

**Members**

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 Marshall McClintock, *North Slope Ex-Officio*

**Staff**

Reuben McKnight, *Historic Preservation Officer*  
 Tonie Cook, *Landmarks Coordinator*



# Agenda

## Landmarks Preservation Commission Planning and Development Services Department

Date: February 13, 2013  
 Location: 747 Market, Tacoma Municipal Bldg, Room 248  
 Time: 5:30 p.m.

**Meeting Time Change:**  
**5:30 p.m.**

LPC 13 /13

*Please note assigned times are approximate. The Chair reserves the right to alter the order of the agenda.*

### 1. ROLL CALL

### 2. CONSENT AGENDA

- A. Excusal of Absences
- B. Summary of Administrative Approvals
  - i. 714 Market St, Vintage Y Condos; vent caps, Type I, (02/05/13)

### 3. NOMINATIONS – PRELIMINARY REVIEW

- |                                     |                                      |      |
|-------------------------------------|--------------------------------------|------|
| A. Kellogg-Sicker/Pochert Buildings | Caroline T. Swope, Kingstree Studios | 30 m |
|-------------------------------------|--------------------------------------|------|

### 4. DESIGN REVIEW

- |  |                                |     |
|--|--------------------------------|-----|
| A. 1021 N 11 <sup>TH</sup> St – North Slope<br><i>Deck</i>                     | Marcie Osborn, Property Owner  | 5 m |
| B. 1216 N J St (North Slope)<br><i>Windows and retroactive chimney removal</i> | Joseph Baldwin, Property Owner | 5 m |

### 5. CHAIR COMMENTS

### 6. BOARD BUSINESS/PRESERVATION PLANNING

- A. Preservation Month

Reuben McKnight  
 Historic Preservation Officer

*Next Regular Meeting: February 27, 2013, 747 Market Street, Tacoma Municipal Bldg., Rm. 248 5:30 p.m.*

*This agenda is for public notice purposes only. Complete applications are included in the Landmarks Preservation Commission records available to the public BY APPOINTMENT at 747 Market Street, Room 1036, or online at <http://tacomaculture.org/historic/resources.asp>. All meetings of the Landmarks Preservation Commission are open to the public. Oral and/or written comments are welcome.*



The City of Tacoma does not discriminate on the basis of disability in any of its programs, activities, or services. To request this information in an alternative format or to request a reasonable accommodation, please call the Community and Economic Development Department at 591-5200 (voice). TTY or speech to speech users please dial 711 to connect to Washington Relay Services, or email [landmarks@cityoftacoma.org](mailto:landmarks@cityoftacoma.org).



**STAFF REPORT**

**LPC 12/13**  
February 13, 2013

**NOMINATIONS – PRELIMINARY MEETING**

General Procedural Notes:

The property on today's agenda is nominated to the Tacoma Register of Historic Places.

Tacoma Register listing follows procedures defined in 13.07.050, and consists of a minimum of two separate Commission meetings. The initial meeting determines whether the property meets the threshold criteria in the ordinance for age and integrity. If the Commission finds that the age and integrity standards are met, then the Commission may move to have the nomination scheduled for a public hearing and comment period, at which the public may enter comments into the record for consideration. Following the comment period, the Commission may deliberate on the nomination for up to 45 days before recommending to City Council listing on the register, or denying the nomination.

*The purpose of this review is to determine whether the nominated property meets the threshold criteria and should be scheduled for public testimony at a public hearing.*

**AGENDA ITEM 3A: 1110-12 and 1114-16 Martin Luther King Jr. Way (Pochert & Kellogg-Sicker Buildings)**

*Caroline T. Swope, M.S.H.P., Ph.D., Principal, Kingtree Studios*

**BACKGROUND**

The H.C. Pochert Building, located at 1110-12 Martin Luther King Way, was constructed in 1904, and the adjacent Kellogg-Sicker Building, at 1114-16 Martin Luther King Way, was constructed in 1906. The buildings are located in the Hilltop Neighborhood of Tacoma, which was one of the first residential neighborhoods to develop outside of the downtown area.

Both buildings, as well as adjacent parcels, are owned by the City of Tacoma. There have been efforts over the past 8 years to attract development interest in the properties.

The buildings are nominated to the Tacoma Register of Historic Places under the following criteria:

- Criterion A, for being, "...associated with events that have made a significant contribution to the broad patterns of our history. As stated in the nomination, both buildings are emblematic of the activity that occurred in Hilltop during the 1900-1930 development phase, as described in the 1995 Hilltop Multiple Property Documentation Form.
- Criterion B, for their association "...with the lives of persons significant in our past." Both buildings were designed by prominent Tacoma architect, Carl August Darmer.
- Criterion C, for, "[Embodying] the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction". Both buildings are representative examples of brick turn-of-the-century commercial building types.

**REQUESTED ACTION**

Determination of whether the buildings nominated to the Tacoma Register of Historic Places appear to meet the threshold criteria for nomination, and if so, scheduling the nominations for public hearing.

## EFFECTS OF NOMINATION

- Future changes to the exteriors of both buildings will require approval of the Landmarks Preservation Commission prior to those changes being made, to ensure historical and architectural appropriateness.
- Unnecessary demolition of properties listed on the Tacoma Register of Historic Places is strongly discouraged by the municipal code, and requires approval of the Landmarks Preservation Commission.
- Future renovations of listed on the Tacoma Register of Historic Places may qualify for the Special Tax Valuation property tax incentive.

## STANDARDS

The threshold criteria for Tacoma Register listing are listed at 13.07.040B(1), and include:

1. Property is at least 50 years old at the time of nomination; and,
2. The property retains integrity of location, design, setting, materials, workmanship, feeling, and association such that it is able to convey its historical, cultural, or architectural significance.

## ANALYSIS

1. The Pochert Building was constructed in 1904, and the Kellogg-Sicker Building was constructed in 1906.
2. Both of the buildings have been altered, primarily at the first floor storefront level, including complete removal of original storefront framing, windows, and detailing. Portions of the transom lights and original storefronts may be covered by modern sheeting, especially on the Kellogg-Sicker Building. There is a single story non-historic addition to the western (alley) side of the Pochert Building c. 1960.
3. There is a high degree of integrity on the second story of each building, including original windows (covered but existing on the Kellogg-Sicker Building) and floor plan. The H.C. Pochert Building contains many of the original details as well, including transom lights and hardware, trim, and other elements.
4. Based on the above, both buildings appear to meet the threshold criteria for age and integrity.

## RECOMMENDATION

Recommended language for scheduling a public hearing:

*I move that the Landmarks Preservation Commission adopt the analysis as findings and schedule the **Kellogg-Sicker and HC Pochert Buildings** nomination for a public hearing and future consideration at the meeting of **April 10, 2013**.*

Recommended language for declining to schedule a public hearing:

*I move that the Landmarks Preservation Commission find that the **Kellogg-Sicker and HC Pochert Buildings** (or specify which building if separating them) do not meet the threshold criteria (describe) and deny the nomination.*

Recommended language for deferral:

*I move that the Landmarks Preservation Commission defer consideration of the nomination for the **Kellogg-Sicker and HC Pochert Buildings** so that additional information (specify) can be presented for consideration to the Commission.*

## DESIGN REVIEW

### AGENDA ITEM 4A: 1021 North 12<sup>th</sup> Street (North Slope)

*Marcie Osborne, Property Owner*

## BACKGROUND

Built in 1900, this residence is a contributing structure in the North Slope Historic Special Review District. In 2012, the previous owner renovated the house, which included administrative reviews approved in February and March 2012, to

remove a non historic wooden arbor and non historic non permitted/code compliant garage additions and foundation stabilization work. On June 20, 2012, the Commission approved the installation of a recessed window cut into the roof on the rear elevation.

The current proposal is to extend the existing K Street side elevation non historic cedar deck from 10'X2' to 10'X7', which is allowed per the building and land use regulations. (For informational purposes, more than seven feet will trigger an application for a variance.) The proposal includes a cedar wood staircase and the existing metal sliding glass door will be replaced with a vinyl sliding door. All deck materials will be cedar, matching the existing deck and railing in design. There will be no screening below the deck and the stairs will have closed risers.

The owner first proposed the deck extension in late 2012, however, additional structural support was required resulting in the current design with two braces across the bottom of the deck area as shown in the enclosure. The design includes four posts installed onto the concrete retaining walls located on either side of the parking driveway area.

The enclosed 1953 plat does not show a historic balcony/deck on that elevation. The owner will bring a current photo that shows the new fence on the front and side yards.

## **ACTION REQUESTED**

Approval of deck extension and replacement of the existing sliding door.

## **STANDARDS**

### **Guidelines for the North Slope and Wedge Neighborhood Historic Districts for Additions:**

2. Additions should be sensitively located in a manner that minimizes visibility from primary rights of way. Where this is not possible, the design should respect the style, scale, massing, rhythm, and materials of the original building.

## **ANALYSIS**

1. This 1900 house is a contributing structure in the North Slope Historic District. As part of the North Slope it is listed on the Tacoma, Washington and National Registers of Historic Places.
2. The Landmarks Preservation Commission has jurisdiction to review and approve, or not approve, changes to this building per TMC 13.05.047, prior to those changes being made, by virtue of its status as a City Landmark.
3. The proposed change will be visible from the primary right of way; however, because the house is on a corner lot that is small, it is not possible to locate the deck on a non-visible elevation. The existing balcony/deck is not original to the house. The deck is proposed for the side of the house, which is a secondary elevation, and the materials proposed are consistent with existing conditions and a traditional material palette; therefore the deck appears to meet guideline # 8, which reads in part *"Additions should be sensitively located in a manner that minimizes visibility from primary rights of way. Where this is not possible, the design should respect the style, scale, massing, rhythm, and materials of the original building."*

## **RECOMMENDATION**

Staff recommends approval of the analysis as findings and recommends approval of the proposal by the Commission.

<b>AGENDA ITEM 4B: 1216 North J Street (North Slope)</b>
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*Joseph Baldwin, Property Owner*

## **BACKGROUND**

The home at 1216 N J Street is a contributing structure in the North Slope Historic District. The 1½ story home was constructed in 1921. Previous alterations made to the house include installation of non-original siding, non-historic windows (i.e. all vinyl windows and the window openings may have been changed in size), and enclosure of the rear porch.

On January 23, 2013, the Commission provided feedback to the new owner regarding a potential addition. Comments from the meeting included:

- North Slope Ex-Officio Marshall McClintock provided detailed information on the historic background on the house.
- Extension of the existing kitchen/dining cantilever section in the direction of the rear appears to be an appropriate option for additional space.
- A recommendation was made to review the Sanborn maps to determine if there ever was a larger porch on the house [note: review of the Sanborn map does indicate that there was a full width porch originally on the house].
- There is flexibility for an addition to the rear of the house because of the steep slope, which provides additional space and reduces visibility from the primary right-of-way.
- Dormers would be a more appropriate option than a rooftop addition, and can be located at the rear and be subservient to the existing structure's ridgeline.
- The existing ridgeline should be maintained.
- It appears the rear yard setback is approximately 45 feet.
- A suggestion was made to review similar designed homes along Ainsworth between 9<sup>th</sup> and 10<sup>th</sup> Streets.
- In response to a question on a rear addition, specifically, "Should a rear addition line up exactly to the existing house footprint or must it be recessed," the Commission referred to the Wedge and North Slope Historic Special Review Guidelines on Additions, page 19.

Since that meeting, the owner has submitted a new proposal that does not include an addition. The new proposal includes:

1. Infill one existing window opening on the side elevation, matching the existing shingle siding. This window is a double hung vinyl window that is located behind the cantilevered kitchen/dining area, to the rear of the house.
2. Install one new single hung vinyl window on the side elevation in a 24X32 inch opening that is currently covered.
3. Remove and re-build (to building code) the existing rear staircase and baluster system. The proposal is to replace the staircase and railing matching in kind the existing system, with the addition of two-inch square balusters using pressure treated wood.
4. Work already completed, including the removal of the side chimney due to tree root and water intrusion, detachment of the chimney and subsequent floor/foundation deterioration on the front third of the house. The owner removed the chimney, replaced the rotten floor joists and poured new footings under the front foundation wall. There is presently a Stop Work Order active on the house, issued by Planning and Development Services.

The current proposal does not include a change the front porch.

NOTE: The enclosed copy of a letter dated January 21, 2013 was submitted by the North Slope neighbors to this project, to LPC on January 23, 2013.

## ACTION REQUESTED

Approval of exterior changes, including infill of one existing opening on the side elevation, installation of a new vinyl window in an opening that is currently covered, rebuild of the stairs and balustrade on the rear of the house, and retroactive approval of the chimney removal.

## STANDARDS

### Guidelines for the North Slope and Wedge Neighborhood Historic Districts

#### General Preservation Principles

2. **Retain original materials.** The historic materials present on historic buildings should be retained wherever feasible.

#### Windows

3. **Non-historic existing windows do not require “upgrading.”** Sometimes the original windows were replaced prior to the formation of the historic district, and now must be replaced again. Although it is highly encouraged, there is no requirement to “upgrade” a non-historic window to a historically appropriate wood window. For example, a vinyl replacement window may be an acceptable replacement for a nonhistoric aluminum horizontal slider window, especially if the historic configuration (vertically operated sash) is restored.
4. **New Window Openings/Changing Window Openings**
  - Enlargement or changes to the configurations of existing window openings is to be avoided on the primary elevation(s) of a historic building within the district. In specific cases, such as an egress requirement, this may not be avoidable, but steps should be taken to minimize the visual impact
  - Changes to window configurations on secondary (side and rear) elevations in order to accommodate interior remodeling are not discouraged, provided that character defining elements, such as a projecting bay window in the dining room, are not affected. A typical example of this type of change might be to reconfigure a kitchen window on the side of a home to accommodate base cabinets.
  - In general, openings on buildings in the historic district are vertically oriented and are aligned along the same height as the headers and transoms of other windows and doors, and may engage the fascia or belly band that runs above the window course. This pattern should be maintained for new windows.
  - Window size and orientation is a function of architectural style and construction technique. Scale, placement, symmetry or asymmetry, contribute to and reflect the historic and architectural character of a building

#### Porches

1. **Retain existing porches and porch details.** The original design elements of existing historic porches, when present, should be maintained. Major changes to configuration or ornamentation should be avoided. Missing or deteriorated details, such as columns and railings, should be repaired or replaced in kind.

## ANALYSIS

1. This 1921 house is a contributing structure in the North Slope Historic District. As part of the North Slope it is listed on the Tacoma, Washington and National Registers of Historic Places.
2. The Landmarks Preservation Commission has jurisdiction to review and approve, or not approve, changes to this building per TMC 13.05.047, prior to those changes being made, by virtue of its status as a City Landmark.
3. The house has had alterations, including the installation of non-original siding, non-historic windows (i.e. all vinyl windows and the window openings may have been changed in size), and enclosure of the rear porch.

4. The one non historic vinyl window proposed for infill and one covered window opening proposed for re-installation of a single-hung vinyl window are to accommodate an interior remodel; both are located on the same secondary side elevation and are not visible from the primary right-of-way; the reconfiguration appears to meet the intent of the Guideline #5, "*Changes to window configurations on secondary elevations in order to accommodate interior remodeling are not discouraged...*" and Guideline #4, "*Non-historic existing windows do not require "upgrading."*" Specifically, it states, "...there is no requirement to "upgrade" a non-historic window to a historically appropriate wood window..."
5. Remove and re-build to code the existing rear staircase and railing baluster system. The proposal is to replace the staircase and railing matching the existing system, which appears to meet, Guidelines for Porches, #5, specifically for, "*Missing or deteriorated details, such as columns and railings, should be repaired or replaced in kind.*"
6. One of the two chimneys was removed without review by the Landmarks Preservation Commission which has resulted in a Stop Work Order by Planning and Development Services. The purpose of the removal was to repair the extensive deterioration of the floor joists and foundation because of the overgrowth of the adjacent tree and water intrusion over many years. The new owner poured new footings and replaced floor joists.

However, the action was taken without review to assess the ability to repair and/or retain the chimney. The principles in Section III: Guidelines for the Alteration of Existing Buildings, provide guidance on maintenance and preservation, including General Preservation Principle #2, which states, *Retain original materials. The historic materials present on historic buildings should be retained wherever feasible.*" The Commission has approved the removal of chimneys in the past due to poor condition and failure, including primary chimneys.

**RECOMMENDATION**

Staff recommends adoption of the above analysis as findings and recommends approval of the proposal by the Commission.

**BOARD BUSINESS**

Agenda Item		Background	Requested By
6A	Preservation Month Planning	Preservation Month is May of each year. Typically the Commission prepares an annual address to City Council, gives awards for outstanding projects, and discusses possible activities and outreach. The Commission may consider establishing a planning committee for this purpose.	Staff

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**COMMUNICATION ITEMS/ITEMS OF INTEREST**

1. Draft 14 of the Minimum Buildings and Structures Code (and related code enforcement information) is included in the packet.
2. The Washington state Department of Archaeology and Historic Preservation (DAHP) is seeking nominations for the 23rd Annual Awards for Outstanding Achievements in Historic Preservation. This awards program recognizes persons, organizations, and projects that have achieved distinction in the field of historic preservation. Award recipients will be recognized at a ceremony held during National Historic Preservation Month, May 2013. The ceremony is sponsored by the Washington Trust for Historic Preservation and will take place on Tuesday evening, May 14th, at the Fort Vancouver Reserve in Vancouver, WA.  Nominations can be made in one of the following categories: historic preservation planning, historic property rehabilitation projects, career achievement, public education, stewardship, special achievement media and cemetery preservation. A nominee in this last category should demonstrate outstanding career achievement,

stewardship, or a completed preservation effort in the context of preserving a historic cemetery.

Nominations for the State Historic Preservation Officers Awards must be postmarked or submitted to DAHP by Friday, March 15, 2013 at 5 p.m.

## **PENDING AGENDA ITEMS**

### February 27, 2013

Nominations – Preliminary Meeting

- Historic Pavements (North Slope and Stadium)

### April 10, 2013 (tentative)

Nominations – Public Hearing

- Kellogg-Sicker/H.C. Pochert Buildings

Pending:

Boundary adjustment: East 54<sup>th</sup> Street – J.M. Hendrickson Homestead

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# Landmarks Preservation Commission

## Tacoma Community and Economic Development Department



747 Market Street ❖ Room 1036 ❖ Tacoma WA 98402-3793 ❖ 253.591.5220

### TACOMA REGISTER OF HISTORIC PLACES NOMINATION FORM

This form is required to nominate properties to the Tacoma Register of Historic Places per Tacoma Municipal Code 13.07.050. Type all entries and complete all applicable sections. Contact the Historic Preservation Officer with any questions at 253-591-5220.

#### PART 1: PROPERTY INFORMATION (for 'HELP' press the F1 key)

<b>Property Name</b>									
Historic		<u>Pochert &amp; Kellogg-Sicker Buildings</u>	Common						
<b>Location</b>									
Street Address		<u>1110-12 and 1114-16 Martin Luther King Way, Tacoma, WA</u>	Zip <u>98405</u>						
Parcel No(s). <u>2011220020 &amp; 2011220030</u>		Legal Description and Plat or Addition: <u>Section 05 Township 20 Range 03 Quarter 13: Lots 5&amp;6 and Lots 7&amp;8, Block 1122, Map of NEW TACOMA, W.T., according to Plat recorded February 3, 1875, records of Pierce County Auditor.</u>							
<b>Nominated Elements</b>									
Please indicate below significant elements of the property that are included in the nomination by checking the appropriate box(es) below. These elements should be described specifically in the narrative section of this form.									
<input checked="" type="checkbox"/> Principal Structure	<input type="checkbox"/> Site								
<input type="checkbox"/> Historic Additions	<input type="checkbox"/> Historic Landscaping, Fencing, Walkways, etc.								
<input type="checkbox"/> Ancillary Buildings/Outbuildings	<input type="checkbox"/> Interior Spaces/Other (inventory in narrative)								
<b>Owner of Property</b>									
Name <u>City of Tacoma</u>									
Address <u>747 MARKET ST RM 900</u>		City <u>Tacoma</u>	State <u>WA</u> Zip <u>98402</u>						
Is the owner the sponsor of this nomination?		Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>						
<b>Form Preparer</b>									
Name/Title <u>Kingstree Studios</u>		Company/Organization <u>For: Historic Tacoma</u>							
Address <u>2902 North Cedar Street</u>		City <u>Tacoma</u>	State <u>WA</u> Zip <u>98407</u>						
Phone <u>253-370-6984</u>		Email <u>cts@u.washington.edu</u>							
<b>Nomination Checklist—Attachments</b>									
<input type="checkbox"/> \$100 Filing Fee (payable to City Treasurer) N/A	<input checked="" type="checkbox"/> Continuation Sheets								
<input checked="" type="checkbox"/> Site Map (REQUIRED)	<input checked="" type="checkbox"/> Historical Plans								
<input checked="" type="checkbox"/> Photographs (REQUIRED): <i>please label or caption photographs and include a photography index</i>	<input type="checkbox"/> Other (please indicate): _____								
<input checked="" type="checkbox"/> Last Deed of Title (REQUIRED): <i>this document can usually be obtained for little or no cost from a titling company</i>									
		<table style="width:100%; border-collapse: collapse;"> <tr> <td colspan="2" style="text-align: center;"><b>FOR OFFICE USE</b></td> </tr> <tr> <td>Date Received</td> <td><u>9/26/12</u></td> </tr> <tr> <td>Fee Paid</td> <td><u>N/A</u></td> </tr> </table>		<b>FOR OFFICE USE</b>		Date Received	<u>9/26/12</u>	Fee Paid	<u>N/A</u>
<b>FOR OFFICE USE</b>									
Date Received	<u>9/26/12</u>								
Fee Paid	<u>N/A</u>								

11/2008

Nominations to the Tacoma Register of Historic Places are processed according to the procedures and standards described in TMC 1.42 and 13.07. Submittal of a nomination form does not obligate the City to place a property on the Register or to extend financial incentives to a property owner. Documents submitted become public record. Additional requirements may be imposed by other City, state or federal regulations.

**Narrative (continued)**

**PART 2: PHYSICAL DESCRIPTION**

**Extent of Changes**

Please summarize the changes to plan, original cladding, windows, interior and other significant elements by selecting the choices below. If the property has been previously documented, these may be indicated on the Washington State Historic Property Inventory Form. These changes should be described specifically in the narrative section of this form.

	Original Materials Intact			Original Materials Intact	
Plan (i.e.: no additions to footprint , relocation of walls, or roof plan)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Interior (woodwork, finishes, flooring, fixtures)	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Original cladding	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Other elements	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Windows (no replacement windows or replacement sashes)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>			

**Physical Description Narrative**

Describe in detail the present and original (if known) physical appearance, condition and architectural characteristics (use continuation sheets if necessary).

