

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of County Commissioners
Mark McCauley, County Administrator

FROM: Phil Cecere, Fire Marshal

DATE: April 7, 2025

RE: Resolution to establish the Commercial Fire Inspection Program

STATEMENT OF ISSUE:

The Fire Marshal requests an appearance in front of the Board of County Commissioner to introduce a resolution to establish the Jefferson County Commercial Fire Safety Inspection Program.

ANALYSIS:

Pursuant to JCC 15.05.046(1) in accordance with its police powers, the County Board of Commissioners has adopted a commercial fire safety inspection program to ensure that commercial buildings and other premises and occupancy classes meet fire safety standards necessary to protect employees, occupants, and the public; and to provide legally mandated fire code enforcement, as required by the Washington State Fire Marshal's Office and Chapter 51-54A WAC.

As directed by JCC 15.05.046(2) the Fire Marshal has developed a commercial fire safety inspection program to ensure fire safety in commercial buildings and other premises and occupancy classes which the Fire Marshal determines should have periodic inspections to ensure fire safety, to conduct inspections of commercial buildings and other premises and occupancy classes in Jefferson County to ensure compliance with the International Fire Code, and to determine the frequency of inspections based on the hazards associated with each type of occupancy and as may be mandated by chapter 51-54A WAC.

Appendix A in the attached resolution describes how the Jefferson County Fire Safety Inspection Program operates. Adoption of the resolution promotes public awareness and program transparency.

FISCAL IMPACT:

The Fire Marshal expects this program to be funded for the fees established in Resolution 47-0819-24R.

RECOMMENDATION:

Consider and possibly take action to adopt the resolution regarding Jefferson County's Fire Safety Inspection Program.

REVIEWED BY:


Mark McCauley, County Administrator

Date

4/3/25

STATE OF WASHINGTON
County of Jefferson

**In the Matter of Adopting Jefferson County's
Fire Safety Inspection Program**

RESOLUTION NO.

WHEREAS, Article XI, section 11 of the Washington Constitution, confers upon county legislative authorities the police power to adopt such local police, sanitary and other regulations as are not in conflict with general laws; and,

WHEREAS, Article XI, section 11 of the Washington Constitution is a direct delegation of the police power to cities and counties, and the power delegated is as extensive within their sphere as that possessed by the legislature; and,

WHEREAS, RCW 36.32.120(7) provides that the county legislative authorities shall make and enforce, by appropriate resolutions or ordinances, all such police and sanitary regulations as are not in conflict with state law; and

WHEREAS, police power is that inherent and plenary power which enables prohibition of all things hurtful to the comfort, safety and welfare of society; and

WHEREAS, JCC 15.05.030(6) has adopted by reference the International Fire Code adopted in chapter 51-54A WAC as the current version of the International Fire Code within the entirety of Jefferson County; and

WHEREAS, RCW 19.27.110 requires the County to administer and enforce the International Fire Code in the unincorporated areas of the County; and

WHEREAS, the purpose of the IFC, "is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide a reasonable level of safety to fire fighters, and emergency responders during emergency operations;"¹ and

WHEREAS, pursuant to RCW 36.43.030 the Board of County Commissioners appointed a fire marshal (Fire Marshal) to oversee the agreed upon duties, inspections and fire investigations as set forth within the International Fire Code, as adopted by the County, and;

WHEREAS, pursuant to JCC 2.40.020(1), the Fire Marshal shall be responsible for fire and life safety inspections, fire and arson investigation, plan review for compliance with fire and life safety regulations, and other associated duties, as further described in JCC 15.05.020; and

¹ See: <https://codes.iccsafe.org/content/IFC2021P1/chapter-1-scope-and-administration>. Accessed March 2, 2025

WHEREAS, pursuant to JCC [15.05.020](#), the Fire Marshal is charged with the administration and enforcement of the International Fire Code as well as any amendments thereof adopted in in chapter [15.05](#) JCC; and

WHEREAS, Chapter 9 of the International Fire Code has requirements for fire protection systems, defined as “Approved devices, equipment and systems or combinations of systems used to detect a fire, activate an alarm, extinguish or control a fire, or manage smoke and products of a fire or any combination thereof” and “prescribes the minimum requirements for active fire protection systems to perform the functions of detecting a fire, alerting the occupants of fire department of a fire emergency, mass notification, gas detection, controlling smoke and controlling or extinguishing the fire;”² and

WHEREAS, Chapter 9 of the International Fire Code has requirements for life safety systems, defined as “Systems, devices and equipment that enhance or facilitate evacuation, smoke control, compartmentalization and/or isolation,”³ and

WHEREAS, sections in Chapter 9 of the International Fire Code have requirements for fire protection systems and life safety systems, including Automatic Sprinkler Systems (Section 903), Alternative Automatic Fire-Extinguishing Systems (Section 904), Standpipe Systems (Section 905), Portable Fire Extinguishers (Section 906), Fire Alarm and Detection Systems (Section 907), Emergency Alarm Systems (Section 908), Smoke Control Systems (Section 909), Smoke and Heat Removal (Section 910), Explosion Control (Section 911), Fire Department Connections (Section 912), Fire Pumps (Section 913), Fire Protection Based on Special Detailed Requirements of Use and Occupancy (Section 914), Carbon Monoxide Detection (Section 915), Gas Detection Systems (Section 916), and Mass Notification Systems (Section 917);⁴ and

