



**KING COUNTY**

1200 King County Courthouse  
516 Third Avenue  
Seattle, WA 98104

**Signature Report**

**November 15, 2005**

**Ordinance 15319**

**Proposed No.** 2005-0427.1

**Sponsors** Constantine

1 AN ORDINANCE relating to creating the fire marshal  
2 division in the department of development and  
3 environmental services; and amending Ordinance 11955,  
4 Section 5, as amended, and K.C.C. 2.16.055; Ordinance  
5 7919, Section 9, as amended, and K.C.C. 6.40.080;  
6 Ordinance 2097, Section 2, as amended, and K.C.C.  
7 17.04.020; Ordinance 12560, Section 154, as amended, and  
8 K.C.C. 17.04.230; and Ordinance 14111, Section 205, as  
9 amended, and K.C.C. 17.04.480.

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11  
12 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

13 SECTION 1. Ordinance 11955, Section 5, as amended, and K.C.C. 2.16.055 are  
14 each hereby amended to read as follows:

15 **Department of development and environmental services — duties —**  
16 **divisions.**

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

31           B. The building services division shall be responsible for ensuring consistent and  
32 efficient administration of environmental, building and land use codes and regulations for  
33 commercial and residential projects by means of permit review and approval,  
34 construction inspections and public information. The manager of the building services  
35 division shall be the county building official. The duties of the division shall include the  
36 following:

- 37           1. Permit center and public information;
- 38           2. Building plan and application review, including (~~(fire, fire flow,)~~) building,  
39 mechanical, barrier-free, energy, security and other uniform code reviews;

40           3. Site review, including engineering and ((sensitive)) critical areas review of  
41 permit applications; and

42           4. Inspections, including new-construction inspections for compliance with  
43 site((, fire)) and building code requirements((; and

44           5. ~~Pursue and resolve code violations, including preparing for administrative or  
45 legal actions, evaluating the division's success in obtaining compliance with King County  
46 rules and regulations and designing measures to improve compliance)).~~

47           C. The land use services division shall be responsible for the effective processing  
48 and timely review of land development proposals, including zoning variance and  
49 reclassification, master drainage plans, variances from the surface water design manual  
50 and the King County road standards, ((sensitive)) critical area, subdivision, right-of-way  
51 use, urban planned development, clearing and grading, shoreline, special use and  
52 conditional use applications. The duties of the division shall include the following:

53           1. Permit center and public information;

54           2. Plan review, including the review of applications for compliance with  
55 shorelines, ((sensitive)) critical areas, subdivision and other zoning regulations, road  
56 standards and variances from the surface water design manual, as well as community  
57 plans and utility comprehensive plans;

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

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

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

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

68           7. Develop proposed county plans, programs and policies and implement  
69 regulations on environmental issues, including ~~((environmentally sensitive))~~ critical areas  
70 and mineral resources, and serve as the contact for cities and agencies, providing  
71 appropriate research in support of county initiatives on these issues;

72           8. Administer the state Environmental Policy Act and act as lead agency,  
73 including making the threshold determinations, determining the amount of environmental  
74 impact and reasonable mitigation measures and coordinating with other departments and  
75 divisions in the preparation of county environmental documents or in response to  
76 environmental documents from other agencies; ~~((and))~~

77           9. Monitor the cumulative effects of the county's Comprehensive Plan and other  
78 plans, policies and laws intended to protect natural and community resources while  
79 permitting development and growth, and providing periodic status reports to the  
80 executive and council; and

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

84           D. The fire marshal division shall be responsible for programs designed to reduce  
85 the potential risk of fires and for investigating the causes of fires. The manager of the fire

86 marshal division shall be the county fire marshal. The duties of the division shall include  
87 the following:

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

90 2. Investigation into the origin, cause, circumstances and extent of loss of all  
91 fires;

92 3. Review of building plans and applications for compliance with K.C.C. Title  
93 17; and

94 4. Inspections, including inspections of new construction, for compliance with  
95 K.C.C. Title 17.

