

ORDINANCE NO. 2755

AN ORDINANCE AMENDING CHAPTER 16.40 OF THE MOSES LAKE MUNICIPAL CODE ENTITLED "FIRE DEPARTMENT PERMIT FEES"

THE CITY COUNCIL OF THE CITY OF MOSES LAKE, WASHINGTON ORDAINS AS FOLLOWS:

Section 1. Chapter 16.40 of the Moses Lake Municipal Code entitled "Fire Department Permit Fees" is amended as follows:

16.40.010 Permit: Any property owner or authorized agent who intends to conduct an operation or business, or install or modify systems and equipment regulated by the Fire Code adopted by the State of Washington, or cause any such work to be done, shall first make application to the Fire Code Official and obtain the required permit.

A. Types of Permits:

1. Operational Permit: An operational permit allows the applicant to conduct an operation or a business for which a permit is required by this chapter for either:
 - a. A prescribed period
 - b. Until renewed or revoked
2. Construction Permit: A construction permit allows the applicant to install or modify systems and equipment for which a permit is required by this chapter.

B. Permit Application:

1. Application for a permit required by this code shall be made to the Fire Code Official in such form and detail as prescribed by the Fire Code Official. Applications for permits shall be accompanied by such plans as prescribed by the Fire Code Official. Applicants for permits shall be accompanied by plans twenty-four inches (24") x thirty-six inches (36") or thirty inches (30") x forty-two inches (42"). Working drawings scale shall be one eighth inch (1/8") = one inch (1") and site plans scale shall be one inch (1") = twenty feet (20') or one inch (1") = forty feet (40'). A minimum of three (3) sets of plans shall be submitted for fire alarm and fire sprinkler systems. A minimum of two (2) sets of plans shall be submitted for all other systems. When more than one (1) permit is required for the same location, such permits may be consolidated into a single permit.
2. Refusal to issue permit: If the application for a permit describes a use that does not conform to the requirements of this chapter and other pertinent laws and ordinances, the fire code official shall not issue a permit, but shall return the application with the refusal to issue such permit. Such refusal shall be in writing and contain the reasons for refusal.
3. Inspection authorized. Before a new operational permit is approved, the Fire Code Official is authorized to inspect the receptacles, vehicles, buildings, devices, premises, storage spaces or areas to be used to determine compliance with the currently adopted state fire code and this code or any operational constraints required.
4. Time limitation of application. An application for a permit for any proposed work or operation shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been diligently prosecuted or a permit shall have been issued; except that the Fire Code Official is authorized to grant one or more extensions of time for additional periods not exceeding 90 days each. The extension shall be requested in writing and justifiable cause demonstrated

- C. Conditions of a permit: A permit shall constitute permission to maintain, store or handle materials; or to conduct processes which produce conditions hazardous to life or property; or to install equipment utilized in connection with such activities; or to install or modify any fire protection system or equipment or any other construction, equipment installation or modification in accordance with the provisions of this code where a permit is required.
 - 1. Expiration. An operational permit shall remain in effect until reissued, renewed or revoked or for such a period of time as specified in the permit. Construction permits shall automatically become invalid unless the work authorized by such permit is commenced within one hundred eighty (180) days after its issuance, or if the work authorized by such permit is suspended or abandoned for a period of one hundred eighty (180) days after the time the work is commenced. Anew permit shall be required before any work recommences.
 - 2. Occupancy prohibited before approval. The building or structure shall not be occupied prior to the Fire Code Official issuing a permit and conducting associated inspections indicating the applicable provisions of this code have been met.

16.40.020 Permits: A permit shall be obtained from the Moses Lake Fire Department for the following activities, operations, practices, or functions:

- A. Required operational permits: The Fire Code Official is authorized to issue operational permits for the operations set forth in Sections 105.6.1 through 105.6.46 of the 2012 edition of the International Fire Code.
- B. Hazardous materials permits: Hazardous materials permits are a special operation permit and shall be submitted on a Moses Lake Fire Department Hazardous Materials permit application. Hazardous materials permits shall expire twenty-four (24) months from the date of issue.
- C. Required construction permits: The Fire Code Official is authorized to issue construction permits for new installations of or modifications to any fire protection or detection system required by the currently adopted State Fire Code or where required by this code.

