closest in time to the order of revocation, and the subsequent selling season. Orders denying or revoking licenses shall be governed by title 22 VMC.
(M-3642, Added, 01/26/2004, Sec 12)

Section 16.20.020 Permit fee.

The annual permit fee for the sale of such fireworks as may be authorized hereunder, or may be authorized by the provisions of the laws of the State of Washington, shall be one hundred dollars (\$100)

Vancouver Municipal Code

per selling season, payable in advance. The permit fee for a public fireworks display shall be one hundred dollars (\$100) per event payable in advance. (Ord. M-2307 § 2, 1982; Ord. M-666 § 2, 1963)
(M-3642, Amended, 01/26/2004, Sec 2)

Section 16.20.030 Terms and conditions for issuance of a permit for a public firework's display.

Application to put on a public display of fireworks shall be made to the Fire Chief or his or her designee. The application shall be made at least 10 days prior to the event.

The application shall be made on forms provided by the Washington State Director of Fire Protection and include the following information:

1. The name of the sponsor if different than the applicant.
 2. The date the display is to be held.
 3. The exact location of the display.
 4. The name and license number of the pyrotechnic operator who is to supervise discharge of the fireworks and the name of at least one experienced assistant.
 5. The number of set pieces, shells (specify single or multiple break), and other items.
 6. The manner and place of storage of such fireworks prior to the display.
 7. A diagram of the grounds on which the display is to be held showing the point of which the fireworks are to be discharged, the location of all buildings, highways, and other lines of communication, the lines behind which the audience will be restrained, the location of all nearby trees, telegraph or telephone lines, or other overhead obstruction.
 8. Documentary proof of commercial general liability insurance naming the City of Vancouver as an additional insured.
- (M-3642, Added, 01/26/2004, Sec 13)

Section 16.20.055 No Exemption for Unlicensed Use of Fireworks.

The exemption to licensing for the purchase and use of consumer fireworks granted to religious organizations or private organizations or persons under RCW 70.77.311 is hereby revoked by the City of Vancouver. The purchase and use of consumer fireworks outside of the periods specified in VMC 16.20.050 will be regulated under the provisions regulating the use of proximate fireworks found in RCW 70.77.535.

(M-3672, Added, 01/26/2005, Sec 14)

Section 16.20.060 Number of permits limited.

No person, firm or corporation shall receive more than one permit for the sale of fireworks during any one selling season except that eight (8) permits are reserved for the person, firm or corporation that uses all profits from those fireworks stands for the purpose of providing financial support for the community wide public fireworks display that takes place on the fourth of July. The maximum number of permits which

Vancouver Municipal Code

may be issued pursuant to this chapter shall not exceed one permit for each seven thousand residents of the City of Vancouver, according to the last official census or the last estimate of the State Census Board. (Ord. M-2307 § 6, 1982: Ord. M-666 § 6, 1963)
(M-3642, Amended, 01/26/2004, Sec 5)

Section 16.20.070 Number of retail outlets limited--Transfer of permit prohibited.

A permit granted pursuant to this chapter shall entitle the permittee to maintain only one retail outlet. All permits issued pursuant to this chapter shall be used only by the designated permittee and shall be nontransferable. Any transfer or purported transfer of such permit shall be deemed a violation of this chapter. Provided, however, should a permit holder fail to exercise his or her rights under a permit, then the Fire Chief or designee has the authority to transfer the permit to another applicant who meets all of the requirements set forth in this chapter. If the Fire Chief or designee transfers a permit, then the Fire Chief or designee shall transfer such permit to the applicant who is selected in a lottery. Such lottery system shall be developed and approved by the Fire Chief or designee, and shall be on file with the city clerk. The Fire Chief or designee shall conduct the lottery no later than the 1st of May for the 4th of July selling season and the 1st of November for the New Year's selling season. (Ord. M-2307 § 7, 1982: Ord. M-666 § 7, 1963)
(M-3642, Amended, 01/26/2004, Sec 6)

Section 16.20.090 Terms and conditions for issuance of permit.

