

**AN ORDINANCE OF THE CITY OF BELLINGHAM AMENDING BELLINGHAM MUNICIPAL CODE CHAPTER 17.20 TO ADOPT BY REFERENCE THE 2009 EDITION OF THE INTERNATIONAL FIRE CODE.**

**WHEREAS**, RCW Chapter 19.27 requires cities to enforce the State Fire Code; and

**WHEREAS**, the State Building Code Council has updated and amended the State Fire Code by adopting the International Fire Code, 2009 Edition, with modifications; and

**WHEREAS**, the local adoption of the referenced codes will promote and protect the health, safety and welfare of the general public and fulfill the state-mandated enforcement obligation; and

**NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:**

**Section 1.** Bellingham Municipal Code Section 17.20.010 is amended as follows:

**17.20.010- PURPOSE/ADOPTION BY REFERENCE**

This chapter is enacted as an exercise of the police power of the City for the benefit of the public at large. It is not intended to create a special relationship with any individual, or individuals, nor to identify and protect any particular class of persons. It is not the intent of this chapter to impose liability on the City for failure to perform any discretionary act. Rather, it is the intent of this chapter to place the obligation of complying with its requirements upon the owner and/or contractor.

Nothing contained in this chapter shall be construed to relieve from or to lessen the responsibility or liability of any person or persons for injury or damage to persons or property caused by or resulting from any defect of any nature in any construction work performed by said person or any construction equipment owned, controlled, operated or used by the contractor; nor shall the City of Bellingham or any officer, agent, or employee thereof incur or be held as assuming any liability by reason or in consequence of any permission, certificate of inspection, inspection or approval authorized herein, or issued or given as herein provided or by reasons or consequence of any things done or acts performed pursuant to the provisions of this chapter.

The International Fire Code, 2009 Edition, including Appendix Chapters B, E, F, G, H, I, and J, as published by the International Code Council, is hereby adopted by reference as the Fire Code of the City of Bellingham. A copy of the document is on file in the office of the Finance Director. It governs the safeguarding of life and property from fire and explosion

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hazards arising from the storage, handling and use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided and provides for the issuance of permits and collection of fees therefore. Each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the City of Bellingham are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes prescribed in Bellingham Municipal Code 17.20.020 through 17.20.100 of this ordinance.

**Section 2.** Bellingham Municipal Code Section 17.20.020 is amended as follows:

**17.20.020 - IFC CHAPTER 1, ADMINISTRATION**

The following sections of Chapter 1 of the 2009 edition of the IFC as adopted in Bellingham Municipal Code 17.20.010 are hereby amended as follows:

**Section 101.1 Title.** These regulations shall be known as the Fire Code of the City of Bellingham, hereinafter referred to as "this code."

**Section 103.1 General.** The Life Safety Division is established within the jurisdiction under the direction of the *fire marshal* otherwise referred to as *the fire code official*. The function of the department shall be implementation, administration, and enforcement of the provisions of this code.

**Section 104.3.1 Warrant.** When the *fire code official* has first obtained a proper search warrant or other remedy provided by law to secure entry, an owner or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request if made as herein provided, to permit entry therein by the *fire code official* and/or designee(s) for the purpose of inspection and examination pursuant to this code.

**Section 104.6 Official Records.** The *fire code official* shall keep official records as required by Sections 104.6.1 through 104.6.4. Such official records shall be retained in accordance with the State of Washington Local Government Record Retention Schedules.

**Section 105.2.2.1 Assistance from other agencies.** Police and other enforcement agencies shall have authority to render necessary assistance in the enforcement of this code when requested to do so by the *fire code official*.

**Section 105.2.3 Time limitation of application.**

**Section 105.2.3.1. Abandonment.** Applications for which no permit is issued within 1 year following the date of application shall be considered abandoned and expired by limitation.

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Plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with State law by the fire code official. The fire code official may extend the time for action by the applicant for 1 period not exceeding 180 days. The applicant must request an extension on a form provided by the City and pay any established extension fee prior to the permit's original expiration date.

