

TOWN OF YACOLT

ORDINANCE NO. 239

AN ORDINANCE OF THE TOWN OF YACOLT, WASHINGTON  
REQUIRING THE INSTALLATION OF SMOKE DETECTORS  
IN NEW AND EXISTING BUILDINGS.

WHEREAS, it has been shown that smoke detectors are of a significant value in the preservation of public safety and welfare in places occupied by human beings, and;

WHEREAS, the (1976) Uniform Building Code, in effect for building construction in the Town of Yacolt, requires smoke detectors in all new residential construction;

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

Section 1. Definitions.

a. Approved detectors shall mean any battery powered, alternating-current powered, or combination battery/A.C. powered ionization or photo-electric type detector that bears the approval stamp or mark of Underwriter's Laboratories or other nationally recognized testing laboratory.

b. Approved manner shall mean that the unit or units are positioned or located and installed per the manufacturer's instructions. Approved wiring shall be as prescribed by the State Electrical Inspector, Washington State Department of Labor and Industries.

c. Smoke detector shall mean any device designed and tested for the expressed purpose of detecting products of combustion, either visible or invisible, and bearing the mark or stamp of approval of Underwriter's Labora-

tories or other nationally recognized testing laboratory.

d. Sprinkler system shall mean a system of water supply, distribution and application appurtenances designed, tested and installed in strict accordance with NFPA Standard # 13 and approved by the Town of Yacolt Fire Department.

Section 2.0 Applicability.

Section 2.1 Dwellings.

Smoke detectors shall be installed and maintained operable in accordance with the provisions of the Ordinance in all of the following types of buildings that are rented, leased, sold or let to a person or persons:

1. Hotels, motels, apartments, flats, tenements, condominiums and town-houses.
2. Dwelling units, which consists of duplexes, single-family residences and lodging houses.
3. Mobile home dwelling units.

Section 2.2 Commercial and Industrial Buildings.

Smoke detectors shall be installed and maintained operable in accordance with the provisions of this ordinance in all new commercial and industrial buildings and all existing commercial and industrial buildings when sold which are not fully protected by automatic sprinkler systems. This system shall satisfy the requirements available from the Yacolt Fire Department.

Section 2.3 Exceptions.

The exceptions to the applicability requirements of this section are:

- a. Private garages and carports and areas of buildings generally used for welding or cutting of metal.

b. In special or unique types of occupancies, where a smoke detector system may be ineffective due to the constant presence of internal-combustion engine exhaust, steam or other substance which would cause frequent false alarms, another type of system, approved by the Yacolt Fire Department may be installed.

### Section 3. Type of Unit(s).

Any smoke detector installed in accordance with the provisions of this ordinance shall be of an approved type.

a. Battery operated smoke detectors may be installed providing such detectors are maintained in accordance with Section 5 of this Ordinance.

b. A.C. powered smoke detectors shall have electrical wiring installed in an approved manner.

### Section 4. Installation.

Installation of smoke detectors shall be in accordance with the provisions of the current edition of the Uniform Building Code for residences and with NFPA Standard #72-C for commercial and industrial buildings.

a. The building owner or his agent shall be responsible for the installation.

b. The building owner or his agent shall provide or post within each guest room or dwelling unit, written operating instructions for the smoke detectors installed therein.

### Section 5. Maintenance.

Maintenance of smoke detectors shall be the responsibility of the building owner or his agent in accordance with the following provisions:

a. Battery powered smoke detectors shall have new batteries installed therein in accordance with the manufacturer's specifications.

b. Necessary maintenance or replacement of smoke detectors shall be the responsibility of the building owner or his agency provided, however, the renter or leasee shall notify the building owner or his agent of the need for such maintenance or replacement.

c. The building owner or his agent shall assume no liability in the event any unauthorized person, renter or leasee tampers with, attempts to repair or damages any smoke detector so as to render it inoperative.

#### Section 6. Compliance.

Smoke detectors required by this Ordinance shall be installed and operational in all effected buildings by not later than 18 months after the adoption of this Ordinance.

#### Section 7. Penalties.

Any person violating the provisions of this Ordinance shall, upon conviction thereof, be punished by a fine of not more than three hundred (300) dollars or by imprisonment for not more than ninety (90) days, or by both such fine and imprisonment.

#### Section 8. Agreement or Conflict.

All definitions used in this Ordinance and not otherwise detailed herein, shall be as defined in the 1976 edition of the Uniform Building Code. Where this Ordinance conflicts with the Uniform Building Code or other adopted standards, the requirement that provides the greater degree of protection shall apply.

#### Section 9. Severability Clause.

If any portion of this Ordinance is deemed to be in violation of the constitution of this State or of the United States of America or of any



other law , rule or regulation, said finding shall not render the remaining sections of this Ordinance void.

Section 10. Date of Effect.

This Ordinance shall take effect and be in force from and after its approval as required by law.

PASSED BY THE TOWN COUNCIL OF THE TOWN OF YACOLT, WASHINGTON,

at a regular meeting thereof this 2nd day of MARCH, 1982

AYES Paul Grooms Howard Cahoon

NAYES \_\_\_\_\_

ABSENT Kathryn Testa

Richard L. Alexander  
MAYOR

ATTEST:

Judy Cahoon  
City Clerk

Approved as to Form:

Mike Wynne  
Town Attorney

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