A permit for sale of fireworks under this chapter shall be issued only subject to the following terms and conditions:

- a. The applicant shall have or shall secure a valid and subsisting license issued by the State of Washington under chapter 70.77 RCW;
- b. The applicant shall own or have the right to possess a temporary fireworks stand or premises found by the Fire Department to comply with the standards set forth in chapter 212-17 WAC for temporary fireworks stands or better;
- c. No retail fireworks permit may be issued to any applicant unless the retail fireworks stand is covered by a commercial general liability insurance policy with coverage of not less than five hundred thousand dollars for bodily injury and property damage on an occurrence basis, the City of Vancouver shall be named as an additional insured on each such policy;
- d. The applicant's location or place of business for sale of such fireworks shall be only in those areas or zones within the City of Vancouver where commercial or industrial activities are authorized under the zoning ordinance; provided, that the sale of common fireworks shall not be deemed an enlargement of an existing nonconforming use;
- e. The applicant shall post a five hundred dollar cash bond conditioned upon the prompt removal of the temporary stand and the cleaning up of all debris from the site. In order to obtain return of a clean-up bond, clean-up of debris associated with the retail fireworks activity and the removal of all temporary structures authorized by the license and permit shall be completed no later than 11:59 p.m., July 15th for the fourth of July selling period. Failure of the licensee to comply with this subsection of this chapter shall constitute forfeiture of the clean-up bond and the licensee shall be liable for any clean-up costs incurred by the city which exceed the amount of the bond;

Vancouver Municipal Code

f. Applications for permits shall be made to the Fire Chief or his or her designee who shall investigate the applicant(s). If the Fire Chief or his or her designee approves the application, then he or she shall issue the permit;

g. Applicants for renewal of permit for the 4th of July selling season shall be given preference over applications for permits by applicants not previously licensed for the 4th of July selling season; provided, that the holder of a permit submits to the City Clerk a written "confirmation of intent to apply," which must be actually received by the City Clerk no later than 5:00 p.m. on the last workday of January and submits an application for a permit to the City Clerk, which must be actually received by the City Clerk no later than 5:00 p.m. on the last workday of May. If the applicant fails to exercise his or her rights under the permit, then the applicant shall lose all rights under said permit, and or preference for renewal of said permit. (Ord. M-3287 § 2, 1997; Ord. M-2307 § 9, 1982; Ord. M-666 § 9, 1963)

h. "Confirmation of intent to apply" as referenced in subsection (g) of this section must be submitted to the City Clerk on the appropriate form entitled "Confirmation of Intent to Apply," which can be obtained through the City Fire Marshal's Office.

(M-3884, Amended, 06/16/2008, Sec 1-Effective 7/16/2008; M-3642, Amended, 01/26/2004, Sec 8)

Section 16.20.100 Fireworks stand use, construction and operation.

Retail sales, storage and construction of temporary fireworks stands for common fireworks shall comply with all applicable provisions of WAC Chapter 212-17 as adopted by the State of Washington. (Ord. M-2307 § 10, 1982; Ord. M-666 § 10, 1963)

(M-3642, Amended, 01/26/2004, Sec 9; M-3377, Amended, 07/06/1998)

Section 16.20.110 Application of chapter.

The provisions of this chapter shall apply to the sale of all common fireworks, as defined in RCW Ch. 70.77. (Ord. M-2307 § 11, 1982; Ord. M-666 § 11, 1963)

(M-3642, Amended, 01/26/2004, Sec 10)

Section 16.20.120 Interpretation and construction of chapter.

This chapter is intended to implement RCW Ch. 70.77, and shall be construed consistent with said law and any or all rules or regulations issued pursuant thereto. (Ord. M-2307 § 12, 1982; Ord. M-666 § 12, 1963)

Section 16.20.130 Enforcement.

The Fire Chief of the City of Vancouver or his duly authorized representative is designated as the enforcing officer of this chapter. In addition to all the grounds for revocation of licenses set forth in the general provisions of this chapter, any failure or refusal on the part of a licensee to obey the rule, regulation or request of the Fire Chief concerning the sale of fireworks shall be grounds for the revocation of a fireworks license. (Ord. M-666 § 13, 1963)

Section 16.20.140 Penalties for violations.

The Fire Chief or his or her designee shall have authority to enforce the provisions of chapter 16.20 VMC. The enforcement of chapter 16.20 VMC shall be governed by title 22 VMC. (Ord. 2307 § 13,

Vancouver Municipal Code

1982: Ord. M-666 § 15, 1963)
(M-3642, Repealed & Replaced, 01/26/2004, Sec 11)

Section 16.20.150 Appeal.