**Section 105.2.3.2 Inactivity.** Applications may be canceled for inactivity if an applicant fails to respond to the Department's written request for revisions, corrections, actions or additional information within 90 days of the date of request. The fire code official may extend the response period beyond 90 days if within the original 90-day time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the Department.

**Section 105.2.3.3 Extension.** The fire code official may extend the life of an application if any of the following conditions exist:

- a. Compliance with the State Environmental Policy Act is in progress; or
- b. Any other City review is in progress; provided, the applicant has submitted a complete response to City requests or the fire code official determines that unique or unusual circumstances exist that warrant additional time for such response, and the fire code official determines that the review is proceeding in a timely manner toward final City decision; or
- c. Litigation against the City or applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application.

**Section 105.3.1 Expiration.**

**Section 105.3.1.1 Operational permit.** An operational permit shall remain in effect until reissued, renewed, or revoked or for such a period of time as specified in the permit.

**Section 105.3.1.2 Construction permit.** A construction permit shall expire 24 months from the date of issuance.

**Section 105.3.2 Extensions and renewals.**

**Section 105.3.2.1 Extensions.** The fire code official is authorized to approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved prior to permit expiration.

**Section 105.3.2.2 Renewals.** Every permit which has been expired for less than 1 year may be renewed for a period of 1 year for an additional fee equal to 50% of the original permit

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fees as long as no changes have been made to the originally approved plans and a new fire code has not been adopted. For permits that have been expired for longer than 1 year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once.

**Section 105.3.2.2.1 Thirty-day renewals.** The fire code official may authorize an extension to the expiration date up to 30 days beyond the written date of expiration with no additional fee when only the final inspection is remaining and all other work has been approved. If work required under a final inspection is not completed within the 30-day extension period, the permit shall expire.

**Section 105.6.15 Fire hydrants and valves.** This section is not adopted by the City of Bellingham.

**Section 105.6.30 Open burning.** This section is not adopted by the City of Bellingham.

**Section 105.7.15 Fire apparatus access roads.** A construction permit is required for the installation of or modification to a required fire apparatus access road. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

**Section 105.7.16 Emergency responder radio coverage.** A construction permit is required for installation of or modification to emergency responder radio coverage systems and related equipment. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

**Section 106.2.3 Special inspections.** The *fire code official* is authorized to require special inspections for any permit by an approved agency at no cost to the City. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the *fire code official*, for the inspection of the particular type of construction or operation requiring special inspection.

**Section 106.2.3.1 Report requirement.** Special inspectors shall keep records of inspections. The special inspector shall furnish inspection reports to the *fire code official*. Reports shall indicate the work inspected was or was not completed in conformance to approved construction documents and nationally recognized referenced installation standards. Discrepancies shall be brought to the immediate attention to the contractor for correction. If they are not corrected, the discrepancies shall be brought to the attention of the *fire code official* prior to the completion of that phase of the work. A final report documenting required special inspections and correction of any discrepancies noted in the inspections shall be submitted at a point in time agreed upon prior to the start of the work by the applicant and the *fire code official*.

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**Section 108 – Hearing Examiner.**

**Section 108.1 General.** Appeals of orders, decisions, or determinations made by the *fire code official* relative to the application and interpretation of this code may be appealed to the City of Bellingham Hearing Examiner within 14 days of issuance of the order, decision, or determination.

**Section 108.2 Limitations on authority.** An application of appeal shall be based in a claim that the true intent of this code or the rules legally adopted there under has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The Hearing Examiner shall have no authority to waive requirements of this code.

**Section 108.3 Qualifications.** This section is not adopted by the City of Bellingham.

**Section 109.3 Violation penalties.** Any person who violates any provision of this code shall be subject to a civil penalty in accordance with Section 109.3.1. Any person who intentionally, knowingly, recklessly, or criminally negligently violates any provision of this code shall be subject to a criminal penalty in accordance with Section 109.3.2.

**Section 109.3.1 Civil penalties.** A civil infraction shall not exceed \$1,000 for each violation. The minimum civil penalty shall be \$100. Each violation of this code shall be a separate offense, and in the case of a continuing violation, each day's continuance shall be deemed to be a separate and distinct violation. Civil infractions under this Section shall be issued and processed in accordance with RCW Chapter 7.80. All civil infractions under this Section shall be heard by the Bellingham Municipal Court.

**Section 109.3.2 Criminal penalties.** The criminal act shall be classified as a gross misdemeanor and shall be punished by a fine of not more than \$5,000 and/or imprisonment of not more than one year. In no case shall such a violation be punished by a fine of less than \$250.

**Section 109.3.3 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 of a structure.

**Section 109.3.3.1 Recovery of enforcement and other costs.** The City may charge violators of this code costs of enforcement, abatement, and bringing violations into compliance. The City may collect these costs by turning the debt over to a collection agency, filing a civil lawsuit, filing a lien against the property, or any other legal means.

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**Section 111.4 Failure to comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be charged with a gross misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$5,000 and/or imprisonment of not more than one year. In no case shall such a violation be punished by a fine of less than \$250. Any violator of a stop work order may be subject to arrest if the violation is committed in the presence of an officer per RCW 10.31.100.

**Section 113.2 Schedule of permit fees.** A fee for each permit shall be paid as required, in accordance with the schedule as established by City Council resolution.

**Section 113.3 Work commencing before permit issuance.** Any person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to fees and penalties required by this code in addition to the required permit fees.

**Section 113.5 Refunds.** The *fire code official* shall not authorize refunding of any fee except on written application filed by the original permittee not later than 180 days after the date of application in accordance with Sections 113.5.1 and 113.5.2.

**Section 113.5.1 Construction Applications.** The *fire code official* may authorize refunding of not more than 80 percent of the plan review fee paid when the application for a construction permit has been withdrawn or cancelled before any plan review services were provided.

**Section 113.5.2 Construction Permits.** The *fire code official* may authorize refunding of not more than 80 percent of the permit fee paid when the construction permit has been cancelled before expiration and no inspection services were provided.

**Section 3.** Bellingham Municipal Code Section 17.20.030 is amended as follows:

#### **17.20.030 - I F C CHAPTER 5, FIRE SERVICE FEATURES**

The following sections of Chapter 5 of the 2009 edition of the IFC as adopted by Bellingham Municipal Code 17.20.010 are hereby amended as follows:

**Section 503.1 Where required.** Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.8 or as approved by the *fire code official*.

**Section 503.1.1 Buildings and facilities.** Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved

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into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 ft. (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

**Exception:** The *fire code official* is authorized to increase the dimension of 150 ft. (45,720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 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 an approved alternative means of fire protection is provided; or
3. There are not more than two Group R-3 or Group U occupancies.

**Section 503.1.2 Additional access.** The *fire code official* is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

**Section 503.1.3 High-piled storage.** Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 23.

**Section 503.1.4 Buildings exceeding 30 feet in height.** Buildings or portions of buildings or facilities exceeding 30 feet (9,144mm) in height above the lowest level of fire department vehicle access shall be provided with;

1. An approved fire apparatus access road capable of accommodating fire department aerial apparatus in accordance with Section 503.7; and
2. Two separate and approved fire apparatus access roads for each structure in accordance with Section 503.2.9.

**Section 503.1.5 Buildings exceeding 62,000 square feet in area.** Buildings or facilities having a gross building area of more than 62,000 square feet (5,760 m<sup>2</sup>) shall be provided with two separate and approved fire apparatus access roads.

**Exception:** Projects having a gross building area of up to 124,000 square feet (11,520 m<sup>2</sup>) that have a single approved fire apparatus access road when all buildings are equipped throughout with approved automatic sprinkler systems.

