



Legislation Text

File #: 2004-0469, **Version:** 1

Clerk 09/23/04

AN ORDINANCE relating to the functions and reorganization of the King County fire marshal, placing it in the office of emergency management, department of executive services; making technical corrections; and amending Ordinance 14199, Section 11, as amended, and K.C.C. 2.16.035, Ordinance 7790, Section 3, as amended, and K.C.C. 2.56.020, Ordinance 12075, Section 15, and K.C.C. 2.56.030, Ordinance 12075, Section 16, as amended, and K.C.C. 2.56.040, Ordinance 2097, Section 2, as amended, and K.C.C. 17.04.020, Ordinance 12560, Section 154, as amended, and K.C.C. 17.04.230, Ordinance 12560, Section 151, as amended, and K.C.C. 17.04.270, Ordinance 12560, Section 149, as amended, and K.C.C. 17.04.280, Ordinance 5828, Section 11, as amended, and K.C.C. 17.08.130, Ordinance 7980, Section 1, as amended, and K.C.C. 17.04.420, Ordinance 5828, Section 7, as amended, and K.C.C. 17.08.060, Ordinance 5828, Section 8, as amended, and K.C.C. 17.08.070, Ordinance 5828, Section 9, as amended, and K.C.C. 17.08.080 and Ordinance 13263, Section 3, as amended, and K.C.C. 23.02.010.

STATEMENT OF FACTS:

1. The tragic events of September 11, 2001, have significantly altered the way all levels of government prepare for and manage natural or human-caused disasters.
2. The King County office of the fire marshal plays a key role in preparing for and coordinating

responses to natural disasters or potential terrorist attacks.

3. King County is a nationally recognized leader in taking a regional approach to planning and management of emergencies, disasters and potential terrorist attacks, and in coordinating these actions with federal agencies.

4. While the King County office of fire marshal performs essential services for the life and safety of the public through its review of building permits, fire code permits, fire protection system permits, building inspections including annual fire/life safety and construction site inspections, fire and arson investigations, it is critical that the fire marshal be more closely linked with the King County office of emergency management.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Ordinance 14199, Section 11, as amended, and K.C.C. 2.16.035 are each hereby amended as follows:

Department of executive services. The county administrative officer shall be the director of the department of executive services. The department shall include the information and telecommunications services division, the records, elections and licensing division, the finance and business operations division, the human resources management division, the facilities management division, the administrative office of information resources management, the administrative office of risk management, the administrative office of emergency management and the administrative office of civil rights. In addition, the county administrative officer shall be responsible for providing staff support for the board of ethics.

A. The duties of the information and telecommunications services division shall include the following:

1. Designing, developing, operating, maintaining and enhancing computer information systems for the county and other contracting agencies, except for geographic information systems, which shall be administered by the department of natural resources and parks;

2. Managing the cable communications provisions set forth in K.C.C. chapter 6.27A;

3. Negotiating and administering cable television and telecommunication franchises under K.C.C. chapter 6.27;

4. Providing telephone system design, installation, maintenance and repair;

5. Managing and operating the centralized printing and graphic arts services;

6. Providing internal communications and public information services including setting standards for and preparing informational publications, except to the extent to which the council decides, as part of the annual appropriation ordinance, to fund selected departmental level internal communications and public information services in certain departments or divisions; and

7. Administering the emergency radio communication system under K.C.C. chapter 2.58, but not including the radio communication and data system operated and maintained by the department of transportation.

B. The duties of the records, elections and licensing services division shall include the following:

1. Conducting all special and general elections held in the county and registering voters;

2. Issuing marriage, vehicle/vessel, taxicab and for-hire driver and vehicle and pet licenses, collecting license fee revenues and providing licensing services for the public;

3. Enforcing county and state laws relating to animal control;

4. Managing the recording, processing, filing, storing, retrieval and certification of copies of all public documents filed with the division as required;

5. Processing all real estate tax affidavits;

6. Acting as the official custodian of all county records, as required by general law, except as otherwise provided by ordinance; and

7. Managing the printing and distribution of the King County Code and supplements to the public.

C. The duties of the finance and business operations division shall include the following:

1. Monitoring revenue and expenditures for the county. The collection and reporting of revenue and

expenditure data shall provide sufficient information to the executive and to the council. The division shall be ultimately responsible for maintaining the county's official revenue and expenditure data;

2. Performing the functions of the county treasurer;
3. Billing and collecting real and personal property taxes, local improvement district assessments and gambling taxes;
4. Processing transit revenue;
5. Receiving and investing all county and political subjurisdiction moneys;
6. Managing the issuance and payment of the county's debt instruments;
7. Managing the accounting systems and procedures;
8. Managing the fixed assets system and procedures;
9. Formulating and implementing financial policies for other than revenues and expenditures for the county and other applicable agencies;
10. Administering the accounts payable and accounts receivable functions;
11. Collecting fines and monetary penalties imposed by district courts;
12. Developing and administering procedures for the procurement of and awarding of contracts for tangible personal property, services, professional or technical services and public work in accordance with K.C.C. chapter 4.16 and applicable federal and state laws and regulations;
13. Establishing and administering procurement and contracting methods, and bid and proposal processes, to obtain such procurements;
14. In consultation with the prosecuting attorney's office and office of risk management, developing and overseeing the use of standard procurement and contract documents for such procurements;
15. Administering contracts for goods and services that are provided to more than one department;
16. Providing comment and assistance to departments on the development of specifications and scopes of work, in negotiations for such procurements, and in the administration of contracts;

17. Assisting departments to perform cost or price analyses for the procurement of tangible personal property, services and professional or technical services, and price analysis for public work procurements;

18. Developing, maintaining and revising as may be necessary from time to time the county's general terms and conditions for contracts for the procurement of tangible personal property, services, professional or technical services and public work;

19. Managing the payroll system and procedures, including processing benefits transactions in the payroll system and administering the employer responsibilities for the retirement and the deferred compensation plans; and

20. Managing and developing financial policies for borrowing of funds, financial systems and other financial operations for the county and other applicable agencies.

D. The duties of the human resources management division shall include the following:

1. Developing and administering training and organizational development programs, including centralized employee and supervisory training and other employee development programs;

2. Developing proposed and administering adopted policies and procedures for employment (recruitment, examination and selection), classification and compensation, and salary administration;

3. Developing proposed and administering adopted human resources policy;

4. Providing technical and human resources information services support;

5. Developing and managing insured and noninsured benefits programs, including proposing policy recommendations, negotiating benefits plan designs with unions, preparing legally mandated communications materials and providing employee assistance and other work and family programs;

6. Developing and administering diversity management and employee relations programs, including affirmative action plan development and administration, management and supervisory diversity training and conflict resolution training;

7. Developing and administering workplace safety programs, including inspection of work sites and

dissemination of safety information to employees to promote workplace safety;

8. Administering the county's self-funded industrial insurance/worker's compensation program, as authorized by Title 51 RCW;

9. Representing county agencies in the collective bargaining process as required by chapter 41.56 RCW;

10. Representing county agencies in labor arbitrations, appeals and hearings including those in chapter 41.56 RCW and required by K.C.C. Title 3;

11. Administering labor contracts and providing consultation to county agencies regarding the terms and implementation of negotiated labor agreements;

12. Advising the executive and council on overall county labor and employee policies;

13. Providing labor relations training for county agencies, the executive, the council and others;

14. Overseeing the county's unemployment compensation program;

15. Developing and maintaining databases of information relevant to the collective bargaining process; and

16. Collecting and reporting to the office of management and budget on a quarterly basis information on the numbers of filled and vacant full-time equivalent and term-limited temporary positions and the number of emergency employees for each appropriation unit.

E. The duties of the facilities management division shall include the following:

1. Overseeing space planning for county agencies;

2. Administering and maintaining in good general condition the county's buildings except for those managed and maintained by the departments of natural resources and parks and transportation;

