

## **Title 8**

### **HEALTH AND SAFETY**

#### **Chapters:**

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- 8.08 Joint Comprehensive Solid Waste Management Plan**
- 8.12 Nuisances**
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**Chapter 8.04**

**SOLID WASTE COLLECTION AND RECYCLING SERVICES**

Sections:

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Article II. Disposal of Municipal Solid Waste

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8.04.040 Disposal of municipal solid waste (MSW) and recyclables.

8.04.050 Unlawful disposal of municipal solid waste (MSW), recyclables, yard waste and bulky yard waste.

8.04.060 *Repealed.*

**Article I. Contract for Collection**

**8.04.010 Contract and agreement – Rates, charges and schedules.**

Those certain documents attached to the ordinance codified in this chapter as Exhibit A are ratified, accepted and approved in accordance with the terms, conditions and limitations therein, for the period described therein, as the city of Lake Forest Park contract and agreement for solid waste collection and recycling services. The rates, charges and schedules for solid waste collection and recycling services within the city of Lake Forest Park shall be as established in Exhibit A. (Ord. 491 § 1, 1991)

**Article II. Disposal of Municipal Solid Waste**

**8.04.020 Definitions.**

The following definitions shall apply herein:

“Alley” means public or private way giving access to the rear of lots or buildings.

“Bulky yard waste” means natural woods, such as stumps and logs, or branches, over four inches in diameter and three feet in length.

“City” means Lake Forest Park.

“Contractor” means that entity holding a valid current contract with the city of Lake Forest Park to collect MSW/recyclables.

“Commercial (or industrial) customer” means a nonresidential business customer.

“Curbside” means within 19 feet of the vehicular traveling surface and without blocking sidewalks, driveways or on-street parking. For households currently receiving MSW/recyclables pickup in an alley accessible by collection vehicles, “curbside” can be considered to be in the current alley location and within 10 feet of the edge of the alley. If extraordinary circumstances preclude such a location, curbside shall be considered a placement suitable to the resident and convenient to the contractor’s equipment and approved by the city.

“Detachable container” means a watertight, all-metal container, not less than one cubic yard or more than eight cubic yards in capacity and equipped with a tight-fitting cover.

“Drop box” means an all-metal container, with lidded or nonlidded cover, of not less than 10 cubic yards, or more than 50 cubic yards in capacity.

“Duplex” means a dwelling unit containing not more than two dwelling units, each with individual MSW/recyclables service.

“Garbage” shall be synonymous with municipal solid waste (MSW) and shall mean and include all putrescible and nonputrescible wastes, but shall exclude recyclables and sewage from all public and private establishments and residences.

“Garbage can” means a city-approved container of material of similar size and weight to a container that is watertight galvanized sheet metal, or plastic container not exceeding four cubic feet or 32 gallons in capacity, weighing not over 15 pounds when empty, fitted with two sturdy handles, one on each side, and a tight cover equipped with a handle, such a can to be rodent- and insect-proof and to be kept in a sanitary condition at all times.

“Garbage unit” means secure and tight bundles, none of which shall exceed three feet in the longest dimension, and shall not exceed 65 pounds in weight, or such “garbage unit” may be packed in small discarded boxes, barrels or bags, or in securely tight cartons or other receptacles reasonably easy to be handled and loaded by one person onto a collection vehicle.

“H.D.P.E.” means “high density polyethylene,” a recyclable plastic which includes, but is not limited to, gallon milk jugs, cider, distilled water and spring water bottles, rubbing alcohol, large vinegar and small single-serving punch drink or juice containers.

“Mini-can” means a container that is a watertight galvanized sheet metal or plastic container not

## 8.04.030

exceeding 19 gallons in capacity, fitted with a tight cover equipped with a handle.

“Mixed paper” includes the following: magazines, junk mail, phone books, bond or ledger paper, cardboard and paper board packaging. Mixed paper does not include tissue paper, paper towels, frozen food containers, milk cartons or paper packaging combined with plastic wax or foil.

“Multiple-family unit” means a residence containing three or more dwelling units with a shared disposal area(s).

“Municipal solid waste (MSW)” shall be synonymous with garbage.

“P.E.T.” means “polyethylene terephthalate,” a recyclable plastic which includes, but is not limited to, two-liter pop bottles, distilled water bottles and liquor bottles.

“Recyclables” means newspaper, uncoated mixed paper, aluminum, glass, P.E.T., H.D.P.E., metal food and beverage containers and such other materials that the city and contractor determine to be recyclable.

“Recycling bin” means a contractor-provided container suitable for curbside collection, storage and set out of recyclables.

“Recycling container” means a contractor-provided container suitable for on-site collection, storage and set out of recyclables at multiple-family or commercial locations.

“Single-family residence” means a dwelling unit containing not more than one dwelling unit.

“Solid waste” means and includes all garbage, rubbish, trash, refuse, debris, scrap, waste materials, noxious weeds listed in the Washington State Department of Agriculture’s Washington State Noxious Weed List; and discarded materials of all types whatsoever, exclusive of hazardous wastes, and including any and all source-separated recyclable materials and yard waste.

“Toter” means a city-approved, contractor-provided, 30-, 60- or 90-gallon, wheeled, lidded plastic container for the purpose of storing municipal solid waste or recyclables.

“Yard waste” means all loose materials such as sod, grass, weeds, flowers, leaves, etc. that are containerized in biodegradable bags or boxes, or in toters or garbage cans; and branches and prunings that are less than four inches in diameter and bundled in lengths smaller than three feet. Yard waste excludes food waste, plastics and synthetic fibers; lumber and any wood or tree limbs over four inches in diameter or three feet in length; and soil contaminated with hazardous waste, and noxious weeds listed in the Washington State Department of Agri-

culture’s Washington State Noxious Weed List. (Ord. 760 § 1, 1998; Ord. 686 § 1, 1996; Ord. 482 § 2, 1993)

### **8.04.030 Deposit of municipal solid waste (MSW) and recyclables in approved containers.**

All persons accumulating municipal solid waste and recyclables in the city shall store solid waste in approved cans, units, detachable containers or toters until collection day or until they transport their solid waste to a transfer station, landfill, drop box or private recycler. (Ord. 482 § 3, 1993)

### **8.04.040 Disposal of municipal solid waste (MSW) and recyclables.**

A. All persons accumulating municipal solid waste and recyclables in the city shall dispose of solid waste by means of subscription to collection services of city’s contractor or by transporting solid waste to a transfer station, landfill, drop box or private recycler.

B. All persons accumulating municipal solid waste and recyclables in the city and choosing to transport their solid waste to a transfer station, landfill, drop box or private recycler shall do so in a timely manner in order to prevent odor, rodent and insect problems. (Ord. 482 § 4, 1993)

### **8.04.050 Unlawful disposal of municipal solid waste (MSW), recyclables, yard waste and bulky yard waste.**

A. It is unlawful for any person to dump or in any manner dispose of municipal solid waste, recyclables, yard waste or bulky yard waste upon any street, alley, public place, private property, wetlands and their buffers, or streams and their buffers within the city.

B. It is unlawful for any person to place or dispose of municipal solid waste, recyclables, yard waste or bulky yard waste in a receptacle owned by and paid for by another without the permission of the owner.

C. The deposit of yard waste in a can and/or unit which contains municipal solid waste or recyclables is prohibited. No solid waste nonrecyclable materials that are mixed with yard waste will be collected by licensed collection service. Yard waste will be collected by collection service only if the yard waste is separated and contained in approved containers or bundled in an approved manner and the resident is participating in the city of Lake Forest Park’s yard waste collection program. (Ord. 482 § 5, 1993)

**8.04.060 Penalties for violation.\***

*Repealed by Ord. 784. (Ord. 482 § 6, 1993)*

\*Code reviser's note: Penalty provisions can be found in Chapter 8.90 LFPMC.

