



Legislation Details (With Text)

File #: CB 118309 **Version:** 1 **Name:** CB 118309
Type: Ordinance (Ord) **Status:** Passed
In control: City Clerk

On agenda: 2/9/2015

Final Action: 2/20/2015 **Ord. No.** Ord 124707

Title: AN ORDINANCE relating to the Seattle Fire Code Advisory Board; revising the designated member representation of the Seattle Fire Code Advisory Board to include representatives of the services industry, major institutions, and the Fire Fighters and Fire Chiefs labor unions; creating a new Subchapter V in Chapter 3.16 of the Seattle Municipal Code consisting of new Sections 3.16.300, 3.16.310, 3.16.320, 3.16.330, 3.16.340, 3.16.350 and 3.16.360; all by amending Ordinance 119799.

Sponsors: Bruce Harrell

Indexes:

Attachments: 1. CB 118309: Fiscal Note, 2. Signed Ord 124707

Date	Ver.	Action By	Action	Result
2/20/2015	1	City Clerk	attested by City Clerk	
2/20/2015	1	Mayor	returned	
2/20/2015	1	Mayor	Signed	
2/11/2015	1	Mayor	Signed	
2/11/2015	1	City Clerk	submitted for Mayor's signature	
2/9/2015	1	City Council	passed	Pass
2/4/2015	1	Public Safety, Civil Rights, and Technology Committee	pass	Pass
1/26/2015	1	City Council	referred	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

AN ORDINANCE relating to the Seattle Fire Code Advisory Board; revising the designated member representation of the Seattle Fire Code Advisory Board to include representatives of the services industry, major institutions, and the Fire Fighters and Fire Chiefs labor unions; creating a new Subchapter V in Chapter 3.16 of the Seattle Municipal Code consisting of new Sections 3.16.300, 3.16.310, 3.16.320, 3.16.330, 3.16.340, 3.16.350 and 3.16.360; all by amending Ordinance 119799.

WHEREAS, through Ordinance 117717, the Seattle Fire Code Advisory Board was created over five decades ago by the City Council to give industry, labor and the public a voice in fire code development issues that affect them; and

WHEREAS, Ordinance 117717 was amended in 1999 by Ordinance 119799 to revise the designated member representation to include a representative of the fire protection industry; and

WHEREAS, the leadership of the Fire Fighters labor union and the Fire Chiefs labor union have requested representation on the Seattle Fire Code Advisory Board to have a voice in fire code development issues that impact fire fighter safety; and

WHEREAS, the Seattle Fire Code Advisory Board has recommended that the voting member position currently designated to represent the retail industry be re-designated to represent the services industry more broadly;

WHEREAS, the Seattle Fire Code Advisory Board has recommended that the voting member position currently designated to represent the petroleum industry be re-designated to represent major institutions; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Ordinance 119799 is hereby amended to read as follows:

* * *

Section 2.

A new Subchapter V is added to Chapter 3.16 of the Seattle Municipal Code as follows:

Subchapter V Fire Code Advisory Board

3.16.300 Board Established

There hereby is established a Fire Code Advisory Board (the "Board") which will consist of ((~~fifteen~~ (15))) 15 voting members, as follows:

One architect

One chemical engineer

One mechanical engineer

One Building Owners and Managers Association representative

One King County Labor Council representative

One fire insurance industry representative

One (~~(petroleum industry)~~) major institutions representative. Major institutions include hospitals, universities, colleges, and schools.

One marine industry representative

One Port of Seattle representative

One manufacturing/warehouse representative

One (~~(retail)~~) services industry representative. Service industry includes retail and wholesale, entertainment, restaurants and nightclubs, and hotels.

One research/labs representative

One fire protection industry representative

Two members of the public

The Board members will be appointed by the Mayor, who will select (~~(fifteen (15))~~) 15 individuals collectively possessing the characteristics listed above. The Mayor's appointments will be subject to confirmation by the City Council. In addition, one representative each from the Department of (~~(Design, Construction and Land Use)~~) Planning and Development, Seattle City Light, Seattle Public Utilities, and City Council staff (~~(shall)~~) may be chosen by their respective Department Heads and (~~(shall)~~) may serve on the Board in a non-voting ex-officio capacity. The Executive Boards of the Fire Fighters Union (Local 27) and the Fire Chiefs Union (Local 2898) may choose a representative to serve on the Fire Code Advisory Board in a non-voting ex-officio capacity. No City employees will serve on the Board in a voting capacity.