3. Operating security programs for county facilities except as otherwise determined by the council;

4. Administering all county facility parking programs except for public transportation facility parking;

5. Administering the supported employment program;

6. Managing all real property owned or leased by the county, except as provided in K.C.C. chapter 4.56, ensuring, where applicable, that properties generate revenues closely approximating fair market value;
7. Maintaining a current inventory of all county-owned or leased real property;
8. Functioning as the sole agent for the disposal of real properties deemed surplus to the needs of the county;
9. In accordance with K.C.C. chapter 4.04, providing support services to county agencies in the acquisition of real properties, except as otherwise specified by ordinance;
10. Issuing oversized vehicle permits, franchises and permits and easements for the use of county property except franchises for cable television and telecommunications;
11. Overseeing the development of capital projects for all county agencies except for specialized roads, solid waste, public transportation, airport, water pollution abatement and surface water management projects;
12. Being responsible for all general projects, such as office buildings or warehouses, for any county department including, but not limited to, the following:
 - a. administering professional services and construction contracts;
 - b. acting as the county's representative during site master plan, design and construction activities;
 - c. managing county funds and project budgets related to capital improvement projects;
 - d. assisting county agencies in the acquisition of appropriate facility sites;
 - e. formulating guidelines for the development of operational and capital improvement plans;
 - f. assisting user agencies in the development of capital improvement and project program plans, as defined and provided for in K.C.C. chapter 4.04;
 - g. formulating guidelines for the use of life cycle cost analysis and applying these guidelines in all appropriate phases of the capital process;
 - h. ensuring the conformity of capital improvement plans with the adopted space plan and approved

operational master plans;

i. developing project cost estimates that are included in capital improvement plans, site master plans, capital projects and annual project budget requests;

j. providing advisory services, feasibility studies or both services and studies to projects as required and for which there is budgetary authority;

k. coordinating with user agencies to assure user program requirements are addressed through the capital development process as set forth in this chapter and in K.C.C. Title 4;

l. providing engineering support on capital projects to user agencies as requested and for which there is budgetary authority; and

m. providing assistance in developing the executive budget for capital improvement projects; and

13. Providing for the operation of a downtown winter shelter for homeless persons between October 15 and April 30 each year.

F. The duties of the administrative office of risk management shall include the management of the county's insurance and risk management programs consistent with K.C.C. chapter 4.12.

G. The duties of the administrative office of emergency management shall include the following:

1. Planning for and providing effective direction, control and coordinated response to emergencies;

2. Being responsible for the emergency management functions defined in K.C.C. chapter 2.56;

3. Supporting the fire marshal's office in the administration and enforcement of K.C.C. Title 17, the applicable sections of K.C.C. Title 16 and chapter 48.48 RCW.

~~((3-))~~ 4. Managing the E911 emergency telephone program.

H. The duties of the administrative office of civil rights shall include the following:

1. Enforcing nondiscrimination ordinances as codified in K.C.C. chapters 12.17, 12.18, 12.20 and 12.22;

2. Assisting departments in complying with the federal Americans with Disabilities Act of 1990, the

federal Rehabilitation Act of 1973, Section 504, and other legislation and rules regarding access to county programs, facilities and services for people with disabilities;

3. Serving as the county Americans with Disabilities Act coordinator relating to public access;
4. Providing staff support to the county civil rights commission;
5. Serving as the county federal Civil Rights Act Title VI coordinator; and
6. Coordinating county responses to federal Civil Rights Act Title VI issues and investigating

complaints filed under Title VI.

I. The duties of the office of information resource management shall include the duties in K.C.C.

2.16.0755.

SECTION 2. Ordinance 7790, Section 3, as amended, and K.C.C. 2.56.020 are each hereby amended to read as follows:

Definitions. ~~((Terms used herein shall be given their common and ordinary meaning except where otherwise declared or clearly apparent from the context. Additionally, the following definitions shall apply.))~~

The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

A. "Emergency management" means the preparation for and the carrying out of all emergency functions to mitigate, prepare for, respond to and recover from emergencies and disasters, and to aid victims suffering from injury or damage caused by all hazards, whether natural or human-made, and to provide support for search and rescue operations for persons or property in distress ~~((pursuant to the provisions of))~~ in accordance with chapter 38.52 RCW.

B. "Emergency" or "disaster" means an event or set of circumstances such as fire, flood, explosion, storm, earthquake, epidemic, riot, act of terror or insurrection, which demands the immediate preservation of order or of public health or the restoration to a condition of usefulness of any public property the usefulness of which has been destroyed, or where delay will result in financial loss to the county or for the relief of a stricken community overtaken by such occurrences or ~~((which))~~ that reaches such a dimension or degree of

destructiveness or warrants the executive to proclaim a state of emergency (~~(pursuant to)~~) under K.C.C. chapter 12.52.030 and(~~(/or)~~) the execution of emergency management operations plans.

C. "Search and rescue" means the acts of searching for, rescuing(~~(s)~~) or recovering by means of ground, marine or air activity, any person who becomes lost, injured or is killed while outdoors or as a result of a natural or human-made disaster, including instances involving searches for downed aircraft when ground personnel are used.

