

CITY OF GRANITE FALLS
Granite Falls, Washington

ORDINANCE NO. 917-2016

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF
GRANITE FALLS, WASHINGTON AMENDING PORTIONS OF
ORDINANCE 913-2016 CODIFIED IN GRANITE FALLS
MUNICIPAL CODE CHAPTER 15.02 BUILDING CODE, TO MAKE
TECHNICAL CORRECTIONS AND CLARIFICATIONS
AMENDING SECTION 15.02.040 BOARD OF
APPEALS/ADJUSTMENT/HEARING EXAMINER; AMENDING
SECTION 15.02.120 INTERNATIONAL FIRE CODE (CHAPTER 51-
54A WAC); PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE.**

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GRANITE
FALLS DO ORDAIN AS FOLLOWS:**

Section 1. GFMC Section 15.02.020 entitled Board of appeals/adjudgment/hearing examiner is hereby amended to read as follows:

15.02.040 Board of appeals/adjudgment/Hearing Examiner.

(A) Should any code adopted in this chapter provide for an appeal to a board of appeals or board of adjustment, the city of Granite Falls hearing examiner shall serve as the board of appeals or board of adjustment. The decision of the hearing examiner shall be final subject to only (1) an appeal to the Building Code Council where the adopted code provides for such appeal, or (2) an appeal to the Snohomish County superior court in accordance with the Land Petition Act in all other instances.

(B) Whenever the city manager or his/her designee disapproves of an application or refuses to grant a permit applied for under the codes adopted by this chapter, or when it is claimed that the provisions of the International Fire Code do not apply or that the true intent and meaning of the International Fire Code has been misconstrued or wrongly interpreted, the applicant may appeal such decision to the board of appeals/adjudgment. Appeals shall be submitted and filed with the city clerk within 10 working days after said decision.

(C) The board of appeals/adjudgment created pursuant to this section shall serve as the board of appeals/adjudgment for all building and construction-related codes adopted in this chapter.

Section 2. GFMC Section 15.02.120 entitled International Fire Code (Chapter 51-54 A WAC) is hereby amended to read as follows:

15.02.120 International Fire Code (Chapter 51-54A WAC).

(A) The International Fire Code, 2015 Edition, together with Appendices A, B, C, E, F, and G, and together with all Washington State amendments as contained in Chapter 51-54 WAC, is hereby adopted, except that International Fire Code Section 903.2.6 is hereby amended to include B occupancies.

(B) The International Fire Code, 2015 Edition, is hereby amended to define certain terms used in the International Fire Code as follows:

- (1) "Municipality" or "jurisdiction" shall mean the city of Granite Falls.
- (2) "Fire chief" or "administrator" shall mean the city manager or his/her designee.
- (3) "Corporation counsel" shall mean the city attorney.
- (4) "Fire marshal" and "fire inspector" shall refer to the Snohomish County fire marshal and inspectors in the employ of Snohomish County and acting under authority of contract/interlocal agreement between the city of Granite Falls and Snohomish County.

(C) The fire marshal and the fire inspector are hereby designated and have authority to enforce the administrative, operational and maintenance provisions of the fire code on conditions and operations arising after the adoption of the ordinance codified in this chapter, and on existing conditions and operations.

(D) Annual Fire Inspection and Associated Fees or Costs.

(1) The following businesses and occupancies are subject to annual inspection for compliance and shall comply with the International Fire Code as adopted by the city:

(a) All businesses requiring a business license under the city code (GFMC Title 5) in the following zones:

(i) The downtown residential (DT-2,500) zone, GFMC 19.03.070;

(ii) The multiple residential (MR) zone, GFMC 19.03.080;

(iii) The central business district (CBD) zone, GFMC 19.03.090;

(iv) The general commercial (GC) zone, GFMC 19.03.100;

(v) The industrial (I) zone, GFMC 19.03.110;

- (vi) The light industrial (LI) zone, GPMC 19.03.120; and
- (vii) The industrial/retail (IR) zone, GPMC 19.03.130; and

(b) Any “multiple family dwelling” as defined in GPMC 19.02.130, regardless whether a business license is required, and regardless of zone, but so long as it consists of at least three dwelling units. As to such a multiple family dwelling, the inspection will be as to the common areas, but not as to the individual dwelling unit(s).

(2) Such businesses and occupancies shall be assessed a fee as established by resolution of the city council to defray the cost of such inspection and any re-inspections.

(3) Annual Inspection Program.

(a) The initial annual inspection program will be implemented in 2015 and continue yearly thereafter.

(b) All designated businesses and occupancies are intended to be inspected initially before the end of each calendar year.

(E) Right of Inspection and Warrant.

(1) Whenever it is necessary to make an inspection to enforce the provisions of the International Fire Code (the “fire code”), or whenever the fire marshal or fire inspector has reasonable cause to believe that there exists in a building or upon any premises any conditions or violations of the fire code which make the building or premises unsafe, dangerous or hazardous, the fire marshal or fire inspector shall have the authority to enter the building or premises at all reasonable times to inspect and perform the duties imposed upon the fire marshal or fire inspector by the fire code. If such building or premises is occupied, the fire marshal or fire inspector shall present credentials to the occupant and request entry. If such building or premises is unoccupied, the fire marshal or fire inspector shall make a reasonable effort to locate the owner or other person having charge or control of the building or premises and request entry. If entry is refused, the fire marshal or fire inspector has recourse to every remedy provided by law to secure entry.

(2) When the fire marshal or fire inspector has first obtained a proper inspection 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 is made,

to permit entry therein for the purpose of inspection and examination pursuant to the fire code.

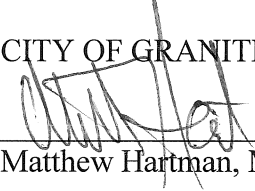
(F) Enforcement Authority. The fire marshal or fire inspector may issue warning notices, citations, notices of violation as provide by this chapter and as a city designated official under Chapter 19.04 GFMC. The fire marshal or fire inspector shall maintain a record of each inspection made, all notices, citations, notices of violation and enforcement actions. The fire marshal shall annually report to the city council concerning the fire inspection system of the city.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality thereof shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word of this ordinance.

Section 4. Effective Date. This ordinance shall take effect and be in full force five days from and after its passage, approval and publication, as required by law.

ADOPTED by the City Council and APPROVED by the Mayor this 31st day of Sept., 2016.

CITY OF GRANITE FALLS


Matthew Hartman, Mayor

ATTEST:


Darla Reese, City Clerk

APPROVED AS TO FORM:


Thom H. Graafstra, City Attorney

Date of Publication: 9/24/16

Effective Date: 9/29/16