

FRANKLIN COUNTY ORDINANCE- 03-2021

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF
FRANKLIN COUNTY, WASHINGTON

Amendments to Chapter 8.40- Franklin County Fire Code

WHEREAS, the Board of Franklin County Commissioners is given authority to pass regulatory Ordinances under the Washington State Constitution Article 11, §11, RCW 36.32.120(7), and RCW 19.27; and

WHEREAS, the State of Washington has mandated in RCW 19.27 that the International Fire Code with the amendments made by Washington State be adopted; and

WHEREAS, Franklin County previously passed Ordinance 07-2016 which substantially adopted the 2015 International Fire Code with amendments; and

WHEREAS, the International Fire Code provides for standards and specifications for the safe-guarding of life and property from fire and explosion hazards; and

WHEREAS, the International Fire Code provides for standards and requirements in terms of performance and nationally accepted standards; and

WHEREAS, Ordinance 7-2016 was codified as Franklin County Code Chapter 8.40, a chapter of Title 8 "Health and Safety"; and

WHEREAS, Washington State has updated the fire code with an effective date of February 1, 2021; and

WHEREAS, in accordance with RCW 43.21C.450, no SEPA review is required for this action; and

WHEREAS, the County Commissioners find it in the public interest to approve the code amendments;

NOW, THEREFORE, BE IT ORDAINED that Franklin County Code Chapter 8.40 – "Franklin County Fire Code" be amended as shown in Attachment A to this ordinance; and

BE IT FURTHER ORDAINED that this ordinance shall be in force and in effect after its passage and publication as required by law.

APPROVED THIS 16th DAY OF MARCH, 2021.

BOARD OF COUNTY COMMISSIONERS
FRANKLIN COUNTY, WASHINGTON

Chair

Chair Pro-Tem

Member

Attest:

Clerk of the Board

FRANKLIN COUNTY ORDINANCE 03-2021

EXHIBIT A

NOTE TO REVIEWERS AND CODIFIER: *Chapter 8.40 Sections omitted from this ordinance are retained and unchanged unless noted.*

8.40.020 - Adoption of the 2018 ~~2015~~ International Fire Code.

That a certain document, ~~one copy of which is on file in the office of the auditor of Franklin County~~, being marked and designated as the International Fire Code, ~~2015~~ 2018 edition, including Appendix Chapters B, C and D, as published by the International Code Council, be and is hereby adopted as the Franklin County Fire Code, in the State of Washington regulating and governing the safeguarding of life and property from fire and explosion 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; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said fire code on file in the office of the Franklin County Auditor 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, if any, prescribed in section(s) 8.40.030 and 8.40.070 of this chapter ordinance.

8.40.030 - Revisions.

That the following sections are hereby revised:

Section 101.1 Insert: [Franklin County]

Section 110.3 ~~109.3~~. Insert: [Misdemeanor] [As allowed by law] [As allowed by law]

Section 111.4. Insert: [As allowed by law] [As allowed by law]

8.40.060 - Geographic limits.

That the geographic limits referred to in certain sections of the ~~2015~~ 2018 International Fire Code are hereby established as follows:

- A. Section 5806.2 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited):
 - 1. Any residentially zoned property within unincorporated Franklin County.
- B. Section 5607 (geographic limits in which the storage of explosives and blasting agents is prohibited):
 - 1. Any residentially zoned property within unincorporated Franklin County.

FRANKLIN COUNTY ORDINANCE 03-2021

- C. Section 5704.2.9.6.1 (geographic limits in which the storage of Class I and Class II liquids in above ground tanks outside of buildings is prohibited):
 - 1. Any residentially zoned property within unincorporated Franklin County.
- D. Section 5706.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above ground tanks is prohibited):
 - 1. Any residentially zoned property within unincorporated Franklin County.
- E. Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas):
 - 1. Any residentially zoned property within unincorporated Franklin County.

8.40.070 - Amendments to the ~~2015~~ 2018 International Fire Code.

Section 3703.4 of the International Fire Code is amended as follows:

Storage of Agricultural Products. By Administrative Order and pursuant to RCW 19.27.040, the following shall be substituted in its place.

- (a) No person shall store hay, straw or similar agricultural products adjacent to buildings or other combustible material unless a cleared horizontal distance of forty (40) feet is maintained between such storage and combustible materials and buildings.
- (b) Storage shall be limited to 500 tons in each stack. A cleared space of 40 feet shall be maintained between such stacks of 500 tons or less, not more than three such 500-ton stacks or less shall be allowed in one area, without a cleared area of 100 feet between the stacking areas.
- (c) Storage of hay, straw or similar agricultural products within 30 feet of any public easement or right of way boundary is not permitted.
- (d) Dry covered storage of hay, straw or similar agricultural products shall be limited to a storage of 1,000 tons, provided a clear space of 15 feet shall be maintained on sides of such storage.
- (e) Storage of loose, chopped, baled or cubed or pelleted hay may be unlimited if such storage is covered by an approved water system having a continuous flow of 50 gallons per minute with a pressure of 60 pounds and hose size of one and one half inch (1 ½") diameter not over 150 feet long.

8.40.080 - ~~Rural area land~~ Land development fire suppression standards.

