



King County

KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

October 16, 2007

Ordinance 15921

Proposed No. 2007-0359.2

Sponsors Constantine

1 AN ORDINANCE relating to fire investigations; amending
 2 Ordinance 11955, Section 5, as amended, and K.C.C.
 3 2.16.055 and Ordinance 1438, Section 3(C), as amended,
 4 and K.C.C. 2.16.060.

5
 6 PREAMBLE:
 7 King County's fire investigation unit is King County's first line of defense
 8 in identifying and combating arson. These trained and certified
 9 investigators serve residents of unincorporated King County and of 16
 10 cities through contracts with King County.

11 The Fire Investigation Unit is currently housed within the fire marshal's
 12 office in the department of development and environmental services.

13 King County fire investigators function as law enforcement personnel,
 14 performing investigations, questioning witnesses and responding to
 15 incidents around the clock. All fire investigation personnel are specially
 16 commissioned by the King County office of the sheriff ("KCSO") and
 17 investigators utilize KCSO radio frequencies and the KCSO property

18 management unit. Fire investigators are included within the new public
19 safety employees retirement system.

20 Given the law enforcement duties performed by members of the fire
21 investigation unit, the KCSO would be a more appropriate agency to
22 supervise its operations.

23

24 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

25 SECTION 1. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055 are
26 each hereby amended as follows:

27 A. The department of development and environmental services is responsible to
28 manage and be fiscally accountable for the building services division, land use services
29 division, fire marshal division and administrative services division. The director of the
30 department shall be the county planning director, zoning adjuster and responsible official
31 for purposes of administering the state Environmental Policy Act, and may delegate those
32 functions to qualified subordinates. The department shall be responsible for regulating
33 the operation, maintenance and conduct of county-licensed businesses, except taxicab and
34 for-hire drivers and vehicles. The department shall be responsible for managing and
35 coordinating the implementation of Growth Management Act requirements, coordinating
36 county and regional land use planning with public and private agencies, developing
37 proposed policies to address regional land use planning and developing and overseeing
38 the countywide program for implementation of the county's Comprehensive Plan
39 including coordinating the implementation of plans that are developed by departments.

40 B. The building services division shall be responsible for ensuring consistent and
41 efficient administration of environmental, building and land use codes and regulations for
42 commercial and residential projects by means of permit review and approval,
43 construction inspections and public information. The manager of the building services
44 division shall be the county building official. The duties of the division shall include the
45 following:

- 46 1. Permit center and public information;
- 47 2. Building plan and application review, including building, mechanical, barrier-
48 free, energy, security and other uniform code reviews;
- 49 3. Site review, including engineering and critical areas review of permit
50 applications;
- 51 4. Inspections, including new-construction inspections for compliance with site
52 and building code requirements.

53 C. The land use services division shall be responsible for the effective processing
54 and timely review of land development proposals, including zoning variance and
55 reclassification, master drainage plans, variances from the surface water design manual
56 and the King County road standards, critical area, subdivision, right-of-way use, urban
57 planned development, clearing and grading, shoreline, special use and conditional use
58 applications. The duties of the division shall include the following:

- 59 1. Permit center and public information;
- 60 2. Plan review, including the review of applications for compliance with
61 shorelines, critical areas, subdivision and other zoning regulations, road standards and

62 variances from the surface water design manual, as well as community plans and utility
63 comprehensive plans;

64 3. Engineering review and inspection, including the review of clearing
65 and grading applications and review of engineering plans for compliance with adopted
66 road and drainage standards and specifications;

67 4. Development inspection, including inspection of construction activity to
68 ensure compliance with approved plans and codes;

69 5. Develop and assist in implementing local and subarea specific plans for urban
70 and rural areas, consistent with the Comprehensive Plan;

71 6. Develop proposed policies to address long-range comprehensive land use
72 planning and analyze and provide proposed updates to the Comprehensive Plan on an
73 annual basis;

74 7. Develop proposed county plans, programs and policies and implement
75 regulations on environmental issues, including critical areas and mineral resources, and
76 serve as the contact for cities and agencies, providing appropriate research in support of
77 county initiatives on these issues;

78 8. Administer the state Environmental Policy Act and act as lead agency,
79 including making the threshold determinations, determining the amount of environmental
80 impact and reasonable mitigation measures and coordinating with other departments and
81 divisions in the preparation of county environmental documents or in response to
82 environmental documents from other agencies;

83 9. Monitor the cumulative effects of the county's Comprehensive Plan and other
84 plans, policies and laws intended to protect natural and community resources while

85 permitting development and growth, and providing periodic status reports to the
86 executive and council; and

87 10. Pursue and resolve code violations, including preparing for administrative or
88 legal actions, evaluating the department's success in obtaining compliance with King
89 County rules and regulations and designing measures to improve compliance.