**Pochert Building**

Located at 1110-1112 Martin Luther King Jr. Way, the Pochert Building faces east. This rectangular-shaped building has two stories with a flat roof. It occupies the entire urban tax lot and abuts the Kellogg-Sicker building to the south and the Alberta J. Canada building to the north. The historic portion of the building is located on the front half of the lot, while a one-story addition is on the west half of the lot. This mixed-use building, constructed in 1904, is clad with brick laid in a running bond pattern on both the east and west elevations. The addition is a painted brick, with an exposed cinder block wall on the southern end of the rear addition.

The east elevation abuts the sidewalk and showcases a three bay commercial front, with the center door recessed, providing access to the second floor, and distinct storefronts to the north and the south. The northern part of the first floor, 1110 Martin Luther King Jr. Way, has been encased with an overlay of T111 or a similar product and a single faux-Colonial door centers the bay. The recessed center doorway to the second floor houses a pair of original wood doors, with a single light on the upper half of the door and two recessed panels on the lower half of the door. The original tile entry, complete with blue and white tile work, covers the floor. A two-light transom is directly above the double doors. To the south is the entry for 1112 Martin Luther King Jr. Way. This bay has a new elevation with contemporary double doors complete with transom flanked by two large panes of glass on either side. Above the entire first floor original transom lights run along the front façade and then recess to run across the second floor access door. The lights have been painted over. Several rows of masonry divide the first floor from the second. The south end of the second floor has three evenly spaced windows, two ganged windows in the center, followed by an additional three evenly spaced windows on the north end of the floor. Each window is set into a segmental arch opening. The ganged windows have a decorative spacer between them, a wooden sunburst motif directly above them, and a brick drip molding directly above the segmental arch. All of the windows are united with a continuous stone lintel and are the original one-over-one, double-hung units. The upper sashes have bull-nose lugs. A two-brick wide raised stringcourse divides the window portion of the second floor from the cornice line. The top of the second floor is articulated with crenelated corbels, one stretcher in width. The recessed portions of the crenellations are created by headers. An elongated geometric design detail on either end of the façade drops below the main cornice and visually appears to support the cornice, much like a bracket. The cornice is

composed of cyma reversa moldings in various widths, a narrow corona a narrow cymatium and capped with a wide cyma recta molding. In addition to the decorative treatments that mark the ganged center windows, the middle portion of the façade is accented by significantly longer corbels on either side of the window and an undulating parapet with the builder's name, "H. C. Pochert" in raised letters.

The north and the south walls are not visible as they are shared with other buildings on the block.

Only portions of the original building's west wall are visible from the alley, due to the first floor addition. The brick wall has been covered with what appears to be a coat of concrete. Windows fill a variety of segmental arched openings, operating units are not visible. A brick one-story addition is flush to the sidewalk. It has a single door on the north end of the elevation, followed by a large two-light metal window, two recessed doors, then another large two-light metal window. Both window units are behind permanent metal grills. At some point at least two free-standing sheds were located on the rear of the property in addition to a narrow two-story addition on the back of the building. The date of their addition and removal is unknown. They are visible in the 1912 Sanborn. The 1950 Sanborn shows only one freestanding shed, the shed to the east has been attached to the main structure. The free-standing shed and the shed-addition are not shown in the 1969 Sanborn. The two-story addition attached to the back of the building is still shown.

### **Kellogg-Sicker Building**

Located at 1114-16 Martin Luther King Jr. Way, the Kellogg-Sicker building faces east. This rectangular-shaped building has two stories with a flat roof. It occupies the entire front two-thirds of the urban tax lot. The rear (west) portion of the lot has a concrete surface. The building abuts the Pochert building to the north, while a parking lot sits to the south.

This two-part commercial building, constructed in 1906, is clad with running bond brick on the east elevation, while brick on the south elevation is laid in American bond with six rows of stretchers followed by a row of headers. The west elevation continues with the American bond. Brick on the east elevation is tan in coloration, while brick on the remaining elevations is a typical red coloration.

The north elevation of the building abuts the sidewalk. Much of the original storefronts are no longer visible as the main floor has been encapsulated with T111 or a similar product. No windows are visible on this level. Near the center of the elevation is a newer faux-Colonial six-paneled door. To the north is matching door. A permanent metal awning is suspended between the first floor and the transom. The transom area also has a newer veneer cladding, masking the original fenestration. A single newer window in the transom area provides light to an interior staircase that accesses the second floor of the building. Four window bays, each with two paired windows, occupy the second floor. The windows are currently boarded up, but a 2004 photo from DAHP's Historic Property Inventory Report shows one-over-one, double-hung units with bull-nose lugs. A continuous stone windowsill connects all the windows and is accented below by four corbeled brick rows. The top and bottom rows are laid with a header bond while the middle two rows are stretcher bond. A single window lintel caps each of the four window bays. The cast terra-cotta lintel is a jack arch with an articulated keystone. Each keystone is decorated with a stylized Classical anthemion (palmette). The projecting cornice is elaborately articulated with four corbeled stretcher rows followed by cast terra-cotta dentils, egg and dart molding, and a Grecian fret design. The entire cornice is crowned with a cyma reversa. Each end of the cornice is capped with concave Classical anthemion terra-cotta panel, which not only anchors the cornice, but also serves much like a capital for the articulated front corners of the building, which can read as elongated pilasters, ending in petite stone bases on the main floor. Above the projecting cornice, several courses of stretcher bond extend to cap the roof.

The north wall of the building is a shared interior wall with Pochert Building. The south wall was originally a shared interior wall with 1118 North K Street, a building that has been replaced with a parking lot, thus exposing the brick wall. The brick on this elevation is predominately laid in American bond with six rows of stretchers followed by a row of headers. The exposed upper floor of the Kellogg-Sicker building still has traces of paint and two very small arched windows (long since filled-in) that originally provided light to the two south facing kitchens on the second floor. Three evenly spaced chimneys run the length of the wall.

The west elevation of the structure faces the alley and has undergone some changes. At some point at least two free-standing sheds were located on the rear of the property in addition to a narrow two-story addition on the back of the building. All these changes show in the 1912 Sanborn and the 1950 Sanborn. The date of their removal is unknown. Substantial portions of the main façade's north end have been boarded up with T111 or a similar product. There are three rounded arched openings on the southern end of the elevation. These were likely originally window openings, since the brick that now fills them follows a different bond pattern than the rest of the elevation. The second floor of the elevation has five bays. The center bay is a narrow round arched window, while two bays on either side have segmental arches and originally housed a ganged pair of windows, one pair for each parlor and dining room of the rear apartments. Like openings on the main floor, the second floor openings have been boarded up with T111 or a similar product.

### **Integrity**

Both buildings have a good level of integrity. The exterior massing on the main elevations is intact and the second floors of each structure are intact. The first floor storefronts have had some alterations. The northern portion of the Kellogg-Sicker Building has an angled front bay hidden behind exterior cladding. The condition of the southern portion of the façade is not known- it is hidden behind an interior stage and exterior cladding. The Pochert Building no longer retains its angled store fronts, both have been replaced with flat store fronts. The main interior spaces of both buildings are still laid out to function as retail spaces.

The second floors of each building have exceptional integrity. The Kellogg-Sicker building has its original floor plan intact. Each of the original apartment units has almost all of its baseboard, picture rail, and fenestration trim. Doors and much of the hardware is original. Many of the bathrooms have the vintage plumbing fixtures, complete with clawfoot tubs. The original wood flooring appears to be in all units. The original light wells and double-hung wood windows with ogee lugs also remain. There are one or two rooms where manufactured wood paneling and drop ceilings have been installed. Most of the kitchens have post-WWII era cabinets. The Pochert building also has its original floor plan. Original baseboard, picture rail and fenestration trim are intact. Interior doors have the original working transoms. Vintage built-in cabinets and bathroom fixtures remain in several locations. The original wood flooring is intact as well. The original double-hung wood windows with ogee lugs also remain. Both buildings show signs of water infiltration and there are sections where plaster has become delaminated due to moisture.

Significantly, the original blueprints for both structures remain (originals housed in Special Collections at the University of Washington, Seattle). The missing elements from the ground floor entries could be easily replicated with the detailed information available from the elevations.

## PART 3: HISTORICAL OR CULTURAL SIGNIFICANCE

### Criteria for Designation

Tacoma Municipal Code recognizes six criteria of eligibility for inclusion on the Tacoma Register of Historic Places. Please select any that apply to this property, for which there is documentary evidence included in this nomination form.

- A Is associated with events that have made a significant contribution to the broad patterns of our history; or
- B Is associated with the lives of persons significant in our past; or
- C Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- D Has yielded or may be likely to yield, information important in prehistory or history; or
- E Is part of, adjacent to, or related to an existing or proposed historic district, square, park, or other distinctive area which should be redeveloped or preserved according to a plan based on a historic, cultural, or architectural motif; or
- F Owing to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood or City.

### Historical Data (if known)

Date(s) of Construction Pochert: 1904  
Kellogg-  
Sicker: 1906 Other Date(s) of Significance \_\_\_\_\_  
I. C. Dickson  
(Kellogg-Sicker)  
Knoell Brothers  
Architect (s) Carl August Darmer Builder (Pochert) Engineer \_\_\_\_\_

### Statement of Significance

Describe in detail the chronological history of the property and how it meets the criteria for the Register of Historic Places. Please provide a summary in the first paragraph (use continuation sheets if necessary). If using a Multiple Property Nomination that is already on record, or another historical context narrative, please reference it by name and source.

The **Pochert** and **Kellogg-Sicker** buildings are located in the Hilltop Neighborhood of Tacoma, one of the first residential neighborhoods to develop outside of the downtown core. These buildings both meet **Criterion A** as examples of the 1900-1930 “Branching Out” period as designated in the U. S. Department of the Interior’s Multiple Property Documentation Form for the 1995 *Hilltop Neighborhood Historic Resource Survey*. The buildings also meet **Criterion B** through their association with Carl August Darmer, an early Tacoma architect. Lastly, the buildings are strong representative examples of brick turn-of-the-century commercial building types, and thus meet **Criterion C**. They are some of the sole remaining examples of this building type on what was once one of the busiest commercial streets in Tacoma.

#### Hilltop from 1900-1930: The Branching Out Period

In 1873 the Northern Pacific Railroad decided to build its terminus in Tacoma, and company land holdings stretched up from the shoreline to the western portion of the current Hilltop Neighborhood. By 1889 property owners in the Hilltop neighborhood lobbied for a cable car line to quicken development growth. The city council granted a cable railway franchise, which looped up South 11<sup>th</sup> Street, south on K Street, then down 13<sup>th</sup> Street via A Street. (K Street was given its current name of Martin Luther King Jr. Way in 1993.)

The Pochert and Kellogg-Sicker Buildings are thoroughfare commercial structures, representative of the 1900-1930 “Branching Out” period identified in the *Hilltop Neighborhood Historic Resource Survey* of

1995. Between 1900 and 1910 Tacoma's population grew from 37,000 to 83,000. Major expansion of the St. Paul and Tacoma Lumber Company drove growth in several Tacoma neighborhoods, including Hilltop. After 1900, brick buildings began to line the area near the intersection of South 11<sup>th</sup> and K Streets. A 1910 fire destroyed several buildings on K Street between 10<sup>th</sup> and 11<sup>th</sup> and helped encourage brick construction. Many of these new buildings had commercial spaces on the ground floor and office or residential space on the second floor. During this era most residents arrived from Northern Europe, Italy, Eastern Europe, or from midwestern states.

Numerous neighborhood convenience stores were located in the neighborhood. In addition to shopping opportunities, K Street became a community center with several churches, clubs, and fraternal halls. A booster club for the neighborhood, The K-Street Boosters, advocated for the neighborhood. After WWII the wide adoption of the automobile and suburban development created distinct challenges for the once thriving neighborhood center. While K Street establishments continued to operate, the pressure from large national chains began to take their toll. With the opening of the Tacoma Mall in 1964, both Hilltop and downtown businesses faced significant challenges, and their commercial cores began to decline.

### **Pochert Building 1110-1112 Martin Luther King Jr. Way**

The building at 1110-1112 Martin Luther King Jr. Way was built in 1904. Herman Carl Pochert financed the building, which was designed by Tacoma architect Carl A. Darmer and constructed by the Knoell Brothers construction firm.

Herman Carl Pochert, a native of Michigan, came to Tacoma in 1886. Between 1892 and 1895 he worked as a teamster for two different trucking companies. He was the proprietor of the Bay State Market on K Street from 1890-1911, where he also served as a butcher. Pochert lived several blocks away at 916 South K Street from 1912 until 1945. In addition to living and working in the neighborhood, he also funded the construction of several buildings in the Hilltop. In 1904, he funded construction of the Pochert Building. In 1918 he funded construction of three small Craftsman homes, 2011 South 10<sup>th</sup>, 2015 South 10<sup>th</sup>, and 2017 (now 2019) South 10<sup>th</sup>. In 1948, at the age of 78, Pochert died.

There were a number of businesses that occupied the Pochert Building. From 1906-1910 the Samuelson & Berg Shoe Store operated from 1110. In 1927 Albin Berg left the business, which was then carried on by the Samuelson family through 1942. John Samuelson was a native of Sweden and arrived in Tacoma during his late teens. He was a member of the Swedish Order of Valhalla. The organization, founded in 1884, had a three-story fraternal hall located at 1216 K Street (Currently 1216 Martin Luther King Jr. Way). A grocery store was the first occupant of 1112, but by 1911 a vaudeville theatre, named the Vaudette Theatre, had opened in the location and remained there through 1922. In 1926, Craig Hardware moved into the location, and remained through 1955. Founded by Thomas Craig, the company's name changed to Craig & Son when Thomas' son Harold joined the business in 1941. The upstairs floor of the building operated as The Richard's Hotel from 1906 through 1922. Mrs. Jennie Richards ran the establishment. In 1922 the business changed its name to the K Street Hotel.

### **Kellogg-Sicker Building 1114-16 Martin Luther King Way**

Builders Frank G. Kellogg and Robert Sicker obtained a permit for the two-story brick building at South 11<sup>th</sup> and K Streets in 1906. Kellogg, a native of Illinois, owned a wholesale liquor business at 1105 South K, while Sicker, a native of Germany operated a number of restaurants. The business partners hired well-known Tacoma architect Carl A. Darmer to design the building and J. G. Dickson to serve as the

contractor. A period newspaper article listed the expected building cost at \$13,000.

Like many commercial buildings in the neighborhood, the structure housed commercial businesses on the main floor with residential and/or office space on the second floor. Three main types of tenants occupied the building for most of the 20<sup>th</sup> century; dry good stores, grocery stores, and physician/dental offices.

The dry good stores included Essey & Macksoud Dry Goods (1907-18), Habid Nasser Dry Goods (1919) and Johnson's Dry Goods & Clothing (1920-33). Hans Johnson, owner of Johnson's Dry Goods & Clothing, was born in Michigan. He moved to Tacoma with his family in 1890. For a number of years Mr. Johnson was a stenographer and shipping clerk with the Pacific Brewery & Malting Company. Determined to start his own business, Johnson operated a general store in Ruston for about 8 years. After a few other business pursuits, he purchased the W. S. McLeod store and Habid Nasser's business and consolidated the two into his own dry goods store at this location. Mr. Johnson owned a second dry good store in Puyallup.

Grocery stores known to have occupied the building are George Clark's Meats, Clark's K Street Cash Market, Matsumoto's Fruit Stand, George Skaer's Butter & Eggs, Fujimura Grocery, Anderson's Grocery & Vegetable Market, and Vic's Market. At least two hardware stores, Marshall-Wells Hardware and Coast to Coast Hardware, occupied the building at various times as well. Dentists Walter Griffith and his son John Walter Griffith, leased space here from 1912 through 1942. Walter was a native of Indiana who moved to Tacoma in 1907. His son John left his private dental practice in 1942 when he entered the army and served in both France and Japan. Dr. Robert Ball, a native of Pennsylvania, had an office here from 1908 through 1943.

By 1968 Browne's Star Grill was operating from this location. The restaurant had originally opened as a cigar and newspaper stand on 1219 Pacific Avenue. Francis Browne remained owner of the establishment until 1977. Tyrone Furgeson purchased the property in 1996. Electrical code violations led to the restaurant's temporary shutdown in 2002. In a move designed to halt criminal activity at the site, the City of Tacoma purchased the building in 2005 and evicted Browne's Star Grill as a tenant.

### **Form: the two-part commercial building**

Both the Pochert and Kellogg-Sicker Buildings are representative examples of a two-part commercial building. Downtown Tacoma once had numerous two-part commercial buildings, but the form has long since been replaced with taller buildings. The type now exists in commercial neighborhood centers where local building stock has not yet succumbed to development pressure.

This building form is comprised of commercial space on the ground floor with a second floor that either serves residential needs or occasionally offices (medical and legal were common). In keeping with the structure's mixed use, the exterior of each floor telegraphs the interior needs. The ground floor typically had large plate glass windows, both for displaying retail goods and to provide interior lighting. Main entry doors typically recessed, thus providing additional window display area. A transom (often operable) directly above the entry doors provided additional air circulation. A long expanse of additional transom windows often ran above the display windows and entry to provide additional light deep into the interior retail spaces. Awnings, metal and architecturally integrated, or canvas operable units, were common. These could provide additional light control and pedestrian shelter from both summer sun and winter drizzle.

The upper floors typically had single or paired double-hung windows. Fenestration spacing often provides

clues to interior layout. The four distinct bays on the second floor elevation of the Kellogg-Sicker building foreshadows the four distinct rooms on the street-facing interior. Original blueprints for the upper floor of the Kellogg-Sicker Building show four residential apartments in the building, two facing K Street and two facing the alley. The two K Street side apartments each had a parlor and a dining room facing the street.

Both cladding and decorative elements for this form could vary widely, from the simplest, non-ornamented versions clad with wood, to ornate masonry structures with extensive historical based ornamentation. Ornamentation choices for this form of building were often influenced by architectural trends as well as designer proficiencies and client desires. Darmer was versed in a variety of styles and designed buildings in both wood and masonry.

Both the Kellogg-Sicker and Pochert Buildings articulate this building typology and both have finely detailed ornamentation on the front façade. The Kellogg-Sicker Building has Greco-Roman detailing with egg and dart molding, dentil work, a stylized Greek fret on the cornice, and stylized flora components on the engaged pilasters at the front corners of the building, and in the center of the jack arches on the front façade windows. These details were constructed from molded terra-cotta. There are also courses of corbeled brickwork. The Pochert building has significantly more corbeled brickwork, which creates a pattern similar to crenellations. The cornice is a complex series of Greek concave and convex moldings, while the center of the façade is marked with mission-inspired signage that showcases the building's name. The details on both buildings suggest a significant investment.

### **Architect: Carl August Darmer**

Darmer was one of Tacoma's pioneer architects. He worked from 1885 until his retirement in the mid 1930s. He designed a number of prominent buildings in the city, including the Donnelly, Tourist, Olympus, and Carlton Hotels, the first Chamber of Commerce Building, the German Lutheran Church on South I Street, First Presbyterian (when it was located at South G and 10th Streets), the Unitarian Church on South Tacoma Avenue, the 1893 Synagogue for Beth Israel, the Point Defiance Park Superintendent's House and several early school buildings. In 1923, Darmer planned the original layout of the Tacoma Yacht Club harbor. He donated his fees and was made a life member of the organization. He also designed a number of residential buildings. By the 1950s, much of Darmer's commercial work had been replaced by newer constructions. There are approximately 300 buildings known to have been designed by Darmer. Approximately half of those have been demolished. Of the remaining number (some of which have been remodeled significantly) only ten are individually listed on the Tacoma Register of Historic Places. Only two are commercial structures, 1117-23 A Street (the Ferguson Building) and 2500 South Holgate Street (Pacific Brewing & Malting Complex).

Darmer was born in Stralsund, Germany on July 19, 1858. He attended school in Germany and served as a builder's apprentice before he studied architecture at Hoexter College. In 1882 Darmer traveled to the United States, and he was employed as an architect in the firm of Curlett, Mooser and Macy in San Francisco, California. Upon the completion of the Northern Pacific's transcontinental railroad, Darmer moved to Portland, Oregon. Although he had planned to work in Portland, Darmer decided to take a position with Tacoma architect William Farrell in 1884, creating the architectural firm of Farrell and Darmer. Business became so slow that by the end of 1891 Farrell withdrew from the partnership. This was the start of a nine year depression which became so severe that Darmer eventually set off to British Columbia, hoping to make money through the Kootenay mining boom. He worked on several office buildings, hotels, and residences while there. Darmer collaborated with a number of other architects, including Charles N. Daniels and John C. Proctor during this time. In 1906 Darmer formed a partnership with his previous assistant, Otis Cutting, which lasted until it was dissolved in 1914. Darmer practiced

independently thereafter.

Darmer was a member of the Tacoma Elks, the German and Commercial Clubs. His German background made him a high profile target during World War I. A front page article of the Tacoma Times claimed "DARMER DISLOYAL," and a subsequent column was titled "DISLOYALTY CLEANUP IS UNDER WAY." Darmer is said to have refused to buy Liberty War Bonds, claiming "I am of German descent, and if I bought any Liberty bonds it would be the same as kicking my own mother." He was also said to have exclaimed "had (I) known that the United States would some day be at war with Germany, (I) would have never settled here and would not have become a citizen of the U.S." Darmer was threatened with cancellation of his U.S. citizenship papers, obtained more than 30 years earlier. This was the second publicized case of this nature, the first occurring with a naturalized German in Montana. Darmer's case was particularly well publicized, leading to his expulsion from the Elks Lodge. Darmer was formally charged in January of 1918, and United States vs. Darmer moved to the courts on May 10, 1918. Darmer tried to dismiss the case, but to no avail, and a trial date was set for June 18th. The case spent one day in court, and Darmer had an impressive list of character witnesses, including General James M. Ashton. However, the case stalled when federal judge Edward E. Cushman refused to grant the government's petition. Although the U.S. Attorney threatened to appeal the case, no motions were filed. Darmer passed away in Tacoma in 1952.

## Narrative Continuation

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This page may be edited or copied as needed.

Continued from page \_\_\_9\_\_\_.

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Polk City Directories 1890-1947.

## **INDEX TO ATTACHMENTS**

1. STATUTORY WARRANTY DEED, POCHERT BUILDING
2. STATUTORY WARRANTY DEED, KELLOGG-SICKER BUILDING
3. SITE MAP
4. HISTORIC TACOMA LETTER
5. MLK SUBAREA AND EIS WORKING GROUP LETTER
6. NEW TACOMA NEIGHBORHOOD COUNCIL LETTER
7. SANBORN FIRE INSURANCE MAP – 1950
8. PHOTOGRAPHY INDEX
9. PHOTOGRAPHS
10. HISTORIC TACOMA CORRESPONDENCE HISTORY

TICOR

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10-06-2005 04:20pm \$32.00  
PIERCE COUNTY. WASHINGTON

AFTER RECORDING MAIL TO:

City of Tacoma  
747 Market Street, Room 900  
Tacoma, WA 98401

Filed for Record at Request of: Ticor Title Company

**STATUTORY WARRANTY DEED**

**THE GRANTOR(S)**

Cholu Pak and Jinsoon Pak, husband and wife

for and in consideration of Ten Dollars and Other Good and Valuable Consideration in hand paid, conveys, and warrants to

City of Tacoma

the following described real estate, situated in the County of Pierce, State of Washington:

Lots 5 and 6, Block 1122, New Tacoma, according to Plat thereof filed for record February 3, 1875 in Tacoma, Pierce County, Washington

**SUBJECT TO:**

Agreement dated September 8, 1904 recorded under recording number 181888 for the joint use of the wall located between on the Southerly boundary of Lot 6.

Assessor's Property Tax Parcel/Account Number: 2011220020

Dated: September 29, 2005

Cholu Pak

Jinsoon Pak

*NE 5-20-3  
1110-12 mck*

STATE OF WASHINGTON

COUNTY OF PIERCE

On this day personally appeared before me Cholu Pak and Jinsoon Pak to me known to be the individual(s) described in and who executed the within and foregoing instrument, and acknowledged that he/she/they signed the same as his/her/their free and voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and official seal, this the 19/30/05

Notary Public in and for the State of Washington  
residing at Pierce

My Commission Expires: 02/19/06

(SEAL)



D-6972

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LPB-10 7/97

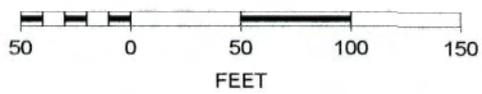
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EXCISE COLLECTED: \$6,586.00 PRO. FEE: \$0.00  
PAT MCCARTHY, AUDITOR COUNTY FEE: \$0.00  
PIERCE COUNTY, WA STATE FEE: \$5.00

32

D-6972



SCALE 1 : 1,051



Thursday, October 27, 2005 4:41 PM



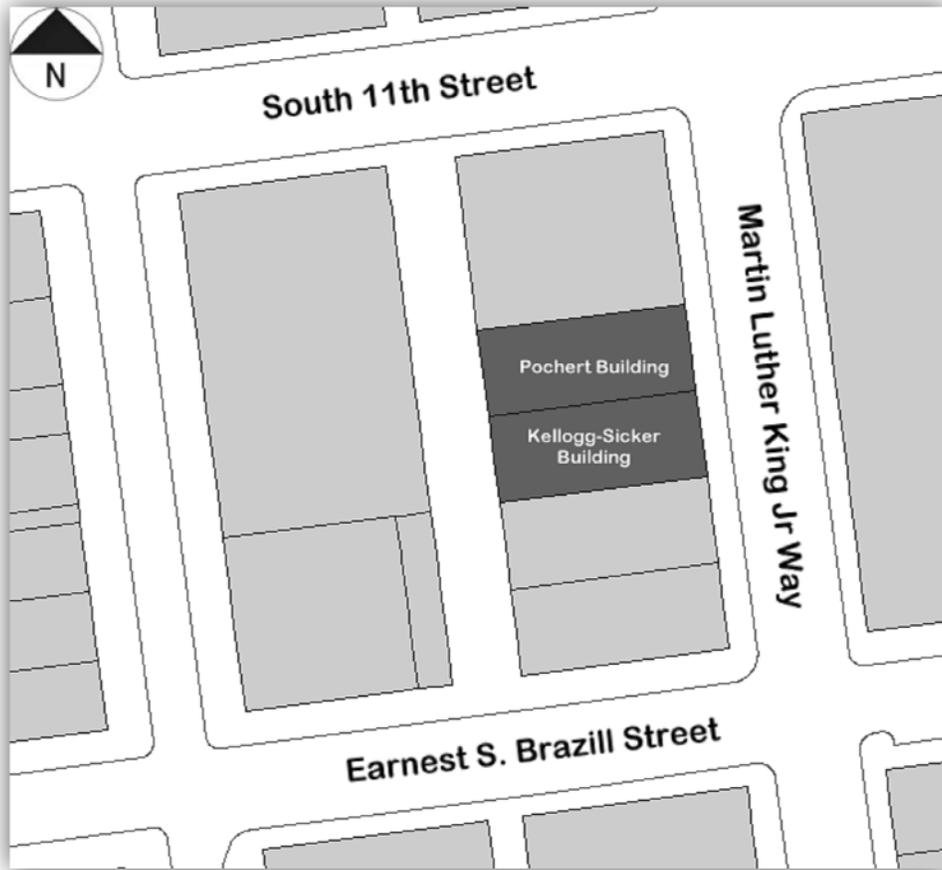


SCALE 1 : 1,106



**H.C. Pochert Building (1110-1112 Martin Luther King Jr. Way)**

**Kellogg-Sicker Building (1114-1116 Martin Luther King Jr. Way)**





September 26, 2012

Tacoma Landmarks Preservation Commission  
10<sup>th</sup> Floor, City Hall, 747 Market Street  
Tacoma, WA 98402

Commissioners:

Historic Tacoma is nominating the 1906 Kellogg-Sicker (aka Browne's Star Grill) and 1904 Pochert buildings to the Tacoma Register of Historic Places because of their design by pioneer Tacoma architect Carl August Darmer and their architectural and historic significance to the neighborhood and City. The nomination is co-sponsored by the New Tacoma Neighborhood Council and has the support of the MLK Sub-Area Steering Committee. The nomination was prepared by former Historic Tacoma board president Caroline Swope, who will be presenting the nomination before the Commission.

A pioneer architect in Tacoma, Darmer was responsible for designing a number of prominent buildings, including several hotels, the first Chamber of Commerce Building, the German Lutheran Church on South I Street, the 1893 Synagogue for Beth Israel, the Point Defiance Park Superintendent's House and several early school buildings. By the 1950s, much of Darmer's work had been replaced by newer construction. These two commercial structures are rare extant examples of Darmer's work.

A review of businesses housed in the Kellogg-Sicker and Pochert buildings highlights the multi-ethnic diversity of the neighborhood with Scandinavian, Middle Eastern and Japanese business owners. Like many commercial buildings of the era, the Kellogg-Sicker Building housed retail establishments on the main floor and residential units on the second floor. Shoe and carpet stores, a vaudeville theatre and a hotel have occupied the Pochert Building. By the 1960s, urban flight left this area of Tacoma increasingly underutilized. In 2005, the City purchased half the city block, including these two buildings. The four parcels were to be sold to a private developer for demolition and construction of a mixed-use building, but both buildings have now sat vacant and in deteriorating condition for seven years.

The Kellogg-Sicker and Pochert buildings are in the heart of what once was a thriving commercial district. We believe they are character defining elements critical to the future development of the MLK subarea. By nominating and placing these two buildings on the Tacoma Register, Historic Tacoma supports the restoration of these buildings to their historic use as a mixed-use residential and retail center.

Sincerely,

Jeff Williams  
for the Historic Tacoma Board

Attachments: Nomination form and related documents/photos  
Letter of support from MLK Sub-Area Plan Steering Committee Chair

September 7, 2012

To recap and to capture what came out of the group - The primary priority of the group would be to save the buildings shell to the best of the ability. The buildings should be added to the Historic Tacoma Registry in order to make this primary priority a reality. The group does recognize that it may be impossible for the building to be 100% saved however the group did accept the idea of saving the main street facade, but only in a worst case scenario. It should be noted that some members of the group expressed concern that this could stifle development however we as a city and community should find and provide as many incentives to a potential developer to overcome any hurdles they may find in preserving these buildings.

At no point should these buildings be allowed to be 100% taken down and buildings built around it or incorporated into the facade should reflect a style and character of the buildings. Preserving the long history of these buildings will assist in preserving the rich and diverse culture of the Hilltop.

Thank you

Justin D. Leighton

Chair of the MLK Subarea and EIS Working Group

253-677-9448

Chair

Tacoma's Central Neighborhood Council

<http://www.cnc-tacoma.com/>

[www.facebook.com/cnctacoma](http://www.facebook.com/cnctacoma)



RECEIVED  
OCT 01 2012  
Per \_\_\_\_\_

September 28, 2012

City of Tacoma Landmarks Preservation Commission

Dear Mr. McKnight and Commission Members,

The New Tacoma Neighborhood Council (NTNC) supports the inclusion of The Brownes Star Grill and Pochert Buildings into the protected status of Historic Properties. These buildings, located at 1110 and 1116 Martin Luther King Jr. Way are presently owned by the City of Tacoma.

In June of 2005, spearheaded by Mayor Barrsma and Councilmember Stenger, the City of Tacoma passed ordinance #27379. In summary, this ordinance states that no building can be demolished unless it can be demonstrated that it is not feasible to reuse/renovate the building. This ordinance also highly recommends using available historic preservation tax credits.

The report commissioned in 2010 by the City of Tacoma, entitled "Hilltop and MLK Corridor- A Strategic Plan of Action for Community Redevelopment". This report makes *specific* reference to The Brownes Star Grill and Pochert Buildings as "The two remaining buildings in the central part of the MLK Mixed Use Center that provides an architectural link to the original K St. Business District". This report also states "These properties are historically significant and should qualify for listing on the National Register of Historic Places. Community members have expressed their strong desire to see these properties preserved".

The NTNC believes in a sustainable, eco, culturally friendly Tacoma. Our City should continue to lead by example and protect some of the last remaining bits of history in the Hilltop Community.

The NTNC requests the City of Tacoma Landmarks Preservation to recommend a do pass on this nomination, quickly move this forward to the City Council and waive the \$100 application fee.

New Tacoma Neighborhood Council



Dalton Gittens, Chair

New Tacoma Neighborhood Council  
PO Box 1784 • Tacoma, WA 98401

## **Pochert & Kellogg-Sicker Buildings Photography Index**

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6. Pochert building, entry detail
7. Pochert building, second floor window
8. Pochert building, east detail
9. Pochert and Kellogg-Sicker buildings, east detail
10. Kellogg-Sicker building, east
11. Kellogg-Sicker building, south
12. Kellogg-Sicker building, southwest
13. Kellogg-Sicker building, west
14. Kellogg-Sicker building, east detail I
15. Kellogg Sicker building, east detail II

### **Prints on file at the University of Washington, Seattle, Special Collections**

16. Pochert, east elevation blue print
17. Pochert, east elevation
18. Kellogg-Sicker, east elevation
19. Kellogg-Sicker terra cotta details
20. Kellogg-Sicker, floorplan

### **Interior Photographs**

21. Detail of original Kellogg-Sicker front display
22. Kellogg-Sicker Building, second floor bedroom
23. Kellogg-Sicker Building, second floor
24. Kellogg-Sicker Building, light well
25. Kellogg-Sicker Building, first floor 1114 entry
26. Pochert, second floor
27. Pochert Building, second floor, transom
28. Pochert Building, second floor, trim detail
29. Pochert Building, second floor, original cabinetry



(1) Pochert Building, east



(2) Pochert Building, east (north business)



(3) Pochert Building, east (south business)



(4) Pochert Building, west



(5) Pochert Building, east (center entry)



(6) Pochert Building, entry detail



(7) Pochert Building, second floor window



(8) Pochert Building, east detail



(9) Pochert and Kellogg-Sicker Buildings, east detail



(10) Kellogg-Sicker Building, east



(11) Kellogg-Sicker Building, south



(12) Kellogg-Sicker Building, southwest



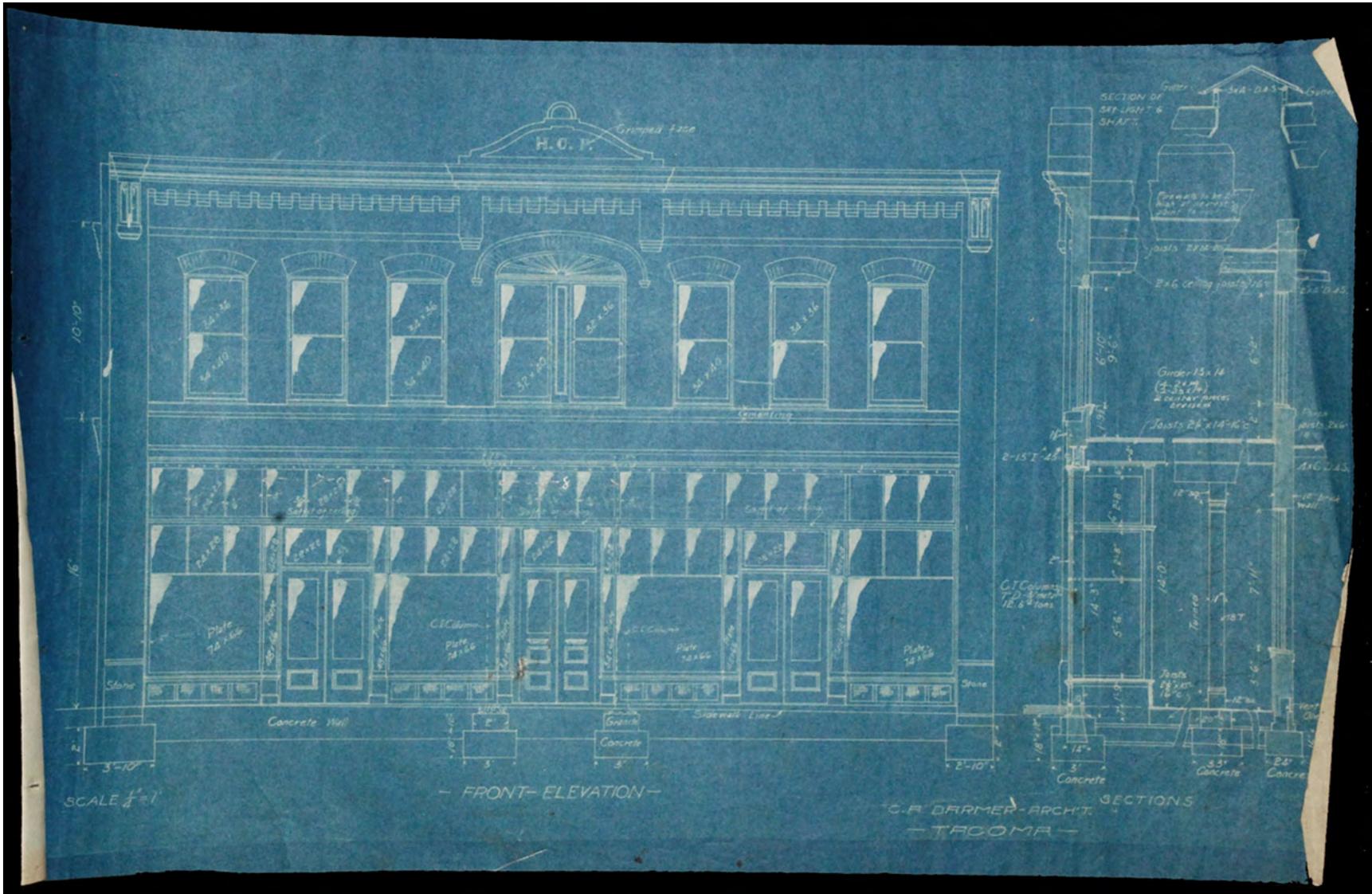
(13) Kellogg-Sicker Building, west



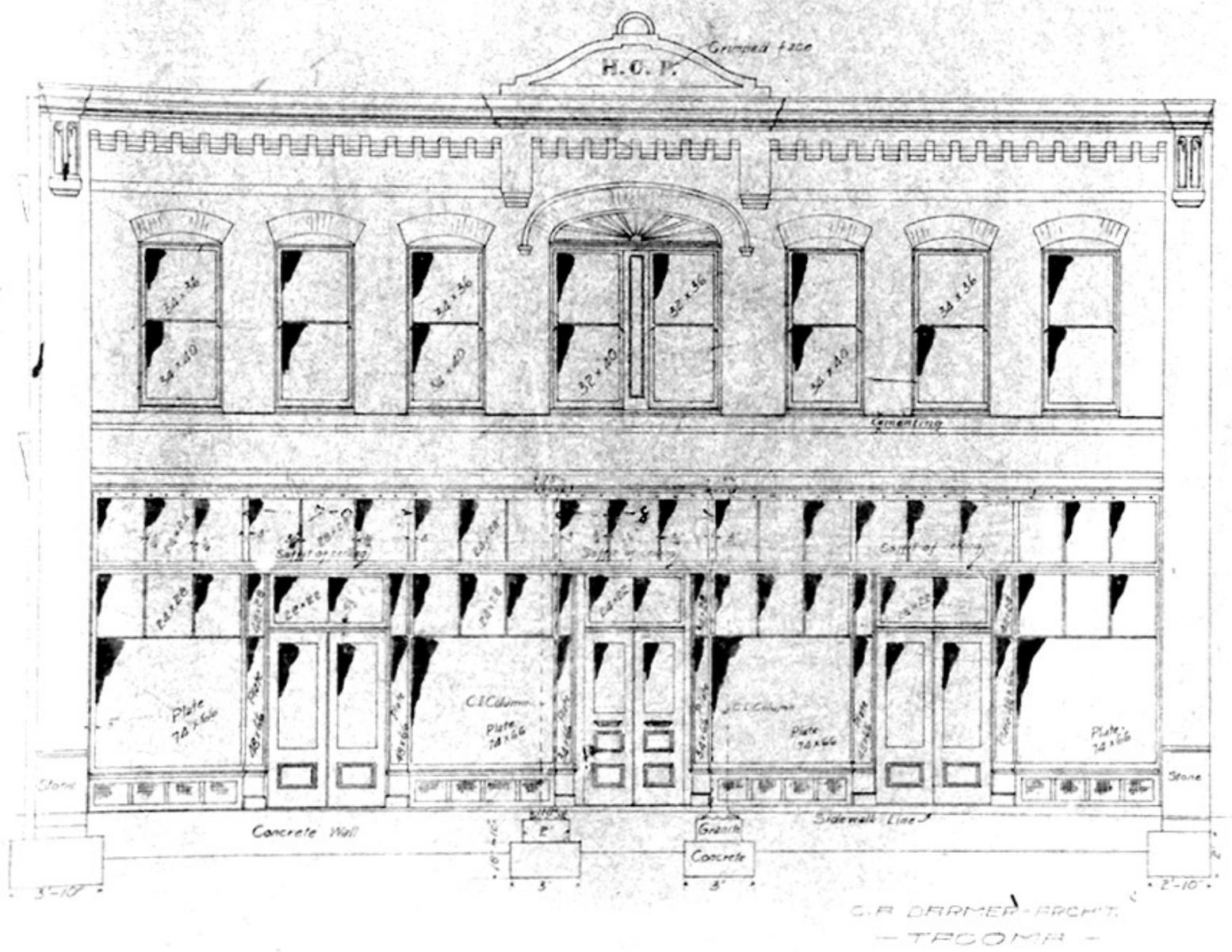
(14) Kellogg-Sicker Building, east detail I



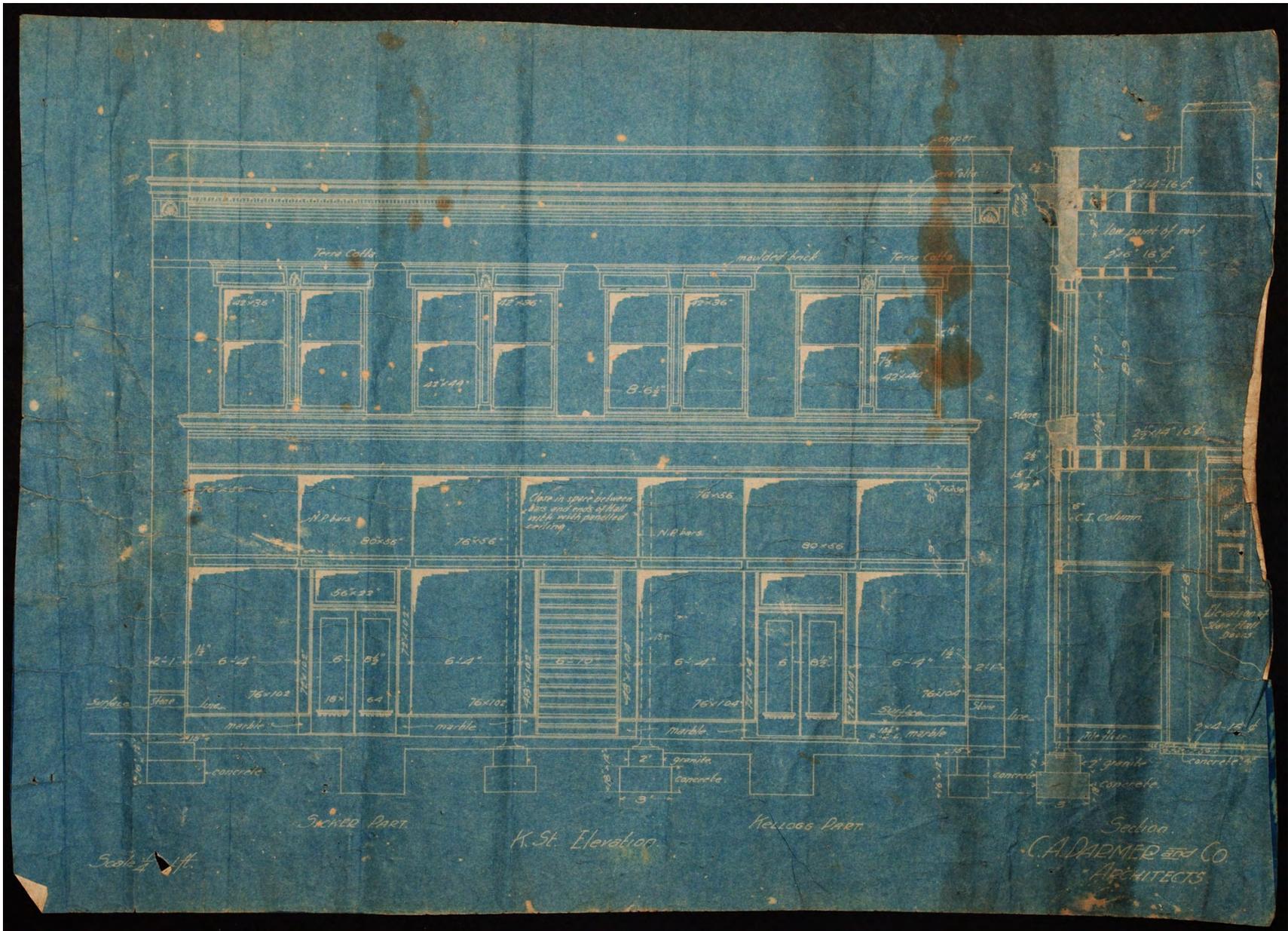
(15) Kellogg-Sicker Building, east detail II