96 E. The administrative services division shall provide support services throughout  
97 the department, including personnel and payroll support, budget support, financial  
98 services, information services, facilities management and support, and records  
99 management and program analysis services.

100 SECTION 2. Ordinance 7919, Section 9, as amended, and K.C.C. 6.40.080 are  
101 each hereby amended to read as follows:

102 **Requirements for licensing/operation.**

103 A. ~~((Message business—public bathhouse.))~~ The director shall refer applications  
104 for massage business – public bathhouse to the Seattle-King County ~~((health))~~ department  
105 of public health and the King County fire marshal~~((’s office))~~ with a request to inspect the  
106 premises or proposed premises and submit a written report as to its sanitary and safety  
107 conditions ~~((and to submit a written report thereon; provided, however, that a)).~~ An

108 application for a massage business conducted in the applicant's home shall not be referred  
109 to the King County fire marshal(~~'s office~~). All licensees shall:

110 1. Comply with the applicable safety and sanitation requirements of (~~Section~~)  
111 K.C.C. 6.40.100 (~~of this chapter~~);

112 2. Keep business receipts showing the date of service(~~(s)~~) or services given, the  
113 type of service(~~(s)~~) or services rendered and the name and license number of the  
114 employee rendering the service(~~(s)~~) or services. These business receipts shall be retained  
115 for a period of three years after the date of the services(~~(s)~~) or services, and shall be open  
116 to inspection by the director and the King County department of public safety;

117 3. Allow any police officer, the director(~~(s)~~) or a representative from the  
118 Seattle-King County (~~health~~) department of public health or the King County fire  
119 marshal(~~'s office~~) entry to the premises during the hours the massage business or public  
120 bathhouse is open for business, upon presentation of proper identification, for purposes of  
121 inspecting the premises;

122 4. Provide that all doors in (~~such~~) the premises, excluding doors in office and  
123 storage rooms, unless (~~such~~) the doors provide access to service areas, are so equipped  
124 that they may not be fastened shut so as to prevent reasonable access by (~~such~~) the  
125 authorities listed in subsection A.2. or 3. of this section who announce their authority to  
126 enter prior to inspection of (~~such~~) the premises;

127 5. Comply with the applicable standards of conduct requirements set out in  
128 (~~Section~~) K.C.C. 6.40.110 (~~of this chapter~~);

129 6. Comply with the applicable provisions of the King County building, fire and  
130 zoning codes;

- 131           7. Submit proof of a current Washington State massage business license;  
132           8. Shall post in a prominent place a list of all services offered with a brief  
133 description of what the service entails along with the costs for such services. All business  
134 transactions with customers must be conducted in accordance with said posted list; and

135           9. Shall not distribute or consume liquor (~~(and)~~) or controlled substances on  
136 licensed premises.

137           B. (~~Massage practitioner~~) All applicants for a massage practitioner's license or  
138 license renewal shall:

- 139           1. Be at least eighteen years of age;  
140           2. Submit to a background check in accordance with the procedures of the King  
141 County department of public safety;  
142           3. Submit proof of a current Washington State massage license;  
143           4. Comply with the applicable standards of conduct requirements of (~~Section~~)  
144 K.C.C. 6.40.110 (~~(of this chapter)~~); and  
145           5. Comply with the applicable safety and sanitation requirements of (~~Section~~)  
146 K.C.C. 6.40.100 (~~(of this chapter)~~).

147           SECTION 3. Ordinance 2097, Section 2, as amended, and K.C.C. 17.04.020 are  
148 each hereby amended to read as follows:

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

- 151           A. "Fire chief," "chief of the fire department," "fire prevention engineer" and  
152 "fire code official" to "King County fire marshal".  
153           B. "Fire department" to "King County fire marshal(~~'s office~~) division."

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

156 ~~D.))~~ "Department" to "the department of development and environmental  
157 services."

158 SECTION 4. Ordinance 12560, Section 154, as amended, and K.C.C. 17.04.230  
159 are each hereby amended to read as follows:

160 **General authority and responsibilities – General – Duties of the fire**  
161 **marshal(~~'s office~~) division and fire districts.** Section 104.1 of the International Fire  
162 Code is supplemented with the following:

163 **Duties of the fire marshal(~~'s office~~) division and fire districts (IFC 104.1.3).**

164 1. The (~~F~~)fire marshal(~~'s Office~~) division within the King County department  
165 of development and environmental services shall be operated under the direction of the  
166 Fire marshal, and shall have responsibility for investigation, administration and  
167 inspection functions to promote compliance of the fire prevention provisions of this code.

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

171 3. The (~~Fire marshal's Office~~) fire marshal may, by written contract, delegate to  
172 the chiefs of the fire districts (~~and~~)or fire departments authority for inspections of the  
173 fire prevention provisions of this code within their respective jurisdictions.

174 4. The (~~Fire marshal's Office~~) fire marshal division may, at the request of a fire  
175 districts (~~and~~)or fire department(~~s~~), assume an advisory status in matters of



176 operations, function, expenditure, tactics, personnel and equipment or any other function  
177 performed by the fire district((s)) or fire department((s)).

178 SECTION 5. Ordinance 14111, Section 205, as amended, and K.C.C. 17.04.480  
179 are each hereby amended to read as follows:

180 **General - Construction documents.** Section 901.2 of the International Fire  
181 Code is not adopted and the following is substituted:

182 **Construction documents (IFC 901.2).** Complete plans and specifications for  
183 fire alarm systems; water-mains supplying required fire flow, fire-extinguishing systems,  
184 including automatic sprinklers and wet dry standpipes; halon or clean agent systems and  
185 other special types of automatic fire-extinguishing systems; basement pipe inlets; and  
186 other fire-protection systems and appurtenances thereto shall be submitted to the fire  
187 marshal((~~s~~-office)) for review and approval prior to system installation. Plans and  
188 specifications for fire alarm systems shall include, but not be limited to, a floor plan;  
189 location of all alarm-initiating and alarm-signaling devices; alarm control- and trouble-  
190 signaling equipment; annunciation; power connection; battery calculations; conductor  
191 type and sizes; voltage drop calculations; and manufacturer, model numbers and listing  
192 information for all equipment, devices and materials.

193 SECTION 6. Effective date. This ordinance takes effect January 1, 2006.

194 SECTION 7. Severability. If any provision of this ordinance or its application to

Ordinance 15319

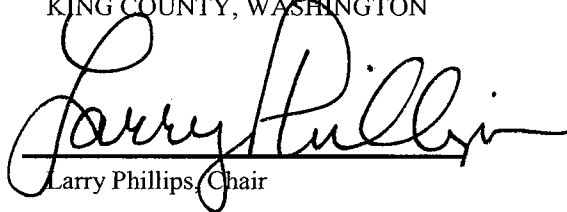
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195 any person or circumstance is held invalid, the remainder of this ordinance or the  
196 application of the provision to other persons or circumstances is not affected.  
197

Ordinance 15319 was introduced on 10/31/2005 and passed by the Metropolitan King County Council on 11/14/2005, by the following vote:

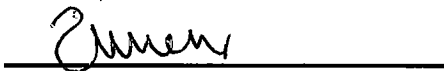
Yes: 13 - Mr. Phillips, Ms. Edmonds, Mr. von Reichbauer, Ms. Lambert, Mr. Pelz, Mr. Dunn, Mr. Ferguson, Mr. Hammond, Mr. Gossett, Ms. Hague, Mr. Irons, Ms. Patterson and Mr. Constantine  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



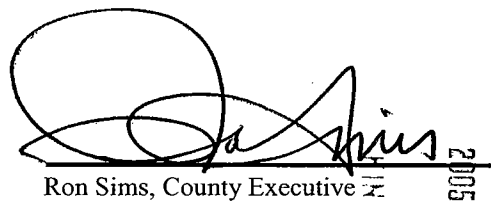
Larry Phillips, Chair

ATTEST:



Anne Noris, Clerk of the Council

APPROVED this 21 day of NOVEMBER, 2005.



Ron Sims, County Executive

Attachments None

RECEIVED  
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CLERK  
KING COUNTY COUNCIL