**Chapter 8.08**

**JOINT COMPREHENSIVE SOLID WASTE  
MANAGEMENT PLAN**

Sections:

8.08.010 Approved and adopted.

**8.08.010 Approved and adopted.**

The city council approves the joint comprehensive solid waste management plan for all jurisdictions within the county, a copy of which is filed with the city clerk and by this reference made a part of this chapter, as a plan for the adoption of a comprehensive county-wide solid waste handling program which will prevent land, air and water pollution and conserve the natural and economic resources of this area. The mayor is authorized to execute with the county an interlocal agreement to provide for the disposal of solid waste collected in the city. (Ord. 231, 1976)

**Chapter 8.12**

**NUISANCES**

Sections:

- 8.12.010 Defined.
- 8.12.020 Health.
- 8.12.030 Morals and decency.
- 8.12.040 Peace and safety.
- 8.12.050 Abatement.
- 8.12.060 *Repealed.*

**8.12.010 Defined.**

“Nuisance” means a thing, act, omission to act, occupation or use of property which:

- A. Unreasonably annoys, injures or endangers the safety, health, comfort or repose of the public;
- B. Offends public decency;
- C. Unlawfully interferes with, obstructs or renders dangerous for passage a lake, navigable river, bay, stream, canal or basin, or a public park, square, street, alley or highway;
- D. In any way renders the public insecure in life or in use of property. (Ord. 31 § 1, 1962)

**8.12.020 Health.**

The following are nuisances affecting health:

- A. All decaying or unwholesome food offered for sale to the public;
- B. All diseased animals running at large;
- C. All ponds or pools of stagnant water;
- D. Carcasses of animals not buried or destroyed within 24 hours after death;
- E. Accumulations of manure or rubbish except a compost pile so covered or concealed as not to affect the health, safety or depreciation of adjoining property;
- F. Privy vaults and garbage cans which are not fly-tight;
- G. The pollution of any public well or cistern, stream, lake, canal or body of water by sewage, creamery or industrial wastes, or other substances;
- H. All noxious weeds and other rank growth upon public or private property;
- I. Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
- J. Offensive trades and businesses defined by statute not licensed by the health officer, as provided by law;
- K. All public exposure of persons having a contagious disease;
- L. The use of a common public drinking cup or roller towel;

M. The distribution of samples of medicines or drugs unless such samples are placed in the hands of an adult person;

N. All other acts, omissions of acts, occupations and uses of property which are deemed by the health officer to be a menace to the health of the inhabitants of this city, or any considerable number thereof. (Ord. 318 § 1, 1984; Ord. 31 § 2, 1962)

**8.12.030 Morals and decency.**

The following are nuisances affecting public morals and decency:

- A. All gambling devices and slot machines;
- B. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame and bawdy houses;
- C. All places where intoxicating liquors are manufactured, sold, bartered or given away in violation of law, or where persons are permitted to resort for the purpose of drinking intoxicating liquors as a beverage in violation of law, or where intoxicating liquors are kept for sale, barter or distribution in violation of law, and all liquors, bottles, kegs, pumps, bars and other property kept at and used for maintaining such a place;
- D. Betting, bookmaking, prize fighting not under the supervision of the city, and all apparatus used in such occupations. (Ord. 318 § 1, 1984; Ord. 31 § 3, 1962)

**8.12.040 Peace and safety.**

The following are nuisances affecting public peace and safety:

- A. All snow and ice not removed from public sidewalks within a reasonable time after the snow and ice has ceased to be deposited thereon;
- B. All trees, hedges, billboards, fences or other obstructions which prevent persons from having a clear view of traffic approaching an intersection from cross streets in sufficient time to bring a motor vehicle driven at a reasonable speed to a full stop before the intersection is reached;
- C. All limbs of trees which are less than eight feet above the surface of any public sidewalk or 12 feet above the surface of any street;
- D. All buildings, walls and other structures which have been damaged by fire, decay or otherwise so as to endanger the safety of the public;
- E. All explosives, inflammable liquids and other dangerous substances stored in any manner or in any amount other than that provided by ordinance;
- F. Obstructions and excavations affecting the ordinary use by the public of streets, alleys, side-

walks or public grounds, except under such conditions as are provided by ordinance;

G. Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the streets or sidewalks;

H. All hanging signs, awnings and other similar structures over the street or sidewalks, or so situated as to endanger public safety, not constructed and maintained as provided by ordinance;

I. All other conditions or things which are liable to cause injury to the person or property of anyone;

J. All places used or maintained as a junkyard or dumping grounds, or for the wrecking or disassembling of automobiles, trucks, tractors, or machinery of any kind, or for the storing or leaving of worn out, wrecked or abandoned automobiles, trucks or other machinery of any kind, or of any of the parts thereof;

K. Any poisonous or harmful substance which is reasonably accessible to persons or to animals;

L. The keeping, using or maintaining of any pen, stable, lot, place or premises in which any hog, cattle or fowl may be confined or kept, in such manner as to be nauseous, foul or offensive;

M. The keeping or harboring of any animal which by frequent or habitual howling, yelping, barking or the making of other noises, or the keeping or harboring of any fowl which by frequent habitual crowing or the making of other noises annoys or disturbs a neighborhood or any considerable number of persons;

N. All unused, abandoned or discarded refrigerators, ice boxes or like containers which are left in any place exposed or accessible to children and which are of a capacity of one and one-half cubic feet or more, unless all doors thereon may be readily opened from the inside thereof or have been removed therefrom, or unless all locks and locking devices have been removed therefrom;

O. Unregistered bee colonies, abandoned bee colonies, diseased bees, or bees living in trees, buildings, or any other space except in movable-frame hives. (Ord. 820 § 3, 2000; Ord. 31 § 4, 1962)

#### **8.12.050 Abatement.**

A. Whenever any nuisance is of such a character, and is so situated that the same can be abated without the invasion or destruction of private property, and the further continuance is likely to result in expense to the city or injury to any person, it is the duty of the chief of police to abate and remove

the same summarily without waiting for the conviction of the author thereof.

B. When judgment is rendered against any person, persons, firm or corporation, finding them guilty of creating, keeping or maintaining a nuisance, as provided in this chapter, it is the duty of the court before whom the conviction is had, in addition to imposing the penalty or penalties provided in this chapter, to order the defendant or defendants in such action forthwith to abate and remove such nuisance, and if the same is not done by such offender within 24 hours, the same shall be abated and removed at the expense of the chief of police of the city, or by any officer authorized by the order of the court, which order of abatement shall be entered upon the docket of the court and made a part of the judgment in the action. (Ord. 318 § 1, 1984; Ord. 31 § 6, 1962)

#### **8.12.060 Violation – Penalty.\***

*Repealed by Ord. 784.* (Ord. 318 § 1, 1984; Ord. 31 § 5, 1962)

\*Code reviser's note: Penalty provisions can be found in Chapter 8.90 LFPMC.

Chapter 8.14

JUNK VEHICLES

Sections:

- 8.14.010 Purpose.
- 8.14.020 Nuisance – Junk vehicles on private property.
- 8.14.030 Junk vehicle – Definition.
- 8.14.040 Investigation and enforcement.
- 8.14.050 Certification of vehicles as junk.
- 8.14.070 Exceptions.
- 8.14.080 Notice of hearing for removal of junk vehicle.
- 8.14.090 Determination of responsibility.
- 8.14.100 Abatement and removal.
- 8.14.110 Assessment of costs and civil action.

