

ORDINANCE NO. 1684

AN ORDINANCE OF THE CITY OF DES MOINES, WASHINGTON relating to the City of Des Moines Code, amending DMMC references as a housekeeping measure to reflect the name change of King County Fire District No. 26 to South King Fire & Rescue in portions of the Code that have not been previously amended.

WHEREAS, in 2006, the citizens of Des Moines voted to merge Fire District No. 26 into the Federal Way Fire Department; and, thereafter, the name was changed to South King Fire & Rescue, and

WHEREAS, references to Fire District No. 26 have not been amended to South King Fire & Rescue in code sections that have not reviewed since that time, and

WHEREAS, the City Council finds that the amendments contained in this Ordinance are appropriate and necessary to properly reference South King Fire & Rescue; now therefore,

THE CITY COUNCIL OF THE CITY OF DES MOINES ORDAINS AS FOLLOWS:

Sec. 1. DMMC 5.31.060(1) and section 6(1) of Ordinance No. 1035, are amended to read as follows:

License application—Report by City departments.

(1) A person seeking a panoram premises license, panoram operator's license, or panoram device license shall file a written application with the City Clerk on a form provided by the City Clerk for that purpose. The City Clerk, upon presentation of the application and before acting upon the same shall refer the application to the City Police Department, which shall make a full investigation as to the truth of the statements contained in the application, and to the City Department of Community Development, South King Fire & Rescue, and Seattle-King County Health Department, which shall investigate and provide information to the City Clerk concerning compliance of the premises and devices sought to be licensed with this chapter and other applicable City, county, and state health, zoning, building, fire, and safety ordinances and laws.

Sec. 2. DMMC 5.31.070 and section 7 of Ordinance No. 1035 are amended to read as follows:

Inspection of panorama premises.

(1) An applicant for a license under this chapter with respect to a premises or devices shall allow such premises or devices to be inspected by authorized inspectors from South King Fire & Rescue, City Police Department, City Department of Community Development, and Seattle-King County Health Department, for the purpose of determining whether such premises and devices comply with this chapter.

(2) Licensees operating under this chapter shall hold those areas upon the premises which are accessible to the public and the devices therein open for routine regulatory inspections by South King Fire & Rescue or the City Police Department during normal business hours.

Sec. 3. DMMC 9.42.020 and section 2 of Ordinance No. 1362 are amended to read as follows:

Definitions--Use of words and phrases. As used in this chapter, unless the context or subject matter clearly requires otherwise, the words or phrases defined in this chapter shall have the indicated meanings.

(1) The definitions of chapter 70.77 RCW as presently constituted or as may be subsequently amended are adopted by reference and shall govern the construction of this chapter when applicable.

(2) "Fire marshal" means the fire marshal of South King Fire & Rescue.

(3) "Trick and novelty devices" means a device defined in WAC 212-17-030, as presently constituted or as may be subsequently amended.

Sec. 4. DMMC 10.08.030(3)(g) and section 3(C)(7) of Ordinance No. 814 are amended to read as follows:

(g) Fire lane signs may be placed on a building when such installation is approved by the Fire Chief of South King Fire & Rescue or the Fire Chief's authorized designee.

Sec. 5. DMMC 10.08.050 and section 5 of Ordinance No. 814 are amended to read as follows:

The Fire Chief of South King Fire & Rescue, or the Chief's authorized designee, is authorized to modify any of the provisions in this chapter related to marking materials and posting methods where practical difficulties exist. The particulars of such modification shall be granted in writing by the authorizing party and shall be entered into the records of the City Building Official.

Sec. 6. Severability - Construction.

(1) If a section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid for any reason by any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance.

(2) If the provisions of this Ordinance are found to be inconsistent with other provisions of the Des Moines Municipal Code, this Ordinance is deemed to control.

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Sec. 7. Effective date. This Ordinance shall take effect and be in full force thirty (30) days after its final passage by the Des Moines City Council in accordance to law.

PASSED BY the City Council of the City of Des Moines this 8th day of June, 2017 and signed in authentication thereof this 8th day of June, 2017.


MAYOR

APPROVED AS TO FORM:


City Attorney

ATTEST:


City Clerk

Effective: July 8, 2017

Published: June 13, 2017

LEGAL NOTICE
SUMMARY OF ADOPTED ORDINANCE
CITY OF DES MOINES

ORDINANCE NO. 1684, Adopted June 8, 2017.

DESCRIPTION OF MAIN POINTS OF THE ORDINANCE:

This Ordinance relates to the City of Des Moines Code, amends DMMC references as a housekeeping measure to reflect the name change of King County Fire District No. 26 to South King Fire & Rescue in portions of the Code that have not been previously amended.

The full text of the Ordinance will be mailed without cost upon request.

Bonnie Wilkins, CMC
City Clerk

Published: June 13, 2017