(16) Pochert Building, east elevation blueprint

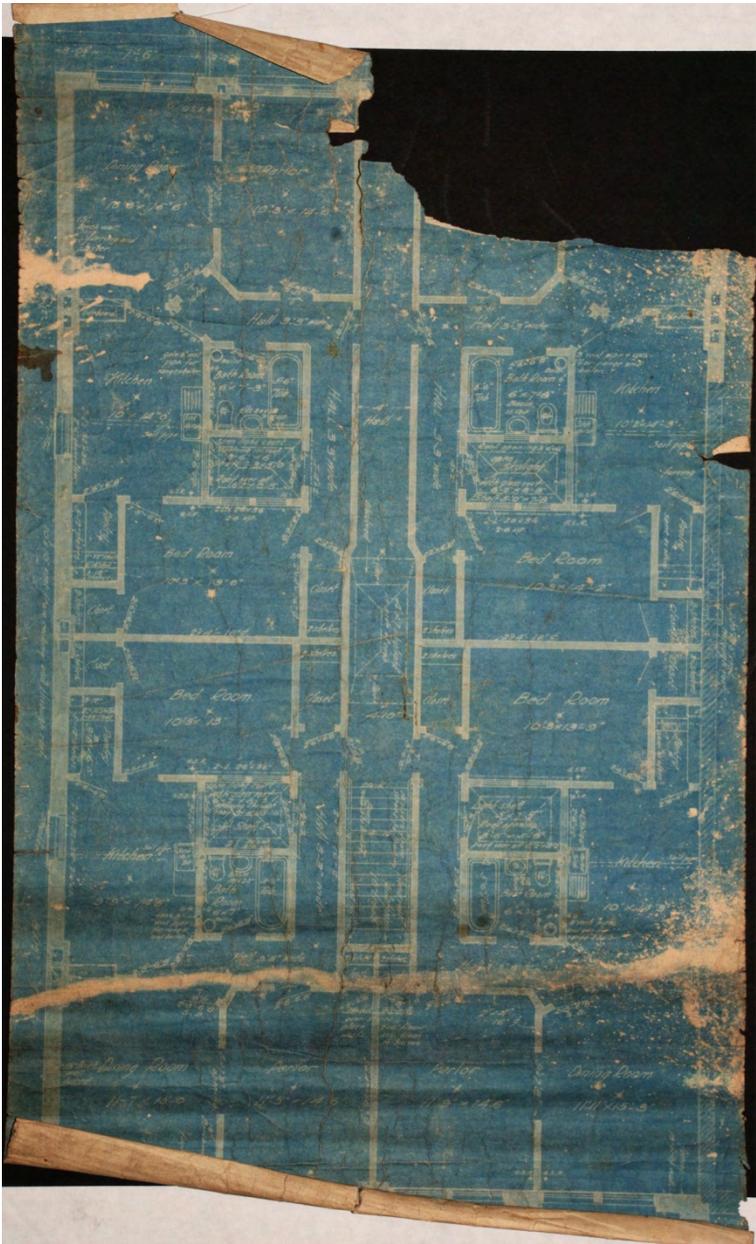


(17) Pochert Building, east elevation



(18) Kellogg-Sicker Building, east elevation blueprints





(20) Kellogg-Sicker Building, floorplan blueprints

(21) Detail of original Kellogg-Sicker front display





(22) Kellogg-Sicker Building, second floor bedroom



(23) Kellogg-Sicker Building, second floor



(24) Kellogg-Sicker Building, light well



(25) Kellogg-Sicker Building, first floor 1114 entry



(26) Pochert, second floor, bathroom

(27) Pochert Building, second floor, transom





(28) Pochert Building, second floor, trim detail



(29) Pochert Building, second floor, original cabinetry

## **Addendum to Historic Tacoma's nomination of the Kellogg – Sickert Building (aka Browne's Star Grill) & Pochert buildings submitted October 2012**

*For nominations that are not sponsored by the property owner, the nomination sponsor must provide evidence that attempts to contact the property owner have been made prior to submittal, and provide contact information for the owner.*

### **A. Historic building inventories conducted by the City of Tacoma, the current property owner, all of which indicated the significance of the Kellogg -Sickert building:**

The Kellogg-Sickert Building was included in three historic building inventories in the past twenty years. The first survey date was 1993, DAHP does not have it in their data base, all they have is a place holder that says "locate original paper copy" but the City should have the original copy. The second survey date was 2003; it was the Tacoma CBBB survey. We don't know the company that did the survey; the field decoder is listed as "DWC." There are some mistakes on the form (it lists the bricks as clinker, which they aren't, and somehow the field recorder didn't seem to notice any of the terra-cotta detailing). This survey listed the property as appearing to meet criteria for the National Register. The third survey was in 2004, the HH04 survey by Gerry Eysaman. He did note the terra-cotta details, also concurred that the property meets criteria for the National Register and additionally indicated that there was a potential historic district, that this property would contribute to.

When the city took possession of the property in approximately 2005, there were two city-funded surveys that indicated the property was National Register eligible, which means that the property was likely city register eligible. The City does not have appeared to have acted on this data in any manner.

### **B. Contacts with City staff and officials; all contacts were made by phone, in person, or via email exchanges:**

**Morgan Alexander**, Historic Tacoma board member 2006-2008:

\* Met with Asset Management staff "a long time ago, can't remember when or who. At that time they said they were not instructed to really maintain the buildings. Their impression was that they were to be torn down. I also talked with someone about the pipe that blew out in the Pochert building."

**Brett Santhuff**, Historic Tacoma board member 2008-2011:

\* (forwarded separately) MLK corridor stakeholder interview that he completed in 2010 representing the neighborhood council & Historic Tacoma; details on Historic Tacoma's 2008 MLK walking tour which was broadly publicized

**Caroline Swope**, Historic Tacoma board member 2006-2012:

\* Numerous conversations with Reuben McKnight re: nomination process including request to review nomination in advance of submission, summer/early fall 2012.

**Jeff Williams**, Historic Tacoma board member, 2010-present

\* summer/fall 2012: "Brian Boudet and one other [city representative] was present at our meeting when the subarea planning group voted to approve the nomination. ... In addition, I presented the entire plan at the community open house at McCarver Elementary when the entire subarea planning group was in attendance including city officials, Lauren Walker, and the consultant Tom Beckwith."

\* Jeff also contacted Council members Lauren Walker and Ryan Mello, early fall 2012, re: the nomination

**Sharon Winters**, Historic Tacoma board member 2006-present

\* Historic Tacoma email "Watch List Update" send 7/28/2012, listserv subscribed to by a number of city staff and Council members, which announced that the buildings were being placed on our Watch List of vulnerable buildings. Text below:

Added to Watch List:

**Browne Star Grill & Pochert Building** (1906 and 1904)

1110-1116 MLK Way

Architect: Carl August Darmer

The buildings are significant because of their design by Darmer, one of Tacoma's pioneer architects, and because the businesses housed in the buildings over the past century represent the ethnic diversity of the neighborhood. Each building served the needs of Scandinavian, Middle Eastern and Japanese proprietors.

*Current status:* In 2005, the City purchased half the city block, including these two buildings. The City planned to sell the four parcels to a private developer for demolition and construction of a mixed-use building. The Browne Star Grill (aka Kellogg-Sicker) and Pochert buildings have been vacant and in decay since the City obtained ownership of the property. They sit in the heart of a once-thriving commercial district.

Historic Tacoma encourages the City to lead by example by re-using the buildings and the sustainable materials with which they were constructed. During the MLK sub-area planning meetings, we've heard community support for the idea of restoring the Browne Star and Pochert buildings to their historic use as mixed-use residential and retail space. We encourage that direction as well as placement of the buildings on the Tacoma Register of Historic Places. For more details and photos, click [here](#).

Thanks to the New Tacoma Neighborhood Council for nominating the buildings to our Watch List, to Brett Santhuff and Caroline Swope for their research, and to Brett and Morgan Alexander for their persistent efforts to preserve the buildings.

\* Contacted Christina Tate & Lisa Wojtanowicz, Public Works, re: building condition, summer 2012, by phone re: Historic Tacoma Watch List (posted 7/27/2012 at <http://www.historictacoma.org/ht/browne-star-grill-pochert-building.html%20>)

From an email summarizing that exchange:

"I talked with code compliance today... on Browne's Star, it was in derelict status in 2003, apparently the issues were addressed because the case was closed. On Pochert, there were some violations, also in 2003. When I made my contact aware that the buildings were currently owned by the City and of our concern because we couldn't assess integrity/condition due to the buildings being boarded up and interior access not permitted, she agreed to get more information about current condition... which I trust she will give some follow-up she's done for

us on a Brewery district building. I mentioned the buildings to Randy Cook [AIASWW] this afternoon, who'll you remember did a lot of work in the area for the city a few years ago.... He suggested that we contact Jeff Jenkins who's the city's director of facilities, managing city-owned properties, who could give us current condition info."

\* Early September 2012: Contacted staff in the city's facilities department to get more information on condition of properties and policy on disposition of City's surplus property; Conor McCarthy provided copy of *2009 Facility Condition Assessment ("FCA")* of the City's properties located at 1110-1124 Martin Luther King Jr., Way (hard copy) and digital copy of new city "Policy for the Sale/Disposition of City-owned General Government Real Property" on Sept 4.

\* Made inquiries of Conor in early September, October 1, and November 6 about when Council would be making a decision on naming of Tier 1,2,3 properties under the new policy. The inquiry was referred to Martha Anderson, Community and Economic Development on November 6<sup>th</sup> who responded "Conor is correct. Staff have reviewed the properties and feel that the City-owned MLK properties are Tier 1. However, we will need to discuss with Council which will likely be at a Economic Development Committee meeting as a first step. This has not been scheduled yet. I will let you know when this gets on the calendar."

\* Talked with Brian Boudet and Shari Hart, November 8, 2012 re: Nov 13 walk-through of buildings, concern about building condition and desire to see buildings rehabilitated rather than demolished.

*Compiled and submitted by Sharon Winters for the Historic Tacoma Board of Directors on 11/12/2012*



**MLK / Historic K Street – Summer Walking Tour**

**Date: Saturday, July 19th**

**Time: Tours depart at 10:30 and 1:00**

**Location: Starts at People's Park, 9<sup>th</sup> and MLK**

Dear Hilltop Property Owner/Resident:

For a second summer, Historic Tacoma partners with the Tacoma Historical Society to offer a public walking tour to celebrate our architectural and social heritage. We do this in part so that we and others can get to know the residents and history of the city better. Also, this is an opportunity to get the community thinking about preservation issues. Last year we focused on Tacoma's old auto row, an area of downtown on Broadway and Saint Helens north of 9<sup>th</sup> Street.

This year we've selected MLK and plan to highlight the historic K Street business district as well as residential development of the Hilltop and significant religious and fraternal buildings. Our members have researched individual properties and pulled together resources from past surveys and walking tour publications. During the week of the walk, historic images from a previous exhibit on loan from the Tacoma Public Library will be available for viewing in the display windows at Save-A-Lot fronting MLK.

MLK and the surrounding neighborhood are rich in history and architectural examples. A number of properties in the Hilltop were placed on the register as part of a 1995 multiple property nomination; however, none of the properties directly on MLK are protected with landmark designation. As the neighborhood and city considers revised zoning, we hope too that consideration will be given to determining Hilltop properties that define the neighborhood and ought to be protected.

You've received this notice as your property is along the route of our walk on Saturday, July 19<sup>th</sup>. Attached find our route map. We plan to stay in public right-of-way and not impose unless we have previously made arrangements with the property owner. Please feel to call with any questions and join us on the 19<sup>th</sup> for the walk.

Sincerely,

Brett Santhuff  
360.402.1062 c  
bsanthuff@harbornet.com  
Historic Tacoma Vice President, Event Chair

# MLK / Historic K Street Summer Walking Tour

Date: Saturday, July 19th

Time: Tours departing at 10:30 and 1:00

Location: Starts at People's Park, 9th and MLK

## Housing, Commerce, & Community

A guided walk about Hilltop history and development, highlighting 8th & I neighborhood, religious and fraternal structures, and the historic business district.

Photos exhibit on loan from Tacoma Public Library  
at Save A Lot grocery along MLK Jr. Way south of 11th Street.

Sponsored by Historic Tacoma and the Tacoma Historical Society



[www.historictacoma.net](http://www.historictacoma.net)



Tacoma  
Historical  
Society

[www.tacomayhistory.org](http://www.tacomayhistory.org)

## MLK Corridor Stakeholder Interview Questionnaire

**Name of Stakeholder:** Brett Santhuff

**Organization:** New Tacoma Neighborhood Council, Historic Tacoma

**Address:** 702 6th Avenue #205

**E-Mail:** bsanthuff@belayarchitecture.com

**Telephone Number:** 360.402.1062 c

**Date Completed:** 2/19/2010

**1. If you looked 20 years into the future, what would you like the MLK corridor area to be? What is your vision for the area?**

I want MLK to be the walkable, livable center for residents living above downtown. The area between Fawcett downtown and L offers the opportunity for a dense urban living. MLK should be a comfortable place to dine, shop, and relax. There should be a great breakfast location, a better grocery store, and a bit more night life. Light rail would contribute to the connectivity and identity. The remaining historic structures should be preserved with development focused on infill and vacant parcels. MLK should be thought of as three streets: M, L, & K.

**2. Please list the most important issues facing the area today.**

We need to fill the voids and give Tacoma a reason to come to the Hilltop. This would do much to change perception of the area. There is a stretch from 9th to 14th that should have active and attractive retail establishments. Design is important making this work. For example, the Save'a'Lot development does little to attract people to the street or other businesses nearby. Development patterns based along a traditional lot size create human scale and offer ideal spaces for small scale retail. The city should do its part to put the Browne Star and Pochert Buildings back in use. Safeway too, needs dramatic improvement. Although I live closest to this store, I frequent Thriftway, Fred Meyer, or the Safeway on 38th for my shopping needs.

**3. Please list at least five improvements that would make a positive difference in the area today.**

- 1 Light rail connection to Stadium and downtown.
- 2 A grocery store that will attract more customers. Specifically, Safeway needs to get it's act together.
- 3 Facade improvement grants for historic structures (design appropriate) with retail orientation.
- 4 Coordinated efforts in beautification.
- 5 Plan to improve gateways to MLK...integration of hospitals and their land use as it relates to MLK.
- 6 Improvements on East-West streets that connect housing and downtown, specifically 11 and 12th and 15th.

**4. What businesses and services do you think are needed along the MLK Corridor?**

It would be great to have a few more restaurant draws in the area, specifically a good breakfast location. Perhaps also a relocated Southern Kitchen or BBQ place.

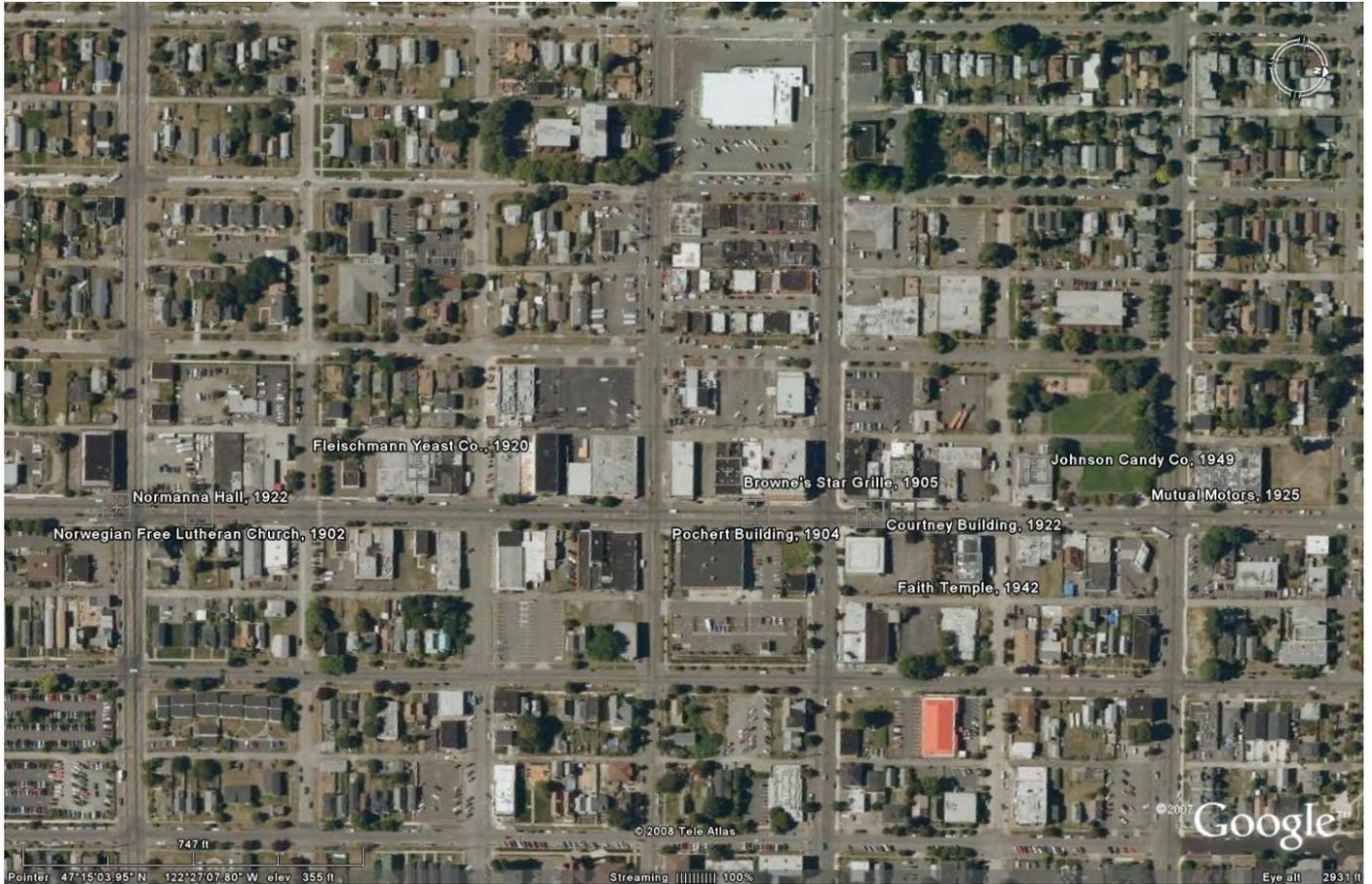
Johnson's Candy is an institution... it'd be great if they could partner with Bates and offer candy making classes. Their building with People's Park could be a great combined resource.

There are great church spaces in the neighborhood in addition to Normana Hall... Coordinated marketing of event and meeting space or different classes and entertainment opportunities would be good.

**5. Which existing buildings along the MLK Corridor do you think have historical value?**

I've attached a historic resource list which volunteers generated doing a MLK historic walking tour in 2008.

- Browne Star Grill and the Pochert buildings are critical structures to the character and opportunity of MLK. In addition, the structures on the block of 11th and MLK... the Courtney building and neighbors are intact and attractive.
- The building at 1007-11 South 11th was designed by Silas Nelson and looks like it could be a restaurant (like the HobNob)
- The medical block between 11th, 12th, M, & L is truly unique. Architecturally it's probably the most interesting.



824 MLK Way  
 Mutual Motors  
 b. 1925

“Heart of the Hill” (walk/map)

C.F.W. Lundberg, arch.  
 Edward P. Leonard, builder.  
 E.M. Anderson Co., contr.

This structure was built as a Lincoln automotive dealership in 1925 and converted into the Olympic Dairy in 1940. It documents the changing commercial development of the Hilltop. Following its 1940 renovation, the plant was praised in the newspaper as “one of the most modern of its kind on the Pacific Coast, equipped with the latest in scientific devices for the handling of milk, ice cream, and other dairy products.” The company chose the site for the new plant on “South K Street” because it provided a central location from which fleets of dairy trucks could fan out delivering to all of Tacoma. Raised on the building’s corner was a gigantic rotating milk bottle, long since removed.

*Start of Baskin-Robbins.* Irvial, son of Aaron Robbins, president and general manager of Olympic Dairy, learned the ice cream business and later opened Baskin-Robbins.



1016 South 10<sup>th</sup> Street (or)  
 1001 MLK Way  
 Faith Temple  
 b. 1942

Great example of the Art Deco/Moderne Styles.

Built for “Open Bible Standard Church” which moved in 1967 to Swedish Mission Tabernacle building at the corner of 10<sup>th</sup> and I Streets.

Opera style seating with 3 sided balcony and orientation of 675 seats along the width instead of length. Ivory colored stucco over 12” concrete walls. Building included 1000 glass blocks and lighting affects including a “celestial light” beam shining within an 8’x10’ water tank.