8.14.010 Purpose.

This chapter establishes procedures for the abatement and removal as public nuisances of junk motor vehicles pursuant to RCW 46.55.240. (Ord. 784 § 3, 1999)

8.14.020 Nuisance – Junk vehicles on private property.

Parking, storing or abandoning junk vehicles on private property, except as provided in LFPMC 8.14.070, constitutes a nuisance subject to the abatement procedures of this chapter. (Ord. 784 § 4, 1999)

8.14.030 Junk vehicle – Definition.

A vehicle meeting three of the following requirements:

- A. Is at least three years old;
- B. Is extensively damaged, such damage including but not limited to any of the following: a broken window or windshield or missing wheels, tires, motor, or transmission;
- C. Is apparently inoperable; or
- D. Has a fair market value equivalent only to the approximate value of the scrap in it. (Ord. 784 § 5, 1999)

8.14.040 Investigation and enforcement.

Preliminary, informal enforcement shall be pursued as follows:

- A. The enforcement officer shall investigate any property within the city on which a junk vehicle is believed to be located.
- B. If a junk vehicle is located, there shall be served upon the last registered owner and the owner of the property a notice of abatement.

- C. The notice of abatement shall:
  - 1. Separately identify each vehicle by vehicle identification number and license plate number, if possible;
  - 2. Identify the applicable criteria defining the vehicle as a junk vehicle;
  - 3. Establish a time by which abatement must be accomplished; and
  - 4. Advise of the right of review.

D. The notice shall be served by regular mail, and by personal service or by certified mail; provided, that unclaimed certified mail shall not bar proceedings hereunder.

E. Whenever possible, a copy of the notice of abatement shall be posted at a conspicuous place on the property.

F. The time for abatement shall be established taking into consideration:

- 1. The number of vehicles involved;
- 2. Permits, if any, needed to take corrective action;
- 3. The difficulty of compliance; and
- 4. Other circumstances, including cost, deemed relevant by the enforcement officer.

G. The notice of abatement is final, unless a request for review is filed with the enforcement officer within five business days; provided, that the enforcement officer may grant review whenever that officer is satisfied that failure to seek timely review was for good cause.

1. Any person affected by a notice of abatement may obtain administrative review thereof by filing a timely written request with the enforcement officer. Upon receipt of such request the enforcement officer shall notify the person(s) served with the notice of the date, place, and time of the review, which shall be not be less than five days nor more than 10 days after the request is received.

2. The review will be an informal proceeding at which the enforcement officer shall explain the reasons for issuing the notice of abatement and consider information presented by any affected person.

3. The enforcement officer may sustain the notice or withdraw the notice.

4. The enforcement officer shall issue an order containing the decision within five days of the date the review is completed and mail the same to the person requesting the review. If necessary, the decision shall establish a new time for compliance. The decision of the enforcement officer is final.

H. The city shall implement the abatement procedures of this chapter whenever a notice of abate-

ment or final decision is disregarded. (Ord. 784 § 6, 1999)

**8.14.050 Certification of vehicles as junk.**

Any Lake Forest Park law enforcement officer having jurisdiction or any person authorized by the mayor may inspect and certify in writing that a vehicle meets the requirements of a junk vehicle. The enforcement officer shall record the make of the vehicle and, if available, its identification number and license number and certify that three of the following apply to the vehicle:

- A. Its approximate value is equivalent to the approximate value of the scrap in it;
- B. It is at least three years old, by listing the approximate year of the vehicle;
- C. It is extensively damaged, by identifying such damage including but not limited to any of the following: a broken window or windshield or missing wheels, tires, motor, or transmission; or
- D. It is apparently inoperable. (Ord. 784 § 7, 1999)

**8.14.070 Exceptions.**

This chapter shall not apply to a vehicle or part thereof that:

- A. Is completely enclosed within a building in a lawful manner where it is not visible from the street or other public or private property; or
- B. Is stored or parked in a lawful manner on private property in connection with the business of a licensed dismantler or licensed vehicle dealer and is fenced according to RCW 46.80.130. (Ord. 784 § 8, 1999)

**8.14.080 Notice of hearing for removal of junk vehicle.**

A. The last registered vehicle owner of record and the property owner of record shall each be given notice by certified mail, return receipt requested, that a public hearing on the question of abatement and responsibility for cost may be requested before the city's hearing examiner and that if a hearing is not requested within 15 days from the date of the postmark of the notice, the junk vehicle will be removed.

B. If a request for hearing is timely received, a notice giving the time, location and date of such hearing on the question of abatement and removal of the vehicle or vehicles or part(s) as a public nuisance shall be mailed, by certified mail with a return receipt requested, to the owner of the land as shown on the last equalized assessment roll and to the last registered and legal owner of record of each

vehicle, unless the vehicle's condition renders the identification numbers unavailable or unreadable or the land owner denied the enforcement officer entry to the land to obtain the vehicle identification number. (Ord. 784 § 9, 1999)

**8.14.090 Determination of responsibility.**

A. The owner of the land on which the vehicle is located may appear in person at the hearing or present a written statement in time for consideration at the hearing and may deny responsibility for the presence of the vehicle on the land stating the reason for such denial.

B. If the hearing examiner determines that the vehicle was placed on the land without the land owner's consent and that the land owner has not subsequently acquiesced in its presence, then costs of administration or removal of the vehicle shall not be assessed against either the property nor otherwise collected from the land owner.

C. Nothing in this chapter shall relieve the property owner from any civil penalties which may accrue from any zoning code violation related to the improper placement, parking, or storage of vehicles or parts thereof. (Ord. 784 § 10, 1999)

**8.14.100 Abatement and removal.**

After notice has been given that the city intends to dispose of the vehicle or vehicles or part(s) thereof, and after a hearing has been held, if one is requested, the vehicle(s) or part(s) thereof shall be removed at the request of a law enforcement officer and disposed of at a licensed vehicle wrecker, hulk hauler or scrap processor with notice given to the Washington State Patrol and to the Department of Licensing that the vehicle has been wrecked. (Ord. 784 § 11, 1999)

**8.14.110 Assessment of costs and civil action.**

A. The costs of removal and disposal shall be assessed against either the registered owner of the vehicle if known, unless the owner transferred ownership of the vehicle in compliance with RCW 46.12.101, or against the owner of the property on which the vehicle is stored, subject to the provisions of LFPMC 8.14.090.

B. The Lake Forest Park municipal court shall have jurisdiction over any civil action brought by the city to recover costs assessed pursuant to this chapter. The action shall be brought in the name of the city and shall be commenced and proceeded upon according to the Civil Rules for Courts of Limited Jurisdiction. (Ord. 784 § 12, 1999)

Chapter 8.15

EMERGENCY MANAGEMENT

Sections:

- 8.15.010 Purpose.
- 8.15.020 Emergency management policy.
- 8.15.030 “Emergency management” defined.
- 8.15.040 “Emergency or disaster” defined.
- 8.15.050 “Emergency coordinator” defined.
- 8.15.060 “Deputy emergency coordinator” defined.
- 8.15.070 Emergency operations plan.
- 8.15.080 Emergency management organization.
- 8.15.090 Disaster and emergency powers of the mayor.
- 8.15.100 Disaster and emergency powers of the emergency coordinator.
- 8.15.105 Powers of temporary replacement of the mayor.
- 8.15.110 Functions and duties of departments and employees.
- 8.15.120 Private liability.
- 8.15.130 Violation – Penalty.
- 8.15.140 Severability.

8.15.010 Purpose.

The declared purposes of this chapter are to provide for the preparation and carrying out of plans for mitigation, preparedness, response and recovery for persons and property within Lake Forest Park in the event of an emergency or disaster, and to provide for the coordination of emergency functions and services of Lake Forest Park with the Emergency Services Coordinating Agency and other affected public agencies and private persons, corporations and organizations. Any expenditures made in connection with such emergency management activities, including mutual aid activities, shall be deemed conclusively to be for the direct protection and benefit of the inhabitants and property of Lake Forest Park. (Ord. 665 § 2, 1996)

8.15.020 Emergency management policy.

It is the policy of the city of Lake Forest Park to make effective preparation and use of manpower, resources and facilities for dealing with any emergency or disaster that may occur. Disasters and emergencies, by their very nature, may disrupt or destroy existing systems and the capability of the city of Lake Forest Park to respond to protect life, public health and public property. Therefore, citizens are advised to be prepared to be on their own

for up to 72 hours should an emergency or disaster occur. (Ord. 665 § 2, 1996)

8.15.030 “Emergency management” defined.

“Emergency management” means the preparation for and the carrying out of all emergency functions, other than functions for which the military forces are primarily responsible, to mitigate, prepare for, respond to and recover from emergencies and disasters, and to aid victims suffering from injury or damage resulting from disasters caused by all hazards, whether natural or manmade, and to provide support for search and rescue operations for persons and property in distress. (Ord. 665 § 2, 1996)

8.15.040 “Emergency or disaster” defined.

A. “Emergency or disaster” as used in this chapter shall mean an event or set of circumstances which: (1) demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken area within the city overtaken by such occurrences, or (2) reaches such a dimension or degree of destructiveness as to warrant the mayor proclaiming the existence of a disaster or the Governor declaring a state of emergency in accordance with appropriate local and state statute.

B. The proclamation of emergency or disaster shall be accompanied simultaneously by:

- 1. A public proclamation posted on the exterior of all city offices, schools and libraries; and
- 2. A prompt effort to serve personal notice to all members of the city council, with service modes to include as necessary confirmed telephone contact or personal service by city staff. (Ord. 665 § 2, 1996)

8.15.050 “Emergency coordinator” defined.

The “emergency coordinator” shall mean the person appointed by the mayor responsible for the administration and operation of the emergency management program for the city. (Ord. 665 § 2, 1996)

8.15.060 “Deputy emergency coordinator” defined.

The “deputy emergency coordinator” shall mean the person appointed by the emergency coordinator to represent him/her in his/her absence. (Ord. 665 § 2, 1996)

**8.15.070 Emergency operations plan.**

The emergency operations plan, prepared by the emergency management committee, and promulgated by the city council, is the official emergency operations plan of the city of Lake Forest Park. The emergency coordinator shall file a copy of said plan in the office of the city clerk, and distribute copies of said plan to appropriate city departments. (Ord. 665 § 2, 1996)

**8.15.080 Emergency management organization.**

The emergency management organization of the city of Lake Forest Park is created, and shall consist of:

A. The mayor, who shall be the administrative head and have direct responsibility for the organization, administration and operation of the emergency management program for the city of Lake Forest Park and direct responsibility for the emergency operations of departments in the city;

B. The emergency coordinator, who shall be appointed by the mayor, and who shall develop and maintain the emergency operations plan and program in cooperation with the Emergency Services Coordinating Agency, and the emergency management committee, and shall have such other duties as may be assigned to him/her by the mayor;

C. A deputy emergency coordinator, who may be appointed by the emergency coordinator, subject to the approval of the mayor, shall perform such functions as outlined in the emergency management plan and shall act for and exercise the powers and perform the duties of the emergency coordinator during his/her absence or disability;

D. An emergency management committee appointed by the emergency coordinator that shall provide staff support to the emergency coordinator in the development, implementation and maintenance of the emergency operations plan, and to staff the emergency operations center and perform any other necessary functions during an emergency or disaster. The committee shall consist of such key personnel as are designated by the department directors, personnel from the Emergency Services Coordinating Agency and such personnel from outside professional and volunteer organizations having key roles in emergency preparedness, planning and response activities as determined by the emergency coordinator;

E. The city has, in conjunction with other cities, in consideration of mutual benefits to be derived, and as authorized under Chapter 39.34 RCW formed the Emergency Services Coordinating

Agency to provide combined emergency management services in accordance with Chapter 38.52 RCW;

F. Other as deemed appropriate by the city. (Ord. 665 § 2, 1996)

**8.15.090 Disaster and emergency powers of the mayor.**

In the event of a proclamation of a disaster as herein provided, or upon the proclamation of a state of extreme emergency by the Governor of the state, the mayor is empowered:

A. To make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such disaster; provided, however, such rules and regulations must be confirmed at the earliest practicable time by the city council;

B. To request the county executive to proclaim a local emergency when, in the opinion of the mayor, the resources of the area or region are inadequate to cope with the disaster;

C. To obtain vital supplies, equipment and such other properties found lacking and needed for the protection of the life and property of the people and to bind the city for the fair value thereof, and, if required immediately, to commandeer the same for public use;

D. To control and direct the efforts of the emergency management organization of the city for the accomplishment of the purposes of this chapter;

E. To require emergency services of any city officer or employee and, in the event of the proclamation of a state of extreme emergency by the Governor in the region in which this city is located, to command the aid of as many citizens of this city as may be deemed necessary in the execution of the mayor's duties; and such persons to be entitled to all privileges, benefits and immunities as are provided by state law for registered emergency workers;

F. To requisition necessary personnel or materials of any city department or agency;

G. To execute all of the special powers conferred upon the mayor by this chapter, by any other statute, agreement or lawful authority, as necessary;

H. Other as deemed appropriate by the city. (Ord. 665 § 2, 1996)

**8.15.100 Disaster and emergency powers of the emergency coordinator.**

The emergency coordinator is empowered:

### 8.15.105

A. To request the mayor to proclaim the existence or threatened existence of a disaster and the termination thereof, if the city council is in session, or to issue such proclamation, if the city council is not in session, subject to confirmation by the city council at the earliest practicable time;

B. To direct coordination and cooperation between divisions, services and staff of the departments and services of the city in carrying out the provisions of the emergency management plan, and to resolve questions of authority and responsibility that may arise between them;

C. To recommend for adoption by the city council emergency management plans and mutual aid agreements;

D. To represent the emergency management organization of the city in dealing with issues pertaining to emergency management;

E. To prepare and maintain the emergency management plan of the city and manage the day-to-day responsibilities of the emergency management program activities of the city in coordination with the Emergency Services Coordinating Agency;

F. Other as deemed appropriate by the city. (Ord. 665 § 2, 1996)

### 8.15.105 Powers of temporary replacement of the mayor.

The following elected officials shall, in the order listed, act on behalf of the mayor if he/she is unable to carry out his/her duties, in carrying out the purposes of this chapter or the provisions of the emergency management plan:

A. The mayor pro tempore;

B. The most senior city councilmember;

C. The remaining city councilmembers in order of continuous seniority. (Ord. 665 § 2, 1996)

### 8.15.110 Functions and duties of departments and employees.

The city council assigns to the various departments and to the officers and employees thereof the functions, duties and powers set forth in the emergency management plan referenced in LFPMC 8.15.070. (Ord. 665 § 2, 1996)

### 8.15.120 Private liability.

No individual, firm, association, corporation or other party owning, maintaining or controlling any building or premises, who voluntarily and without compensation grants to the city of Lake Forest Park a license or privilege or otherwise permits said city to inspect, designate and use the whole or any part

or parts of such building or premises for the purpose of sheltering persons during an actual, impending, mock or practice emergency or disaster, or their successors in interest, or the agents or employees of any of them, shall be subject to liability for injuries sustained by any person while in or upon said building or premises as a result of any act or omission in connection with the upkeep or maintenance thereof, except a willful act of misconduct, when such a person has entered or gone into or upon said building or premises for the purpose of seeking refuge therein during an emergency or disaster or an attack by enemies of the United States or during a disaster drill, exercise or test ordered by a lawful authority. (Ord. 665 § 2, 1996)

### 8.15.130 Violation – Penalty.

Any person who shall:

A. Willfully obstruct, hinder or delay any member of the emergency management organization in the enforcement of any lawful rule or regulation issued pursuant to this chapter or in the performance of any duty imposed upon such member by virtue of this chapter;