All appeals of violations of this chapter shall be conducted in accordance with the procedures set forth in title 22 VMC.

(M-3642, Added, 01/26/2004, Sec 15)

Chapter 16.30

CONSUMER FIREWORKS

Sections:

- 16.30.010 Findings.**
- 16.30.020 Purpose and Scope.**
- 16.30.030 Definitions.**
- 16.30.040 Illegal consumer fireworks.**
- 16.30.050 Legal consumer fireworks.**
- 16.30.060 Enforcement.**

Section 16.30.010 Findings.

A. The lawful, safe and responsible use of consumer fireworks decreases the chances of injury to persons and property and helps to preserve the livability and tranquility of the City of Vancouver.

B. The unlawful sale, purchase, possession or use consumer fireworks within the City of Vancouver, WA constitutes a public nuisance, and violators of this chapter may be subject to civil or criminal enforcement, or any other remedy allowed by law.

(M-3672, Added, 11/15/2004, Sec 2)

Section 16.30.020 Purpose and Scope.

A. In order to protect the public's health, safety, and welfare, this chapter regulates the possession and use of consumer fireworks and the dates and times when legal consumer fireworks may be sold and purchased within the City of Vancouver.

B. The City of Vancouver reserves the right to utilize and enforce any applicable state fireworks statute or regulation.

C. Any duty created by this chapter is a general duty, running in favor of the public.

(M-3672, Added, 11/15/2004, Sec 2)

Section 16.30.030 Definitions.

A. "Consumer fireworks" means any small firework device designed to produce visible effects by combustion and which must comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission, as set forth in 16 C.F.R. Parts 1500 and 1507 and including some small devices designed to produce audible effects, such as whistling devices, ground devices containing 50 mg or less of explosive materials, and aerial devices containing 130 mg or less of explosive materials and classified as fireworks UN0336 by the United States Department of Transportation at 49 C.F.R. Sec. 172.101 as of June 13, 2002, and not including fused set pieces containing components which together exceed 50 mg of salute powder.

B. "Illegal consumer fireworks" means consumer fireworks that cannot be sold to the public pursuant to RCW 70.77.401 or consumer fireworks not approved for sale to the public under WAC 212-17-198.

C. "Legal consumer fireworks" means consumer fireworks not prohibited for sale to the public pursuant to RCW 70.77.401 and that may be sold to the public under WAC 212-17-198.

Vancouver Municipal Code

(M-3672, Added, 11/15/2004, Sec 2)

Section 16.30.040 Illegal consumer fireworks.

Except as provided in RCW 70.77.311, no person may sell, possess or use illegal consumer fireworks within the City of Vancouver, WA. Illegal consumer fireworks include skyrocketers, missile-type rockets, firecrackers, salutes, or chasers as defined by the United States Department of Transportation and the Federal Consumer Products Safety Commission.

(M-3703, Amended, 05/23/2005, Sec 2; M-3672, Added, 11/15/2004, Sec 2)

Section 16.30.050 Legal consumer fireworks.

Effective on October 1, 2013

A. Sale and purchase of legal consumer fireworks. Except as provided in RCW 70.77.311, legal consumer fireworks may only be sold and purchased within the City of Vancouver, WA on the following dates and times:

From nine o'clock a.m. to eleven o'clock p.m. on each day from July 2nd through July 4th of any year.

B. Use or discharge of legal consumer fireworks. Except as provided in RCW 70.77.311, legal consumer fireworks may only be used or discharged within the City of Vancouver, WA on the following date and times:

Between the hours of nine o'clock a.m. and 11:59 p.m. on July 4th of any year.

C. Possession of legal consumer fireworks. Except as provided by state law, no person may possess legal consumer fireworks within the City of Vancouver, WA on days other than those in VMC 16.30.050(B).

D. Except as provided in VMC 15.04.060, the use of legal consumer fireworks is prohibited in any public park.

(M-4025, Amended, 10/01/2012, Sec 1-Effective 10/01/2013; M-3903, Amended, 11/24/2008, Sec 1-Effective 11/24/2009; M-3884, Amended, 06/16/2008, Sec 2-Effective 7/16/2008; M-3703, Amended, 05/23/2005, Sec 3; M-3672, Added, 11/15/2004, Sec 2)

Section 16.30.060 Enforcement.