<p>924 MLK Way Johnson Candy Company b. 1949</p> <p>Silas E. Nelsen, arch. Russell &amp; Irene Johnson, builder. Harold Allen Co., contr. Finn Konsmo, supt. of const.</p>	<p>Reinforced concrete faced with roman brick, a great example of commercial Art Moderne design. The single story building, with large glass window walls has the streamlined appearance popular in many post-war manufacturing buildings. Landmark large metal sign recalls 1940s signage on K Street.</p> <p>The Johnson Candy Company relocated here in 1949 from 1109 MLK, just a couple of blocks south. It continues today as a long-established Hilltop business and neighborhood institution.</p> <p>Silas Nelson, was a prolific Tacoma architect and designer of another great Art Moderne example, Mueller-Harkins Buick built in 1948 at 455 St. Helens, Tacoma.</p>	
<p>1014-16 MLK Way b. 1910</p> <p>Fredlund &amp; Bjorkman, builder.</p>	<p>Commercial building with apartments above Replaced resident structure b. 1888.</p> <p>One of several older structures dating from 1900 to 1910 located to take advantage of the intersecting streetcar lines at 11<sup>th</sup> and K Streets.</p> <p>Large awning picture here since removed.</p>	
<p>1020 MLK Way</p>	<p>Commercial building with apartments above.</p> <p>In image, structure to right.</p> <p>Across the street at 1011 MLK was a Safeway Store built in 1942, later demolished.</p> <p>At 11<sup>th</sup> and MLK, National Bank of Washington, built 1964, Harris &amp; Reed, arch., precast concrete panels, recently demolished.</p>	
<p>1024 MLK Way (and) 1105 (1101-11) South 11<sup>th</sup> Street R.L. Courtney Bldg. b. 1922</p> <p>Geo. Trust (Trost), arch. Peter Madsen, contr.</p>	<p>Commercial building with apartments (?) above, cost reported at \$37,000.</p> <p>Notice street car tracks in image.</p>	
<p>1110-12 MLK Way Pochert Building b. 1904</p> <p>Herman Carl Pochert, builder. C.A. Darmer, arch. Knoell Bros., contr.</p>	<p>Originally home to clothing stores and hotel above. 1922, home of Vaudette Theater with capacity of 225. Home of numerous other enterprises as past tenants.</p> <p>City purchased property in 2005.</p>	

<p>1114-16 MLK Way                  Essay &amp; Macksoud Dry Goods                  c. 1905</p> <p>Browne's Star Grille</p>	<p>Commercial and office. Originally dry goods and later a drug store with physician and dental offices above.</p> <p>In 1968 became home of Browne's Star Grill, originally located at 1219 Pacific Avenue.</p> <p>City purchased property in 2005.</p>	
<p>1308 MLK Way                  Fleischmann Yeast Co.                  c. 1920</p>	<p>Fleischmann Yeast Co., City Directory (1925)</p> <p>Currently Fulcrum Gallery</p>	
<p>1423 MLK Way                  Norwegian Free Lutheran Church                  b. 1902, 1932 addition</p> <p>Hervey, builder.                  L.T. Hirt, contr.</p>	<p>Norwegian Free Lutheran Church                  City Directory (1904)</p> <p>TDL 5/7/1932 p.12 Free Church will dedicate its new addition Sunday                  TNT 10/31/1942 p.15 Olivet now 40 years old, debt free</p> <p>Miracle Temple Church of God in Christ (1979)</p> <p>Shekinah Glory Church (1993)</p>	
<p>1502 MLK Way                  Normanna Hall                  b. 1922-23</p> <p>Geo. Trust (Trost) arch.</p>	<p>Norden Lodge No. 2, Sons of Norway was organized in 1904, was housed in Parker Hall from 1909-1923 when this structure was built.</p> <p>Long history of female inclusion, first female member in 1924 and first female lodge president in 1951. Up until 1941 meetings were held and minutes recorded in Norwegian.</p> <p>Lodge instrumental in naming City Waterway to Thea Foss Waterway to honor long-time Norwegian family.</p> <p>Building likely named after early Norwegian immigrant town established in Texas called Normanna, where Tacoma residents may have once lived.</p>	
<p>1323 South L Street                  Craftsman House                  b. 1927</p> <p>M. Lindbeck &amp; J.P. Strean, contr.</p>	<p>Home of Jay Chavis and Ann Thompson.</p> <p>"US Holds Jay Chavis: Ann Thompson Also Arrested in Mann Act Case". TNT 11/12/1941</p>	

1206 South 11<sup>th</sup> Street  
Tacoma Medical Center  
b. 1947

Paul A. Hungate, builder  
Smith, Carroll, Johanson, arch.  
Construction Engineers &  
Contractors, contr.  
James Purvis, supt. of const.

Block was home to 11<sup>th</sup> Street Ballgrounds,  
built 1890 and later Glide Skating Rink (1906)

Block of 40 buildings as a medical office  
complex.



# City of Tacoma

<http://govME.org/map>

**Property**

- 📍 Address
- ▭ Parcel

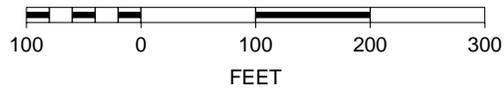
**Street**

- Abc Street Name
- PW Off Street Line
- Street Centerline
- ▬ Highway

■ Puget Sound  
■ Pierce County  
■ King County  
■ Thurston County



SCALE 1 : 2,000



Pochert Building: 50 ft x 62 ft deep = 3100 sf  
or 52% of lot.

Browne's Star Grille: 50 ft x 83 ft deep = 4150 sf  
or 69% of lot

Total lot area (4 parcels) = 24000 sf

Historic Structures = 7250 sf  
or 30% of land area

**Landmarks Preservation Commission**  
Tacoma Economic Development Department  
Culture and Tourism Division



747 Market Street ♦ Room 1036 ♦ Tacoma WA 98402-3793 ♦ 253.591.5220

**APPLICATION FOR DESIGN REVIEW  
FOR SINGLE FAMILY RESIDENTIAL PROPERTIES**

Please include ALL of the following information with your application. Insufficient application materials will result in a delay in processing of your application. If you have any question regarding application requirements, or regulations and standards for historic homes and neighborhoods, please call the Historic Preservation Officer at 253.591.5220.

**PART 1: APPLICANT INFORMATION**

House Address 1021 N. 12<sup>TH</sup> ST. 98403 Landmark/Conservation District  
(if applicable) \_\_\_\_\_

**OWNER INFORMATION**

Name (printed) MARCIE OSBORN Email MARCIE.OSBORN@GMAIL.COM

Address (if different than above) \_\_\_\_\_ Phone hm (253) 627-1686  
cell (253) 906-2241

Homeowner's  
Signature\*

\*Application must be signed by the property owner to be processed.

**CONTRACTOR INFORMATION**

If application will be presented by a representative or contractor, please fill in the following:

Representative's Name \_\_\_\_\_ Company \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_

**FOR OFFICE USE ONLY**

PRELIMINARY PLAN CHECK DATE: \_\_\_\_\_

INITIALS  
CHECKED FOR BUILDING CODE\* PK 1/3/12

LAND USE/ZONING (IF APPLICABLE)\*: PK 1/3/13

\*PRELIMINARY PLAN CHECK IS NOT AN APPROVAL OF A PROJECT. A SEPARATE PERMIT APPLICATION MAY BE REQUIRED.

**APPLICATION FEE (please see page 2)**

Estimated Project Cost, rounded to nearest \$1000 \$2,000

**RECEIVED** Application Fee Enclosed

JAN 20 2012

Per \_\_\_\_\_

### **PART 3: PROJECT DESCRIPTION**

Please describe below the overall scope of work, including all proposed new construction, changes to existing buildings, and any elements to be removed and replaced. *(For complex remodeling projects, it may be beneficial to divide the description into different areas [north façade, west façade] or by type of work [windows, doors, siding]).*

Attach additional pages if needed.

**Expand existing 10' x 2' deck to become a 10' x 7' deck. Deck will include stairs down to the side yard. Drawings and photographs attached.**

**Additionally, replace sliding glass door at entrance of existing deck. Current slider is leaking and not double paned.**



## **RESIDENTIAL APPLICATION SUPPLEMENT CHECKLIST C** (for Window and Door Replacement and Restoration)

CHECKLIST include the following:\*

- |                                     |  |
|-------------------------------------|--|
| <input checked="" type="checkbox"/> | Photograph(s) of work area(s) with locations of work indicated (i.e. in pen) |
| <input type="checkbox"/>            | Detail illustrations of trim and casing and window profiles                  |
| <input type="checkbox"/>            | Catalog cut sheets or product samples  |

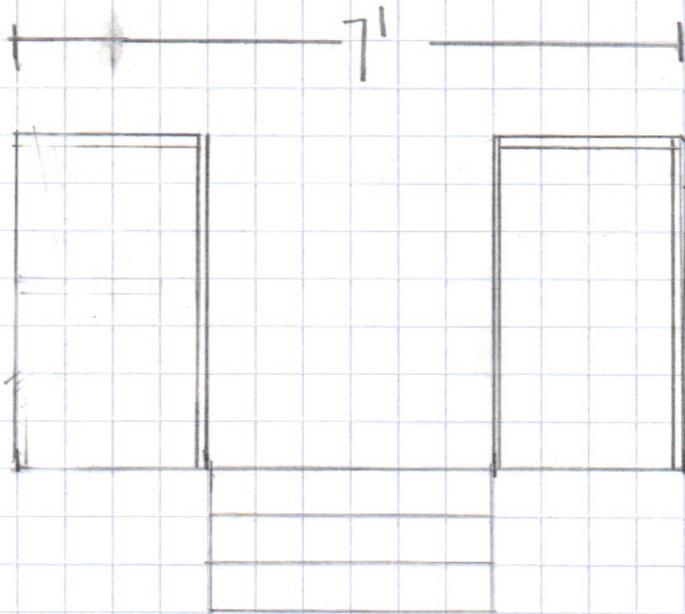
In addition to the above, please provide the following information:

Narrative list of window and door  
types and locations:

**New door will be similar style and operate as current one. Will  
change color from dark brown to white.**

### **\*ADDITIONAL TIPS**

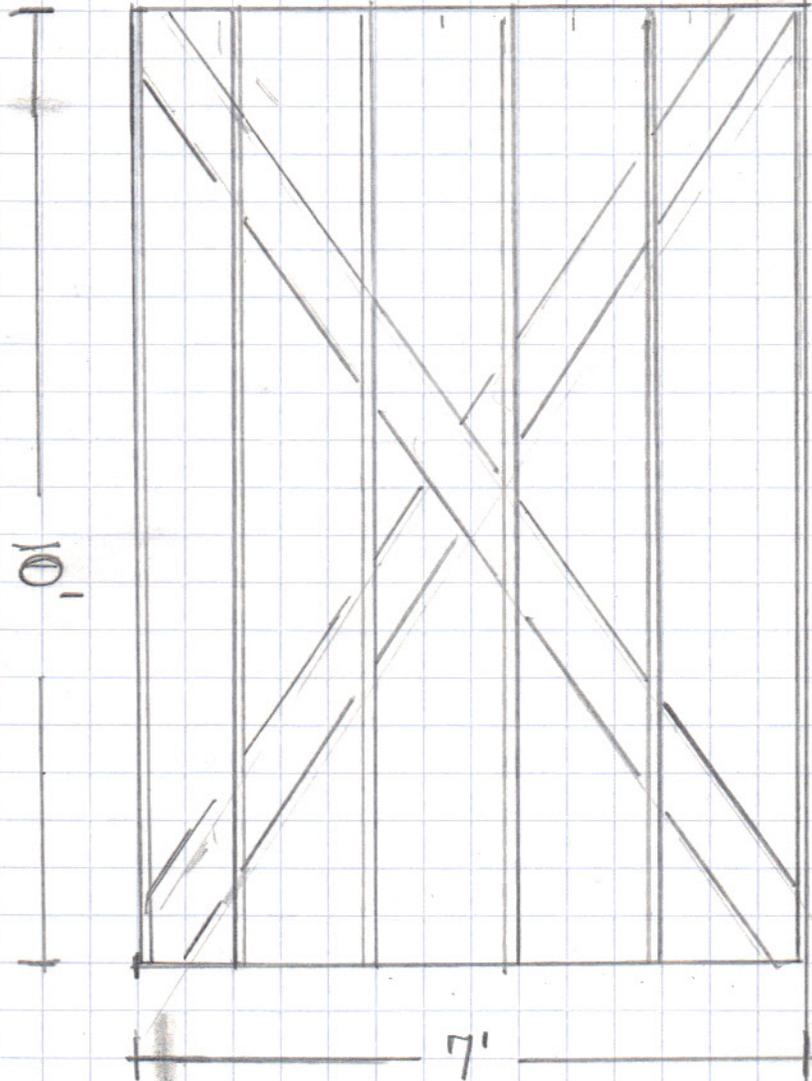
- *Drawings required for building permits can often be used for Landmarks Review, as long as information regarding finish detail, exterior materials, and windows and doors are indicated.*
- *Please include a photograph of example elements (if new windows or doors are to match any existing features of the house)*
- *For structures within the North Slope Historic District, refer to the North Slope Design Guidelines for more information about design. Contact the Historic Preservation Officer for more information.*



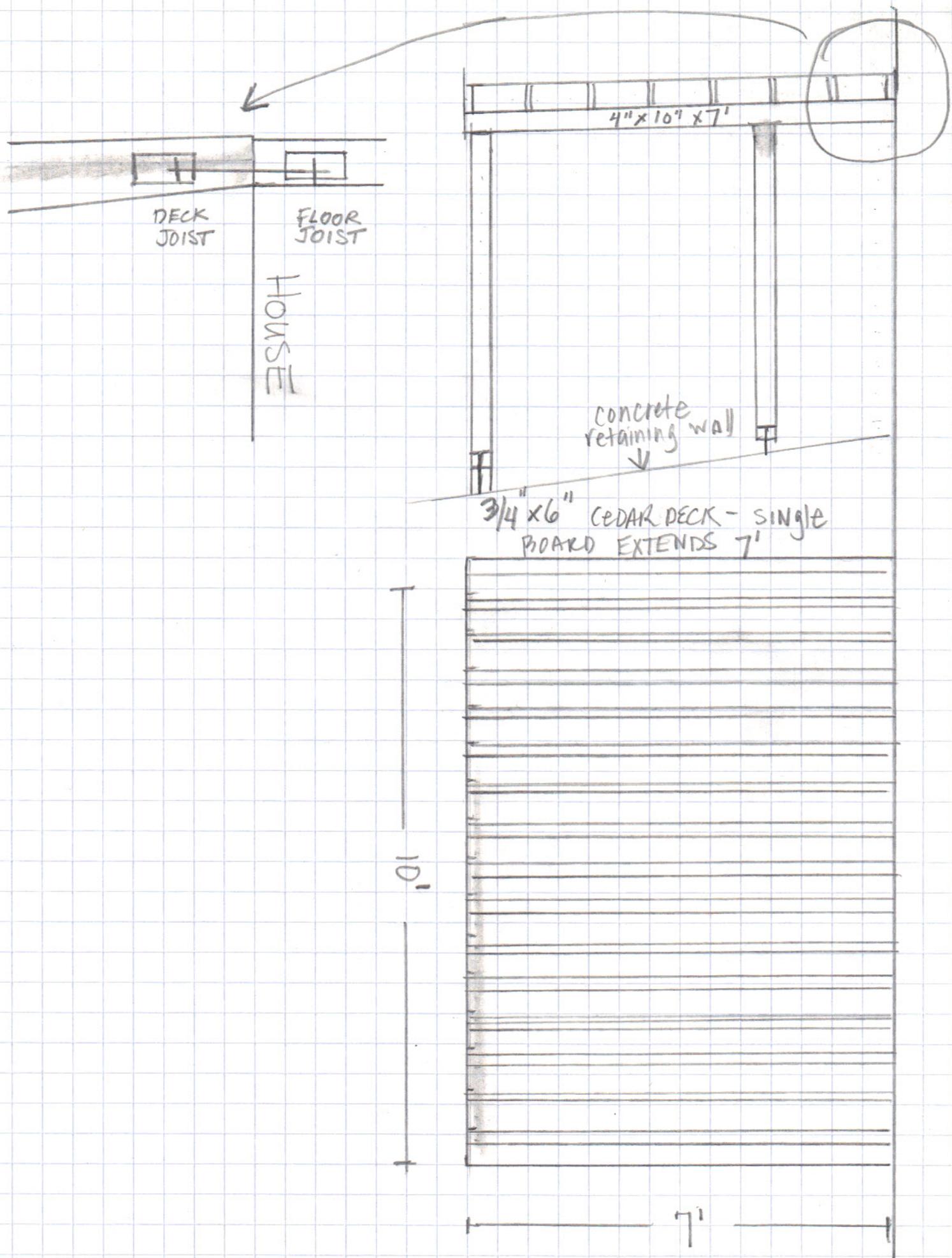
Railing System to  
Match existing  
(see pictures)  
plus seating.

BRACES  
2" x 6"  
pressure  
treated  
wood

2" x 8" Joists 14" o.c.



1/2" =  
1'



DECK  
JOIST

FLOOR  
JOIST

HOUSE

4" x 10" x 7'

concrete  
retaining wall  
↓

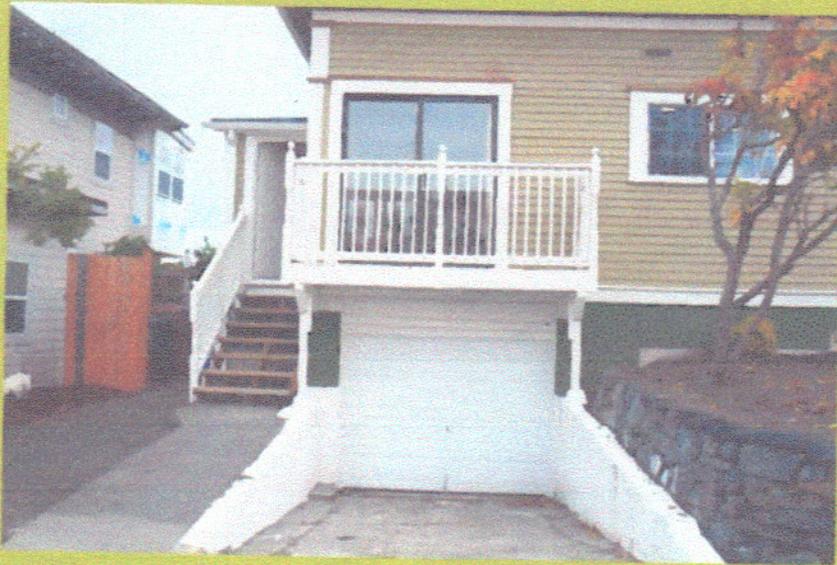
3/4" x 6" CEDAR DECK - SINGLE  
BOARD EXTENDS 7'

10'

7'



West View



Street View



Close Up Street



West View



'K' St. View

N  
S

PROPERTY LINE

1021 N. 12<sup>TH</sup> ST.

Entry Porch

Replace Sliding glass door

2'

5'

10'

existing deck (2' x 10')

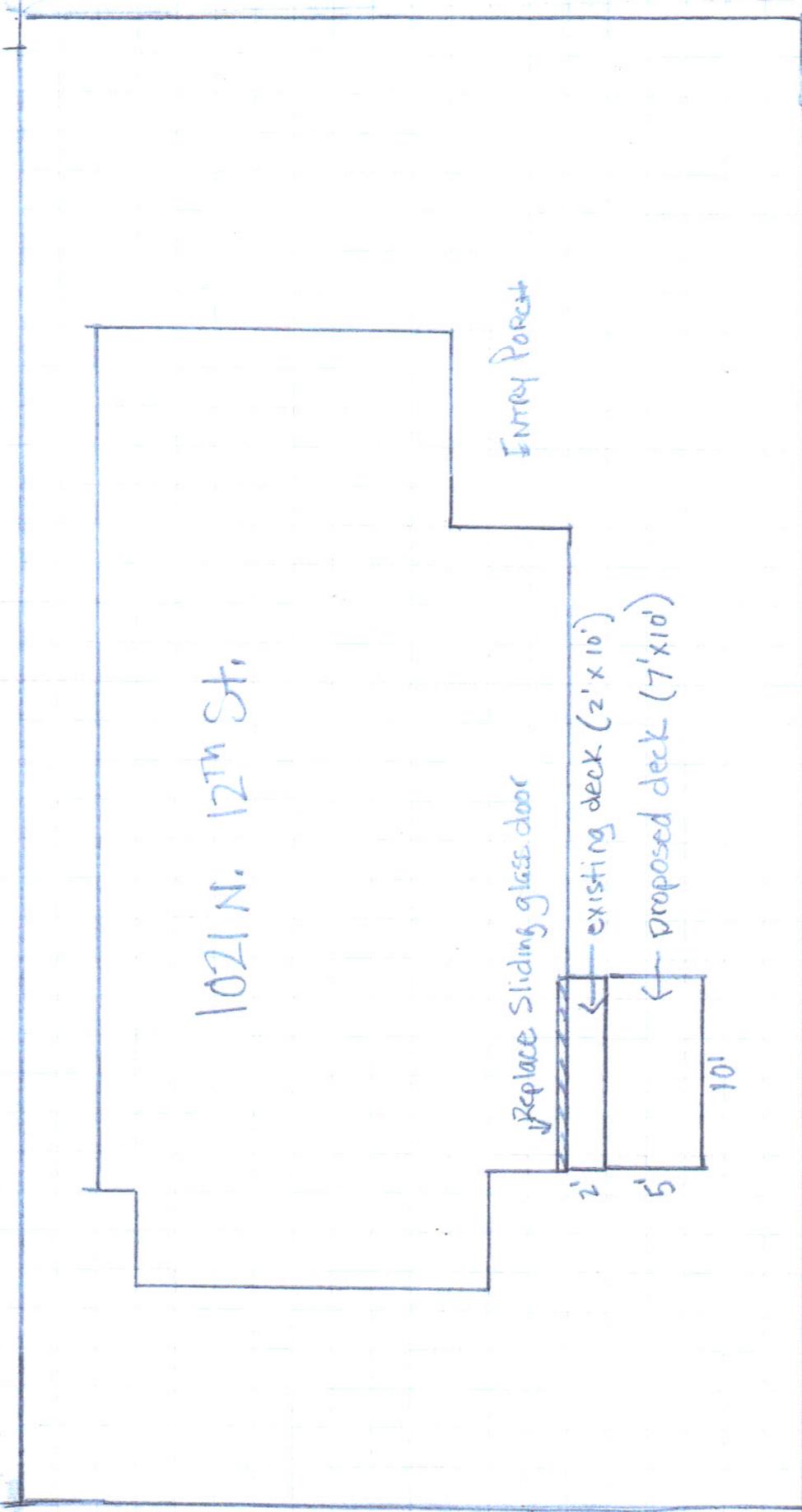
proposed deck (7' x 10')

PROPERTY LINE

SIDE WALK

16' Street

12<sup>TH</sup> North



**Landmarks Preservation Commission**  
Planning and Development Services Department



747 Market Street ❖ Floor 3 ❖ Tacoma WA 98402-3793 ❖ 253.591.5220

**APPLICATION FOR DESIGN REVIEW  
FOR SINGLE FAMILY RESIDENTIAL PROPERTIES**

Please include ALL of the following information with your application. Insufficient application materials will result in a delay in processing of your application. If you have any question regarding application requirements, or regulations and standards for historic homes and neighborhoods, please call the Historic Preservation Officer at 253.591.5220.

**PART 1: APPLICANT INFORMATION**

House Address 1216 N J St Landmark/Conservation District (if applicable) \_\_\_\_\_

**OWNER INFORMATION**

Name (printed) Joseph Baldwin Email JBALDWINVCO@GMAIL.COM

Address (if different than above) 4207 Kootenai St W, U.P., WA 98466 Phone 253 948 2133

Homeowner's Signature\* [Signature]

\*Application must be signed by the property owner to be processed.