16.40.030 Permit Fees:

Table 1 - Fire Department Permit Fee Schedule for Construction Permits	
All fees shown include plan review.	Permit Fee Multiplier (multiplied by the project value-parts and labor included-to determine fee amount)
New automatic fire sprinkler installations and modifications exceeding 10 heads.	.070
Fire Pumps and related equipment-to include on site fire suppression water storage	.070
Existing automatic fire sprinkler system modification less than 10 heads	.035
Emergency responder radio coverage system*	.070
New fire alarm/fire detection system	.070
Kitchen fire suppression systems(UL-300)	.050

Special hazard systems (FM-200, Carbon Dioxide, Dry Chemical)	.050
Paint/ Spray Booth (factory built)	.050
Paint/Spray Room	.070
Private fire hydrants. (Applies to hydrants installed on private property that are not subject to inspection/review by the City of Moses Lake Municipal Services/Engineering Department)	.050
Underground fire mains for fire sprinkler systems	.050
Installation of tanks piping, and associated structures for the distribution of petroleum, LPG, or materials posing a physical or health hazard (to include cryogenic materials)	.070
All other construction permits required under the 2012 edition of the International Fire Code	.035
Fire apparatus roads/gates plan review fee	\$100

*Emergency responder radio coverage systems required by the State Fire Code must also be reviewed and approved by the Multi-Agency Communication Center for compliance with FCC regulations.

Table 2 - Fire Department Permit Fee Schedule for Operational Permits	
Type	Permit Fee/Expiration Time Frame
Aviation Facilities (Group H or S occupancy for servicing, repair, or fuel servicing)	\$200.00 - must be renewed every 24 months
Carnivals and fairs.	\$100.00 - valid for 10 days
Combustible dust producing operations.	\$100.00 - must be renewed every 24 months.
Dry cleaning.	\$100.00 - must be renewed every 24 months or upon change to a more hazardous solvent
Exhibits and trade shows.	\$100.00 - valid for 10 days
High Piled Storage. Required for any building or portion thereof as a high piled storage area exceeding 500 square feet.	\$200.00 - must be renewed every 24 months
Hot work operations inside buildings.	\$75.00 - must be renewed every 24 months
Hot work operations: Application of roof coverings with the use of an open-flame device	\$50.00 - valid for 7 days at a single address
Industrial ovens regulated by Chapter 30 of the 2012 International Fire Code	\$500.00 - must be renewed every 24 months

Lumberyards exceeding 100,000 board feet of storage	\$100.00 - must be renewed every 24 months
Temporary membrane structures and tents exceeding 400 square feet	\$75.00 - valid for a period not to exceed 180 days
Battery systems having a liquid capacity of more man 50 gallons	\$200.00 - must be renewed every 24 months

16.40.040 **Hazardous Materials Permits:** Occupancies storing, maintaining, producing, or using hazardous materials or hazardous wastes that exceed the permit quantities shown in Table HI, HIF (Flammable&Combustible Liquids) or HIC (compressed gases/aerosols) below shall submit a hazardous materials permit application to the Fire Code Official along with all supporting documentation required on the permit application form. Permits shall be valid for two (2 years).

For the purposes of permit fee calculations, permit fees shall be based on the hazard ranking of the produces) utilizing the hazard ranking outlined in National Fire Protection Association Standard 704 (Standard System for the Identification of the Hazards of Materials for Emergency Response) Permit fees for hazardous materials permits shall be calculated using Table H2 below.

Table HI-Permit Amounts for Hazardous Materials	
Type of Material	Amount
Corrosive materials	Liquids: 55 gallons Solids: 1000 pounds
Explosive Materials	Any quantity within the scope of Chapter 56, 2012 edition of the International Fire Code
Flammable Solids	100 pounds
Highly toxic materials(OSHA definition)	Gases, Liquids, Solids: Any amount
Toxic materials (OSHA definition)	Liquids 10 gallons Solids 100 pounds
Oxidizing materials	Liquids: Class 4 Any Amount Class 3 1 gallon Class 2 10 gallons Class 1 55 gallons Solids: Class 4 Any amount Class 3 10 pounds Class 2 10 gallons Class 1 55 gallons

Organic Peroxides	<p>Liquids: Class I or II Any Amount Class in 1 gallon Class IV 2 gallons Class V No permit required</p> <p>Solids: Class I & II Any amount Class III 10 pounds Class IV 20 pounds Class V No permit required</p>
Pyrophoric materials	Gases, Liquids, Solids: Any Amount
Reactive materials	<p>Liquids: Class 3 & 4 Any amount Class 2 5 gallons Class 1 10 gallons</p> <p>Solids: Class 3 & 4 Any amount Class 2 50 pounds Class 1 100 pounds</p>
Water Reactive Materials	<p>Liquids: Class 3 Any amount Class 2 5 gallons Class 1 55 gallons</p> <p>Solids: Class 3 Any amount Class 2 50 pounds Class 1 500 pounds</p>
Liquified petroleum gas	<p>Storage and use of LP gas above 500 gallons water capacity</p> <p>Operations of cargo tankers (rail & road) that transport LP gas.</p>

Table HIF-Permit Amounts for Flammable and Combustible Liquids	
Class 1 Liquids	In excess of 5 gallons in a building or 10 gallons outside. Permit required for fuel dispensing stations refineries bulk plants or similar facilities.
Class II or IHA	In excess of 25 gallons in a building or in 60 gallons outside.
Class III	In excess of 500 gallons

Table H.C.-Permit Amounts for Compressed Gases and Aerosols	
Type of Gas	Amount (Cubic feet at N.T.P.)
Corrosive	200
Flammable (Except Liquified Petroleum Gas)	200

Highly Toxic	Any Amount
Inert and simple asphyxiant	600
Oxidizing (including oxygen)	504
Pyrophoric	Any Amount
Toxic	Any Amount

Permit Fee Calculation: Instructions for calculating permit fees is found on the Fire Department Hazardous Materials Permit Application.

Each class of hazardous material shown in tables HI, HIF and H1C above the permit amount will be used to calculate permit fees (individual materials within a class will be counted toward the aggregate quantity for that class).

Table H2 - Hazardous Materials Permit Fees	
1 Class	\$100.00
2 Classes	\$200.00
3 Classes	\$300.00
4 Classes or more than 4,000 gallons, 19,000 cubic feet, or 249,000 pounds of any one class.	\$450.00
5 or more classes or more than 5,000 gallons, 25,000 cubic feet, or 280,000 pounds of any one class.	\$580.00
Highly Toxic, Toxic, & Pyrophoric materials all amounts up to maximum allowed by the 2012 edition of the International Fire Code.	\$400.00

16.40.050 Demolition of Systems/Fire Equipment: The removal or demolition of any fire protection system, fire protection equipment or fire alarm system or any component of those systems that are required under the current or previously adopted state fire, building, or mechanical code shall require a fire department permit. Components include, but are not limited to: vents, fans, plenums, and hoods for special hazard systems including UL300 and FM200 systems, wiring, alarm panels, sprinklers, piping, or other devices as determined by the Fire Code Official.

A. Removal of components other than removal and replacement during normal maintenance: \$75

B. Demolition of fire protection systems or fire protection equipment: \$150

16.40.060 Third Party Review: When, in the opinion of the Fire Code Official, third party review is necessary due to a lack of sufficient reference material (standards) or when a process is of sufficient complexity that it exceeds the knowledge and training of City staff, the City reserves the right to hire individuals or companies to perform expert analysis and review at the expense of the permit applicant.

16.40.070 Permission Granted by Permit: A permit constitutes permission to maintain, store, use, or handle materials, or to conduct processes which produce conditions hazardous to life or property, or to install equipment used in connection with such activities. Such permission shall not be construed as authority to violate, conceal, or set aside any of the provisions of this chapter.

- 16.40.080 Compliance with International Fire Code: Permit applicants and the applicants agents and employees shall carry out the proposed activity in compliance with the currently adopted State Fire Code and with other laws and regulations which are applicable, whether or not specified in this chapter, and in complete accordance with approved plans and specifications.
- 16.40.090 Posting of Permit: Permits shall be kept on the premises designated within the permit at all times and shall be posted in a conspicuous location on the premises in a location designated by the Fire Chief. Permits shall be subject to inspection at all times by an officer of the Fire or Police Department or other persons authorized by the Fire Chief.
- 16.40.100 Permit Revocation: A permit shall continue until revoked or for such a period of time as designated within the permit at the time of issuance. Permits shall not be transferred and any change in use, occupancy, operation, or ownership shall require a new permit. The Fire Chief is authorized to suspend or revoke a permit when it is determined by the Chief that:
- A. The permit was used by a person other than the person to whom the permit was issued.
 - B. The permit was used for a location other than that for which it was issued.
 - C. Any of the conditions or limitations set forth in the permit have been violated.
 - D. The Permittee failed, refused, or neglected to comply with the orders or notices duly served in accordance with the provisions of the International Fire Code within the time provided within the International Fire Code.
 - E. There has been a false statement or misrepresentation as to a material fact in the application or plans on which the permit or application was based.
 - F. The permit was issued in error or in violation of an ordinance, regulation, or the International Fire code.

Any revocation by the Fire Chief can be appealed to the Moses Lake City Council within ten (10) days of receiving the revocation notice.

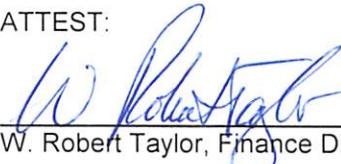
Section 2. This ordinance shall take effect and be in force five (5) days after its passage and publication of its summary as provided by law.

Adopted by the City Council and signed by its Mayor on February 10, 2015.



Dick Deane, Mayor

ATTEST:



W. Robert Taylor, Finance Director

APPROVED AS TO FORM:



Katherine L. Kenison, City Attorney