B. Do any act forbidden by any lawful rules or regulations issued pursuant to this chapter if such act is of such a nature as to give or be likely to give assistance to the enemy, or to imperil the lives or property of inhabitants of this city, or to prevent, hinder or delay the defense or protection thereof;

C. Wear, carry or display, without authority, any means of identification specified by the emergency management agency of the state, shall upon conviction, be fined in such sum and subject to jail time as shall then be imposed for misdemeanors in the general fines and penalties portion of the Lake Forest Park Municipal Code. (Ord. 665 § 2, 1996)

### 8.15.140 Severability.

If any provision of this chapter or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable. (Ord. 665 § 2, 1996)

**Chapter 8.16**

**CATERPILLARS**

Sections:

- 8.16.010 Control by property owners.
- 8.16.020 *Repealed.*

**8.16.010 Control by property owners.**

It is the duty of every person owning any premises in the city on which there are growing any fruit, shade or forest trees, or shrubbery of any kind, to keep the same free from caterpillars, and in the event it is found that any fruit, shade or forest trees or shrubbery have become infected with caterpillars it is unlawful for the owner of any such premises on which there are growing any such trees or shrubbery to fail or neglect to promptly take and use such methods as may be necessary to effectually destroy such caterpillars, or to in lieu thereof destroy such trees or shrubbery. (Ord. 147 § 1, 1968)

**8.16.020 Violation – Penalty.\***

*Repealed by Ord. 784. (Ord. 147 § 2, 1968)*

\*Code reviser’s note: Penalty provisions can be found in Chapter 8.90 LFPMC.

**Chapter 8.20**

**POOLS AND BATHING BEACHES**

Sections:

- 8.20.010 Purpose.
- 8.20.020 Definitions.
- 8.20.030 Approval of plans.
- 8.20.040 Permit – Fee.
- 8.20.050 Rules and regulations.
- 8.20.060 Design, construction and equipment.
- 8.20.070 Location.
- 8.20.080 Material.
- 8.20.090 Walkway.
- 8.20.100 Fencing.
- 8.20.110 Lighting.
- 8.20.120 Ladders and stairs.
- 8.20.130 Depth.
- 8.20.140 Cross-connections.
- 8.20.150 Cleanliness.
- 8.20.160 Communicable disease.
- 8.20.170 Pollution of pool.
- 8.20.180 Bathing beaches.
- 8.20.190 Preexisting pools.
- 8.20.200 *Repealed.*

**8.20.010 Purpose.**

It is the declared purpose of the city council in adopting the ordinance codified in this chapter, as recommended by the planning commission, to provide rules and regulations for the construction, maintenance, use and operation of pools, and thereby minimize the hazards they present. (Ord. 47 § 1, 1963)

**8.20.020 Definitions.**

The following definitions give the meaning of certain terms used in this chapter:

A. “Bathing beach” means a bathing place, together with buildings and appurtenances used in connection therewith, on natural pond, lake, stream or other body of water which is open to the public for bathing by express permission of the owner or which is provided by a private club as a facility for members or guests.

B. “Building official” means the building inspector of the city.

C. “Pool” means a swimming pool, semipublic pool, private pool, wading pool and spray pool.

D. “Private pool” means a swimming pool, wading pool or spray pool maintained by one or more individuals for the use of family and friends and not otherwise conforming to “semipublic pool” as defined in this section.

### **8.20.030**

E. "Semipublic pool" means a swimming pool provided by a private club as a facility for members or guests.

F. "Spray pool" means a pool or artificially constructed depression for use by children, into which water is sprayed but not allowed to pond in the bottom of the pool.

G. "Swimming pool" means an artificial pool of water used for swimming or recreational bathing, together with buildings and appurtenances in connection therewith, and shall be construed as including all pools of water used for swimming or recreational bathing in which it is necessary to employ such measures as the addition of clean water or disinfectant or both for the purpose of maintaining water quality standards.

H. "Wading pool" means any artificial pool of water for wading purposes not more than 12 inches in depth. (Ord. 47 § 2, 1963)

### **8.20.030 Approval of plans.**

Before the building official issues a building permit for the construction of a semipublic pool, or bathing beach, the plans and specifications therefor shall first have been submitted and approved by the State Director of Health. The design, construction, equipment, water quality, disinfection, operation, sanitary control and safety measures of semipublic pools shall be in accordance with current rules and regulations of the State Director of Health, together with any more restrictive provisions of this chapter. (Ord. 47 § 3.A, 1963)

### **8.20.040 Permit – Fee.**

A permit is required to be issued by the building official for the construction of any swimming pool, semipublic pool, private pool or wading pool. The permit fee shall be as established periodically by city council resolution. (Ord. 787 § 1, 1999; Ord. 47 § 3.B, 1963)

### **8.20.050 Rules and regulations.**

The building official is authorized and empowered to make any rules or regulations not inconsistent with the provisions of this chapter relative to water quality, disinfection, sanitation and sanitary control of pools and bathing beaches as are reasonably necessary for the protection of the public health and safety. No pool or bathing beach shall be used, constructed, altered or maintained except in strict compliance with the terms of this chapter and with such rules and regulations as the building official may have promulgated and which are applicable thereto. (Ord. 47 § 4, 1963)

### **8.20.060 Design, construction and equipment.**

The design, construction and equipment criteria set out through LFPMC 8.20.140 apply to all pools except as specifically noted. (Ord. 47 § 5, 1963)

### **8.20.070 Location.**

A pool may not be located closer than 10 feet measured from the edge of the water surfaces to the rear or side property line, and must not be closer than 20 feet measured from the edge of the water surface to the front property line. (Ord. 47 § 5.1, 1963)

### **8.20.080 Material.**

Pools shall be constructed of concrete or other material with an impervious finish approved by the building official and suitably constructed to withstand normal weather cycles. (Ord. 47 § 5.2, 1963)

### **8.20.090 Walkway.**

A walkway shall be provided around the entire perimeter of all swimming pools, and shall slope away from the pool, be provided with adequate drains, and constructed of an impervious material with a nonslip finish, and shall be not less than three feet in width. (Ord. 47 § 5.3, 1963)

### **8.20.100 Fencing.**

A. Outdoor swimming pools shall be fenced. The fencing shall be a solid structure or fence not less than five feet in height, with no opening therein, other than gates or doors, larger than four inches and of a nonclimbable design. The fence or other solid structure shall completely surround such pool in such a manner as to minimize the danger of unsupervised children and animals gaining access thereto.

B. All gates or door openings through such enclosure shall be equipped with a self-closing and self-latching device designed to keep and capable of keeping such door or gate securely locked at all times when not in actual use, and all latches shall be placed at least four and one-half feet above the ground or shall be made inaccessible to small children from the outside; provided, however, that the gate or door to any dwelling forming any part of the enclosure required in this section need not be so equipped. Such fencing and latches shall be installed prior to the filling of the pool with water for use.