**CONTRACTOR INFORMATION**

If application will be presented by a representative or contractor, please fill in the following:

Representative's Name \_\_\_\_\_ Company \_\_\_\_\_

Address \_\_\_\_\_

Email \_\_\_\_\_ Phone \_\_\_\_\_

**FOR OFFICE USE ONLY**

**PRELIMINARY PLAN CHECK**

CHECKED FOR BUILDING CODE:\* \_\_\_\_\_

LAND USE/ZONING:  
VARIANCE REQUIRED? \_\_\_\_\_ CUP REQUIRED? \_\_\_\_\_

\*PRELIMINARY PLAN CHECK IS NOT AN APPROVAL OF A PROJECT. A SEPARATE PERMIT APPLICATION MAY BE REQUIRED

**APPLICATION FEE (please see page 2)**

Estimated Project Cost, rounded to nearest \$1000 \$3,000

Application Fee Enclosed \$175

Rec'd 02.05.13

## PART 2: INFORMATION FOR APPLICANTS

### \*NEW\* FEE SCHEDULE

#### **New Fee Schedule for 2013**

On December 18, 2012 City Council approved a new general services fee schedule that includes new fees for design review and demolition review of historic buildings (Res. No. 38588). The new fees are as follows:

<b>Estimated project cost (determined by applicant)</b>	<b>Application Fee</b>
\$0 – 5000	\$175
Each additional \$1000	\$25
<b>Maximum fee</b>	<b>\$500</b>

#### **PLEASE NOTE:**

1. Fees are required only once per application.
2. If an application is denied by the Landmarks Commission, and a new application is submitted for the same project, new fees may apply.
3. Demolition fees are applied to cover the cost of public hearings, but may not be required for the removal of certain accessory structures.

## HOW TO USE THIS FORM

### **STEPS FOR APPLICANTS**

1. **Review the Standards and Guidelines for Historic Buildings.** Many homeowners want to know whether their project will be approved by the Commission ahead of the meeting. The Landmarks Commission reviews projects according to design guidelines and the Secretary of the Interior's Guidelines for Rehabilitation. This information is available online at [www.tacomaculture.org](http://www.tacomaculture.org).
2. **Fill out this form in its ENTIRETY.**
3. **Find the correct checklist for your project, and submit the required supporting documentation.** Part 4 of this form outlines which checklist to use for your project. There are three checklists, but you only need to use one.
4. **Submit your application for preliminary review to the Permit Intake Center of Planning and Development Services.** The Plans Reviewer will initial and date the cover sheet of this application. This ensures your application meets applicable codes and will avoid delays down the road. Your application will NOT be processed without this step.
5. **Submit it to the Historic Preservation Office with the APPLICATION FEE.** The Landmarks Commission meets on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of each month, and applications are due to this office **TWO WEEKS** in advance. When your application has been scheduled for review, you will be notified.

#### **WHERE TO GO:**

Permit Intake Center  
City of Tacoma, Planning and Development  
Services Department  
747 Market Street, 3<sup>rd</sup> Floor  
253-591-5030

### PART 3: PROJECT DESCRIPTION

Please describe below the overall scope of work, including all proposed new construction, changes to existing buildings, and any elements to be removed and replaced. *(For complex remodeling projects, it may be beneficial to divide the description into different areas [north façade, west façade] or by type of work [windows, doors, siding]).*

Attach additional pages if needed.

(see <sup>two</sup> attachments)

Next Pages for descriptions  
on windows,  
staircase,  
Chimney removal

## Landmarks Preservation Commission

In an attempt to better the functionality, livability, and safety of my property I would like to make the following adjustments.

-I wish to fill in a window in the kitchen and match the existing siding after it's filled. It is a single hung vinyl window, as you can see in photos. It sits behind the cantilever bump out on the north side of the house. It is only visible from the back/side of the property. This is being done so that there is a reasonable spot to put the range and refrigerator in the kitchen. As of now, either the range or the refrigerator would need to sit directly in front of a window. This is not safe or functional.

I would also like to replace a basement window. It currently sits behind the hose wheel shown in the photo. I'm not sure why a previous owner boarded over it, but the opening is existing as you can see from the interior picture. It is a 24x32" basement window. It is the only basement window on the North side of the house. That said, it would provide a great deal of important natural light to the basement. Externally, the window is only visible from the North side of the house, as it sits behind the bushes shown in my photo. I will match the new window to the single hung vinyl windows that are present through the entire home. There will be no trim/casing, as it sits in the concrete foundation.

Lastly, I need to replace the steps that lead down from the back porch into the backyard. They are rotted through and are a major hazard to the property. I will rebuild the staircase to match the existing staircase in size and design. The lumber used will be sunwood/pressure treated. The rail will be rebuilt to code, which means it will need to be changed from its current form. The railing will be built with 2x2" balusters and a 2x4" top rail. All of this will be built with sunwood as well.

Rec'd 02.06.13

## Landmarks Preservation Commission

### Foundation/Chimney

When I purchased 1216 n J St, the foundation that supports the front third of the home was in a severely degraded state. Before starting any of the work we could see that the chimney had detached itself from the house causing water intrusion to the basement. This water intrusion rotted out several floor joists where they butted up against the foundation of the fireplace and extending out into the South side of the front room. The front room was quite unlevel due to this and more severe underlying foundation issues, which we found as we went on.

The two major underlying issues that caused most of the movement were large tree roots intruding underneath the foundation and a foundation with no front footings sitting on soft, unpacked soil.

Some time ago there was a large tree that grew in close proximity to the Southeast corner of my house. The roots grew directly under the foundation, or possibly the foundation was placed directly on existing roots when it was poured. I obviously can't tell you which was the case, but what we found was the remnants of large tree roots sprawled out under much of that corner of the foundation as well as under the chimney's foundation. Years removed from this tree being taken out, the roots now crumbled in many places and left gaps in the soil where they once grew. While the living roots likely once pushed the foundation upward, the crumbling roots did just the opposite, allowing the foundation and chimney to shift dramatically.

What we did to repair the foundation and floor and to stop water intrusion was to remove the chimney, replace rotten floor joists, and pour new footings under the front foundation wall. These repairs were necessary for the integrity of the structure.

Rec'd 02.06.2013

## PART 4: SUPPLEMENTS

### How to Use This Table

The following is a table of common projects divided into Categories. For each Category of work there is a corresponding checklist designed to help you include the information required for your application.

Find the type of work you are proposing, and download the corresponding checklist to attach to your application.

Checklists are available from the Historic Preservation Office, and on our website at [www.tacomaculture.org/historic.asp](http://www.tacomaculture.org/historic.asp)

If you have any questions regarding what information should be included in your application, please call the Historic Preservation Office at 253-591-5220.

**NOTE: ONLY USE ONE CHECKLIST**

<input type="checkbox"/> Use Checklist A for:	Detached garages New porches Decks Additions Foundations Other Major Work (call the Historic Preservation Officer with questions)	p. 5
<input type="checkbox"/> Use Checklist B for:	Siding Roofing New window or door openings Other Minor (For example, chimney restoration)	p. 6
<input type="checkbox"/> Use Checklist C for:	Windows (replacement or restoration of existing) Doors (replacement or restoration of existing)	p. 7

## RESIDENTIAL APPLICATION CHECKLIST A

(For Garages, Porches, Decks, Additions, Foundations and other Major Projects)

CHECKLIST to include the following:\*

<input type="checkbox"/>	Accurate Measured Site Plan (which shows ridgelines and dormers of <u>existing</u> and <u>new</u> buildings)
<input type="checkbox"/>	Accurate Measured Elevation Drawings (all sides, with dimensions, siding materials, windows, and doors indicated)
<input type="checkbox"/>	Photograph(s) of Site and surrounding area
<input type="checkbox"/>	Detail illustrations of trim, casing, balusters, posts and railings (if applicable)
<input type="checkbox"/>	Material samples (ie. stained glass, or if proposing uncommon material)
<input type="checkbox"/>	Paint samples (from hardware store)

In addition to the above, please provide the following information:

Size of new construction (footprint, i.e. 22 X 30'):	_____
Overall height and pitch of roof (for new buildings):	_____
Exterior cladding material(s):	_____
Window types and materials:	_____
Door types and materials:	_____
Window trim (attach drawings, catalog sheets, etc. if necessary):	_____
Roof Material:	_____

### \*ADDITIONAL TIPS

- Drawings required for building permits can often be used for Landmarks Review, as long as information regarding finish detail, exterior materials, and windows and doors are indicated.
- For information about drawing site plans, please refer to BLUS Publication B1, Site Plan
- Elevations should be scale drawings and should include dimensions, heights, window and door locations, eave overhangs, trim details, and the locations of materials and other elements.
- Please include a photograph of existing house (for new garages if the new garage is to match any existing features of the house)
- For structures within the North Slope Historic District, refer to the North Slope Design Guidelines for more information about design. Contact the Historic Preservation Officer for more information.

**RESIDENTIAL APPLICATION SUPPLEMENT CHECKLIST B**  
**(For New Siding, Roofing, and Window and Door Openings)**

CHECKLIST to include the following:\*

<input type="checkbox"/>	Elevation drawings (if new windows or doors are to be added where there no existing ones)
<input type="checkbox"/>	Photograph(s) of work area(s)
<input type="checkbox"/>	Detail illustrations of trim and casing
<input type="checkbox"/>	Material samples (if proposing uncommon or new to market material)
<input type="checkbox"/>	Paint samples (from hardware store if applicable)

In addition to the above, please provide the following information:

Proposed Material(s):	_____
Window types and locations:	_____
Exterior cladding material(s):	_____

**\*ADDITIONAL TIPS**

- Drawings required for building permits can often be used for Landmarks Review, as long as information regarding finish detail, exterior materials, and windows and doors are indicated.
- Elevations should be scale drawings and should include dimensions, heights, window and door locations and trim details.
- Please include a photograph of existing examples (if the new features are to match any existing features of the house)
- For structures within the North Slope Historic District, refer to the North Slope Design Guidelines for more information about design. Contact the Historic Preservation Officer for more information.

## RESIDENTIAL APPLICATION SUPPLEMENT CHECKLIST C (for Window and Door Replacement and Restoration)

CHECKLIST include the following:\*

- Photograph(s) of work area(s) with locations of work indicated (i.e. in pen)
- Detail illustrations of trim and casing and window profiles
- Catalog cut sheets or product samples

In addition to the above, please provide the following information:

Narrative list of window and door  
types and locations:

Replacing basement window with double hung vinyl window to match.  
No trim or casing as it sits in the concrete foundation.

### \*ADDITIONAL TIPS

- Drawings required for building permits can often be used for Landmarks Review, as long as information regarding finish detail, exterior materials, and windows and doors are indicated..
- Please include a photograph of example elements (if new windows or doors are to match any existing features of the house)
- For structures within the North Slope Historic District, refer to the North Slope Design Guidelines for more information about design. Contact the Historic Preservation Officer for more information.



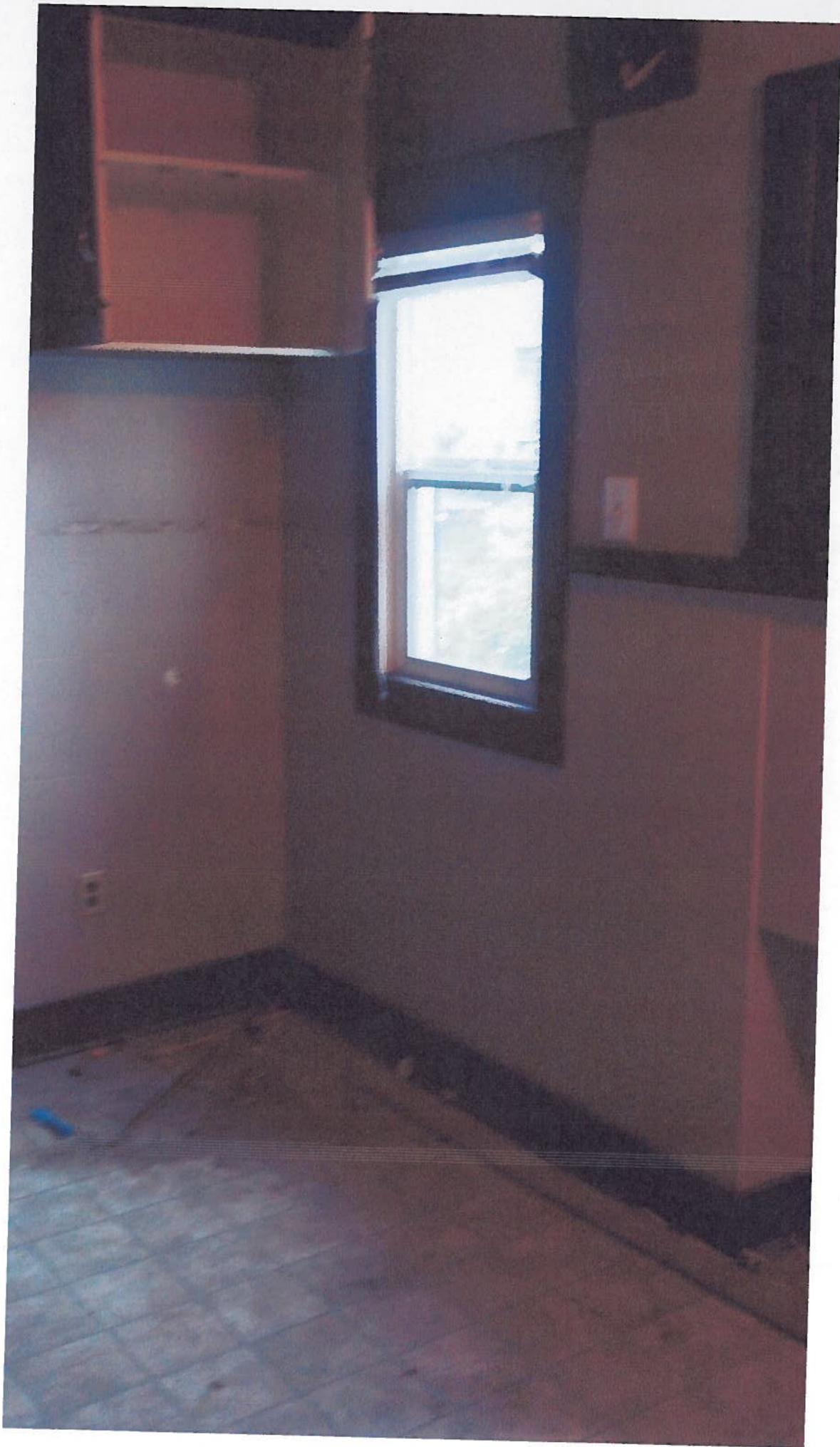




Kitchen  
Window



Kitchen  
Window to  
be filled



Kitchen  
Window to  
be filled



Covered window  
opening



Covered window  
Basement interior





Side Elevation –kitchen/dining cantilever section; covered window opening replaced with installation of one vinyl single hung window- no change to existing opening size



Side rear – enclosed porch area

Rebuild staircase to code with 2inch baluster & top rail –Sunwood treated





Front side elevation—site of removed chimney.



Exterior side – location of tree roots at foundation / chimney area.





Interior where chimney had been located. The roots /underfloor







# NORTH J ST.

312

T.H.

NORTH J  
1228  
1776

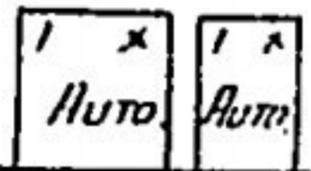
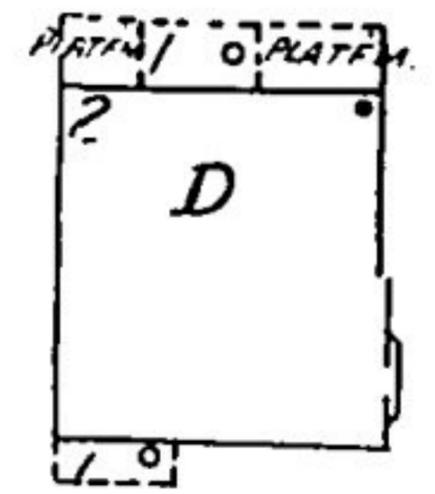
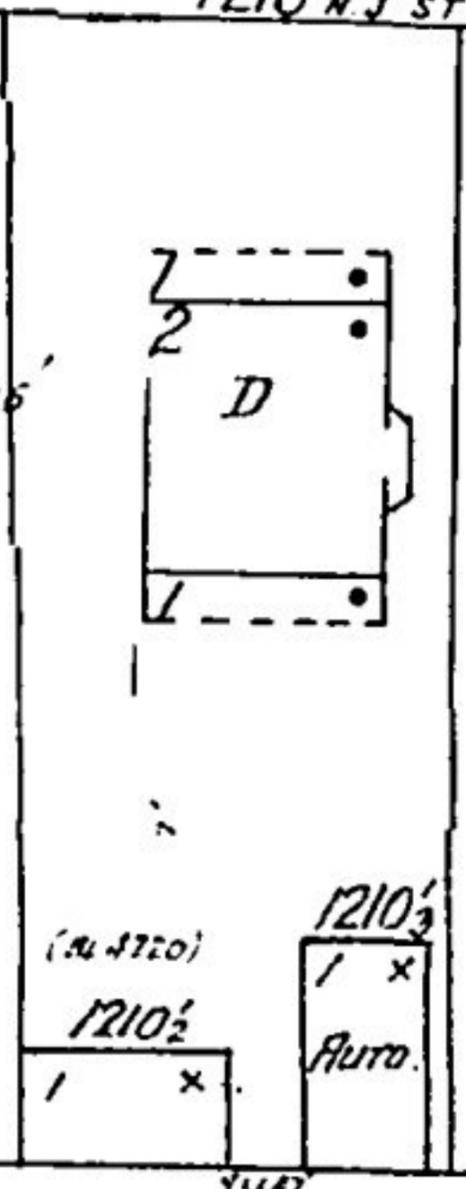
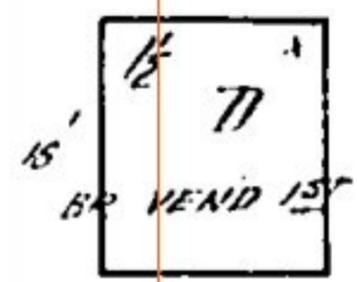
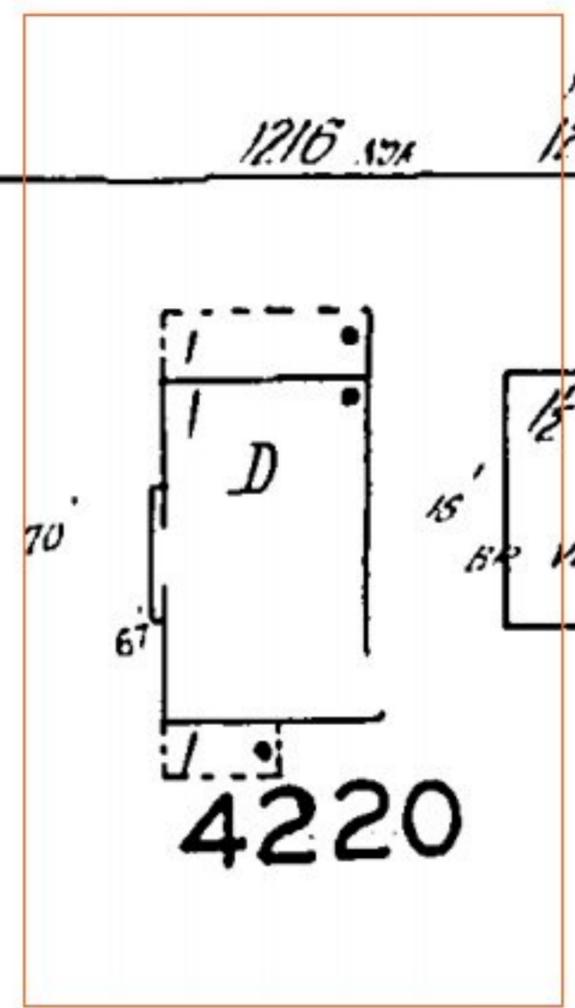
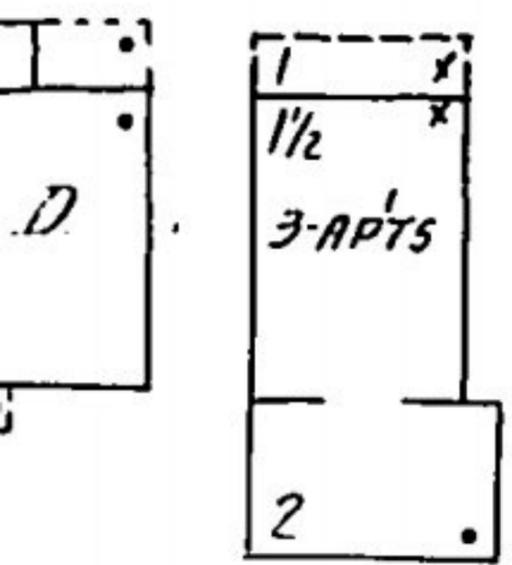
NORTH J.  
1224

1216 N.J.

1214  
1212 NORTH J

1210 N.J. ST.

1202 J ST.



1216 N J<sup>St</sup>

Tacoma Landmarks Commission  
747 Market Street  
Tacoma, WA 98402

Rec'd LPC 01-23.13  
Cook

January 21, 2013

Dear Commissioners,

We are neighbors of the property at 1216 North J. St. and we are anxious to see the new owner preserve the property according to the guidelines of the North Slope Historic District during his remodeling of the house.

Given the guidelines, we suggest that a second story is inappropriate, and any additions should be at the rear of the house, where such placement would not be visible from the street.

The North Slope Historic District is made up of a variety of large and small houses built over a span of nearly 80 years, and small houses such as 1216 N. J. are an integral part of the historic fabric of our neighborhood. Please help us preserve it.

Sincerely, Deboesh Sandridge 1202 N J St.

Chris + Noelle Bunn 1017 N 12<sup>th</sup> St, 98403

Marcie Asborn 1021 N. 12<sup>th</sup> St. Tacoma 98403

Burgard K Casse 1210 N J Tacoma 98403

Ad Wicks 1226 N J St, TACOMA, WA 98403

Chris A. M 1230 N. J Tac 98403

Kyle Schneidmiller 1732 N Steele WA 98406

Chris Bayman 1912 N. Steele St. 98406

Wendy Bayman 1912 N Steele St 98406

Elyzabeth K Miller 1725 No. Steele 98406

WILLIAM EVESKAGE 1721 N. STEELE ST. 98406

Amy Eveskage 1721 N. Steele St. 98406

Knoli Dopy 1223 N J St 98403  
AP 1223 N J St 98403

Marty Webb 1215 N. K. St 98403

**CODE ENFORCEMENT STRATEGY FOR HISTORIC BUILDINGS**  
**FEBRUARY 6, 2013**

**Introduction**

The City is currently in the process of updating the Minimum Building and Structures Code (MBSC), which includes several significant amendments that are intended to improve the City's protection of historic buildings and provide better opportunities to abate substandard buildings through historic rehabilitation.

