

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

..title

AN ORDINANCE relating to unsafe building abatement, amending Section 111 and Section 202 of the 2018 Seattle Fire Code as adopted by Section 22.600.020 of the Seattle Municipal Code and as regulated and allowed by the State Building Code Act, Chapter 19.27 of the Revised Code of Washington, and adding a new Section 22.602.100 to the Seattle Municipal Code.

...body

WHEREAS, vacant and derelict buildings that are occupied by trespassers or that have had fires can present dangers and hazards to neighboring residents, fire fighters, other public safety officers, and those trespassing; and

WHEREAS, [providing information and data about dangerous building fires including deaths in last 2 years]...; and

WHEREAS, the Seattle Fire Department and the Seattle Fire Code Advisory Board have reviewed and approved the additions and revisions to the 2018 Seattle Fire Code contained herein; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 111 of the Seattle Fire Code, enacted by Ordinance _____, is amended as follows:

Section 111 Unsafe buildings, premises, vehicles, and vessels

111.1 General. If a premises, a building or structure, or any building system, vehicle or vessel, in whole or in part, endangers any property or the health or safety of the occupants of the property or of neighboring premises, buildings, motor vehicles, *vessels*, or the health and safety of the public or fire department personnel, the *fire code official* shall issue such notice or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section.

1 The *fire code official* may refer the building to the Seattle Department of Construction and
2 Inspections for any repairs, *alterations*, remodeling, removing or demolition required.

3 **111.1.1 Unsafe conditions.** Structures, premises, or existing equipment that are or hereafter
4 become unsafe or deficient because of inadequate *means of egress*, that constitute a fire hazard,
5 that involve illegal or improper occupancy or inadequate maintenance, or that are otherwise
6 dangerous to human life or public welfare, shall be deemed an unsafe condition. Unsafe
7 structures shall be taken down and removed or made safe, as the *fire chief* or *fire code official*
8 *deems necessary and as provided for in this section.* A vacant structure that is not secured
9 against unauthorized entry as required by Section 311 shall be deemed unsafe.

10 **111.1.2 Structural hazards.** Where an apparent structural hazard is caused by the faulty
11 installation, operation or malfunction of any of the items or devices governed by this code, the
12 *fire code official* is authorized to immediately notify the building code official in accordance
13 with Section 111.1.

14 **111.1.3 Public nuisance.** A building or premises that is deemed unsafe under this section, where
15 those unsafe conditions have not been removed or abated by the compliance date in an order or
16 notice issued by the *fire code official*, is found and declared to be a *public nuisance*. The *fire*
17 *code official* is authorized to abate the *public nuisance*. The cost of such abatement shall be
18 recovered from the *owner* or *person* responsible or both in any manner provided by law.

19 **111.2 Evacuation.** The *fire code official* or the fire department official in charge of an incident
20 shall be authorized to order the immediate evacuation of any occupied premises, building,
21 vehicle, or *vessel* deemed unsafe where such premises, building, vehicle, or *vessel* has hazardous
22 conditions that present imminent danger to premises, building, vehicle, or *vessel* occupants.
23 Persons so notified shall immediately leave the structure or premises, vehicle, or *vessel* and shall

1 not enter or re-enter until authorized to do so by the *fire code official* or the fire department
2 official in charge of the incident.

3 **111.3 Summary abatement.** Where conditions exist that are deemed (~~hazardous~~) an imminent
4 danger to life and property, and issuing an order or notice that provides a compliance deadline is
5 not practical, the *fire code official* or fire department official in charge of the incident is
6 authorized to abate summarily such hazardous conditions that are in violation of this code. Such
7 summary abatement may include, but is not limited to, demolition. The cost of such abatement
8 shall be recovered from the *owner* or *person* responsible or both in any manner provided by law,
9 including through a special assessment under RCW 35.21.955 against the property filed as a lien
10 with the King County Recorder.

11 **111.4 Abatement.** The *owner*, the owner's authorized agent, operator or occupant of a building
12 or premises deemed unsafe by the *fire code official* shall abate or cause to be abated or corrected
13 such unsafe conditions either by repair, rehabilitation, demolition or other *approved* corrective
14 action. Where the *owner*, the *owner's* authorized agent, operator or occupant fails to abate or
15 cause to be abated or corrected such unsafe conditions, the *fire code official* is authorized to
16 abate such unsafe conditions that are in violation of the code. The cost of such abatement shall
17 be recovered from the *owner* or *person* responsible or both in any manner provided by law,
18 including through a special assessment under RCW 35.21.955 against the property filed as a lien
19 with the King County Recorder.

20 **111.5 Notification.** The *fire code official* shall serve the responsible party with a copy of
21 violations, correction letters, and orders issued. The property owner shall be notified in the
22 manner required by RCW 35.21.955 prior to the filing of a lien that the costs of abatement may
23 be assessed against the property as authorized by RCW 35.21.955.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

Section 2. Section 202 of the Seattle Fire Code, enacted by Ordinance _____, is amended as follows:

Section 202 General definitions

PUBLIC NUISANCE. A public nuisance is one which affects equally the rights of an entire community or neighborhood, although the extent of the damage may be unequal-See RCW 7.48.130.

Section 3. A new section 22.602.100 is added to of Seattle Municipal Code as follows:

22.602.100 Fees for Abatement of Unsafe Buildings

Whenever the Seattle Fire Department is required to perform abatement of unsafe buildings (Seattle Fire Code chapter 1), the Fire Chief or the Fire Chief’s designee is authorized to charge actual costs for labor and other incurred services including applicable administrative overhead. These fees shall be a cost of abatement and shall be collected from the owner in any manner provided by law, including through a special assessment under RCW 35.21.955 against the property filed as a lien with the King County Recorder. The property owner shall be notified in the manner required by RCW 35.21.955 prior to the filing of a lien that the costs of abatement and associated fees may be assessed against the property as authorized by RCW 35.21.955.

1 Section 4. This ordinance shall take effect as provided by Seattle Municipal Code
2 Sections 1.04.020 and 1.04.070.

3 Passed by the City Council the _____ day of _____, 2024,
4 and signed by me in open session in authentication of its passage this _____ day of
5 _____, 2024.

6 _____
7 President _____ of the City Council

Approved / returned unsigned / vetoed this _____ day of _____, 2024.

8 _____
9 Bruce A. Harrell, Mayor

10 Filed by me this _____ day of _____, 2024.

11 _____
12 Scheereen Dedman, City Clerk

13 (Seal)

14 Attachments: