

## **TOWN OF RUSTON**

### **ORDINANCE NO. 1298**

**AN ORDINANCE OF THE TOWN OF RUSTON, WASHINGTON, ADDING A NEW CHAPTER 13.05 TO TITLE 13 OF THE RUSTON MUNICIPAL CODE, ADOPTING THE 2006 INTERNATIONAL FIRE CODE AS ADOPTED BY THE STATE OF WASHINGTON, AND PROVIDING FOR ENFORCEMENT.**

WHEREAS, the 2006 version of the International Fire Code ("IFC"), published by the International Code Council, Inc. has been adopted by the Washington State Legislature and the Washington State Building Code Council; and

WHEREAS, RCW 19.27.050 mandates that the provisions of the IFC shall be enforced by Washington cities and towns; and

WHEREAS, the Town Council of the Town of Ruston finds that it is in the best interest of the Town and its citizens to provide for enforcement of the IFC and to impose penalties for violations thereof;

**NOW, THEREFORE, THE TOWN COUNCIL OF THE TOWN OF RUSTON, WASHINGTON, DOES ORDAIN AS FOLLOWS:**

**Section 1.** A new Chapter 13.05 RMC, "Fire Code," is hereby created, to read in its entirety as follows:

#### **13.05.010 International Fire Code Adopted by Reference.**

RCW 19.27.031(3) and WAC 51-54-003, adopting the 2006 version of the International Fire Code ("IFC"), published by the International Code Council, Inc., by reference, are hereby adopted by reference.

#### **13.05.020 Enforcement; Procedure**

a. If any violation of any provision of the IFC is observed by any member of the Ruston Fire Department, whether during a fire inspection or otherwise, the Fire Chief shall send the property or business owner ("owner") on whose property or at whose business the violation was observed, written notice of the violation. The written Notice of Violation may be contained in a routine fire inspection report.

b. The Notice of Violation shall briefly state the nature of each IFC violation observed, shall inform the owner what measures must be taken to correct the violation, and shall give the owner a date set by the Fire Chief, by which the violation must be corrected. Violators shall ordinarily be given thirty (30) days to correct any violations observed, unless in the professional judgment of the Fire Chief safety concerns warrant giving a shorter amount of time to correct violations.

c. It shall be the owner's responsibility to contact the Fire Department and schedule a reinspection of the property once all observed IFC violations have been corrected. The owner's failure to schedule within the specified time, or refusal to allow, a reinspection of the property by the Fire Department to determine whether violations have been corrected, shall create a presumption that the violations have not been corrected.

### **13.05.030 Violations; Penalty**

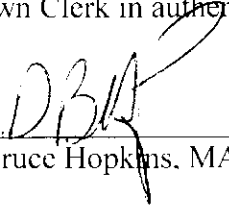
a. Failure or refusal to correct any violation of any provision of the IFC as herein adopted within the time set by the Fire Chief pursuant to RMC 13.05.020(b) is a misdemeanor, punishable by a fine of not more than \$1000 or imprisonment of not more than 30 days, or both.

b. Each IFC violation observed and not corrected as provided herein, shall constitute a separate violation of this Section.

**Section 2.** Effective Date. This Ordinance shall take effect upon publication, as provided by statute.

**Section 4.** Severability. If any section, part, or provision of this Ordinance should be held unconstitutional, in conflict with the general laws of the State, or otherwise invalid by a court of competent jurisdiction, the remaining sections, parts or provisions hereof shall remain in full force and effect.

ENACTED by the Town Council of the Town of Ruston in open public meeting.  
SIGNED by the Mayor and attested by the Town Clerk in authentication of such passage this 2<sup>nd</sup> day of November, 2009.

  
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Bruce Hopkins, MAYOR

ATTEST:

  
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Karen Carlisle, Town Clerk