A. This chapter shall be enforced according to the provision of VMC Title 22, Uniform Enforcement Code.

B. The Fire Chief of the City of Vancouver, or his or her designee, is responsible for the interpretation and civil enforcement of this chapter. The Fire Chief may designate members of other City departments to enforce the civil enforcement provisions contained in VMC Title 22 that apply to this chapter.

C. Seizure and forfeiture of consumer fireworks. In addition to monetary penalties or criminal prosecution, enforcement personnel from the Vancouver Fire Department or Vancouver Police Department may seize and dispose of consumer fireworks that are sold, purchased, used or possessed in violation of this chapter.

Vancouver Municipal Code

1. Before disposal, the city shall give written notice to the person from whom the consumer fireworks were seized, if known, of the city's intent to dispose of the seized items. If enforcement personnel know that the owner of the consumer fireworks is a different person than the individual from whom the items were seized, the city shall also give notice of the intended disposal to the owner.

2. The city's written notice shall include instructions how an individual may contest the city's intended disposal. VMC Chapter 22.03 shall provide the notice and hearing procedures for contested hearings.

3. If no person requests a hearing, or if an individual does not prevail at hearing, the city shall dispose of the seized consumer fireworks.

(M-3703, Amended, 05/23/2005, Sec 4; M-3672, Added, 11/15/2004, Sec 2)

Chapter 16.40

HAZARDOUS MATERIALS REGULATORY FEES

Sections:

- 16.40.010** **Definitions**
- 16.40.020** **Hazardous Material Regulatory Fee Certificate**
- 16.40.030** **Hazardous Material Regulatory Fee**
- 16.40.040** **Fee Reduction**
- 16.40.050** **Administration and Enforcement**
- 16.40.060** **Hazardous Material Regulatory and Emergency Preparedness Reserve Account**
- 16.40.070** **Hazardous Material Regulatory Fee Schedule**
- 16.40.080** **Penalty**

Section 16.40.010 **Definitions**

The following definitions shall apply to this Chapter.

A. Hazardous Material Occupancy: Any occupancy within the City of Vancouver that: (1) is regulated and/or has a reporting requirement as a Tier Two Hazardous Material under the Emergency Planning & Community Right to Know Act (EPCRA) (Pub. L. 94-99, Title III, 100 Stat. 1728), 42 USC §§ 11001-11005, 11021-11023, and 11041-11050) and regulations of the United States Environmental Protection Agency (EPA) at Title 40 Code Federal Regulations, parts 350 to 372 or any State law or regulation adopted to implement EPCRA pursuant to delegation from the EPA; or (2) an occupancy that contains materials in sufficient amount to be subject to the licensing requirements of the United States Nuclear Regulatory Commission (NRC) under 42 USC §§ 2133 and 2134 as low-level radioactive materials or subject to licensing by the Washington State Department of Health under Chapter 70.98 RCW; or (3) a commodity storage warehouse or grain dealer subject to recordkeeping requirements under Chapter 22.09 RCW and/or the regulations of the Washington State Department of Agriculture at Chapter 246-232 of Washington Administrative Code; or (4) a pipeline used for the on-site transfer of liquid or gas hazardous materials or petroleum or gas that is subject to reporting requirements of the Washington State Transportation and Utilities Commission (UTC) at RCW § 81.04.160, Chapter 480-73 WAC, or Chapter 480-75 or other provision of law; or (5) a hazardous material related confined-space that is subject to confined space entry regulations and/or reporting requirements of the Washington State Department of Labor and Industries under Chapter 49.17 RCW; or (6) a hazardous material related marine terminal or marine fueling/bunkering station that is subject to regulation and reporting requirements by the Washington State Department of Ecology under Chapter 70.105 RCW.

B. Maximum Quantity Risk: The risk factor assigned to the maximum amount of each hazardous material stored at a hazardous material occupancy during a twelve month reporting period.

C. Chemical Hazards: The risk factor assigned to each chemical-related hazard that is associated with the hazardous material established by the EPA under EPCRA.

D. Risk Management Planning Hazard: The risk factor assigned to all hazardous material occupancies that must comply with Risk Management Planning (RMP) regulations established by the EPA under EPCA.

E. Radioactive Material Hazard: The risk factor assigned to all occupancies that are licensed by the Washington State Department of Health to store or use radioactive materials on site. Risk factors are based on each Radioactive Materials License (RML) category.

