

ORDINANCE NO. 2000-11-082

AN ORDINANCE AMENDING BELLINGHAM MUNICIPAL CODE ("B.M.C.") SECTION 17.20.010, AND REPEALING B.M.C. 17.20.085, 17.20.155, and 17.20.156 TO CONFORM WITH STATE LAW REGARDING OUTDOOR BURNING.

WHEREAS, changes in the Revised Code of Washington 70.94 and the Washington Administrative Code ("WAC") 173-425 will greatly restrict the ability of individuals to conduct residential fires after December 31, 2000; and

WHEREAS, the Northwest Air Pollution Authority has been granted primary responsibility for enforcement of WAC 173-425 and the issuance of permits relating to residential burning; and

WHEREAS, the Bellingham Fire Department will be able to conduct training fires subject to the permitting process administered by the Northwest Air Pollution Authority; and

WHEREAS, there is no longer a desirable role for the Bellingham Fire Department in issuing permits relating to such burning,

NOW, THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1. B.M.C. 17.20.010 shall be amended as follows:

17.20.010 - Purpose/Adoption By Reference

This chapter is enacted as an exercise of the police power of the city for the benefit of the public at large. It is not intended to create a special relationship with any individual, or individuals, nor to identify and protect any particular class of persons. The purpose of this chapter is to provide minimum standards to safeguard life or limb, health or property, and public welfare, by regulating and controlling building construction and related work thereto. It is not the intent of this chapter to impose liability on the City for failure to perform any discretionary act. Rather, it is the intent of this chapter to place the obligation of complying with its requirements upon the owner and/or contractor.

Nothing contained in this chapter shall be construed to relieve from or to lessen the responsibility or liability of any person or persons for injury or damage to persons or property caused by or resulting from any defect of any nature in any construction work performed by said person or any construction equipment owned, controlled, operated or used by the contractor; nor shall the City of Bellingham or any officer, agent, or employee thereof incur or be held as assuming any liability by reason or in consequence of any permission, certificate of inspection, inspection or approval authorized herein, or issued or given as herein provided or by reasons or consequence of any things done or acts performed pursuant to the provisions of this chapter.

City of Bellingham

CITY ATTORNEY

210 Lottie Street

Bellingham, Washington 98225

Telephone (360) 676-6903

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The Uniform Fire Code, 1997 Edition, as modified by WAC Chapters 51-34, and 51-35, and 173-425, with Appendices I-A, I-B, I-C, II-C, II-D, II-E, II-F, II-I, II-J, III-A, IV-B, V-A, VI-A, VI-D, VI-E and VI-F thereto, published by the International Fire Code Institute, is hereby adopted by reference including each and all the rules and regulations printed therein and shall be in full force and effect in the City of Bellingham except as herein modified.

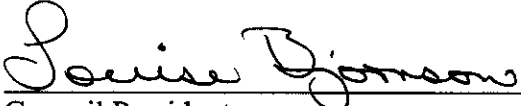
Section 2. B.M.C. 17.20.085 is hereby REPEALED.

Section 3. B.M.C. 17.20.155 is hereby REPEALED.

Section 4. B.M.C. 17.20.156 is hereby REPEALED.

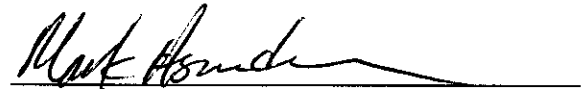
Section 5. This Ordinance shall become effective on January 1, 2001.

PASSED by Council this 20TH day of NOVEMBER, 2000.



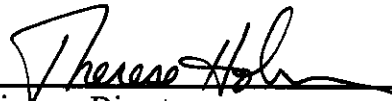
Council President

APPROVED by me this 5th day of December, 2000.



Mayor

ATTEST:



Finance Director

APPROVED AS TO FORM:



Office of the City Attorney

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