**City of Bellingham**  
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**Section 503.1.6 Projects having more than 100 multi-family dwelling units.** Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

**Exception:** Projects having up to 200 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1 or 903.3.1.2.

**Section 503.1.7 Projects having more than 200 multi-family dwelling units.** Multiple-family residential projects having more than 200 dwelling units shall be provided with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

**Section 503.1.8 One- or two-family dwelling residential developments.** Developments of one- or two-family dwellings where the number of dwelling units exceeds 30 shall be provided with two separate and approved fire apparatus access roads and shall meet the requirements of Section 503.2.9.

**Exceptions:**

1. Where there are more than 30 dwelling units on a single public or private fire apparatus access road and all dwelling units are equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3, access from two directions shall not be required.

2. The number of dwelling units on a single fire apparatus access road shall not be increased unless fire apparatus access roads will connect with future development, as determined by the *fire code official*.

**Section 503.2 Specifications.** Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.10.

**Section 503.2.1 Dimensions.** Fire apparatus access roads shall have an unobstructed width of not less than 20 ft. (6,096 mm), and an unobstructed vertical clearance of not less than 13 ft. 6 in. (4,115 mm); or as approved by the fire code official.

**Exceptions:**

1. In the Lake Whatcom Watershed, as designated by the City, fire apparatus access roads shall have an unobstructed width of not less than 18 ft;
2. Approved security gates in accordance with Section 503.6;

**City of Bellingham**  
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Bellingham, Washington 98225  
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3. Approved aerial fire apparatus access roads in accordance with Section 503.7;
4. Fire apparatus access roads serving up to two single-family dwellings or a single two-family dwelling may reduce the access road width to 12 feet as long as the access road does not exceed 150 feet in length;
5. Dead-end fire apparatus roads exceeding 500 feet in length shall meet the requirements of Section 503.2.5.2; or
6. Fire apparatus access roads within 20 feet (6,096mm) of a fire hydrant shall meet the requirements of Section 503.8.

**Section 503.2.2 Authority.** The *fire code official* shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

**Section 503.2.3 Surface and loading.** Fire apparatus access roads shall be designed and maintained to support the imposed loads of fire apparatus weighing at least 75,000 pounds (34,050 kg) and shall be surfaced with asphalt, concrete or other approved all-weather surface.

**Section 503.2.4 Turning radius.** The required inside turning radius of a fire apparatus access road shall be 28 feet.

**Exception:** Roads with a width greater than 24 feet may have an inside turning radius of 25 feet.

**Section 503.2.5 Dead ends.** Dead-end fire apparatus access roads in excess of 150 feet (45,720 mm) in length shall also meet the requirements of Sections 503.2.5.1 and 503.2.5.2.

**Section 503.2.5.1 Approved turnarounds.** The following are approved types of turnarounds (diagrams of each attached as Figure 503.2.5.1 to the ordinance).

1. 70 foot diameter cul-de-sac;
2. 60 foot hammer head;
3. 40 foot tee; or
4. 40 foot wye.

**Section 503.2.5.2 Road width.** Dead-end fire apparatus roadways greater than 501 feet shall have a road width of 26 feet.

**Exception:** Dead-end fire apparatus roadways greater than 750 feet shall have an approved road width.

**Section 503.2.6 Bridges and elevated surfaces.** Where a bridge or an elevated surface is

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part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges when required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained when required by the *fire code official*.

**Section 503.2.7 Grade.** Fire apparatus access roads shall not exceed 10% in grade.

**Exception:** Grades of 10% to 15% are approved if the building(s) are protected by an approved automatic sprinkler system. Grades exceeding 15% are prohibited unless approved by the *fire code official*.

**Section 503.2.8 Angles of approach and departure.** The angles of approach and departure for fire apparatus access roads shall be within the limits established by the *fire code official* based on the fire department's apparatus.

**Section 503.2.9 Remoteness.** Where two access roads are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

**Section 503.2.10 Underground structures.** Installation of underground structures under or within 10 feet of fire apparatus access roads shall be designed to accommodate the point load design criteria in accordance with Section 503.7.4, unless approved by the *fire code official*.

**Section 503.3 Marking.** Where required by the *fire code official*, approved signs or other approved notices shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained in a clean and legible condition at all times and replaced or repaired when necessary to provide adequate visibility.

**Section 503.4 Obstruction of fire apparatus access roads.** Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

**Section 503.7 Aerial fire apparatus access roads.** Aerial fire apparatus access roads shall meet the requirements of Sections 503.7.1 through 503.7.3.

**City of Bellingham**  
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Telephone (360) 676-6903

**Section 503.7.1 Obstructions.** Overhead utility and power lines shall not be located within the aerial fire apparatus access roadway. Trees, luminaries, and other obstructions shall not be located between the structure and the aerial fire apparatus access roadway unless approved by the *fire code official*.

**Section 503.7.2 Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet (7,925mm), exclusive of shoulders, in the immediate vicinity of any building or portion of building more than 30 feet (9,144mm) in height.

**Section 503.7.3 Proximity to building.** At least one of the required access routes meeting this condition shall be located within a minimum of 15 feet (4,572 mm) and a maximum of 30 feet (9,144 mm) from the building, and shall be positioned parallel to one entire side of the building.

**Section 503.7.4 Point load.** Aerial fire apparatus access roads shall be designed with a surface capable of an outrigger point load of 44,928 pounds over an area of 24 inches by 24 inches square (4.0 square feet).

**Section 503.7.5 Slope.** Aerial fire apparatus access roads shall be designed with a longitudinal slope less than 10% and a lateral slope less than 13% unless approved by the *fire code official*.

**Section 503.8 Fire hydrant.** Where a fire hydrant is located on a fire apparatus access road, the minimum road width shall be 26 feet (7,925 mm), exclusive of shoulders, for a distance 20 feet (6 096mm) before and after the operating nut.

**Section 507.3 Fire flow.** Fire flow requirements for buildings or portions of buildings and facilities shall be determined by use of Appendix B.

**Exception:** Fire flow is not required for structures under 500 square feet with a B, U or R-1 occupancy where structures are at least 30 feet from any other structure and are used only for recreation.

**Section 507.5 Fire hydrant systems.** Fire hydrant systems shall comply with Sections 507.5.1 through 507.5.12.

**Section 507.5.1 Where required.** When a portion of the facility or building hereafter constructed or moved into or within the jurisdiction, fire hydrants and mains shall be provided in accordance with Section 507.

**Section 507.5.1.1. Calculation method.** The minimum number of fire hydrants available to a building shall not be less than one for every 1,000 gallons or fraction thereof, based on the

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required fire flow of Section 507.3.

**Exception:** Fire flow quantities up to 1,500 gallons will require only one fire hydrant.

**Section 507.5.1.2. Number available.** The total number of fire hydrants will be determined by new and existing fire hydrants on-site or on nearby streets accessible to fire apparatus without crossing divided roads and arterials unless approved by the *fire code official*.

**Section 507.5.1.3 Average spacing.** The average spacing between fire hydrants, as measured along the roadway, shall not exceed 300 feet along fire apparatus access roads.

**Exception:** The average spacing, as measured along the roadway, may be increased to 500 feet along fire apparatus access roads serving one- and two-family developments.

**Section 507.5.1.4 Maximum distance.** The maximum distance to a fire hydrant from any point of a fire apparatus access road shall not exceed 150 feet as measured along the roadway.

**Exceptions:**

1. The maximum distance to a fire hydrant from any point of a fire apparatus access road serving one- and two-family developments may be increased to 250 feet as measured along the roadway.

2. The maximum distance to a fire hydrant from any point of a fire apparatus road serving up to two single-family dwellings or a single two-family dwelling may be increased to 400 feet as measured along the roadway.

**Section 507.5.1.5 Divided roadways.** Hydrants shall be provided on each side of the street and be arranged on an alternating basis, providing, on each side of the street that the hydrants meet the requirements of Sections 507.5.8 and 507.5.9.

**Section 507.5.1.6 Arterials.** Hydrants shall be provided on each side of the street and be arranged on an alternating basis, providing, on each side of the street that the hydrants meet the requirements of Sections 507.5.8 and 507.5.9.

**Section 507.5.1.7 Transportation hazards.** Where new water mains are extended along streets where hydrants are not needed for protection of structures or similar fire problems, fire hydrants shall be provided at a spacing not to exceed 1,000 feet to provide for transportation hazards.

City of Bellingham  
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**Section 4.** Bellingham Municipal Code Section 17.20.040 is amended as follows:

**17.20.040 - I F C CHAPTER 6, BUILDING SERVICES AND SYSTEMS**

The following sections of Chapter 6 of the 2009 edition of the IFC as adopted by Bellingham Municipal Code 17.20.010 are hereby amended as follows:

**Section 602.1 Definitions. POWER TAP.** A listed device for indoor use consisting of an attachment plug on one end of a flexible cord and two or more receptacles on the opposite end, equipped with over-current protection, and listed in accordance with UL 1363.

**Section 5.** Bellingham Municipal Code Section 17.20.050 is amended as follows:

**17.20.050 - I F C CHAPTER 9, FIRE PROTECTION SYSTEMS**

The following sections of Chapter 9 of the 2009 edition of the IFC as adopted by Bellingham Municipal Code 17.20.010 are hereby amended as follows:

**Section 901.4.5 Additions or changes of use.** Additions or changes of use to existing buildings which would result in a nonconforming building shall be considered as new construction and meet the requirements of this Chapter. Subject to the approval of the fire chief, and with approved guarantees, a phasing plan of up to five years is permitted on sprinkler systems only.

**Section 903.3.8 Riser room access.** Risers shall be located in a dedicated room with an exterior door, lighting, temperature monitoring, and heat for the room.

**Section 903.3.9 Temperature monitoring.** Temperature monitoring shall be installed when required by the *fire code official*.

**Section 903.4.2.1 Alarm actuation.** When a water-driven appliance is not installed, a 120v bell shall be connected to the water-flow switch.

**Section 903.4.4 Sprinkler zones.** Automatic sprinkler systems shall be equipped to provide a separate alarm zone for each floor.

**Section 907.1.4 False alarms.** In the event of more than two false alarms in any 90-day period, the Fire Code Official may charge a fee for fire department response as specified below:

**City of Bellingham**  
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**False Alarms**

First and second

Third and additional

**Fee**

No fee

\$250 each

**EXCEPTION:** False alarms resulting from the failure of a fire alarm service technician notifying the central, proprietary or remote monitoring station shall be billed at the rate of \$250 for each occurrence.

**Section 907.1.4.1 Definition.** For the purpose of this section, a false alarm shall be defined as any unintentional activation of the fire alarm or detection system which is the result of improper installation, maintenance or use of that system.

**Section 907.1.4.2 Signs.** Fire alarm system control units shall be provided with an approved sign indicating such fees will be imposed.

**Section 907.1.5 System Designer.** Fire alarm system plans and specifications shall be developed by personnel who have attained certification by the National Institute for Certification in Engineering Technologies (NICET) in Fire Alarm Systems or by another approved qualification.

1. Effective July 1, 2012, a grade of at least NICET Level II is required.
2. Effective July 1, 2014, a grade of at least NICET Level III is required.

**Section 907.1.6 System Installer.** Effective July 1, 2012, installation personnel shall have attained certification or shall be supervised by persons who have attained certification to a grade of Level II in Fire Alarm Systems by the National Institute for Certification in Engineering Technologies (NICET) or by another approved qualification.

**Section 907.7.6 Control panel location.** Fire alarm control panels shall be located in the riser room, if present, or in an approved location.

**Section 6.** Bellingham Municipal Code Section 17.20.060 is amended as follows:

**17.20.060 - I F C CHAPTER 30, COMPRESSED GASES**

The following sections of Chapter 30 of the 2009 edition of the IFC as adopted by the Bellingham Municipal Code 17.20.010 are hereby amended as follows:

**Section 3006.4 Medical Gas Systems.** Medical gas systems including, but not limited to, distribution piping, supply manifolds, connections, pressure regulators and relief valves, shall comply with the NFPA 99 and the general provisions of this chapter.

**Section 7.** Bellingham Municipal Code Section 17.20.070 is amended as follows:

**City of Bellingham**  
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## **17.20.070 - I F C CHAPTER 33, EXPLOSIVES**

The following sections of Chapter 33 of the 2009 edition of the IFC as adopted by Bellingham Municipal Code 17.20.010 are hereby amended as follows:

**Section 33.08.11 Prohibition.** The storage, use and handling of fireworks are prohibited.

### **EXCEPTIONS:**

1. Storage and handling of fireworks is allowed as set forth in RCW 70.77, and Bellingham Municipal Code Section 10.24.130;
2. The use of fireworks for display is allowed as set forth in RCW 70.77 and Bellingham Municipal Code Section 10.24.130;
3. The retail sales and consumer use of fireworks is allowed as set forth in RCW 70.77 and Bellingham Municipal Code 10.24.130.

**Section 8.** Bellingham Municipal Code Section 17.20.080 is amended as follows:

## **17.20.080 - GEOGRAPHIC LIMITS**

The geographic limits referred to in certain sections of the 2009 International Fire Code are hereby established as follows:

The limits referred to in Section 3506.2 of the International Fire Code in which the storage of flammable cryogenic fluids is prohibited are hereby established as those zones designated Residential Single, Residential Multi, Commercial, Planned Residential, Planned Commercial, and Institutional by the Land Use Development Ordinance, Chapter 20 of the Bellingham Municipal Code.

The limits referred to in Section 3404.2.9.6.1 of the International Fire Code in which the storage of Class I and II liquids in above ground tanks outside of buildings is prohibited are hereby established as those zones designated Residential Single, Residential Multi, Commercial, Planned Residential, Planned Commercial, and Institutional by the Land Use Development Ordinance, Chapter 20 of the Bellingham Municipal Code.

The limits referred to in Section 3406.2.4.4 of the International Fire Code in which the storage of Class I and II liquids in above ground tanks is prohibited are hereby established as those zones designated Residential Single, Residential Multi, Commercial, Planned

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Residential, Planned Commercial, and Institutional by the Land Use Development Ordinance, Chapter 20 of the Bellingham Municipal Code.

The limits referred to in Section 3804.2 of the International Fire Code, in which storage of liquefied petroleum gas is restricted are hereby established as those zones designated Residential Single, Residential Multi, Commercial, Planned Residential, Planned Commercial, and Institutional by the Land Use Development Ordinance, Chapter 20 of the Bellingham Municipal Code.

**Section 9.** Bellingham Municipal Code Section 17.20.090 is amended as follows:

**17.20.090 - I F C APPENDICES**

The following appendices of the 2009 edition of the IFC as adopted by the Bellingham Municipal Code 17.20.010 are hereby amended as follows:

**Section B104.1 General.** The fire flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, including basements and attached garages, except as modified in Section B104.3.

**Section B104.2 Area separation.** Portions of buildings which are separated by 4-hour firewalls without openings, constructed in accordance with the International Building Code, are allowed to be considered as separate fire-flow calculation areas.

**Section 10.** Exhibit A to Bellingham Municipal Code Chapter 17.20 (Ordinance 2007-07-057) is repealed in its entirety.

**Section 11.** A new Bellingham Municipal Code Section 17.20.100 is added as follows:

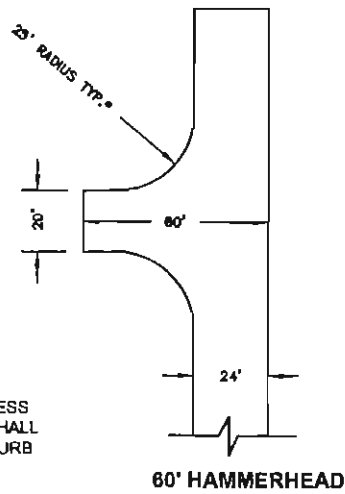
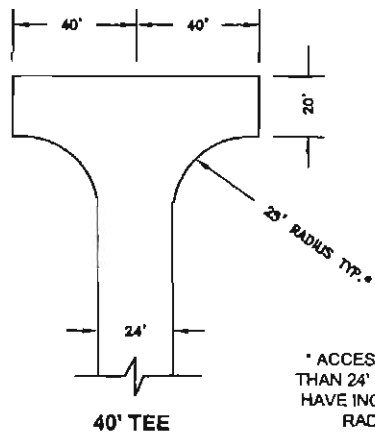
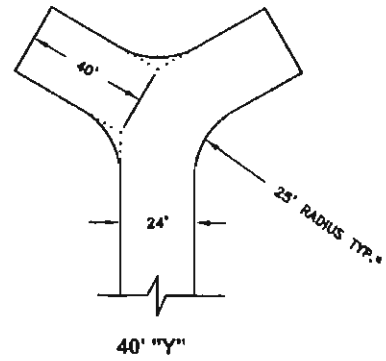
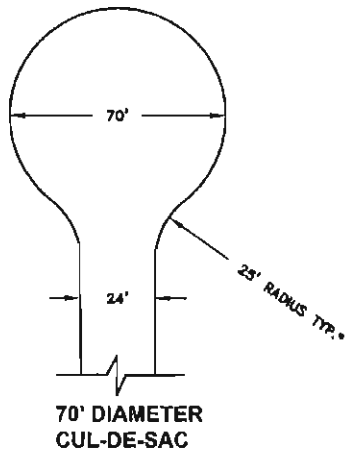
The following referenced standards of Chapter 47 of the 2009 edition of the International Fire Code as adopted by Bellingham Municipal Code 17.20.01 are amended by modifying the effective date to 2010 for these identified National Fire Protection Association (NFPA) standards;

1. NFPA 13, Standard for the Installation of Sprinkler Systems.
2. NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-family Dwellings and Manufactured Homes.
3. NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to and Including Four Stories in Height.

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4. NFPA 14, Standard for the Installation of Standpipes and Hose Systems.
5. NFPA 20, Standard for the Installation of Stationary Pumps for Fire Protection.
6. NFPA 24, Standard for the Installation of Private Fire Service Mains and Their Appurtenances.
7. NFPA 72, National Fire Alarm and Signaling Code.
8. NFPA 80, Standard for Fire Doors and Other Opening Protectives.
9. NFPA 110, Standard for Emergency and Standby Power Systems.
10. NFPA 111, Standard on Stored Electrical Energy Emergency and Standby Power Systems.

**Section 12.** The following figure is adopted as Figure 503.2.5.1 of the Ordinance (Bellingham Municipal Code Chapter 17.20):



\* ACCESS ROADS LESS THAN 24' IN WIDTH SHALL HAVE INCREASED CURB RADIUS OF 28'

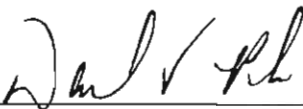
FIGURE 503.2.5.1  
DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUNDS

**Section 13.** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City of Bellingham hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.


PASSED BY COUNCIL this 21st day of June, 2010.

  
\_\_\_\_\_  
Council President

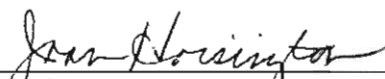
APPROVED BY ME this 28<sup>th</sup> day of June, 2010.

  
\_\_\_\_\_  
Mayor

Attest:

  
\_\_\_\_\_  
Finance Director

Approved as to form:

  
\_\_\_\_\_  
Office of the City Attorney

Published: June 25, 2010