D. "Vacancy" means that the office of a county official is legally unoccupied due to the incumbent's death, resignation, incapacity, declaration of incompetency by a court of competent jurisdiction, or other reason as provided for in Article 680 of the King (~~(e)~~)County (~~(e)~~)Charter.

SECTION 3. Ordinance 12075, Section 15, and K.C.C. 2.56.030 are each hereby amended as follows:

Emergency management organization - (~~(E)~~)establishment. There is established (~~(pursuant to)~~) in accordance with state law a King County office of emergency management (~~(division)~~), the operation of which shall be the responsibility of the director of the department of (~~(information and administrative)~~) executive services. The mission of the office of emergency management (~~(division)~~) shall be to:

A. (~~(p)~~)Provide for the effective direction, control and coordination of county government emergency services functional units(~~(, and to)~~);

B. (~~(p)~~)Provide liaison with other governments and the private sector, in compliance with an approved emergency management plan; and

C. Protect the public by enforcing K.C.C. Title 17 and the applicable sections of K.C.C. Title 16.

SECTION 4. Ordinance 12075, Section 16, as amended, and K.C.C. 2.56.040 are each hereby amended to read as follows:

Powers and duties.

A. The executive shall have general supervision and control of the office of emergency management (~~(organization)~~) and shall be responsible for implementing the provisions of K.C.C. chapter 2.56 in the event of a

disaster.

B. In performing the executive's duties ~~((pursuant to))~~ under this chapter ~~((;))~~ and to effect ~~((its))~~ this chapter's policy and purpose, the executive is further authorized and empowered to:

1. Make, amend and rescind the necessary orders, rules, and regulations to implement the provisions of this chapter within the authority conferred upon ~~((him herein))~~ the executive in this chapter and in K.C.C. chapter 12.52, consistent with the provisions of state law and the plans of the state and federal government~~((;))~~;

2. Cooperate with state governments, federal government, local governments and with other counties and with the provinces of ~~((the Dominion of))~~ Canada, and with private agencies in all matters pertaining to the emergency management operations of the county~~((;))~~;

3. Prepare a comprehensive plan and program for the emergency management of the county ~~((pursuant to))~~ in accordance with state law, and to submit the plan and program including but not limited to elements addressing mitigation activities, preparedness, responses to disasters and emergencies, and recovery operations to the state director of emergency management for the director's recommendations thereto and certification for consistency with the state comprehensive emergency management plan in order to ensure that local emergency operations are coordinated with the state and federal plans and programs~~((;))~~;

4. In accordance with ~~((such))~~ any plans and programs for county emergency management, procure supplies and equipment, institute professional and public training programs and public information and educational programs, manage and coordinate disaster drills, and take all other preparatory steps including the full or partial mobilization of the office of emergency management ~~((organization))~~ in advance of an actual disaster to ensure the furnishing of emergency management personnel in time of need~~((;))~~;

5. Act as the hazardous material incident coordinating agency for King County as referenced in federal Title III, the Emergency Planning and Community Right-to-Know Act of 1986, as amended~~((;))~~;

6. Coordinate preparation of disaster proclamations and the appropriate documentation thereof for the purpose of obtaining state and federal relief and assistance~~((;))~~;

~~((8. Following implementation of the 800 MHz regional emergency communications system, manage and coordinate the county's internal interdepartmental radio communications system and prioritize communications in emergencies which exceed local resources;))~~

7. On behalf of the county, enter into mutual aid arrangements in collaboration with other public and private agencies for reciprocal emergency aid and assistance in the event of a disaster too great to be managed without assistance~~((-));~~ and

8. Delegate any administrative authority vested in the executive ~~((pursuant to))~~ under this chapter and provide for the subdelegation of any such authority.

C. The fire marshal's office shall be part of the office of emergency management. All functions and responsibilities of the fire marshal shall be conducted under this organizational structure, including the administration and enforcement specified in K.C.C. Title 17, investigation of fires in accordance with chapter 48.48 RCW, including the criminal aspect of the investigation, and assistance in planning for and responding to natural and human-caused disasters including emergencies in accordance with K.C.C. 12.52.030;

SECTION 5. Ordinance 2097, Section 2, as amended, and K.C.C. 17.04.020 are each hereby amended as follows:

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

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

B. Fire department to King County fire marshal's office.

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

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

SECTION 6. Ordinance 12560, Section 154, as amended, and K.C.C. 17.04.230 are each hereby amended as follows:

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

Duties of the fire marshal's office and fire districts (IFC 104.1.3) (R.C.W 48.48).