90 D. The fire marshal division shall be responsible for programs designed to reduce
91 the potential risk of fires and for investigating the causes of fires. The manager of the fire
92 marshal division shall be the county fire marshal. The duties of the division shall include
93 the following:

94 1. Development and implementation of an inspection program to identify fire
95 hazards and require conformance with K.C.C. Title 17;

96 2. ~~((Investigation into the origin, cause, circumstances and extent of loss of all
97 fires.))~~

98 ~~3.))~~ Review of building plans and applications for compliance with K.C.C. Title
99 17; and

100 ~~((4.))~~ 3. Inspections, including inspections of new construction, for compliance
101 with K.C.C. Title 17.

102 E. The administrative services division shall provide support services throughout
103 the department, including personnel and payroll support, budget support, financial
104 services, information services, facilities management and support, and records
105 management and program analysis services.

106 SECTION 2. Ordinance 1438, Section 3(c), as amended, and K.C.C. 2.16.060 are
107 each hereby amended as follows:

108 A. The department of public safety, as identified in ~~((the))~~ Section 350.20.40 of
109 the King County Charter((,)) and managed by the King County sheriff, may also be
110 known and cited in the King County Code and in other usage as the office of the sheriff.
111 Employees managed by the King County sheriff may be referred to in the King County
112 Code or otherwise, as King County police, King County officer((,)) or deputy sheriff.

113 B. The department of public safety is responsible to keep and preserve the public
114 peace and safety including the discharge of all duties of the office of sheriff under
115 ~~((S))~~state law, except those duties relating to jails and inmates which are performed by
116 other departments of county government. The functions of the department include:

117 1. Oversee a crime prevention program, investigate crimes against persons and
118 property and arrest alleged offenders.

119 2. Execute the processes and orders of the courts of justice and all other
120 mandated functions required by law.

121 3. In coordination with the office of emergency management, plan and
122 coordinate resources for the public safety and welfare in the event of a major emergency
123 or disaster.

124 4. Provide service and administrative functions which support but do not
125 duplicate other governmental activities, and which have the potential to be fiscally self-
126 supportive.

127 5. Investigate the origin, cause, circumstances and extent of loss of all fires.

128 C. The department of public safety shall be composed of the following
129 divisions:

130 1. Field operations division. The division of field operations shall be
131 responsible for administering resources allocated to the functions of police patrol, general
132 criminal investigation, crime prevention, traffic, and emergency management.

133 2. Technical services division. The division of technical services shall be
134 responsible for administering resources allocated to the functions of:

135 a. civil process;

136 b. fiscal control;

137 c. communications;

138 d. personnel and training;

139 e. records and identification; and

140 f. property management, including evidence; stolen, lost or unclaimed
141 property; and department equipment and supplies.

142 3 a. Criminal investigation division. The division of criminal investigation shall
143 be responsible for administering resources allocated to the functions of:

144 (1) major crimes investigation;

145 (2) narcotics investigation;

146 (3) gambling and vice investigation;

147 (4) criminal warrants;

148 (5) fire and arson investigation in accordance with RCW 43.44.050; and

149 (6) ~~((sundry))~~ other criminal investigations not conducted in the field
150 operations division

151 b. Fire investigations shall be conducted under the direction of the fire
152 investigation supervisor, who shall also be considered an assistant fire marshal for the

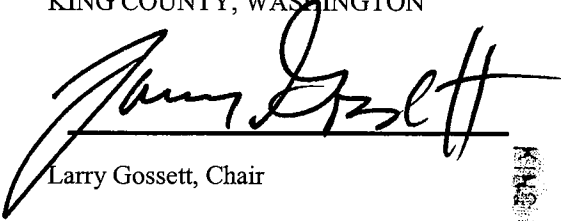
153 purposes of chapter 43.44 RCW. The functions of the fire and arson investigation unit
154 include, but are not limited to: investigation and determination of the origin and cause of
155 fires; preparation of detailed informational, investigative and statistical reports;
156 conducting criminal follow-up investigations, including detection, apprehension and
157 prosecution of arson suspects; providing expert testimony in court for criminal and civil
158 cases; maintenance of records of fires; preparation and submission of annual reports to
159 the county sheriff and other entities as required by chapters 43.44 and 48.50 RCW.

160 SECTION 3. This ordinance takes effect January 1, 2008.
161

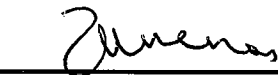
Ordinance 15921 was introduced on 6/18/2007 and passed by the Metropolitan King County Council on 10/15/2007, by the following vote:

Yes: 8 - Mr. Gossett, Ms. Patterson, Ms. Lambert, Mr. von Reichbauer, Mr. Ferguson, Mr. Phillips, Ms. Hague and Mr. Constantine
No: 0
Excused: 1 - Mr. Dunn

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON


Larry Gossett, Chair

ATTEST:


Anne Noris, Clerk of the Council

APPROVED this 23 day of OCTOBER, 2007.


Ron Sims, County Executive

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KING COUNTY COUNCIL

Attachments None