C. When a pool is located within a yard enclosed by a fence which satisfies the require-

ments of this section, no fence immediately surrounding the pool is required. (Ord. 47 § 5.4, 1963)

#### **8.20.110 Lighting.**

All pools and walkways used at night shall be provided with an adequate system of artificial lighting. (Ord. 47 § 5.5, 1963)

#### **8.20.120 Ladders and stairs.**

Convenient stairs or ladders, preferably with treads rather than rungs, shall be provided in all swimming pools. All step treads and their corresponding platforms used in conjunction with the swimming pool, particularly those steps leading to the high diving board and its platform, shall be covered with an abrasive or nonslip material. (Ord. 47 § 5.6, 1963)

#### **8.20.130 Depth.**

Low diving boards shall not be placed at any pool or bathing beach over water having a depth of less than six and one-half feet. A greater depth of seven feet to seven and one-half feet for a distance of approximately 10 feet in front of springboards is advisable for safety. Minimum depth of eight and one-half feet shall be provided for high diving boards which are 12 feet or more above the water surface. (Ord. 47 § 5.7, 1963)

#### **8.20.140 Cross-connections.**

No piping arrangement shall exist which will permit sewage or wastewater to enter the recirculation system of the pool. (Ord. 47 § 5.8, 1963)

#### **8.20.150 Cleanliness.**

All parts of all pools, including their premises and appurtenances, shall be maintained in a clean and sanitary condition at all times while the pool is open to bathers. (Ord. 47 § 6, 1963)

#### **8.20.160 Communicable disease.**

No person having skin lesions, sore or inflamed eyes, mouth, nose or ear discharge, or known to be a carrier of any communicable disease, shall use any pool. (Ord. 47 § 6.1, 1963)

#### **8.20.170 Pollution of pool.**

Urinating, expectorating, blowing the nose or depositing any foreign matter in any pool is prohibited. (Ord. 47 § 6.2, 1963)

#### **8.20.180 Bathing beaches.**

No bathing beach shall be maintained or operated when such water is determined by the building

official to be so polluted or subject to pollution as to constitute a menace to health if used for bathing. Where bath house and toilet facilities are provided for use of bathers they shall be constructed, maintained and operated in a sanitary manner approved by the building official. (Ord. 47 § 7, 1963)

#### **8.20.190 Preexisting pools.**

Pools which were in existence on the effective date of the ordinance codified in this chapter, but do not then comply with this chapter, shall within a period of not more than 60 days after notice by the building official, be brought into conformity with the requirements of this chapter regarding fencing, cross-connections, operation, sanitary control and safety measures. (Ord. 47 § 8, 1963)

#### **8.20.200 Nuisance – Fine.\***

*Repealed by Ord. 784.* (Ord. 47 § 9, 1963)

\*Code reviser's note: Penalty provisions can be found in Chapter 8.90 LFPMC.

Chapter 8.24

NOISE CONTROL

Sections:

- 8.24.010 Definitions.
- 8.24.020 Motor vehicle noise – Specific prohibitions.
- 8.24.030 Nuisance noises designated.
- 8.24.040 Exemptions.
- 8.24.050 Mitigation.
- 8.24.060 Provisions not exclusive.
- 8.24.070 *Repealed.*

**8.24.010 Definitions.**

The following definitions shall apply in this chapter:

A. "Motorcycle" is any motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, except farm tractors and such vehicles powered by engines of less than five horsepower.

B. "Motor vehicle" means any vehicle which is self-propelled, used primarily for transporting persons or property upon public highways, and required to be licensed under RCW 46.16.010.

C. "Noise" means the intensity, duration, and character of sounds from any and all sources.

D. "Person" means any individual, firm, association, partnership, corporation or any other entity, public or private.

E. "Property boundary" means the survey line at ground surface which separates the real property owned, rented or leased by any one or more other persons and its vertical extension.

F. "Receiving property" means any real property within which sound originating from sources outside the property is received. (Ord. 349 § 1, 1986)

**8.24.020 Motor vehicle noise – Specific prohibitions.**

A. Every motor vehicle operated upon the public highways shall at all times be equipped with a muffler in good working order and constant operation.

B. It is unlawful for any person to operate a motor vehicle in such manner as to cause or allow to be emitted squealing, screeching or other such sounds from the tires in contact with the ground because of rapid acceleration or excessive speed around corners or other such reason; provided, that noise resulting from emergency braking to avoid imminent danger shall be exempt from this section.

C. It is unlawful for any person to change or modify any part of a motor vehicle or install any device thereon in any manner that permits sound to be emitted in violation of this chapter. (Ord. 349 § 2, 1986)

**8.24.030 Nuisance noises designated.**

It is unlawful for any person to cause, or for any person in possession of property, to allow to originate from the property, a sound that is a public nuisance as defined in this section. The following sources of sound are defined to be public nuisance noises:

A. Frequent, repetitive, or continuous noise made by any animal which unreasonably disturbs or interferes with the peace, comfort and repose of property owners or possessors, except that such sounds made in animal shelters or commercial kennels, veterinary hospitals, pet shops or pet kennels licensed in compliance with city ordinances shall be exempt from this subsection; provided, however, that notwithstanding any other provision of this chapter, if the owner or other person having custody of the animal cannot, with reasonable inquiry, be located or if the animal is a repeated violator of this subsection, the animal shall be impounded as provided in the city animal control ordinance.

B. The frequent, repetitive, or continuous sounding of any horn or siren attached to a motor vehicle, except as a warning of danger or as specifically permitted or required by law.

C. The creation of frequent, repetitive, or continuous noise in connection with the starting, operating, repair, rebuilding or testing of any motor vehicle, motorcycle, off-highway vehicle or internal combustion engine.

D. The use of a sound amplifier or other device capable of producing or reproducing amplified sounds for the purpose of commercial sales or attracting the attention of the public to any vehicle, structure, or property, or the contents therein, or vehicles whose sole method of selling is from a moving vehicle.

E. The making of any loud or raucous noise which unreasonably interferes with the use of any school, church, hospital, sanitarium, or nursing or convalescent facility.

F. The creation by use of a musical instrument, whistle, sound amplifier, stereo, juke box, radio, television, tape player, or other device capable of loud and raucous noises which emanate frequently, repetitively or continuously from any building, structure, motorcycle, motor vehicle, or property,

such as sounds originating from a band session, or social gathering.

G. The creation of frequent, repetitive, or continuous noise in connection with the starting, operating, or repair of heating, air-conditioning or other machinery. (Ord. 349 § 3, 1986)

**8.24.040 Exemptions.**

The following noises are exempt from the provisions of this chapter at all times:

- A. Noise originating from an aircraft in flight;
- B. Noises created by safety and protective devices such as relief valves where noise suppression would defeat the safety release intent of the device;
- C. Noises created by fire alarms;
- D. Noises created by emergency equipment including, but not limited to, emergency standby or backup equipment, and emergency work necessary in the interest of law enforcement or the health, safety, and welfare of the community, and including, but not limited to, any emergency work necessary to replace or repair essential utility services;
- E. Noises created by auxiliary equipment on motor vehicles used for highway maintenance;
- F. Noise originating from officially sanctioned parades, sporting events and other public events;
- G. Noises created by warning devices not operated continuously for more than 30 minutes per incident;
- H. Noises emanating from temporary construction sites and noises created by powered equipment including, but not limited to, lawnmowers, powered hand tools, and chainsaws used in temporary or periodic maintenance or repairs, but not during the hours of 9:00 p.m. and 7:00 a.m. weekdays, and 9:00 p.m. to 8:00 a.m. weekends and holidays;
- I. Noises created by installation or repair of essential utility services. (Ord. 759 § 1, 1998; Ord. 683 § 1, 1996; Ord. 349 § 4, 1986)

**8.24.050 Mitigation.**

Noise-producing equipment shall be baffled, shielded, enclosed or placed on the property so as to insure that the dBA level does not exceed 55 by day or 45 by night at the property line. In the event of persistent noise problems it shall be the owner's responsibility to retain a noise consultant and to take necessary action to mitigate the impacts immediately. (Ord. 349 § 5, 1986)

**8.24.060 Provisions not exclusive.**

The provisions of this chapter shall be cumulative and nonexclusive, and shall not affect any

other claim, cause of action or remedy, nor, unless specifically provided, shall this chapter be deemed to repeal, amend, or modify any law, ordinance, or regulation relating to noise, but shall be deemed additional to existing legislation and common law noise. (Ord. 349 § 6, 1986)

**8.24.070 Violation – Penalty.\***

*Repealed by Ord. 784. (Ord. 349 § 7, 1986)*

\*Code reviser's note: Penalty provisions can be found in Chapter 8.90 LFPMC.