During this process the City has received productive feedback and specific suggestions regarding treatment of historic buildings from the community, including Historic Tacoma. We believe that concerns and suggestions offered by interested parties, such as Historic Tacoma, can be successfully addressed through a multi-step process that includes amendments to the MBSC, as well as changes in certain policies and procedures, including the prioritizing the protection of historic structures in the code enforcement process.

As an interim step to this process the City will be moving forward with an update to the MBSC over the next several months. At the same time, the City will continue to explore a broader set of code enforcement reforms and administrative policy implementation that to better integrate the public interest in a safe, clean and attractive community with the interest in preserving heritage and civic identity.

**Operational Prioritization Strategies**

***"Early Warning Systems"***

***Substandard properties on Historic Tacoma's "Watch list"***

The City will develop an "early warning system," which is already provided for in the MBSC Section 2.01.060 D 1, Non-Standard Property Warning. This allows the City to send a warning notice to Non-Standard properties. We will use this approach for properties on Historic Tacoma's "watch list" and other properties which could benefit from this type of inspection.

***Substandard and Derelict team coordination***

When a property is Derelict or Substandard and is on one of the registers or within a historic or conservation districts, we will make it a policy to notify the Historic Preservation Officer. The Historic Preservation Officer will coordinate to notify Historic Tacoma and the Landmarks Preservation Commission. We are currently working on an automated email notification system which we hope to have in place over the next six months.

***Work without permits***

The HPO is now getting notification all activity where a property owner is working on a site without permits. This allows the for better communication with permitting staff.

### **Direct Outreach to Watch List Property Owners**

The Historic Preservation Officer will continue to pursue direct outreach to some of the owners of these properties to ensure they are aware of incentive programs and the City's interest in preservation.

### **Prioritization of historic properties for compliance**

We will prioritize those properties which are derelict and are on one of the registers to ensure property owner compliance. We will work closely with the Historic Preservation Office on these properties.

### **Create searchable list of derelict and dangerous properties**

Currently on the GovMe site it is possible to search open cases in these categories. We will be working with IT over the next year to make these searches more user-friendly.

## **Implementation**

### **Public Notice Procedures**

- **Dangerous Buildings**

Currently the Historic Preservation Officer is put on Notice regarding Dangerous Buildings. We will rely on the HPO to notify local preservation partners about upcoming Dangerous Building Hearings involving historic buildings.

- **Substandard and Derelict**

When a property is Derelict or Substandard and is on one of the registers or within a historic or conservation districts, we will make it a policy to notify the Historic Preservation Officer. We are currently working on an automated email notification system which we hope to have in place over the next six months.

### **Cultural Resource Inventory**

As the GIS-based Cultural Resource Inventory is finalized we will work with the Historic Preservation Office to integrate it into our information system used by Code Enforcement staff and utilize this as an additional notification tool.

### **Owner resource information**

Attached is a draft of a resource sheet we will be sending with all building related cases. We will continue to review and improve it as needed.

### **Environmental responsibility and re-use**

As part of the Dangerous Building process when the City is forced to demolish historic properties on one of the registers, we will seek bids for the deconstruction of the building or parts thereof as an alternate to demolition.

## **Regulatory Code Changes – Short Term**

### **Improved Code flexibility**

In addition to the other proposed improvements relating to historic buildings already contained in the draft MBSC, under 2.01.060.G.8.b.11 the code will be changed to read “If the costs of the repairs exceeds 50 percent of the assessed value of the building, the Hearing Officer **may (instead of shall)** recommend that the building be demolished.”

Code Compliance is committed to on-going discussion with Historic Tacoma and the Landmark Preservation Commission as we update the Minimum Building and Structures Code and as we look toward to continuing the evaluation of this code and others.

### **Timeline**

#### ***First Quarter***

Meeting with Historic Tacoma

Meeting with Landmarks Preservation Commission

Tentative meeting with the North Slope Historic District

Take draft back to Building Board of Appeals

#### ***Second Quarter***

City Council Committee Review and Council Adoption

Draft 14 (2/4/13)

Chapter 2.01

MINIMUM BUILDING AND STRUCTURES CODE

Sections:

- 2.01.010 Title.
- 2.01.020 Purpose.
- 2.01.030 Scope.
- 2.01.040 Additions, alterations, and change of use.
- 2.01.050 Definitions.
- 2.01.060 Administration and Process.
- 2.01.070 Minimum building requirements.
- 2.01.080 Repair standards.
- 2.01.090 Unoccupied or vacant building standards.
- 2.01.100 Repealed.
- ~~2.01.110 Recovery of Costs and Expenses.~~

~~2.01.120 Repeat Offenders.~~ **2.01.010 Title.**

This Title shall be known as the "Minimum Building and Structures Code," and is referred to herein as "this chapter." (Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 21454 § 1; passed Aug. 29, 1978; Ord. 17842 § 1; passed May 18, 1965; Ord. 15742 §§ 1-13; passed Nov. 13, 1956)

**2.01.020 Purpose.**

The purpose of this chapter is for the protection of the health, safety, and welfare of the occupants and that of the general public by:

- A. Establishing minimum standards for basic equipment and facilities for construction, light, ventilation, heating, sanitation, security, fire, and life safety in structures.
- ~~B. Ensuring the maintenance and improvement of the City's existing buildings, structures, yards, streets, neighborhoods, and other property.~~
- C. Avoiding the closure or abandonment of buildings and the displacement of occupants.
- D. Encouraging the use of innovative and economical materials and methods of construction while maintaining minimum levels of safety in buildings in the City.
- E. Promoting maintenance of existing property by recognizing differences between new and existing structures as long as an equal level of safety can be achieved.

F. Providing for administration and enforcement of this chapter. (Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 21454 § 2; passed Aug. 29, 1978; Ord. 16384 § 2;

passed June 29, 1959; Ord. 15742 §§ 1-13; passed Nov. 13, 1956)

**2.01.030 Scope.**

The provisions of this chapter shall apply to all buildings and the properties on which they are located, including, but not limited to, residential, commercial, and industrial uses. Buildings in existence at the time of the adoption of this chapter may have their existing use or occupancy continued, if such use or occupancy was legal at the time of the adoption of this chapter, provided such use is not changed in intensity from its original purpose and such continued use is not dangerous to the health, safety, or welfare of the occupants or the general public. Buildings in which the use is changed to a use of equal or less intensity as set forth in the JEBEC may be permitted without full compliance with the Building Code, provided the building complies with this chapter and the JEBEC for said use. (Ord. 26715 § 1; passed Oct. 17, 2000; Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 15742 §§ 1-13; passed Nov. 13, 1956)

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**2.01.040 Additions, alterations, and change of use.**

A. General. Buildings and structures to which additions, alterations, or changes of use are made shall comply with the applicable requirements of the Building Code for new facilities, except as specifically provided in this section. See the Building Code for provisions requiring installation of smoke detectors in existing Group R Occupancies.

B. When Allowed. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any of the provisions of the Building Code or this chapter, nor shall such additions or alterations cause the existing building or structure to become unsafe. An unsafe condition shall be deemed to have been created if an addition or alteration will cause the existing building or structure to become structurally unsafe or overloaded; will lessen or render unsafe existing egress systems complying with the requirement for the use in effect at the time the building was constructed, and approved by a certificate of occupancy; or will reduce required fire resistance or will otherwise create conditions dangerous to human life.

Deleted: Encouraging

Additions or alterations shall not be made to an existing building or structure when such existing building or structure is not in full compliance with the provisions of the Building Code.

Tacoma Municipal Code

Exceptions:

1. When such addition or alteration will result in the existing building or structure being no more hazardous based on life safety, fire safety, and sanitation, than before such additions or alterations are undertaken, and such addition or alteration is in compliance with the JIBC. (See the Building Code for Group H, Division 6 Occupancies.)

2. Alterations of existing structural elements, or additions of new structural elements, which are not required by this chapter or the Building Code and which are initiated for the purpose of increasing the lateral-force-resisting strength or stiffness of an existing structure need not be designed for forces conforming to the Building Code, provided that an engineering analysis is submitted to show that:

- a. The capacity of existing structural elements required to resist forces is not reduced, and
- b. The lateral loading to required existing structural elements is not increased beyond their capacity, and
- c. New structural elements are detailed and connected to the existing structural elements as required by the Building Code, and
- d. New or relocated non-structural elements are detailed and connected to existing or new structural elements as required by the Building Code, and
- e. An unsafe condition as defined above is not created.

C. Non-structural. Alterations or repairs to an existing building or structure which are non-structural and do not adversely affect any structural member or any part of the building or structure having required fire resistance may be made with the same materials of which the building or structure is constructed.

D. Window Replacement. The installation or replacement of window shall be as required for new installations. Historic structures may qualify for an exemption from this requirement per section F below.

E. Restoration of Buildings. Restoration of buildings may be required to be in accordance with the applicable provisions of the Building Code and this chapter.

F. Buildings Designated as Landmarks or Located in Historic Special Review or Conservation Districts, Buildings or structures which are designated as City Landmarks or are located in designated Historic Special Review or Conservation Districts shall require the approval of the City of Tacoma Landmarks Preservation Commission before making additions, repairs, or alterations to the building or structure, per before demolishing the building or structure.

Tacoma Municipal Code (TMC) 13.05. (Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 16384 § 3; passed Jun. 29, 1959; Ord. 15742 §§ 1-13; passed Nov. 13, 1956)

**2.01.050 Definitions.**

For the purpose of this chapter, certain terms, phrases, words, and their derivatives shall be construed as specified in this section. Terms, phrases, and words used in the singular include the plural, and the plural the singular. Terms, phrases, and words used in the masculine gender include the feminine, and feminine the masculine.

Where terms, phrases, and words are not defined herein, their definition shall be taken from the Building Code and, if not defined therein, shall have their ordinary accepted meaning within the context which they are used. Any definitions which are in conflict or are not referenced by this chapter shall refer back to the building code currently adopted and amended by chapter 2.02. Any definitions which are not referenced in the Building Code as adopted and amended by 2.02, the Webster's Third New International Dictionary of the English Language, Unabridged, most current version, shall be considered as providing ordinary accepted meanings.

“Accessory structure” is any structure which is incidental and subordinate to the main building(s) and is located on the same property as the main building. Accessory structures may be attached to or detached from the main structure. Examples of accessory structures include: garages, carports, sheds, and other similar buildings; decks, awnings, heat pumps, fences, trellises, flag poles, tanks, towers, exterior stairs and walkways, and other exterior structures on the property.

“Accessory use” is a use customarily incidental and subordinate to the main building or principal use and located on the same lot.

“Apartment house” is any building, or portion thereof, which contains three or more dwelling units and, for the purpose of this chapter, includes condominiums.

“Approved” (as to materials and types of construction) refers to approval by the Building Official as the result of investigation and tests conducted by the Building Official, or by reason of accepted principles or tests by recognized authorities, or technical or scientific organizations.

“Bathroom” is a room used for personal hygiene and which contains a water closet, a lavatory, and either a bathtub or a shower.

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Deleted: “Basement” is any floor level below the first story in a building, except that a floor level in a building having only one floor level shall be classified as a basement, unless such floor level qualifies as a first story as defined herein.

Tacoma Municipal Code

“Bathtub” is a container for personal washing, large enough to allow the person to sit partially submerged in water.

“Blight” is a condition of deterioration, dilapidation, decay, or substandard maintenance of buildings, structures, and/or properties which constitutes a menace to the health, safety, or welfare of the public or which negatively affects the value of surrounding property.

“Blighting conditions” are violations of this chapter, the Building Code, or other City ordinances, which are determined by the Building Official to be detrimental to the health, safety, or welfare of the public.

“Boarding house” is a lodging house in which meals are provided.

“Building” is any structure used or intended for supporting or sheltering any use or occupancy.

“Building, existing” is a building erected prior to the adoption of this chapter, or one for which a legal building permit has been issued.

“Building Code” shall mean the Building Code as adopted and amended by Chapter 2.02 of the Tacoma Municipal Code.

“Building Inspector” is an authorized representative of the Building Official, whose primary function is the inspection of buildings and/or the enforcement of the City ordinances.

“Building Official” shall mean the individual authorized by the director of Planning and Development Services Department of the City of Tacoma, charged with the administration and enforcement of the Building Code, or his or her duly authorized representatives.

“Ceiling height” shall be the clear vertical distance from the finished floor to the finished ceiling.

“Certificate of Complaint” is a Findings of Fact and Order, or other document, filed with the Pierce County Auditor, stating the property is in violation of Chapter 2.01 of the Tacoma Municipal Code.

“City” means, the City of Tacoma.

“City landmark” is a property that has been individually listed on the Tacoma Register of Historic Places, or that is a contributing property within a Historic Special Review or Conservation District as defined in Chapter 13.05 of the Tacoma Municipal Code.

“Court” is a space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

“Dangerous buildings or structures” means, for the purpose of this chapter, any building or structure having conditions or defects which exist to the extent that the health, safety, or welfare of the public or its occupants are endangered. Specific conditions which determine whether a building is dangerous are listed in Table E – Dangerous Buildings and Structures, in Section 2.01.060.

“Derelict buildings or structures” means, for the purposes of the chapter, any building or structure where conditions exist which make the building or structure unfit for human occupancy. Specific conditions which determine whether a building or structure is derelict are listed in Table D – Derelict Buildings or Structures, in Section 2.01.060.

“Efficiency dwelling unit” is a dwelling unit containing only one habitable room.

“Enforcement” is the administrative process, within the legal authority of federal, state, and local law that permits the City to assure compliance with the provisions of this chapter.

“Exit” is a continuous and unobstructed means of egress to a public way and shall include, but is not limited to, intervening aisles, doors, doorways, gates, corridors, exterior exit balconies, ramps, stairways, pressurized enclosures, horizontal exits, exit passageways, exit courts, and yards.

“Exterior property area” is the open space on the premises and on public property abutting the premises under the control of the owner or on-site manager of such premises.

“Extermination” is the elimination of insects, rodents, vermin, or other pests at or about the affected building.

“Family” is an individual or two or more persons related by blood or marriage, or a group of not more than five persons (excluding household employees) who need not be related by blood or marriage, living together in a dwelling unit.

“Final Order” means any order of the Board of Building Appeals, Hearing Examiner or Hearing Officer, where an appeal is not filed within the time provided by law.

“Fire Chief” is the head of the Tacoma Fire Department or a duly authorized representative.

“Floor area” is the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.

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Deleted: “Dormitory” means:¶  
A. A college or university residence hall, including sorority or fraternity buildings; or¶  
B. A room containing three or more beds and serving as communal sleeping quarters.¶  
C. See also congregate residence.¶

Deleted: “Dwelling” is any building or portion thereof which contains not more than two dwelling units.¶

Deleted: “Dwelling unit” is any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking, and sanitation, as required by this chapter, for not more than one family, or a congregate residence for ten or less persons.¶

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Deleted: “Congregate residence” is any building, or portion thereof, which contains facilities for living, sleeping, and sanitation, as required by this chapter, and may include facilities for eating and cooking for occupancy by other than a family. A congregate residence may be a shelter, convent, monastery, dormitory, or fraternity or sorority house, but does not include jails, hospitals, nursing homes, hotels, or lodging houses.¶

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“Grade” (adjacent ground level) is the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than 5 feet from the building, between the building and a line 5 feet from the building.

“Graffiti” is any unauthorized writing, painting, drawing, inscription, figure, or mark of any type that has been placed upon any property through the use of paint, ink, chalk, dye markers, objects, or any other substance capable of marking property.

“Guest” is any person renting or occupying a room for living or sleeping purposes.

“Guest room” is any room or rooms used, or intended to be used, by a guest for sleeping purposes. Every 100 square feet of superficial floor area in a dormitory is a guest room.

“Habitable space” or “habitable room” is space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.

“Health Officer” is the Director of the Tacoma-Pierce County Health Department, or his or her duly authorized representatives.

“Hearing Officer” is the Director of the Planning and Development Services Department, or a duly authorized representative.

“Historic resource” is any property that has been determined to be eligible by the City Historic Preservation Officer or Washington State Department of Archaeology and Historic Preservation staff for listing in the Tacoma Register of Historic Places, the Washington State Heritage Register, or the National Register of Historic Places, or any property that appears to be eligible for such listing by virtue of its age, exterior condition, or known historical associations, or inclusion in the City Historic Building Inventories.

“Hotel” is any building containing six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied, for sleeping purposes by guests. It does not include any jail, hospital, asylum, sanitarium, orphanage, prison, detention home, or other institution in which human beings are housed and detained under legal restraint.

“IEBC” is the International Existing Building Code, as adopted and amended by the City in Chapter 2.02 of the Tacoma Municipal Code.

“Improper” shall mean unsuitable, inappropriate, or not up to acceptable minimum standards.

“Infestation” is the presence of insects, rodents, vermin, or other pests to a degree that is harmful to the building or its occupants.

“Inspection” is the examination of property by the Building Official, or his or her duly authorized representative, for the purpose of evaluating its condition as provided by this chapter.

“Interested party” is any person or entity that possesses any legal or equitable interest of record in a property, including, but not limited to, the holder of any lien or encumbrance on the property.

“Kitchen” shall mean a room used, or designed to be used, for the preparation of food.

“Lavatory” is a fixed wash basin connected to hot and cold running water and the building sanitary waste system and used primarily for personal hygiene.

“Licensed care” shall include buildings, structures, or portions thereof, used for the business of providing licensed care to clients in one of the following categories regulated by either the Washington State Department of Health or the Washington State Department of Social and Health Services:

- A. Adult family home.
- B. Adult residential rehabilitation facility.
- C. Alcoholism - intensive inpatient treatment service.
- D. Alcoholism - detoxification service.
- E. Alcoholism - long-term treatment service.
- F. Alcoholism - recovery house service.
- G. Boarding home.
- H. Group care facility.
- I. Group care facility for severely and multiple handicapped children.
- J. Residential treatment facility for psychiatrically impaired children and youth.

Exception: Where the care provided at an alcohol detoxification service is acute care similar to that provided in a hospital, the facility shall be classified as a hospital.

“Maintenance” means keeping property in proper condition.

“Motel” (See Hotel).

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Deleted: “Local agent” is a person, firm, corporation, or other legal entity;¶  
A. Whose principal residence and/or property management office, and place of receiving mail, is located either within Pierce County or within a 50-mile radius of the Tacoma Municipal Building;¶  
B. Who is the person, firm, or corporation designated by the owner to receive official mail from the City regarding maintenance of the property and actions taken by the City under this chapter; and¶  
C. Who is authorized by the owner to act on behalf of the owner in such matters.¶

Deleted: “Lodging house” is any building or portion thereof containing not more than five guest rooms where rent is paid in money, goods, labor, or otherwise.¶

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“Nuisance” is any of the following:

A. Any public nuisance known at common law or as defined by legal court, especially nuisances defined in Chapter 8.30 of the Tacoma Municipal Code.

B. Whatever is dangerous to human life or is detrimental to health, safety and welfare.

“Occupancy” is the lawful purpose for which a building, or part of a building, is used or intended to be used.

“Occupant” is any person (including owner or on-site manager) occupying a structure or portion of a structure.

“On-site manager” is any person on site, representing the owner, who has charge, care, or control for the day-to-day operations of a building or portion of a building offered for occupancy.

“Owner” is any person, including any natural person, joint venture, partnership, association, club, company, corporation, business trust, or organization, or the manager, lessee, agent or officer, or having an interest in the real estate in question as indicated in the records of the office of the Pierce County Assessor, or who establishes, under this chapter, his or her ownership interest therein.

“Partially Secured” means a portion of a building sealed to the weather or unauthorized third-party entry.

“Person” is a natural person, his or her heirs, executors, administrators, or assigns, and also includes a firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

“Plumbing” or “plumbing fixture” is any water heating facilities, water pipes, vent pipes, garbage or disposal units, lavatories, water closets, urinals, bathtubs, shower baths, installed clothes-washing machines or other similar equipment, catch basins, sanitary waste systems, storm sewer systems, vents, or other similarly supplied fixtures, together with all connections to water, gas, sewer, or vent lines.

“Posted” is the placement of an official notice that a building or structure is in violation of this chapter. The notice is attached to the building or structure and states “MUST NOT BE OCCUPIED.”

“Public right-of-way” includes the area of land, the right of possession of which is secured by the City for right-of-way purposes and includes the traveled portion of the public streets and alleys, as well as the border area, which includes, but is not limited to, sidewalks, driveway approaches, planting strips, traffic circles,

parkways or medians, or the area between the sidewalk and the curb line.

“Recreational vehicle” is a vehicle constructed to be licensed for operation on streets, highways, and waterways. Recreational vehicles are designed to provide accommodations for sleeping, and may have cooking facilities, water closets, sinks, lavatories, showers, and similar plumbing facilities. The four classifications of recreational vehicles are, but not limited to:

A. Motor Home. A self-motorized recreational vehicle.

B. Residential or Travel Trailer. A recreational vehicle designed to be towed by a motorized vehicle, including fifth-wheel trailers, tent trailers, or similar types of vehicles.

C. Campers. A recreational unit designed to be installed in and used while in the bed of a truck.

D. Boats on Trailers.

“Resident” is a person who lives or dwells in a residential structure or similar buildings, including, but not limited to, dwelling units, apartments, congregate care homes, licensed care homes, hotels, motels, convalescent homes, and nursing homes.

“Residential property” is any property zoned exclusively for residential use or any property containing a residential structure.

“Residential rental property” is any property within the City containing a dwelling unit for which payment of money, goods and/or services is rented or leased to an individual or group of individuals.

“Residential structure” is any building containing one or more dwelling units.

“Restoration” means to return a building or structure to a state of utility through alterations and/or repairs. As applied to historic structures, it includes the preservation of those portions or features that are of historical, architectural, and cultural value.

“Roof” is an exterior element of a building, sloped less than 60 degrees from the horizontal, which provides weather protection to the spaces below.

“Secured” refers to a building which is sealed to unauthorized third-party entry.

“Service room” is any room used for storage, bath, or utility purposes, and not included in the definition of habitable rooms.

“Shall,” as used in this chapter, is mandatory.

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Deleted: “Shaft” is an interior space, enclosed by walls or construction, extending through one or more stories or basements which connects openings in successive floors, or floors and roof, to accommodate elevators, dumbwaiters, mechanical equipment, electrical equipment, or similar devices, or to transmit light or ventilation air.¶

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“Sink” is a fixed basin connected to hot and cold running water and a drainage system and primarily used for the preparation of food and the washing of cooking and eating utensils.

“Shower” is a compartment which is designed for the purpose of full personal washing of a person in the standing position.

“Skylight” is a glazed opening in a roof. Skylights can be either fixed or operable.

“Sleeping room” is any room designed, built, or intended to be used for sleeping purposes.