1. The Fire Marshal's Office within the King County (~~(department of development and environmental services)~~) office of emergency management and shall be operated under the direction of the Fire Marshal, and shall have responsibility for fire investigations, including the criminal aspect of the case, administration ((and)) , annual fire and life safety inspections, building and construction site inspections and engineering plan review functions to promote compliance of the fire prevention provisions of this code.

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

3. The Fire Marshal's Office may, by written contract, delegate to the chiefs of the fire districts and/or fire departments authority for inspections of the fire prevention provisions of this code within their respective jurisdictions.

4. The Fire Marshal's Office may, at the request of fire districts and/or fire departments, assume an advisory status in matters of operations, function, expenditure, tactics, personnel and equipment or any other function performed by the fire districts or fire departments.

SECTION 7. Ordinance 12560, Section 151, as amended, and K.C.C. 17.04.270 are each hereby amended as follows:

General authority and responsibilities - Modifications - Deviations. Section 104.8 of the International Fire Code is supplemented with the following:

Deviations (IFC 104.8.1). The Fire Marshal or his/her designee shall have the authority to consider deviations from the standards established for life safety/rescue access, fire detection systems and fire sprinkler systems.

1. If the Fire Marshal finds that the deviation would not unreasonably reduce fire protection to the area or structures served, and determines that the deviation should be approved, the Fire Marshal shall notify the fire chief of the applicable fire district of the deviation request. The Fire Marshal may approve the deviation if the fire chief of the applicable fire district either concurs in writing with the Fire Marshal or does not respond in writing within seven working days after notification of the deviation request. The fire district chief's lack of response shall be taken as an indication that the fire chief concurs with the Fire Marshal's finding.

2. If a response is received within seven days which is not in accordance with the opinion of the ((~~director of the department of development and environmental services~~)) fire marshal or his/her designee, the issue shall be submitted to the King County fire code advisory and appeals board.

SECTION 8. Ordinance 12560 Section 149 and K.C.C. 17.04.280 are each hereby amended as follows:

General authority and responsibilities - Notice to fire districts. Section 104 of the International Fire Code is supplemented with the following:

Notice to fire districts (IFC 104.12).

A. Prior to submitting an application for a commercial building permit, site development permit, binding site plan, a preliminary subdivision or short subdivision approval, final subdivision or short subdivision, urban planned development, zoning reclassification, conditional use and special use permits to the ((~~department~~)) fire marshal's office:

1. the applicant shall submit a copy of his application to the fire district providing fire protection services to the proposed development;
2. subdivisions and short subdivisions applied for and/or recorded before February 1, 1989, shall be submitted once to the applicable fire district for review at the time of the first building permit by the applicant for that building permit;
3. it shall be the responsibility of the fire district to issue a receipt to the applicant the same day it receives a copy of a permit application. The receipt shall constitute proof to the director of the notification;

4. the applicant shall include the fire district receipt with the permit application to the ((department)) fire marshal's office;

5. it shall be the responsibility of the fire district to notify the fire marshal of any comments within seven days of the receipt of an applied for permit.

SECTION 9. Ordinance 5828, Section 11, and K.C.C. 17.08.130 are each hereby amended as follows:

Water purveyor authority. Nothing in this chapter or rules and regulations adopted by the ((department)) fire marshal's office in accordance with this chapter shall be construed to prohibit water purveyors from imposing more stringent requirements for the construction of water mains and fire hydrants.

SECTION 10. Ordinance 7980, Section 1, as amended, and K.C.C. 17.04.420 are each hereby amended as follows:

Fire apparatus access roads - Marking of establishment of fire lanes. Section 503.3 of the International Fire Code is not adopted and the following is substituted:

Marking of and establishment of fire lanes (IFC 503.3).

A. Establishment of Fire Lanes. Fire lanes in conformance with this code shall be established by the King County fire marshal or his authorized designee, and shall be referred to as designated fire lanes in this section.