Vancouver Municipal Code

F. Combustible Dust Hazard: The risk factor assigned to all occupancies that process or store agricultural products on site that present a combustible dust hazard.

G. Confined Space Entry Hazard: The risk factor assigned to all occupancies that contain one or more permit required confined spaces on site as defined by the Washington State Department of Labor and Industries under Chapter 49.17 RCW.

H. Pipeline Hazard: The risk factor assigned to all occupancies that operate one or more hazardous material pipelines on site.

I. Hazard: The risk factor assigned to all occupancies that operate one or more hazardous material marine terminals or fueling/bunkering stations on site.
(M-3856, Added, 12/03/2007, Sec 2)

Section 16.40.020 Hazardous Material Regulatory Fee Certificate

No hazardous materials occupancy shall operate in the City of Vancouver without a hazardous material regulatory fee certificate. Such certificates shall be issued for an effective period lasting no longer than one year. No such certificate shall be issued unless the hazardous material regulatory fee established under 16.40.030 is paid.

(M-3856, Added, 12/03/2007, Sec 2)

Section 16.40.030 Hazardous Material Regulatory Fee

Hazardous materials regulatory fees shall be paid within 30 days of invoice issuance. A hazardous materials regulatory fee certificate will be issued within 10 days upon receipt of payment. Fees are established in Table 16.40.070-1. Violators are subject to penalty provisions of 16.40.080.

(M-3856, Added, 12/03/2007, Sec 2)

Section 16.40.040 Fee Reduction

The Chief of the Fire Department may reduce or eliminate the regulatory fee provided for under this Ordinance if he/she determines that the Fire Department's funding needs identified in this ordinance are met by a state or federal funding mechanism or source.

(M-3856, Added, 12/03/2007, Sec 2)

Section 16.40.050 Administration and Enforcement

The Chief of the Fire Department or his/her designated representative, herein referred to as the Fire Chief, is authorized to administer and enforce the provisions of this chapter. The Fire Chief is authorized to issue such regulations to the extent necessary to implement the requirements of this ordinance.

(M-3856, Added, 12/03/2007, Sec 2)

Section 16.40.060 Hazardous Material Regulatory and Emergency Preparedness Reserve Account

A reserve account is hereby created within the Fire Department Fund wherein fees collected under this ordinance shall be deposited. The account shall only be used to defray the cost of providing hazardous material regulatory and emergency preparedness services, including the cost of providing hazardous

Vancouver Municipal Code

material emergency response plan inspections, evaluations and exercises; training of emergency response personnel; and acquisition, maintenance and operation of emergency response equipment.
(M-3856, Added, 12/03/2007, Sec 2)

Section 16.40.070 Hazardous Material Regulatory Fee Schedule

Hazardous material regulatory fees shall be based on Table 16.40.070-1. The definitions of 16.40.010 shall be used to interpret Table 16.40.070-1. The fee is calculated by multiplying the number of pounds of the hazardous materials reported to the state or federal regulatory agency under the law regulating the hazardous occupancy cited in 16.40.010-A by the risk factors set forth in Table 16.40.070-1. The product of this calculation shall be multiplied by one dollar (\$1.00) to arrive at the amount of the fee. The multiplier shall not be increased except by Ordinance amendment. If the calculation yields a fee of less than one hundred dollars (\$100.00) the hazardous materials occupancy is exempt from the certificate and fee requirements of this Chapter.

Hazardous Material Regulatory Fee Chart¹

Risk Factor (Q)	Maximum Quantity (Pounds)
	The maximum quantity is based on reports to the Washington State Dept of Ecology in the Tier Two Hazardous Material Inventory Report prepared under the Emergency Planning and Community Right to Know Act (EPCRA).
10	0 to 99
15	100 to 999
20	1,000 to 9,999
40	10,000 to 49,999
60	50,000 to 99,999
100	100,000 to 499,999
140	500,000 to 999,999
180	³ 1,000,000

Risk Factor (H)	Chemical Hazard
	The chemical hazard is based on the Washington State Dept of Ecology - Tier Two Hazardous Material Inventory Report under EPCRA. A chemical may present more than one hazard and in such case the risk factors are added together.
10	Extremely Hazardous Substance
4	Fire Hazard
3	Sudden Release of Pressure Hazard
4	Reactive Hazard
3	Immediate (acute) Health Hazard
2	Delayed (chronic) Health Hazard
Risk Factor (RMP)	Risk Management Planning Hazard