Land development standards for ~~rural~~ areas where adequate and reliable water sources do not exist or where the development of full fire-flow requirements is impractical are as follows:

- A. Standardized On-Site Water Storage.
 - 1. Where year round, on-site water storage is required (as determined by building occupancy classifications) in accordance with this code, a minimum of ~~twenty thousand (20,000)~~ 20,000 gallons shall be provided. The required on-site water storage may be above ground, below ground, or stored in some other alternative form/method as approved by the fire code official or the fire district chief.

FRANKLIN COUNTY ORDINANCE 03-2021

- 2. If no fire suppression system, as described in Section 8.40.080(A)(1), or no approved, working fire hydrant is located within 500' of a property, then the following setbacks for primary and accessory structures shall apply:**

Front: 25'

Rear: 25'

Side: 20'

Between Structures: 15' (without an approved 1-hour intervening fire wall)

- i. For properties 2-acre or less in size, the 20' side setback may be reduced through the use of an approved 1-hour intervening fire walls, as provided for in the most recent adopted version of the International Residential Code (IRC).**
- ii. No side setback shall be less than 10' from a side property line.**

B. Land Divisions—Standardized On-Site Water Storage/Increased Setbacks.

- 1. An increased side yard setback (including rear yard where applicable) is required on property that is being divided into four or fewer lots where an approved on-site water fire suppression system is unavailable. This setback shall be increased as provided for in Section 8.40.080(A)(2) from the ten (10) foot standard setback requirement, to a minimum twenty (20) foot required setback. This requirement is intended for the more minor occupancy categories and is to be imposed during the land division/platting process.**
- 2. Divisions of land into five or more lots (i.e. long plat/subdivision) in the rural areas would require year round on-site water storage at a minimum of twenty thousand (20,000) gallons. The required on-site water storage may be above ground, below ground, or stored in some other alternative form/method as approved by the fire code official or fire chief. This requirement is intended for proposed lots that are two acres or less in size. For proposed lots in this scenario that are over two acres in size, increased side yard setbacks (i.e. increase from ten (10) feet to twenty (20) feet) as provided in Section 8.10.080(A)(2) may be utilized in lieu of the on-site water storage requirement.**

8.40.160 - Conflicting codes—Superseded.

Any and all terms governing violations, enforcement, and penalties within the ~~2015~~ **2018** International Fire Code, or other regulations herein, including any future amendments to such codes or regulations, are hereby superseded by sections 8.40.090 through section 8.40.140 of this chapter, which are deemed controlling as to violations, enforcement, and penalties.

Agenda Summary Report (ASR)

Franklin County Board of Commissioners

DATE SUBMITTED: March 8, 2021	PREPARED BY: Nicole Stickney (AHBL)
Meeting Date Requested: March 16, 2021	PRESENTED BY: Derrick Braaten or N. Stickney
ITEM: (Select One) <input type="checkbox"/> Consent Agenda <input checked="" type="checkbox"/> Brought Before the Board <div style="text-align: right;">Time needed: 5 minutes</div>	
SUBJECT: Adoption of Ordinances to update FCC Chapter 15.12 "Franklin County Building Code" and Chapter 8.40 "Franklin County Fire Code" following state action (File #TC 2021-01 and -02)	
FISCAL IMPACT: None	
BACKGROUND: Washington State has updated the multiple building codes, including an update to the energy code. All took effect on February 1, 2021. (Further info and detail available at https://www.sbccc.wa.gov/state-codes-regulations-guidelines/state-building-code) <i>Energy code note - The energy code effective date of 2/1/2021 came as a surprise to most, as the legislature had pushed it back several months but then Governor Inslee vetoed that delay (which was the 2nd or 3rd delay of its kind). While the state's first energy code (adopted in 1977 by statute) was a voluntary requirement, the legislature passed State Building Code Act and State Energy Code Act (SECA) 1985.</i> <u>The State Building Code Act gave rulemaking authority to the State Building Code Council (SBCC), which oversees all various building, fire, and energy codes within the state.</u> This means that Franklin County is automatically required to apply the codes in permit administration. The County may make certain adjustments for local administration and conditions. Passage of this ordinance will clarify what building codes development in Franklin County is subject to in accordance with state law while setting out certain administrative policies and processes.	
RECOMMENDATION: The Planning and Building Department recommends passage of the ordinances which will update the codified versions of Ord. 14-2004 (Fire Code) and Ord. 6-2016 (Building Code). <i>Suggested Motion:</i> I move to Pass Ordinance # 02-2021 amending certain sections of Franklin County Code Chapter 15.12 and pass Ordinance # 03-2021 amending certain section of Franklin County Code Chapter 8.40.	
COORDINATION: This action has been coordinated with Building Official Darryl Brown. In addition, J. Johnson, Civil Prosecuting Attorney, reviewed the ordinance and approved as to form. This non-project action is exempt from SEPA (RCW 43.21C.450). Staff has provided an enclosed memo to document the rationale of some changes.	
ATTACHMENTS: (Documents you are submitting to the Board) (1) Memo (2) Two Draft Ordinances	
HANDLING / ROUTING: (Once document is fully executed it will be imported into Document Manager. Please list <u>name(s)</u> of parties that will need a pdf) To the Clerk of the Board: 1 Original Ordinance; To Planning: 1 Copy Ordinance	

I certify the above information is accurate and complete.

_____ Derrick Braaten