**Chapter 8.28**

**INDOOR AND OUTDOOR  
BURNING LIMITATIONS**

Sections:

- 8.28.010 Provisions to be additional.
- 8.28.020 Definitions.
- 8.28.021 Restrictions – Prohibitions.
- 8.28.022 Exemptions.
- 8.28.030 *Repealed.*
- 8.28.040 *Repealed.*

**8.28.010 Provisions to be additional.**

This chapter shall be in addition to the rules, regulations, provisions and procedures as employed by King County Fire District No. 16 and the Puget Sound Air Pollution Control Agency. (Ord. 873 § 1, 2002; Ord. 428 § 1, 1989)

**8.28.020 Definitions.**

A. “Outdoor burning” means the combustion of material of any type in an open fire or in an outdoor container without providing for the control of combustion or the emission from the combustion. It includes residential burning, recreational fires, fire fighting instruction fires, and land clearing burning.

B. “Residential burning” means the outdoor burning of leaves, clippings, prunings and other yard and gardening refuse originating on lands immediately adjacent and in close proximity to a single-family residence and burned on such lands by the property owner or his or her designee.

C. “Recreational fire” means cooking fires, campfires, and bonfires using charcoal or firewood that occur in designated areas or on private property for cooking, pleasure, or ceremonial purposes, as well as torches, incense burners, insect pots, flares and smokeless waste gas burners. Fires used for debris disposal are not considered recreational fires.

D. “Fire fighting instruction fires” means fires for instruction in methods of fire fighting, including, but not limited to, training to fight structural fires, testing fire resistance of materials, or testing fire protection equipment.

E. “Land clearing burning” means outdoor burning of trees, stumps, shrubbery, or other natural vegetation from land clearing projects (i.e., projects that clear the land surface so it can be developed, used for a different purpose, or left unused).

F. “Indoor fire” means the burning of materials in any enclosed or confined area. (Ord. 873 § 2, 2002; Ord. 472 § 2, 1991; Ord. 428 § 2, 1989)

**8.28.021 Restrictions – Prohibitions.**

A. Outdoor burning and indoor fires are subject to curtailment by declarations of an air pollution episode, impaired air quality, or fire danger burn ban by the Washington State Department of Ecology, Puget Sound Air Pollution Control Agency, or King County Fire District No. 16.

B. The following materials shall not be burned, either indoors or outdoors: plastics, rubber, paints, wastes, petroleum products, or painted or treated wood, such as utility poles, railroad ties, plywood and pressboard and any other material that is identified hereafter by the state of Washington, or the Puget Sound Air Pollution Control Agency, as a prohibited fuel.

C. Residential burning and land clearing burning are prohibited.

D. It is unlawful for any person to cause or allow any outdoor burning within the city.

E. Any fire in violation of this chapter is declared a nuisance. (Ord. 873 § 3, 2002)

**8.28.022 Exemptions.**

A. Recreational fires are exempt from LFPMC 8.28.021(D); provided, that the total fuel area is less than three feet in diameter and two feet in height.

B. Fire fighting instruction fires are exempt from LFPMC 8.28.021(B) and (D); provided, prior written approval has been issued by the control officer of the Puget Sound Air Pollution Control Agency and the city administrator or the administrator’s authorized representative. (Ord. 873 § 4, 2002)

**8.28.030 Land clearing – Permit requirements.**

*Repealed by Ord. 873.* (Ord. 428 § 3, 1989)

**8.28.040 Violation – Penalty.\***

*Repealed by Ord. 784.* (Ord. 428 § 4, 1989)

\*Code reviser’s note: Penalty provisions can be found in Chapter 8.90 LFPMC.

**Chapter 8.32**

**FIREWORKS RESTRICTIONS**

Sections:

- 8.32.010 Definitions.
- 8.32.020 Sale, use and discharge of fireworks unlawful – Exception.
- 8.32.030 Permit fee.
- 8.32.040 Issuance – Nontransferable – Voiding.
- 8.32.050 Application for public display permit.
- 8.32.060 Standards for public fireworks displays.
- 8.32.070 Applicability.
- 8.32.080 Chapter implements state law.
- 8.32.090 Enforcement.
- 8.32.100 Penalty for violations.

**8.32.010 Definitions.**

The definitions of Chapter 70.77 RCW as now stated or hereinafter amended shall govern the construction of this chapter, when applicable, and are hereby adopted by this reference. A copy of the same shall be kept on file in the office of the city clerk for public use and inspection. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002; Ord. 783 § 1, 1999)

**8.32.020 Sale, use and discharge of fireworks unlawful – Exception.**

A. It is unlawful for any person to sell, use or discharge consumer fireworks within the city.

B. It is unlawful for any person to sell, use, ignite, explode or discharge display fireworks within the city, except by authority of a state license and a city permit issued pursuant to RCW 70.77.260(2), 70.77.280 or 70.77.311(2) and this chapter. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002)

**8.32.030 Permit fee.**

The fee for a “public display” permit for the public display of fireworks shall be \$100.00, and be payable to the city of Lake Forest Park. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002; Ord. 783 § 5, 1999. Formerly 8.32.050.)

**8.32.040 Issuance – Nontransferable – Voiding.**

Each public display permit issued pursuant to this chapter shall be valid only for the specific authorized display event, shall be used only by the designated permittee, and shall be nontransferable. Any transfer or unauthorized use of a permit is a violation of this chapter and shall void the permit in addition to all other sanctions provided in this

chapter. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002; Ord. 783 § 6, 1999. Formerly 8.32.060.)

**8.32.050 Application for public display permit.**

Applications for a permit to hold, conduct, or operate a public display of fireworks shall be made to the city of Lake Forest Park at least 30 days prior to the scheduled event. Applicants shall meet all qualifications and requirements of state law regarding public display of fireworks and all fire and safety requirements in LFPMC 8.32.060 except as provided by state law. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002; Ord. 783 § 7, 1999. Formerly 8.32.070.)

**8.32.060 Standards for public fireworks displays.**

All public displays shall conform to the following minimum standards and conditions:

A. All public fireworks displays must be planned, organized and discharged by a state-licensed pyrotechnician;

B. A permit must be obtained from the city of Lake Forest Park prior to any display of public fireworks. The permit shall include the name of the applicant and his address; the name of the pyrotechnician and his address; the exact location, date and time of the proposed display; the number, type and class of fireworks to be displayed; the manner in which the fireworks are being stored prior to the public fireworks display; and shall include the name and address of the insurance company providing the bond required pursuant to RCW 70.77.285 or 70.77.295;

C. A drawing shall be submitted showing a plan view of the fireworks discharge site and the surrounding area with a radius that reflects 70 feet for every inch of the largest mortar, and not less than a 500-foot radius. This is required for land and water displays;

D. All combustible debris and trash shall be removed from the area of discharge for a distance of 300 feet in all directions;

E. All unfired or discharged fireworks shall be disposed of in a safe manner;

F. A minimum of two 2A-rated pressurized water fire extinguishers and one fire blanket shall be required to be at the fireworks discharge site;

G. The permit may be immediately revoked at any time deemed necessary by the city administrator or designee due to any noncompliance or weather conditions such as extremely low humidity or wind factor. The display may also be can-

### **8.32.070**

celed by accidental ignition of any form of combustible or flammable material in the vicinity due to falling debris from the display; and

H. Areas of public access shall be determined by the city administrator or designee and maintained in an approved manner. The city administrator or designee may inspect the discharge site prior to, during, and immediately following the display. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002; Ord. 783 § 8, 1999. Formerly 8.32.080.)

### **8.32.070 Applicability.**

The provisions of this chapter shall apply to the sale and use of all fireworks except “toy caps,” and fireworks that are otherwise exempt pursuant to RCW 70.77.311 as now in effect or as may be subsequently amended. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002; Ord. 783 § 9, 1999. Formerly 8.32.090.)

