



## Legislation Text

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**File #:** TMP-11654, **Version:** 1

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### CITY OF SEATTLE

### ORDINANCE \_\_\_\_\_

### COUNCIL BILL \_\_\_\_\_

AN ORDINANCE relating to the Seattle Fire Code; clarifying provisions relating to preventable alarms and securing of premises, and amending Sections 112, 202, 311, and 901 of the 2021 Seattle Fire Code as adopted by Section 22.600.020 of the Seattle Municipal Code and as regulated and allowed by the State Building Code Act, chapter 19.27 of the Revised Code of Washington.

WHEREAS, the Seattle Fire Code establishes standards intended to preserve lives and protect property, and is also known as Subtitle VI of Title 22, the Seattle Building and Construction Codes; and

WHEREAS, the Seattle Fire Code provides citation authority to the Seattle Fire Department to further the Seattle Fire Department's mission of preserving lives and protecting property through compliance with provisions in the Seattle Fire Code; and

WHEREAS, citations are a non-criminal enforcement approach that includes the opportunity for residents and businesses in Seattle to appeal and receive a fair and impartial review of citations in front of a hearing examiner from the Office of the Hearing Examiner; and

WHEREAS, the Seattle Fire Code provides authority to the Seattle Fire Department to take action to ensure that vacant buildings do not cause a dangerous public nuisance in the community; and

WHEREAS, the Seattle Fire Department and the Seattle Fire Code Advisory Board have reviewed and approved the additions and revisions to the 2021 Seattle Fire Code contained in this ordinance; NOW, THEREFORE,

### **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

Section 1. Section 112 of the Seattle Fire Code, last amended by Ordinance 127139, is amended as

follows:

## SECTION 112 VIOLATIONS

\* \* \*

**[S] 112.4.1 Documentation.** If after investigation the *fire code official* determines that the standards or requirements of provisions referenced in Section 112.4 have been violated, the *fire code official* may issue a citation to the owner and/or other *person(s)* responsible for the violation. The citation shall include the following information: (1) the name and address of the *person* to whom the citation is issued; (2) a reasonable description of the location of the property on which the violation occurred; (3) a separate statement of each standard or requirement violated; (4) the date of the violation; (5) a statement that the *person* cited must respond to the citation within 15 days after service; (6) a space for entry of the applicable penalty; (7) a statement that a response must be sent to the Hearing Examiner and received not later than 5 p.m. on the day the response is due; (8) the name, address, and phone number of the Office of the Hearing Examiner where the citation is to be filed; (9) a statement that the citation represents a determination that a violation has been committed by the *person(s)* named in the citation and that the determination shall be final unless contested as provided in this Section 112.4; and (10) a certified statement of the *fire code official's* representative issuing the citation, authorized by chapter 5.50 RCW ((9A.72.085)), setting forth facts supporting issuance of the citation.

\* \* \*

**[S] 112.4.6.5 Evidence at hearing.** The certified statement or declaration authorized by chapter 5.50 RCW ((9A.72.085)) shall be prima facie evidence that a violation occurred and that the *person* cited is responsible. The certified statement or declaration authorized under chapter 5.50 RCW ((9A.72.085)) and any other evidence accompanying the report shall be admissible without further evidentiary foundation. Any certifications or declarations authorized under chapter 5.50 RCW ((9A.72.085)) shall also be admissible without further evidentiary foundation. The *person* cited may rebut the Seattle Fire Department's evidence and

establish that the cited violation(s) did not occur or that the *person* contesting the citation is not responsible for the violation.

\* \* \*

Section 2. Section 202 of the Seattle Fire Code, enacted by Ordinance 127109, is amended as follows:

**SECTION 202  
GENERAL DEFINITIONS**

\* \* \*

[A] **OWNER.** Any person, agent, operator, entity, firm, municipal corporation, or corporation having any legal or equitable interest in the property; or recorded in the official records of the state, county, or municipality as holding an interest or title to the property; or otherwise having possession or control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

\* \* \*

Section 3. Section 311 of the Seattle Fire Code, enacted by Ordinance 127109, is amended as follows:

**SECTION 311  
VACANT PREMISES**

\* \* \*

**311.1 General.** (~~Temporarily unoccupied~~) Unoccupied buildings, structures, premises or portions thereof, including tenant spaces, shall be safeguarded and maintained in accordance with Sections 311.1.1 through 311.6.

[S] **311.1.1 Abandoned premises.** Buildings, structures and premises which persistently or repeatedly become unprotected or unsecured, which have been occupied by unauthorized persons or for illegal purposes, or which present a danger of structural collapse or fire spread to adjacent properties may be considered to be abandoned, declared unsafe and abated by demolition or rehabilitation in accordance with Section 114, the Seattle Municipal Code and the *International Building Code*.

**311.1.2 Tenant spaces.** Storage and lease plans required by this code shall be revised and updated to reflect temporary or partial vacancies.

**311.2 Safeguarding vacant premises.** ~~((Temporarily unoccupied))~~ Unoccupied buildings, structures, premises or portions thereof shall be secured and protected in accordance with Sections 311.2.1 through ~~((311.2.3))~~ 311.2.4.

**311.2.1 Security.** Exterior and interior openings open to other tenants or unauthorized persons shall be boarded, locked, blocked or otherwise protected to prevent entry by unauthorized individuals. Where required by the fire code official, the premises shall have an approved fence to prevent entry to the premises or use of the premises by unauthorized individuals. The *fire code official* is authorized to placard, post signs, erect barrier tape or take similar measures as necessary to secure public safety.

\* \* \*

**311.2.4 Maintenance.** Where required for compliance with the provisions of this section or other provisions of this code, fencing, boarding, locks and other protections to prevent entry by unauthorized individuals shall thereafter be continuously maintained in accordance with the requirements of this code or as directed by the fire code official.

\* \* \*

Section 4. Section 901 of the Seattle Fire Code, enacted by Ordinance 127109, is amended as follows:

## **SECTION 901 GENERAL**

\* \* \*

**[S] 901.12 Preventable fire alarms.** It shall be unlawful for any *person* or *owner* to give, signal, or transmit or for any *person* or *owner* to cause or permit to be given, signaled, or transmitted in any manner any *preventable fire alarm*. An *owner* shall be responsible for any *preventable fire alarm* occurring on the *owner's* property caused by ~~((a tenant, occupant, or guest))~~ the owner, or by the owner's contractor, employee, tenant, or

guest, or by a tenant's guest or contractor, or by an occupant except if the occupant is trespassing. An *owner* shall also be responsible for any *preventable fire alarm* occurring on the *owner's* property that is caused by mechanical failure or is the result of improper testing or maintenance of a *fire ((alarm-system)) protection system or life safety system*.

\* \* \*

Section 5. This ordinance shall take effect as provided by Seattle Municipal Code Sections 1.04.020 and 1.04.070.

Passed by the City Council the \_\_\_\_\_ day of \_\_\_\_\_, 2025, and signed by me in open session in authentication of its passage this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_

President \_\_\_\_\_ of the City Council

Approved /    returned unsigned /    vetoed this \_\_\_\_ day of \_\_\_\_\_, 2025.

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Bruce A. Harrell, Mayor

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Filed by me this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Scheereen Dedman, City Clerk

(Seal)