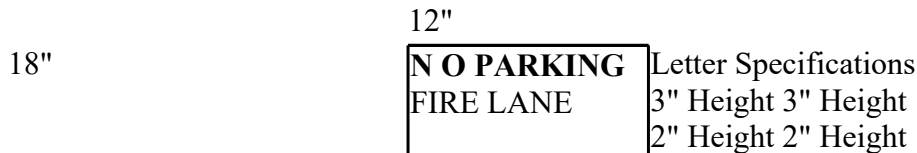
B. Definition of Fire Lanes. The area within any public right-of-way, easement, or on private property designated for the purpose of permitting fire trucks and other fire fighting or emergency equipment to use, travel upon, and park.

C. Marking of Fire Lanes. All designated fire lanes shall be clearly marked in the following manner:

1. Vertical curbs (6 inch) shall be painted yellow on the top and side, extending the length of the designated fire lane. The pavement adjacent to the painted curbs shall be marked with minimum 18 inch in height block lettering with a minimum 3 inch brush stroke reading: "NO PARKING - FIRE LANE." Lettering shall be yellow and spaced at 50 foot or portion thereof intervals, or

2. Rolled curbs or surface without curbs shall have a yellow 6 inch wide stripe painted extending the length of the designated fire lane. The surface adjacent to the stripe shall be marked with minimum 18 inch in height block lettering with a minimum 3 inch brush stroke reading: "NO PARKING - FIRE LANE." Lettering shall be in yellow and spaced at 50 ft. or portion thereof intervals, or

3. Fire lane signs shall be installed per the illustration:



- a. Reflective in nature.
- b. Red letters on white background.
- c. Signs to be spaced 50 feet or portion thereof apart and posted on or immediately next to the curb.
- d. Top of signs to be not less than 4 feet nor more than 6 feet from the ground.
- e. Signs may be placed on a building when approved by the fire marshal or the fire marshal's designee (~~as the designee of the manager of the department of development and environmental services~~)).

When posts are required they shall be a minimum of 2 inch galvanized steel or 4 inch x 4 inch pressure treated wood. Signs to be placed so they face the direction of the vehicular travel.

D. Obstruction of Fire Lanes Prohibited. The obstruction of a designated fire lane by a parked vehicle or any other object is prohibited, shall constitute a traffic hazard as defined in state law and an immediate hazard to life and property.

E. Alternate Materials and Methods. The fire marshal or the fire marshal's designee (~~as designee of the manager of the department of development and environmental services~~)) may modify any of the provisions herein where practical difficulties exist. The particulars of a modification shall be granted by the fire marshal and shall be entered into the records of the office.

F. Existing fire lane signs and markings.

1. Signs (minimum 9 inch by 16 inch) may be allowed to remain until there is a need for replacement and at that time a 12 inch x 18 inch sign shall be installed.

2. Markings may be allowed to remain until there is a need for repainting and at that time the provisions outlined in Section C, 1, 2 or 3 shall be complied with.

G. Maintenance. Fire lane markings shall be maintained at the expense of the property owner(s) as often as needed to clearly identify the designated area as being a fire lane.

H. Towing notification. At each entrance to property where fire lanes have been designated, signs shall be posted in a clearly conspicuous location and shall clearly state that vehicles parked in fire lanes may be impounded, and the name, telephone number, and address of the towing firm where the vehicle may be redeemed.

I. Property owner responsible. The owner, manager, or person in charge of any property upon which designated fire lanes have been established shall prevent the parking of vehicles or placement of other obstructions in such fire lanes.

J. Violation - Civil infraction. Any person who fails to mark or maintain the marking of a designated fire lane as prescribed in this chapter, or who parks a vehicle in, allows the parking of a vehicle in, obstructs, or allows the obstruction of a designated fire lane commits a civil infraction to which the provisions of RCW 7.80 shall apply. The penalty for failing to mark or maintain the marking of a designated fire lane shall be one hundred and fifty dollars. The penalty for parking a vehicle in, allowing the parking of a vehicle in, obstructing, or allowing the obstruction of a designated fire lane shall be fifty dollars.

K. Violation - Civil Penalty. In addition to, or as an alternate to, the provisions of subsection E, any person who fails to meet the provisions of the fire lane requirements codified in this title shall be subject to civil penalties in conformance with K.C.C. chapter 23.

L. Impoundment. Any vehicle or object obstructing a designated fire lane is hereby declared a traffic hazard and may be abated without prior notification to its owner by impoundment pursuant to the applicable

state law.

SECTION 11. Ordinance 5828, Section 7, as amended, and K.C.C. 17.08.060 are each hereby amended as follows:

Fire hydrants - other uses.

