

5551

Sponsor(s): Senators Carlson, Kline and Zarelli

Brief Description: Establishing judicial authority to order inspections.

SB 5551 - DIGEST

Provides that, whenever necessary to make an inspection to enforce any provision of the fire code, or whenever the chief has reasonable cause to believe that there exists in any building or upon any premises any condition that violates a state or local fire code, the chief is authorized to enter such building or premises at all reasonable times to inspect the same or to perform any duty authorized by the fire code. However, if such building or premises is occupied, the chief fire official, or his or her designee, shall first present proper credentials and request entry; and if such building or premises is unoccupied, the chief shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and demand entry.

Provides that, if the owner or occupant denies entry, the chief is authorized to obtain a civil or criminal inspection warrant or other remedy provided by law to secure entry. A judge of the superior court or of a court of limited jurisdiction organized under Title 3, 35, or 35A RCW has authority to issue a civil or criminal inspection warrant.

Provides that, if probable cause exists to believe that conditions on a property or in a particular building or premises pose a serious threat to life or safety of the occupants or neighbors, public health or safety, or the environment, in violation of a state or local law, the government officer or agency with authority to enforce the state or local law may apply to the superior court or a court of limited jurisdiction organized under Title 3, 35, or 35A RCW within the jurisdiction in which the property, building, or premises is located for an order to show cause why the government or officer agency should not be authorized to enter and inspect the property, building, or premises.