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| TRANSMITTAL MEMORANDUM |
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TO: The Honorable Mayor and City Council

FROM: Lacey G. Simpson, Acting City Manager

DATE: September 27, 2022

RE: **Ordinance No. 22-1953 – Amending Subsection (67) Of Ketchikan Municipal Code Section 18.04.010 Of The Fire Code; Adding A New Subsection (3) To Ketchikan Municipal Code Section 19.14.010 Of Plumbing Code; Renumbering Existing Subsection (3) Of Ketchikan Municipal Code 19.14.010; And Establishing an Effective Date**

The attached ordinance was prepared by City Attorney Mitch Seaver at the request of Fire Chief Rick Hines and adopted in first reading at the City Council meeting of September 15, 2022. If adopted in second reading, Ordinance No. 22-1953 amends the Ketchikan Municipal Code sections pertaining to Fire Code and Plumbing Code in order to require contractors who service, test, install or maintain fire and water quality protection systems to enroll in and use the approved single-point repository service for these records. As detailed during the initial reading, the third party single-point repository service that will serve the needs of the Fire Department and the KPU Water Division and will not only decrease the inspection work load for the Fire Department and KPU Water Division but also it is expected that compliance will increase at businesses and other locations required to maintain fire and water quality protection systems.

The City Attorney and the Assistant Fire Chief will attend the City Council meeting of October 6, 2022, in order to address any questions and/or concerns that Councilmembers may have.

A motion has been prepared for City Council consideration.

RECOMMENDATION

It is recommended the City Council adopt the motion approving in second reading Ordinance No. 22-1953 amending Subsection (67) of Ketchikan Municipal Code Section 18.04.010 of the Fire Code; adding a new Subsection (3) to Ketchikan Municipal Code Section 19.14.010 of Plumbing Code; renumbering existing Subsection (3) of Ketchikan Municipal Code 19.14.010; and establishing an effective date.

Recommended Motion: I move the City Council approve in second reading Ordinance No. 22-1953 amending Subsection (67) of Ketchikan Municipal Code Section 18.04.010 of the Fire Code; adding a new Subsection (3) to Ketchikan Municipal Code Section 19.14.010 of Plumbing Code; renumbering existing Subsection (3) of Ketchikan Municipal Code 19.14.010; and establishing an effective date.

THE CITY OF KETCHIKAN, ALASKA

ORDINANCE NO. 22-1953

AN ORDINANCE OF THE COUNCIL OF THE CITY OF KETCHIKAN, ALASKA; AMENDING SUBSECTION (67) OF KETCHIKAN MUNICIPAL CODE SECTION 18.04.010 OF THE FIRE CODE; ADDING A NEW SUBSECTION (3) TO KETCHIKAN MUNICIPAL CODE SECTION 19.14.010 OF PLUMBING CODE ; RENUMBERING EXISTING SUBSECTION(3) OF KETCHIKAN MUNICIPAL CODE 19.14.010; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KETCHIKAN, ALASKA, AS FOLLOWS:

Section 1: Amendment. Subsection (67) of the Ketchikan Municipal Code Section 18.04.010, is hereby amended to read as follows:

“2012 INTERNATIONAL FIRE CODE

Appendix K

Fire Status Reporting

K101 Scope. All ~~[fire service companies]~~ **contractors who service, test, install or maintain fire protection systems** ~~[providing services]~~ within the City of Ketchikan shall ~~[provide a legible copy of all fire system service reports to the City of Ketchikan Fire Marshal's Office as listed below.]~~ **enroll in and use the approved single-point repository service to file records of all system inspections, tests, and maintenance required by the state and city standards. This repository service is maintained and provided to the Fire Marshall through a third party inspection reporting system. Fees, as applicable, will be paid directly by the contractor to the approved single-point repository service vendor.** ~~[See below for contact information.]~~

Exception: Industrial occupancies with a fire system preventive maintenance program approved by the Division of Fire and Life Safety. K102 Status 1, systems out of service or Major Deficiencies. ~~[The fire service company]~~ shall **be reported** ~~[immediately contact the City of Ketchikan Fire Marshal's Office if the system cannot be returned to service. On a weekend or after hours, contact the City of Ketchikan Fire Marshal's Office on the first business day. Written notification shall be faxed to the City of Ketchikan Fire Marshal's Office within 24 hours. Notification may be made by email.~~ **to the repository service.**

K102.1 Corrective action time. Status 1 reports shall be repaired immediately.