A. Fire hydrants serving any use, including townhouses, other than detached single family dwellings or duplex dwellings on individual lots shall be located not more than three hundred feet on center and shall be located so that at least one hydrant is located within one hundred fifty feet of all structures or uses. Such distances shall be measured on the path of vehicular access, unless a variance is obtained in accordance with K.C.C. 17.08.090.A.

B. The ((department)) fire marshal's office shall adopt rules and regulations specifying the number and location of fire hydrants for structures and uses which require more than one fire hydrant.

SECTION 10. Ordinance 5828, Section 8, as amended; and K.C.C. 17.08.070 are each hereby amended as follows:

Minimum water flow requirements.

A. The ((department)) fire marshal's office shall adopt rules and regulations based upon the Guide for Determination of Required Fire Flow, 1974 Edition, published by the Insurance Service Office, establishing criteria for determination of water flow requirements sufficient to provide reasonable fire protection.

B. In no event, shall the water flow required for any use be less than that required by chapters 248-54 and 248-57 WAC.

SECTION 11. Ordinance 5828, Section 9, as amended; and K.C.C. 17.08.080 are each hereby amended as follows:

Fire hydrants. The ((department)) fire marshal's office shall adopt rules and regulations establishing standards for design and installation of fire hydrants as necessary to meet sound engineering practices and provide reasonable fire protection.

SECTION 12. Ordinance 13263, Section 3, as amended, and K.C.C. 23.02.010 are each hereby amended to read as follows:

Definitions. The words and phrases designated in this section shall be defined for the purposes of this title as follows:

A. "Abate" means to take whatever steps are deemed necessary by the director to return a property to the condition in which it existed before a civil code violation occurred or to assure that the property complies with applicable code requirements. Abatement may include, but is not limited to, rehabilitation, demolition, removal, replacement or repair.

B. "Civil code violation" means and includes one or more of the following:

1. Any act or omission contrary to any ordinance, resolution, regulation or public rule of the county that regulates or protects the public health or the use and development of land or water, whether or not the ordinance, resolution or regulation is codified; and

2. Any act or omission contrary to the conditions of any permit, notice and order or stop work order issued ~~((trch pursuant to))~~ in accordance with any such an ordinance, resolution, regulation or public rule.

C. "Director" means, depending on the code violated:

1. The director of the department of development and environmental services;
2. The director of the Seattle-King County department of public health (the "local health officer" as that term is used in chapter 70.05 RCW);
3. The director of the department of natural resources and parks;
4. The fire marshal for K.C.C. Title 17 and applicable sections of K.C.C. Title 16;
5. The director of any other county department authorized to enforce civil code compliance;
- ~~((5-))~~ 6. Authorized representatives of a director, including but not limited to, the compliance officers and inspectors whose responsibility includes the detection and reporting of civil code violations; or
- ~~((6-))~~ 7. Such other person as the council by ordinance authorizes to utilize this title.

D. "Hearing examiner" means the King County hearing examiner, as provided in K.C.C. chapter 20.24.

E. "Mitigate" means to take measures, subject to county approval, to minimize the harmful effects of the violation where remediation is either impossible or unreasonably burdensome.

F. "Permit" means any form of certificate, approval, registration, license or any other written permission issued by King County. All conditions of approval, and all easements and use limitations shown on the face of an approved final plat map which are intended to serve or protect the general public are deemed conditions applicable to all subsequent plat property owners and their tenants and agents as permit requirements enforceable under this title.

G. "Person" means any individual, association, partnership, corporation or legal entity, public or private, and the agents and assigns of the individual, association, partnership, corporation or legal entity.

H. "Person responsible for code compliance" means either the person who caused the violation, if that can be determined, or the owner, lessor, tenant or other person entitled to control, use or occupy, or any combination of control, use or occupy, property where a civil code violation occurs, or both

I. "Public rule" means any rule properly promulgated to implement code provisions.

J. "Remediate" means to restore a site to a condition that complies with sensitive area or other regulatory requirements as they existed when the violation occurred; or, for sites that have been degraded under prior ownerships, restore to a condition that does not pose a probable threat to the environment or to the public health, safety or welfare.

~~((J))~~ K. "Resolution" means any law enacted by resolution of the board of county commissioners prior to the establishment of the charter, or any health rule adopted by resolution of the board of health.

~~((K. "Public rule" means any rule properly promulgated to implement code provisions.))~~