### **8.32.080 Chapter implements state law.**

This chapter is intended to implement Chapter 70.77 RCW, and shall be construed consistent with that statute and any and all rules or regulations issued pursuant thereto. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002; Ord. 783 § 10, 1999. Formerly 8.32.100.)

### **8.32.090 Enforcement.**

The city administrator or designee, or duly authorized police officers, are authorized to enforce all provisions of this chapter and, in addition to criminal sanctions or civil remedies, they may revoke any permit issued pursuant to this chapter upon any failure or refusal of the permittee to comply with the orders and directives of the city administrator or designee, or duly authorized police officers, and/or to comply with any provisions of this chapter or other laws or regulations. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002; Ord. 783 § 11, 1999. Formerly 8.32.110.)

### **8.32.100 Penalty for violations.**

Any person violating or failing to comply with any provision of this chapter which does not include a violation of state law and which is the first or second offense shall be guilty of a civil infraction punishable by a fine of \$200.00. Any violation of this chapter that constitutes a violation of state law and which is a third or subsequent offense in a five-year period shall be a misdemeanor. In addition, any fireworks that are involved in any violation of this chapter are subject

to seizure by any law enforcement officer. (Ord. 982 § 1, 2008; Ord. 875 § 1, 2002; Ord. 783 § 12, 1999. Formerly 8.32.120.)

## Chapter 8.40

### EMERGENCY 911 TELEPHONE SYSTEM

#### Sections:

- 8.40.010 Title.
- 8.40.020 Declaration of policy and intent.
- 8.40.030 Definitions.
- 8.40.040 Scope.
- 8.40.050 Specific location and phone number information required.
- 8.40.060 Enforcement.
- 8.40.070 Fees.
- 8.40.080 Liability.

#### **8.40.010 Title.**

The ordinance codified in this chapter shall be known and may be cited as the Lake Forest Park E-911 ordinance. (Ord. 509 § 1, 1992)

#### **8.40.020 Declaration of policy and intent.**

A. It is declared to be the policy of the city of Lake Forest Park, in the exercise of its police powers for the protection of the public health, safety and general welfare, that all of the citizens of Lake Forest Park have a telephone system which allows their PBX system to properly interface with the E-911 system and that these systems provide both automatic caller identification and selective routing to the appropriate public safety answer point (PSAP). It is the intent of the council, in the implementation of this chapter, that all telephone systems provide service that will interface with the E-911 system to provide these benefits to all citizens.

B. It is further declared that the availability of such products or services is not only critical to the health, safety and welfare of the general public, but also necessary to provide an effective means for all fire, medical and police units to efficiently locate and promptly respond to any emergency.

C. The express purpose of this chapter is to provide for and promote the health, safety and welfare of the general public, and not to protect individuals or create or otherwise establish or designate any particular class or group of people who will or should be especially protected or benefited by the terms of this chapter. The obligation of complying with the requirements of this chapter and the liability for failing to do so is placed upon the owners and/or occupants and/or persons responsible for the conditions of the building or premises. (Ord. 509 § 2, 1992)

#### **8.40.030 Definitions.**

For the purposes of this chapter, certain words, terms, phrases and their derivations shall be construed as specified in this chapter.

“ALI” means automatic location identification, including but not limited to the caller’s telephone number, the class of phone service (residence, business, coin, PBX, etc.), the date and time of the call, the callers’ name, address and city, the routing code of the call, the pilot number and the port or trunk on which the call is received. It also includes the name of the PSAP and the agencies that are responsible for police, fire or medical response to that address.

“ANI” means the unique member identified with the calling party’s phone.

“E-911 telephone system” means a public telephone system consisting of a network, data base, and on-premises equipment that is accessed by dialing 911 and that enables reporting police, fire, medical or other emergency situations to a public safety answering point. The system includes the capability to selectively route incoming 911 calls to the appropriate public safety answering point that operates in a defined 911 service area and the capability to automatically display the name, address and telephone number of incoming 911 calls at the appropriate public safety answering point.

“Private branch exchange (PBX) system” means a private telephone switching system, located on a customer’s premises and connected to a common group of incoming lines, that provides service to a number of individual telephone sets.

“Selective routing” means the function of telephone service which directs the call to the proper PSAP, based upon the calling party’s address. (Ord. 509 § 3, 1992)

#### **8.40.040 Scope.**

This chapter shall apply to all buildings, appurtenant structures and premises located in the city of Lake Forest Park including:

- A. Those structures within which PBX systems are presently installed;
- B. Those structures hereinafter constructed in which telephone systems are installed; and
- C. Those structures which are hereafter altered, rehabilitated or repaired in which telephone systems are installed. (Ord. 509 § 4, 1992)

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**8.40.050 Specific location and phone number information required.**

Owners and operators of PBX systems shall configure their telephone systems so that each PBX station line that has local access will provide line-specific location and phone number information to the King County E-911 system. In this way every building, appurtenant structure or premises within the city of Lake Forest Park, where a telephone system is presently installed, or which will be hereafter installed, shall have telephone services which will properly interface with the E-911 system by making the following ALI-ANI information available to the PSAP when any party within the system calls 911:

1. Name;
2. Specific address and location;
3. Telephone number;
4. City.

B. The provisions of this chapter shall apply to all new buildings, appurtenant structures and premises, and to all such structures hereafter altered, rehabilitated or repaired. All building permits obtained after September 1, 1992, shall require certification that the telephone system is capable of providing line-specific telephone number and location information. This must be demonstrated before a certificate of occupancy is granted.

C. All existing buildings, appurtenant structures and premises with PBX systems presently installed shall require certification that the telephone system is capable of providing line-specific telephone number and location information by July 1, 1995.

D. Owners and operators of PBX systems shall provide timely record updates to the E-911 data base. (Ord. 509 § 5, 1992)

**8.40.060 Enforcement.**

A. The provisions of this chapter and any rules and regulations promulgated thereunder shall be enforced by the fire marshal in accordance with the enforcement and penalty provisions of King County Code, Title 23, and such other officer designated by the mayor of the city of Lake Forest Park.

B. The fire marshal is authorized to adopt rules and regulations that are necessary to implement the requirements of this chapter and to carry out the duties hereunder. (Ord. 509 § 6, 1992)

**8.40.070 Fees.**

A. No fees shall be charged for inspection of buildings, appurtenant structures or premises for

compliance with this chapter, if such inspection is carried out in conjunction with any required inspection under the Lake Forest Park building and fire codes.

B. Fees may be charged for inspecting systems in structures that were constructed prior to the enactment of this chapter. (Ord. 509 § 8, 1992)

**8.40.080 Liability.**

Nothing contained in this chapter is intended to be nor shall be construed to create or form the basis for any liability on the part of the city of Lake Forest Park, or its officers, employees or agents, for any injury or damage resulting from the failure of an owner of property or land to comply with the provisions of this chapter, or by reason or in consequence of any inspection, notice, order certificate, permission or approval authorized or issued or done in connection with the implementation or enforcement of this chapter, or by reason of any action or inaction on the part of the city of Lake Forest Park related in any manner to the enforcement of this chapter by its officers, employees or agents. (Ord. 509 § 9, 1992)

**8.90.010**

**Chapter 8.90**

**PENALTIES**

Sections:

8.90.010 Violation of Title 8 – Misdemeanor.

8.90.020 Each day an additional defense.

**8.90.010 Violation of Title 8 – Misdemeanor.**

Any person who violates Title 8 of the Lake Forest Park Municipal Code is guilty of a misdemeanor. (Ord. 784 § 15, 1999)

**8.90.020 Each day an additional offense.**

Each day such violation of Title 8 of the Lake Forest Park Municipal Code continues shall be considered an additional misdemeanor offense. (Ord. 784 § 16, 1999)