K102.1.1 For example but not limited to:

K102.1.1.1 Fire sprinkler or water based systems:

1. Non-working flow/pressure switches,
2. Damage to fire department connections,
3. No water to system.
4. Frozen or otherwise damaged system.

K102.1.1.2 Fire pumps:

1. Non-working fire pumps;
2. Fire pump controls not working or malfunctioning.

K102.1.1.3 Fire alarm systems (detection and alarm):

1. Non-working fire alarm panel;
2. Malfunctioning fire alarm panel;

3. Audio and visual devices not working entire loop;
4. Detection not working entire detection loop;
5. Loss of programming.

K102.1.1.4 Kitchen hood fire systems:

1. System cylinder is not charged or leaking;
2. Appliance not properly covered due to rearrangement of appliances;
3. Plugged discharge nozzles;
4. Automatic detection not functional;
5. Gas or electric not shutting down.

K102.1.1.5 Clean agent or special hazard system:

1. System cylinder is not charged or leaking;
2. Releasing panel not functional.

K103 ~~[Status 1 and]~~ Status 2, Critical deficiency reports. Systems that have ~~[Status 1 or]~~ Status 2 critical deficiency reports shall be provided to the ~~[City of Ketchikan Fire Marshal's Office]~~ **repository service** within ~~[14]~~ **7** days.

K103.1 Corrective action time. Status 2 systems shall be repaired within 14 days.

K103.1.1 For example but not limited to:

K103.1.1.1 Fire sprinkler or water based system:

1. Five or more painted sprinkler heads in a concentrated area or more than 10 in

a facility;

2. Change of use that will affect the performance of the sprinkler system;
3. Low water pressure;
4. Any other major problem that will affect the performance;
5. No monitoring on required systems;

K103.1.1.2 Fire pumps:

1. Low fuel;
2. Pump packing leaking beyond specifications;
3. Fire pump room below 40 degrees;
4. Fire pump not meeting its rated discharge pressure or GPM flow over a 10 percent difference;
5. Any other major problem that will affect the performance.

K103.1.1.3 Fire alarm systems (detection and alarm):

1. Batteries overdue for replacement;
2. No monitoring on required system;
3. Audio and visual devices not working – up to three devices, over three devices

Status 1;

4. Detection not working – up to three devices, over three devices Status 1;
5. Any other major problem that will affect the performance.

K103.1.1.4 Kitchen hood fire systems:

1. Hood and ducts with heavy grease buildup;

2. Any other major problems that will affect the performance.

K104 Status 3, Minor deficiency reports. Minor deficiency reports shall be provided to the ~~[City of Ketchikan Fire Marshal's Office]~~ **repository service** within ~~[30]~~ **14** days. These deficiencies will not affect performance of the system.

K104.1 Corrective action time. Status 3 systems shall be repaired within 30 days.

K105 Status 4, No deficiencies. Systems with no deficiencies shall be provided to the ~~[City of Ketchikan Fire Marshal's Office]~~ **repository service** within 30 days.

K105.1 System service reports. System service reports shall have the following information on them:

1. Inspection company name shall be printed on all reports with address and phone number;
2. Inspector's first and last name shall be printed with State of Alaska fire systems permit number;
3. Inspector's telephone number, office and cell telephone numbers, if available;
4. Deficiencies shall be typed or written and shall be printed text. No cursive or longhand handwriting is acceptable. Reports shall be written with a minimum line spacing of a 3/8 inch per line;
5. All reports shall have building name, occupancy inspected, and address clearly identified on the first page, and all subsequent pages shall have the building name and date of inspect on the top of the page;
6. All reports shall have the building contact person's name with telephone number on the front page;

~~[7. Only white and yellow copies will be accepted by the City of Ketchikan Fire Marshal's Office for reports submitted;]~~

7 [8]. Deficiency write-ups must include the code citation that is in violation and a description of the problem.

Items having minor deficiencies shall be ~~[mailed]~~ **reported to the repository service** within 30 days ~~[to: Fire Marshal—City of Ketchikan, 70 Bawden Street, Ketchikan, Alaska 99901].~~

Reports of systems out of service or those with major deficiencies shall be reported electronically or by personal delivery to the City of Ketchikan Fire Marshal's Office, ~~[and mailed within one business day of the date of inspection to the address listed in this appendix.]~~ All references to Alaska Statutes (AS) and Alaska Administrative Code (AAC) also refer to the statutes and codes as they may hereinafter be amended by the State of Alaska with all such future amendments automatically adopted herein by reference.”

Section 2: New Subsection. A new subsection (3) is hereby added to Ketchikan Municipal Code Section 19.14.010 as follows:

“(3) Section 603.2 of the U.P.C. is amended by the addition of the following at the end of that section:

All persons who service, test or install devices on assemblies as required by this section shall enroll in and use the approved single-point repository service to file records of all required inspections, tests and maintenance. The repository service is maintained and provided to the city's water division through a third party reporting system. Fees, as applicable, shall be paid directly by such persons to the approved single-point repository service vendor.

Section 3: Renumbering. Existing subsection (3) of Ketchikan Municipal Code

Section 19.04.010 is hereby renumbered as subsection (4).

Section 4: Effective Date. This ordinance is effective one (1) month after its final passage and publication.

PASSED ON FIRST READING _____.

FINAL PASSAGE _____.

Dave Kiffer, Mayor

ATTEST:

Kim L. Stanker
City Clerk

FYI: Bracketed language is intended to be removed from the existing ordinance, and underlined language in bold type is intended as an addition to the existing Ketchikan Municipal Code.

| EFFECTIVE DATE: | | | |
|-----------------|-----|-----|--------|
| ROLL CALL | YEA | NAY | ABSENT |
| BRADBERRY | | | |
| FLORA | | | |
| GAGE | | | |
| GASS | | | |
| KISTLER | | | |
| MAHTANI | | | |
| ZENGE | | | |
| MAYOR | | | |

Update on Fire Prevention – Fire Marshal

Fire Marshal O’Sullivan and Fire Chief Hines updated the Council regarding the status of fire prevention, and the following was discussed:

- Updating of procedures and policies on fire prevention and community risk reduction and prevention.
- Implementing City business licenses that will include fire safety inspections.
- Training for fire investigators.
- Implementing Compliance Engine, a company that will track sprinkler systems and fire alarm system inspections of local businesses for the City.
- Current staffing levels.
- Adopting the 2021 fire code (currently the City of Ketchikan utilizes the 2012 fire code).

Fire Marshal O’Sullivan and Fire Chief Hines answered questions from the Council.

Ordinance No. 22-1953 – Amending Subsection (67) of Ketchikan Municipal Code Section 18.04.010 of the Fire Code; Adding a New Subsection (3) to Ketchikan Municipal Code Section 19.14.010 of Plumbing Code; Renumbering Existing Subsection (3) of Ketchikan Municipal Code 19.14.010 – First Reading

Copies of Ordinance No. 22-1953 were available for those present.

Moved by Kistler, seconded by Gage the City Council approve in first reading Ordinance No. 22-1953 amending Subsection (67) of the Ketchikan Municipal Code Section 18.04.010 of the Fire Code; adding a new Subsection (3) to Ketchikan Municipal Code Section 19.14.010 of Plumbing Code; renumbering existing Subsection (3) of Ketchikan Municipal Code 19.14.010; and establishing an effective date.

Motion passed with Gass, Kistler, Mahtani, Flora, Bradberry, Zenge and Gage voting yea.

Resolution No. 22-2858 – Opposing a State Constitutional Convention

Moved by Gage, seconded by Kistler the City Council approve Resolution No. 22-2858, opposing a State Constitutional Convention.

Motion failed with Gage and Kistler voting yea; Gass, Zenge, Bradberry, Flora and Mahtani voting nay.

APPROVAL OF VOUCHERS

Mayor Kiffer passed the gavel to Vice-Mayor Flora due to a conflict of interest.

Moved by Gage, seconded by Mahtani the City Council move for the approval of vouchers to Parnassus Books in the amount of \$40.00.

Motion passed with Bradberry, Flora, Mahtani, Kistler, Gass, Gage and Zenge and voting yea.

Vice-Mayor Flora passed the gavel back to Mayor Kiffer.