WHEREAS, pursuant to JCC [15.05.046](#)(1) in accordance with its police powers, the County Board of Commissioners has adopted a commercial fire safety inspection program to ensure that commercial buildings and other premises and occupancy classes meet fire safety standards necessary to protect employees, occupants, and the public; and to provide legally mandated fire code enforcement, as required by the Washington State Fire Marshal’s Office and Chapter [51-54A](#) WAC; and

WHEREAS, as directed by JCC [15.05.046](#)(2) the Fire Marshal has developed a commercial fire safety inspection program, attached as [Appendix A](#), to ensure fire safety in commercial buildings and other premises and occupancy classes which the Fire Marshal determines should have periodic inspections to ensure fire safety, to conduct inspections of commercial buildings and other premises and occupancy classes in Jefferson County to ensure compliance with the International Fire Code, and to determine the frequency of inspections based on the hazards associated with each type of occupancy and as may be mandated by chapter [51-54A](#) WAC; and

² See: <https://codes.iccsafe.org/content/IFC2021P1/chapter-2-definitions>, Accessed March 2, 2025.

³ See: https://codes.iccsafe.org/content/IFC2021P1/chapter-2-definitions#IFC2021P1_Pt01_Ch02_Sec202, Accessed March 2, 2025.

⁴ See: <https://codes.iccsafe.org/content/IFC2021P1/chapter-9-fire-protection-and-life-safety-systems>, Accessed on March 2, 2025.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF JEFFERSON COUNTY, WASHINGTON, HEREBY RESOLVE AS FOLLOWS:

Section 1. Whereas Clauses are Findings of Fact. The Jefferson County Board of Commissioners hereby adopts the above “Whereas” clauses as Findings of Fact.

Section 2. Purpose. The purpose of this resolution is to adopt Jefferson County’s Fire Safety Inspection Program, attached in Appendix A, which outlines how the commercial fire safety inspection program operates in Jefferson County.

Section 3. Severability. If any section, subsection, sentence, clause, phrase or section of this Resolution or its application to any person or circumstance is held invalid, the remainder of this Resolution or its application to other persons or circumstances shall be fully valid and shall not be affected.

Section 4. SEPA Categorical Exemption. This Resolution is categorically exempt from the State Environmental Policy Act under WAC 197-11-800 (19).

Section 5. Effective Date. This Resolution shall take effect and be in full force immediately upon approval and adoption by the Board of County Commissioners.

(SIGNATURES FOLLOW ON THE NEXT PAGE)

ADOPTED and APPROVED this _____ day of _____, 2025.

SEAL:

JEFFERSON COUNTY BOARD OF
COUNTY COMMISSIONERS

Heidi Eisenhour, Chair

Greg Brotherton, Member

Heather Dudley-Nollette, Member

ATTEST:

APPROVED AS TO FORM:

Carolyn Gallaway, CMC Date
Clerk of the Board

Melissa Pleimann, Date
Civil Deputy Prosecuting Attorney

APPENDIX A

Fire and Life Safety Inspection Program

As directed by JCC [15.05.046](#)(2) the Fire Marshal has developed a commercial fire safety inspection program to ensure fire safety in commercial buildings and other premises and occupancy classes which the Fire Marshal determines should have periodic inspections to ensure fire safety, to conduct inspections of commercial buildings and other premises and occupancy classes in Jefferson County to ensure compliance with the International Fire Code, and to determine the frequency of inspections based on the hazards associated with each type of occupancy and as may be mandated by chapter [51-54A](#) WAC.

Below is a list of frequently asked questions.

Why are we inspecting?

It's the law Section 19.27.110 of the Revised Code of Washington and) adopted the 2021 International Fire Code (IFC), requiring local governments to enforce the IFC within their jurisdictions. The IFC mandates periodic fire and life safety inspections of businesses. The IFC also requires local government's Fire Code Official to keep records of each inspections made, including notices and orders issued, showing the findings and dispositions of each. The fire marshal for Jefferson County is the designated Fire Code Official under the IFC and is authorized by section 2.40.020 of the Jefferson County Code to promulgate such rules, policies or procedures responsible for conducting fire and life safety inspections, and enforcing regulations and conduct related to fire prevention and fire safety. Section 15.05.046(2) of the Jefferson County Code directed the Fire Marshal to develop this Commercial Fire Safety Inspection Program to ensure fire safety in commercial buildings and other premises and occupancy classes to ensure compliance with the IFC. This inspection is performed to reduce risks before an emergency occurs and minimize the damage caused by a fire or other accident.

Jefferson County's Commercial Fire Safety Inspection Program was developed to provide the best in fire prevention service with the least disruption to your business. Regular fire and life safety inspections are critical to fire prevention. Not only do fire and life safety inspections protect people and property, but they can reduce fire and casualty insurance premiums by improving a fire district's rating.