~~((Section 3.))~~ **3.16.310 Terms of service**

~~((The first board shall have five (5) members whose term of service is two (2) years, five (5) members whose term of service is three (3) years, and five (5) members whose term of service is four (4) years. Within these parameters, the Mayor shall have the discretion to designate the term of each member of the first Board. Thereafter,))~~ The terms of service for Board members shall be as originally established by Ordinance 117717, as amended by Ordinance 119799, except as provided by this Section 3.16.310. The terms of service for voting members on the Board shall be for three ((3)) years from the day ((of expiration of the term of the member whose vacancy is being filled.)) the member is qualified. A voting member whose term of service has expired shall continue to serve until a successor is qualified, unless that member notifies the Chair in writing of his or her desire to resign and discontinue serving on the Board, in which case the position will be considered vacant. A successor to one of the ((fifteen (15))) 15 voting positions is "qualified" after being appointed by the Mayor and confirmed by the City Council. The four non-voting ex-officio members representing the Department of ((Design, Construction and Land Use)) Planning and Development, Seattle City Light, Seattle Public Utilities and City Council staff shall serve at the direction of his or her Department Head and for such time until a replacement is qualified by his or her respective Department Head. The two non-voting ex-officio members representing the Fire Fighters Union and the Fire Chiefs Union shall serve at the direction of his or her union's Executive Board and for such time until a replacement is qualified by his or her respective union's Executive Board. A successor to one of the ((four (4))) non-voting ex-officio positions is "qualified" after being chosen by his or her respective Department Head, or by the Executive Board of his or her respective union in the case of non-voting ex-officio positions representing the Fire Fighters Union or the Fire Chiefs Union. ~~((Vacancies that occur before the end of a member's term of service shall be filled by a qualified successor who shall serve for the unexpired term.))~~ A member may be removed by the Mayor, subject to a confirming affirmative vote of a majority of the total membership of the City Council. No member shall receive any compensation for service on the Board.

~~((Section 4.~~

~~The new fire protection industry member position that is being created by this ordinance shall have the same term of service as the public voting member position that it is replacing.~~

~~Section 5.))~~

3.16.320 Powers and duties of the Board

The Board shall act in an advisory capacity. The Board shall have the power to: (1) examine proposed amendments relating to the Fire Code and to make recommendations to the Fire Marshal, the Fire Chief, and the City Council for changes in the Fire Code; and (2) hear appeals relating to the interpretation and application of the Fire Code, and to make recommendations to the Fire Chief relating to such appeals.

~~((Section 6.))~~

3.16.330 Governance

The Board shall elect a Chair and shall adopt reasonable rules and regulations for conducting its appeals and developing its recommendations. The Board shall receive staff support from the Fire Marshal's Office.

~~((Section 7.))~~

3.16.340 Meetings

The Board shall meet regularly ~~((at least once each month in a regular meeting))~~ and at a time and place to be established by its rules. The Chair may call special meetings when she or he deems it necessary. The Chair may cancel a meeting by providing written notice to the members, and publicizing notice in whatever manner is established in the rules.

~~((Section 8.))~~

3.16.350 Appeals

The Board's appellate powers shall be exercised by and through a subcommittee referred to herein as the Appeals Board. The appeals process will include the following:

- a. The Appeal's Board recommendations to the Fire Chief shall be in writing.
- b. The Chair shall select five Board members to serve on the Appeals Board, three ~~((3))~~ of which shall be chosen from the following categories: one ~~((1))~~ business representative (the Building Owners and Managers Association representative, the fire insurance industry representative, the ~~((petroleum industry))~~ major institutions representative, the marine industry representative, the Port of Seattle representative, the manufacturing/warehouse representative, the ~~((retail))~~ services industry representative, the research/labs

representative, or the fire protection industry representative,) one ~~((1))~~ professional/technical representative (the architect, the chemical engineer, or the mechanical engineer), and one ~~((1))~~ public citizen. At his or her discretion, for particular appeals, the Chair may appoint or substitute additional Board members to hear a given appeal if she or he believes particular expertise is needed to hear the appeal.

c. The Board's rules relating to the conduct of appeals will be made available to the public.

d. Information on appeals and the Appeals Board's recommendations shall be maintained and made available to the public.

e. If the Fire Chief declines the Appeals Board's recommendation, then she or he must state in writing his or her reasons for doing so. This statement shall be copied to the Mayor's Office and to the City Council member who chairs the Public Safety Committee.

f. The Fire Chief and the Fire Marshal shall make themselves available to meet with the appellant, after the conclusion of the appeals process, in every case.

~~((Section 9.))~~

3.16.360 Citizen input

The Board shall develop a process for obtaining citizen input relating to the Fire Code and for providing that input to the Fire Marshal's office.

~~((Section 10. The Board shall make a report to the City Council's Public Safety Committee two years after its first meeting, or sooner if the chair of the Board deems necessary.~~

~~The report should include data on the activities of the Board and the Appeals Board, an assessment of the adequacy of the structure of the Board, the content and function of any rules the Board has established, and any changes the Board wishes to recommend at that time.))~~

Section 3.

The new service industry and major institutions member positions that are being created by this ordinance shall have the same term of service as the positions that they are replacing.

Section 2. This ordinance shall take effect and be in force 30 days after its approval by the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it shall take effect as provided by Seattle Municipal Code Section 1.04.020.

Passed by the City Council the ____ day of _____, 2015, and signed by me in open session in authentication of its passage this ____ day of _____, 2015.

President _____ of the City Council

Approved by me this ____ day of _____, 2015.

Edward B. Murray, Mayor

Filed by me this ____ day of _____, 2015.

Monica Martinez Simmons, City Clerk

(Seal)