Vancouver Municipal Code

	The risk management planning hazard is established by the United States Environmental Protection Agency under EPCRA.
500	Each RMP Hazardous Material
Risk Factor (R)	Radioactive Material Hazard The Radioactive Material Hazard is established by the Washington State Dept of Health.
300	Each Industrial Radiography RML
300	Each Irradiator RML
150	Each Nuclear Medicine/Therapy RML
100	Each Portable Gauge RML
100	Each RML category not listed above
Risk Factor (D)	Combustible Dust Hazard The combustible dust hazard is established by the Washington State Dept of Agriculture.
500	Agricultural Commodity Storage or Grain Dealer
Risk Factor (C)	Confined Space Entry Hazard The confined space entry hazard is established by the Washington State Dept of Labor & Industries
50	Each Permit Required Confined Space of 10 or less
10	Each Permit Required Confined Space over 10 but less than 100
Risk Factor (P)	Pipeline Hazard Pipeline hazards are established by the Washington State Utilities and Transportation Commission
250	Each Hazardous Material Gas Pipeline
500	Each Hazardous Material Liquid Pipeline
Risk Factor (M)	Marine Hazard Marine hazards are established by the Washington State Dept of Ecology.
500	Each Hazardous Material Marine Terminal
150	Each Marine Fueling/Bunkering Station

¹ Hazards specified in the right-hand column are determined by the state or federal regulatory agency under the statutory or regulatory authority cited in section 16.40.010-A for each Hazardous Material Occupancy. A substance that is classified under multiple hazard categories in Table 16.40.070-1 shall include a charge for each category in the fee calculation.

Annual Fee Calculation:

Step 1: Use Table 16.40.070-1 to determine applicable risk factors. Risk Factor (H) is the sum total of chemical hazards that apply to each hazardous material as listed in the annual State DOE Tier Two Hazardous Material Inventory Report.

Vancouver Municipal Code

Step 2: Multiply Risk Factor (Q) by Risk Factor (H) for each hazardous material listed in the annual State DOE Tier Two Hazardous Material Inventory Report.

Step 3: Add the combined total from Step 2 (Q1xH1)+(Q2xH2)... to risk factors (RMP)+(R)+(D)+(C)+(P)+(M) to determine the total fee.

Example:

XYZ Company				
Hazardous Material	Maximum Pounds	Risk Factor (Q)	Risk Factor (H)	QxH
GASOLINE	480,043	100	9	900
AQUA AMMONIA	17,934	40	15	600
CARBON DIOXIDE	14,212	40	6	240
HYDROGEN	23,564	40	12	480
SODIUM HYDROXIDE	9,294	20	3	60
SULFURIC ACID	50,110	60	19	1,140
			Total	3,420

XYZ Company stores and/or handles six hazardous materials on site as reported in their annual State DOE Tier Two Hazardous Materials Inventory Report. The combined total QxH Factor of all six hazardous materials = 3,420. Hydrogen is regulated by the U.S. EPA as a Risk Management Planning Hazard, Risk Factor (RMP) = 500. The company has a State Dept of Health radioactive materials license to store/use a “Portable Gauge” on site, Risk Factor (R) = 100. There are no agriculture products stored or processed on site that present a combustible dust hazard, Risk Factor (D) = 0. There are eight State Dept of L&I permit required confined spaces on site, Risk Factor (C) = 400. Gasoline is moved via pipeline to and from storage tanks and a marine terminal, Risk Factor (P) = 500. The company receives and ships gasoline via barge at its marine terminal, Risk Factor (M) = 500.

$$(QxH)+(RMP)+(R)+(D)+(C)+(P)+(M) = \text{Annual Fee}$$

$$(3,420)+(500)+(100)+(0)+(400)+(500)+(500) = \$5,420$$

(M-3856, Amended, 12/03/2007, Sec 2; M-3856, Added, 12/03/2007, Sec 2)

Section 16.40.080 Penalty

Failure to pay fees provided for in this Chapter within 30 days of invoice issuance shall result in revocation and/or withholding of the hazardous materials regulatory fee certificate required to operate until such time that the business comes into compliance. Beginning 30 days past the date of invoice issuance, an additional late fee of 10% will be assessed for each month, or portion thereof, that a business

Vancouver Municipal Code

is not in compliance.

(M-3856, Added, 12/03/2007, Sec 2)