"An ounce of prevention is worth a pound of cure." The Jefferson County Fire Marshal's Office is pleased to have the opportunity to team up with Building Owners and Business Managers to provide a safe business environment.

Who will be inspected?

All commercial occupancies in unincorporated Jefferson County will be inspected. Commercial occupancies are defined as other than one and two family dwellings. The City of Port Townsend is not included in this program.

Can I request an inspection?

In an effort to conduct the fire and life safety inspections at a reasonable time, business are encouraged to schedule their inspection by calling the Deputy Fire Marshal at the Department of Community Development at 360-379-4469 or by sending an email to btracer@co.jefferson.wa.us.

Is there a fee for these inspections?

The fee for an inspection under Jefferson County's Commercial Fire Safety Inspection Program is listed in the Fee Schedule for the Office of the Fire Marshal established by Jefferson Resolution No. [47-0819-24R](#). The current fee for an inspection is \$294.00.

Payment is required before the fire and life safety inspection certificate is issued. Payment is accepted by credit card or check. Checks should be mailed or delivered to:

Department of Community Development (DCD)
621 Sheridan St. in Port Townsend (98368)

Credit card payments can be made through the online portal at:

<https://www.co.jefferson.wa.us/617/Credit-Card-E-Check-Payments-for-Permits>.

Please note that a convenience fee is charged for all online payments.

Who will be performing these inspections?

Inspections will be done by trained professional employees of the Office of the Fire Marshal. They are trained to identify themselves and show proper identification for every inspection. Currently, these inspectors are employees of the county, however, in the future, the fire marshal may appoint life and safety inspection authority to qualified inspectors from a local fire district for inspections within that district.

What can I do to be ready for my inspection?

Businesses are encouraged to use the Jefferson County Office of the Fire Marshal (JCOFM) Business Self-Inspection Form as guide to prepare for in-person inspections. A common list of violations include: blocked exits, missing fire extinguishers, missing electrical cover plates, basic housekeeping issues, occupancy load, or inadequate fire separations. Many of these common violations can be resolved quickly and inexpensively. If you have questions, please call our office at 360.379.4450.

How often will my business be inspected?

The frequency of inspection is determined by resource allocation and personnel availability. An in-person inspection of a building or business will occur every two years. In the off years, businesses will be required to perform a self-inspection. Self-inspection will be done by the business utilizing the JCOFM Business Self-Inspection Form. Depending on the results of self-

inspection, an inspector may request permission to inspect the occupancy or to follow-up with related questions associated with the submitted JCOFM Business Self-Inspection Form. The Jefferson County Office of the Fire Marshal will make every effort to conduct the inspection at a reasonable time. Ongoing program efficiencies will be sought for owners requiring multiple inspections across separate occupancies on the same premises. These may be provided at a prorated fee on top of the base fee minimum.

How do I find out the results? A copy of the inspection report will be sent to you after inspection payment has been received. An annual compliance certificate will accompany passed inspection results.

What if deficiencies are found?

The initial inspection, as well as, one follow-up reinspection to confirm correction of deficiencies are included in the inspection fee. If subsequent inspections by the Fire Marshal are required to resolve any additional deficiencies, reinspections will be at our hourly rate.

If deficiencies are noted during the inspection the Fire Marshal will schedule a reinspection, allowing you adequate time to correct problems. For minor deficiencies, self-reinspection may be permitted, allowing you to conduct your own reinspection by photo documentation and communicate the results. The schedule for reinspection for correction of deficiencies is as follows:

Hazard Classification Based Compliance Guidelines	
EXTREME HAZARDS	1 Hour to Correct the Hazard.
Locked / Blocked Exits	
Over the Posted Occupancy Limit	
Imminent Life or Fire Hazards	
HIGH HAZARDS	7 Days to Correct the Hazard. Follow-up Needed.
Major Electrical Problems	
Fire System O.O.S.	
Major Electrical Problems	
MODERATE HAZARDS	14 Days to Correct the Hazard. Follow-up Needed.
Extinguisher Servicing	
Exit lights and signs	
Unapproved electrical cords	
LOW HAZARDS	30 Days to Correct the Hazard. Follow-up Needed.
Construction Issues	
Fire Protection System Upgrades	
Holes in fire rated walls.	
Non-operational fire door assemblies	
Other fire codes not-listed above	

This reinspection schedule may be altered if an acceptable timetable for compliance is agreed to and documented. Deficiencies will be prioritized with respect to their degree of hazard with emphasis on those items that adversely affect life safety. However, only those items that require an extended period for correction, as determined by the Fire Marshal, will be considered for a

time extension. All other corrections must be completed within the time schedule listed above. If voluntary compliance cannot be obtained, the case may be referred for code compliance in accordance with the County's Code Compliance regulations in Title 19 of the Jefferson County Code or to the Jefferson County Prosecutor's Office for appropriate action.

Egregious or imminent threats to life or safety can result in an immediate Stop Work order, ceasing business activity and immediate order of evacuation.

If you disagree with our interpretation of the IFC on an enforcement issue, you have the right to appeal to our decision. Information on this process will be provided upon request.