
SUBSTITUTE HOUSE BILL 1401

State of Washington

59th Legislature

2005 Regular Session

By House Committee on Local Government (originally sponsored by Representatives Simpson, Hankins, O'Brien, Ormsby and Chase)

READ FIRST TIME 03/01/05.

1 AN ACT Relating to fire safety; adding a new chapter to Title 19
2 RCW; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** (1)(a) The liquor control board shall
5 require all applicants for alcoholic beverages licenses to submit a
6 valid certificate of inspection, as provided in the state building
7 code, issued by a local inspector for the city, town, or county in
8 which the applicant intends to sell alcoholic beverages to be consumed
9 on the premises of the nightclub.

10 (b) For the purposes of this chapter, "nightclub" means an
11 establishment (i) with the principal business of live entertainment,
12 (ii) with an assembly area occupancy capacity of one hundred or more
13 persons, and (iii) where alcohol is served.

14 (2) Failure by the code official to issue a certificate of
15 inspection may be appealed in accordance with the procedures for appeal
16 as provided in the state building code, as administered by the local
17 city, town, or county.

18 (3) The state building code council shall adopt rules to implement

1 this section and the installation requirements for approved automatic
2 fire sprinklers as required in section 2 of this act.

3 NEW SECTION. **Sec. 2.** The code official shall require the owner of
4 any building or structure or portion thereof, that includes a place of
5 business designed or used for occupancy as a nightclub, to install an
6 approved system of automatic sprinklers throughout the assembly area
7 and any common areas connected thereto, in accordance with the rules
8 adopted under section 1 of this act by the state building code council.
9 This section does not apply to the construction or substantial
10 alteration of buildings or structures, approved by building permit on
11 or after July 1, 2004. This subsection does not preclude the state
12 building code council from prescribing more stringent sprinkler
13 requirements.

14 NEW SECTION. **Sec. 3.** (1) For the purposes of this chapter,
15 "approved system of automatic sprinklers" means the automatic sprinkler
16 system was installed in accordance with the state building code.

17 (2) The cost of installing an approved system of automatic
18 sprinklers under this chapter shall be borne in its entirety by the
19 owner of the building or structure.

20 NEW SECTION. **Sec. 4.** The liquor control board shall rescind the
21 license of any owner, occupant, lessee, or other person having control
22 or supervision of any assembly use group building who (1) causes or
23 permits a dangerous condition to exist on the premises at any time, as
24 determined by the code official, or (2) does not have the certificate
25 required under section 1 of this act.

26 NEW SECTION. **Sec. 5.** (1) Within eighteen months after the
27 effective date of this act, the owner of any building or structure or
28 portion thereof, subject to this chapter, must file a plan with the
29 designated local authority for the installation of an approved system
30 of automatic sprinklers. The plan is subject to approval by the local
31 authority.

32 (2) Within three years of the effective date of this act, an owner
33 under subsection (1) of this section must complete the installation of
34 the system set forth in the plan.

1 NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute
2 a new chapter in Title 19 RCW.

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