“Smoke detector” is an approved, listed device that senses visible or invisible particles of combustion.

“Solid fuel burning device” means any device for burning wood, coal, or any other non-gaseous and non-liquid fuel.

“Street” ~~whether improved or unimproved~~, is any thoroughfare or public way which has been dedicated or deeded to the public for public use.

“Substandard Property,” for the purpose of this chapter, shall mean a building or property where conditions exist which make the building substandard. Specific conditions which determine whether a building or property are maintained in a substandard manner are listed in Table B – Substandard Property, and/or Table C – Fire and Life Safety Hazards, in Section 2.01.060. A substandard building or property may be occupied when, in the opinion of the Building Official, the conditions are not an immediate threat to health, safety, or welfare of the occupants.

“Toilet”. See “water closet”.

“Transient occupancy” is the occupancy of a dwelling unit in a hotel where the following conditions are met:

- A. Occupancy is charged on a daily basis and is payable no less frequently than every two weeks;
- B. The operator provides maid and linen service on a regular basis;
- C. The period of occupancy does not exceed 30 days; and
- D. If the occupancy exceeds five days, the occupant has a business address or a residence other than at the hotel.

“Unoccupied” is the condition where a building is not being used at present, but there is the general appearance of an intent to reoccupy the building in the future. Furnishings may or may not have been removed.

“Unsecured” refers to any building or structure in which doors, windows, or apertures are open or broken so as to allow unauthorized third-party entry.

“Vacant” is the condition where a building is not being used at present, and there is a general appearance of abandonment.

“Vermin” is an all inclusive term used to define unwanted, non-human, biological life and shall include, but not be limited to, mice, rats and other rodents, ants, fleas, lice, termites and other insect-like pests, pigeons and other birds, and other biological pests.

“Walls” shall be defined as follows:

A. “Bearing wall” is any wall meeting either of the following classifications:

- 1. Any metal or wood stud wall which supports more than 100 pounds per lineal foot of superimposed load.
- 2. Any masonry or concrete wall which supports more than 200 pounds per lineal foot superimposed load, or any such wall supporting its own weight for more than one story.

**B.** “Faced wall” is a wall in which the masonry facing and backing are so bonded as to exert a common action under load.

**C.** “Nonbearing wall” is any wall that is not a bearing wall.

**D.** “Parapet wall” is that part of any wall entirely above the roof line.

**E.** “Retaining wall” is a wall designed to resist the lateral displacement of soil or other materials.

“Water closet” is a flushable plumbing fixture connected to running water and a drainage system and used for the disposal of human waste.

“Water closet compartment” is a room containing only a toilet or only a toilet and lavatory.

“Window” shall mean a glazed opening, including glazed doors, which open upon a yard, court, or a vent shaft open and unobstructed to the sky.

“Window well” is a soil-retaining structure at a window having a sill height lower than the adjacent ground elevation.

“Workmanship” is the quality or mode of execution for building construction normal to the building industry trades.

**2.01.060 Administration and Process.**

**A. Initial Filing of Complaint.**

An initial enforcement determination shall be undertaken against buildings or properties, whenever:

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**Deleted:** “Story” is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than 6 feet above grade, as defined herein, for more than 50 percent of the total perimeter, or is more than 12 feet above grade, as defined herein, at any point, such usable or unused under-floor space shall be considered as a story.¶

**Deleted:** B. “Exterior wall” is any wall or element of a wall, or any member or group of members, which defines the exterior boundaries or courts of a building and which has a slope of 60 degrees or greater with the horizontal plane.¶

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**Deleted:** “Swimming pool” is an artificial basin, chamber, or tank constructed of impervious material, having a depth of 18 inches or more, and used or intended to be used for swimming, diving, or recreational bathing.¶

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**Deleted:** ” is the Uniform Code for Building Conservation, as adopted and amended by the City of Tacoma in Chapter 2.02 of the Tacoma Municipal Code.¶

**Deleted:** “Yard” is an open, unoccupied space other than a court, unobstructed from the ground to the sky, except where specifically provided by this chapter, on the lot on which a building is situated. (Ord. 26715 § 2; passed Oct. 17, 2000 Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 24503 § 1; passed Dec. 12, 1989; Ord. 19217 § 1; passed Oct. 13, 1970; Ord. 16384 § 4; passed Jun. 29, 1959; Ord. 15742 §§ 1-13; passed Nov. 13, 1956)¶

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1. The Building Official, ~~a Director of any City of Tacoma Department~~, the Director of the Tacoma-Pierce County Health Department, the Police Chief, or the Fire Chief, or their duly authorized representatives, have reason to believe that a violation of this Code exists.

procedures set forth in Subsection ~~F~~, Derelict Buildings or Structures Procedures.

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Where a building or structure contains violations listed in Table E, Dangerous Buildings or Structures, that building or structure shall be declared a Dangerous Building or Structure and processed according to the procedures set forth in Subsection ~~G~~, Dangerous Buildings or Structures Procedures.

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2. A complaint is filed with the City of Tacoma by any person, provided that where complaints have been filed by tenants, that the tenant first exhaust all remedies provided through the Washington State Landlord Tenant Act. Complaints may be received either verbally or in writing, ~~and may be anonymous~~.

Groups of buildings on the same property may be processed under a single complaint process.

**D. Substandard Building and Structures**

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~~Deleted:~~ 1. General. Where all violations are unrelated to the buildings and structures on the property, the complaint against the property shall be processed under the applicable provisions of the Tacoma Municipal Code.

~~Deleted:~~ 2. Standard Property. Property which has been inspected and evaluated, and which received 24 or less violation points, shall be considered standard property and in compliance with this chapter, and no action shall be taken. The complaint shall be closed and all accumulated documentation filed.¶

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~~Deleted:~~ Once the advisory letter is sent, the complaint shall be closed and all accumulated documentation filed. The property may be reinspected one year from the date of the letter and the property may be reevaluated to determine whether additional enforcement procedures need to be taken.¶

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**B. Inspection and Evaluation of Buildings and Property.**

When a complaint has been filed, or there are other reasons pursuant to normal enforcement of the Tacoma Municipal Code, the Building Official shall inspect the building and property. Based on the inspection, the Building Official shall then determine whether the building and/or property is in violation of this chapter and the degree of violation. All properties where an evaluation inspection is performed shall be evaluated against the standards of "Substandard Property" listed in Table B, "Fire and Life Safety Hazards" listed in Table C, "Derelict Buildings or Structures" listed in Table D, and "Dangerous Buildings or Structures" listed in Table E. Substandard Properties shall be assigned violation points, in accordance with Table B and Table C, and the provisions of Subsection C, Violation Tables. In addition, violations listed in Table C, "Fire and Life Safety Hazards," shall be referred to the Building Official, the Fire Chief, and/or the Electrical Inspection Manager, as appropriate, for evaluation as to whether immediate action is necessary. The standards against which properties shall be evaluated are set forth in Section 2.01.070, Minimum Building Requirements.

**1. Non-Standard Property Warning.** The owner of property which, by an external inspection, is evaluated as being maintained in a substandard condition and receives 25 to 49 violation points, ~~may~~ be considered non-standard property and sent a letter describing the substandard conditions and the appropriate actions for mitigating these conditions. The owner ~~may~~ be advised, in writing, that the property is in a declining state, and that if conditions worsen, more formal mitigating actions ~~may~~ be undertaken.

**2. Substandard Property Violation.** When any property has been inspected and receives 50 or more points as set forth in Table A, the owner shall be notified by letter that the property is "substandard", and the letter shall describe the violations and the appropriate actions for mitigating these violations.

**3. Owner Notification, Penalties, Reinspection and Appeals for Substandard Properties** shall all be governed by Subsection F, Building Enforcement Procedures.

**E. Derelict Buildings or Structures.**

**C. Violation Tables.**

During the evaluation inspection, and any subsequent inspections of the building and property, the Building Official shall note each violation and evaluate the property in accordance with Table B, Table C, Table D, and Table E. Once all violations are listed, and if it is determined that the property is substandard, the points, as listed in Table B and Table C, for each violation listed against the property, shall be totaled to determine the degree of violation. The course or action shall be in accordance with Table A, ~~and subsection D, Substandard Buildings and Structures~~.

1. General. This section shall apply to all buildings, structures, and properties, residential or commercial, which have been evaluated as being Derelict Buildings or Structures, in that the building or structure contains one or more violations listed in Table D, Derelict Buildings or Structures. By definition, Derelict Buildings or Structures are unfit for human occupancy.

2. Posting and Placement of Utility Restraint. Derelict Buildings or Structures shall be posted "MUST NOT BE OCCUPIED." See Subsection H, Posting of Buildings. Simultaneously, utility restraints ~~may~~ be placed on such buildings or structures. See Subsection I, Utility Restraints.

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**EXCEPTION:**

Where a building or structure contains violations listed in Table D, Derelict Buildings or Structures, the building or structure shall be declared a Derelict Building or Structure and processed according to the

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If the derelict building is occupied, the Building Official may grant an extension as to when the building will be vacated and whether a posting or utility restraint is required.

Buildings, which are posted, shall not be occupied for any purpose until repaired to eliminate the violations listed in the Notice of Violation, to the satisfaction of the Building Official. In addition, the building shall only be authorized to be entered for preparing a repair plan and schedule to be submitted to Planning and Development Services Department for approval. Upon approval of the repair plan and schedule, the owner or his or her representatives will be authorized to enter the building to effect repairs. No other entry or occupancy of the building shall be permitted unless approved by the Building Official.

3. Owner Notification, Penalties, Reinspection and Appeals for Substandard and Derelict Properties shall all be governed by Subsection F, Building Enforcement Procedures.

**F. Building Enforcement Procedures.**

1. Owner Notification and Penalties.

a. When any property has been evaluated, by inspection, as being "Substandard Property" or "Derelict Property", the owner shall be notified by first class mail, describing the violations and stating that the building, structure, or property has been found to be in violation of this chapter and is "Substandard" or "Derelict." The owner shall be given 21 calendar days from the date of the notice to respond to the Building Official to negotiate a repair plan and schedule.

If the building is designated as "Derelict Property", the owner may be given 10 calendar days from the date of the notice to secure the building, in accordance with Section 2.01.090, Unoccupied or Vacant Building Standards. The notice shall include the standards for securing an unoccupied or vacant building. In addition, such notification will state that either an Eminent Domain Condemnation proceedings or a Dangerous Building proceedings may be initiated if there is not an agreed upon repair plan and schedule submitted or substantial improvement of the property does not occur in compliance with the agreed upon repair plan and schedule.

b. In the event a valid response to the first notice outlined in subsection (a) is not received in the allotted time, a civil penalty in the amount of \$250, may be assessed. These penalties are intended to be only for remedial purposes. A new letter, stating the assessment of penalties, shall be sent by first class mail. The owner shall be given 10 calendar days from the date of the second letter to respond to the letter, and

to negotiate a repair plan and schedule with the Planning and Development Services Department for correcting the violations to the satisfaction of the Building Official.

c. The process described in Subsection (b) above shall be repeated on a regular schedule and a civil penalty may be assessed every day until such time as there is a valid response. In the event that no response is received and assessed penalties are equal to or exceed \$1,000.00, the City may file a Certificate of Complaint with the Pierce County Auditor to be attached to the title of the property. A copy of the Certificate of Complaint shall be sent to the property owner and may be sent to all tenants, if different from the owner.

d. Penalties shall be billed to the owner. Penalties unpaid after 60 calendar days may be referred to a collection agency, approved by the City of Tacoma, for collection.

e. Each day that a property or person is not in compliance with the provisions of this chapter may constitute a separate violation of this chapter.

2. Response to Notification. The response to the City shall be the development of a repair plan and schedule for the building, agreed upon by the owner and the City. The schedule shall include:

a. Time for submitting acceptable construction plans, specifications, and calculations when required for the repair of the building or structure.

b. Time for repairing the building or structure once a building permit has been issued.

c. Once the plans and specifications have been approved for permit, the permit shall be obtained within 14 calendar days of notification that the permit is ready.

d. If permits are not required, the repair plan and schedule shall outline when the violations identified in the Substandard or Derelict Property Report will be corrected.

e. EXCEPTIONS:

The Building Official may grant extensions to the repair plan and schedule, or agree to an alternative repair plan and schedule, for sufficient reasons on written request. Such requests must be filed with the Building Official prior to the deadlines set for the completion of the construction.

3. Reinspection and Penalties. Once a valid response is received and a schedule is set, the property shall be reinspected upon request by the owner, to assess that progress is being made in correcting the violations and adhering to the agreed upon schedule. If progress, in

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Tacoma Municipal Code

accordance to the schedule, is not being made to the satisfaction of the Building Official, or the owner has not scheduled a required inspection, penalties may be issued up to \$250 per day. Once an enforcement action is undertaken, it shall be continued until all outstanding violations have been corrected.

The Building Official may also issue penalties in the amount of \$250 per day if after the initial contact, any of the following occur:

- a. the owner and the City cannot agree upon a repair plan and schedule, or extension thereto, or
- b. the owner does not submit plans and specifications for approval, according to the schedule, for the repair of the building, or
- c. the owner fails to obtain the permits in a timely manner when they are ready to be issued, or
- d. the owner fails to start repairs, or
- e. the owner, once having started repairs, fails to meet intermediate progress goals.

This penalty procedure shall be repeated in accordance with Subsection 1 above (Owner Notification and Penalties) until progress, satisfactory to the Building Official, is made.

4. Violations Corrected. Once the building, structure, and property violations have been corrected to the satisfaction of the Building Official, the case shall be closed and, if appropriate, a final report relative to the action placed in the City's files, and any Certificates of Complaint filed with the Pierce County Auditor against the title of the property shall be removed by the City on payment of any assessed penalties and any costs incurred by the City for securing the property.

5. Reviews by the Building Official.

a. General. A person, firm, or corporation who received a Notice of Violation for a Substandard or Derelict Building(s), or a civil penalty, may request an administrative review of the Notice of Violation for a Substandard or Derelict Building(s) or the civil penalty.

An appeal of a civil penalty which has been issued in accordance with this chapter shall be limited to assessing any progress which the property owner has made in correcting the violations identified in the first notice, or the property owner's compliance with the repair plan and schedule that led to the issuance of the civil penalty.

b. How to Request Administrative Review.

i. Appeal of a Notice of Violation or Civil Penalty. A person, firm, or corporation may request an administrative review by the Building Official of the Notice of Violation for a Substandard or Derelict Building(s), by filing a written request with Planning

and Development Services Department within 10 calendar days of the first notification date of violations.

c. Decision of Building Official. After considering all of the information provided, including information from the code enforcement officer and the City Attorney, or his or her designee, the Building Official shall affirm, or modify the Notice of Violation for the Substandard or Derelict Building(s), or the amount of any monetary penalty assessed. The Building Official's decision shall be delivered in writing to the appellant by first-class mail.

6. Appeals of the Decision of the Building Official to Hearing Examiner.

Appeals of the Decision resulting from the Building Official's Review shall be made to the Hearing Examiner within 21 calendar days from the date of the Building Official's Decision. The Hearing Examiner, upon receipt of a properly filed appeal, shall set a hearing date, and the appellant shall be notified of the hearing date by first-class mail. Proceedings in regard to appeals filed under this section shall be conducted in accordance with the requirements of Tacoma Municipal Code Chapter 1.23 and Office of the Hearing Examiner Rules of Procedure for Hearings. The Hearing Examiner shall issue a Findings of Fact and Order, based on the hearing, in writing, delivered to the appellant by first-class mail.

7. Buildings Declared Substandard or Derelict.

When a building or structure, or any aspect of a building or structure, is Substandard or Derelict, it shall be repaired to the minimum building requirements set forth in Section 2.01.070, and the minimum standards of repair set forth in Section 2.01.080 of this chapter.

8. Alternate Procedures. Where Derelict Building

Proceedings undertaken against a property have extended over a period of time to where it is necessary to file a Certificate of Complaint with the Pierce County Auditor, the Building Official may undertake one of the two following procedures to mitigate the Derelict Status of the Building:

a. Procure the Property through Eminent Domain: Where the property undergoing the Derelict Building Procedure is of sufficient value to be repairable, the Building Official may obtain the property through eminent domain, pursuant to the provisions of the Revised Code of Washington (RCW) 35.80A.

b. Commence Dangerous Building Proceedings: Where the property undergoing the Derelict Building Procedure is in a state where it is more economical to demolish the building(s) on the property, the Building Official may initiate Dangerous Building Proceedings pursuant to Tacoma Municipal Code 2.01.060, G, and Table E of this chapter.

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Deleted: At each inspection of the property, the status of the action shall either remain in the present category or shifted to Derelict or Dangerous Buildings or Structures categories based on whether any of the violations are listed in Table D, Derelict Building and Structures or Table E, Dangerous Buildings or Structures.

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**G. Dangerous Buildings or Structures Procedures.**

1. General. This section shall apply to all buildings, structures, and properties, residential or commercial, which have been evaluated as being Dangerous Buildings and Structures in that the building or structure contains one or more violations listed in Table E, Dangerous Buildings or Structures.

2. Posting and Placement of Utility Restraint. Dangerous buildings or structures shall be posted "MUST NOT BE OCCUPIED." See Subsection H, Posting of Buildings. Simultaneously, utility restraints shall be placed on such buildings or structures. See Subsection I, Utility Restraints.

Buildings, which are posted, shall not be occupied for any purpose until repaired to eliminate the violations listed in the Notice of Violation, to the satisfaction of the Building Official. In addition, the building shall only be authorized to be entered for preparing a repair plan and schedule to be submitted to the Planning and Development Services Department for approval. Upon approval of the repair plan and schedule, the owner or his or her representatives will be authorized to enter the building to effect repairs. No other entry or occupancy of the building shall be permitted until the repairs are completed and approved by the Building Official.

3. Owner Notification. The owner shall be notified that the building, structure, or property has been found to be in violation of this chapter and is dangerous. The owner may be given 10 calendar days from the date of the notice to secure the building, in accordance with Section 2.01.090, Unoccupied or Vacant Building Standards. The notice shall include the standards for securing a vacant building. The owner shall be given 21 calendar days from the date of the notice to respond to the Building Official to negotiate a repair plan and schedule.

4. EXCEPTION: Where there is an imminent danger to life or property, the building can be secured by the order of the Building Official, Police Chief, Fire Chief, or Director of the Tacoma-Pierce County Health Department, and the cost assessed to the owner in accordance with the provisions of RCW 35.80.030(h).

The response to the City shall be a plan for repairing or demolishing the building. The response shall include a schedule, agreed upon by the owner and the City, for the repair or demolition of the building or structure. The schedule shall include:

a. Time for submitting acceptable construction plans, specifications, and calculations when required for the repair or demolition of the building or structure.

b. Time for repairing or demolishing the building or structure once a building permit has been issued. Once

acceptable construction plans, specifications, and calculations for the repair or demolition of the building or structure have been submitted to the City and have been approved for permit, the permit shall be obtained within 7 calendar days of notification that the permit is ready. 5. EXCEPTIONS:

a. The Building Official may agree for sufficient reason to accept an alternate time schedule for the repair or demolition of the building.

b. The Building Official may grant extensions to the time schedule for sufficient reasons, on written request. Such requests must be filed with the Building Official prior to the deadlines set for the completion of the construction.

6. Dangerous Building Complaint to be Initiated. In the event of any of the following, the City may prepare a Dangerous Building Complaint against the building and property, in accordance with Subsection 7, Contents of Dangerous Building Complaints, and schedule a hearing in accordance with Subsection 8, Hearing Procedures:

a. There is no response from the owner to the notification.

b. An agreement by the owner and the City cannot be reached in respect to the extent of the repairs of the building or the time schedule for the repair or demolition of the building.

c. The owner defaults on the time schedule for obtaining the necessary permits and beginning construction or demolition.

d. The owner, once having started construction or demolition, does not adhere to the agreed-upon schedule, or abandons the construction or demolition.

Once the building, structure, and property violations have been corrected to the satisfaction of the Building Official, the case shall be closed and, if appropriate, a final report relative to the action placed in the City's files, and any Dangerous Building Complaints, Findings of Fact and Order or general tax liens filed with the Pierce County Auditor against the title of the property shall be removed by the City on payment of any assessed penalties and any costs incurred by the City for securing the property or processing the Dangerous Building Action.

7. Contents of Dangerous Building Complaints. The complaint issued by the Building Official must be in writing and shall be posted on the property and sent by first-class mail and by certified mail, return receipt requested, to all persons having any interest in and to the property, as shown by the records of the Pierce County Auditor, of any building or structure found by

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Tacoma Municipal Code

the Building Official to be a Dangerous Building within the definition set forth in Section 2.01.050, and Table E, Dangerous Buildings or Structures; provided, that if the whereabouts of any of such persons is unknown and the same cannot be ascertained by the Building Official in the exercise of reasonable diligence, and the Building Official makes an affidavit to that effect, the serving of such complaint upon such persons may be made by sending a copy of the notice by first-class mail and by certified mail, return receipt requested, to each person at the address of the taxpayer of the property as shown on the last equalized tax assessment roll of Pierce County. If the address of the building involved in the proceeding is different from the address of the taxpayer listed on the tax assessment roll, and the whereabouts of any person in interest is unknown, then a copy of the complaint shall also be mailed by first-class mail and certified mail, return receipt requested, to such person or persons. The complaint shall contain, among other things, the following information:

- a. Name of the owner and other interested persons, as provided herein above.
- b. Street address and legal description of the property on which said building is located.
- c. General description of type of building, wall, or structure deemed dangerous.
- d. A complete itemized statement or list of particulars which caused the building, wall, or structure to be a Dangerous Building, as defined in Section 2.01.050, and Table E, Dangerous Buildings or Structures.
- e. That said building should be vacated by its occupants.
- f. Whether or not the statement or list of particulars, as provided for in Subsection 7.d above, can be removed or repaired.
- g. Whether or not the building constitutes a fire hazard.
- h. Whether it is reasonable to repair the building or whether the building should be demolished.
- i. If the building is a City landmark or is within a Historic Special Review or Conservation District, the complaint shall provide the procedural requirements of the Landmarks Preservation Commission for repair or demolition.
- j. A notice that a hearing shall be held before the Hearing Officer not less than 10 days nor more than 30 days after the mailing of such complaint on all interested parties, as recorded by the Pierce County Auditor, and posting, and that all parties in interest shall be given the right to file an answer to the

complaint, to appear in person or otherwise, and to give testimony at the time of the hearing.

k. That a copy of such complaint shall also be filed with the Pierce County Auditor, which filing shall have the same force and effect as other lis pendens notices provided by law.

**8. Hearing Procedures.**

a. The Hearing Officer shall convene the hearing at the time specified in the Dangerous Building complaint or soon thereafter. The City shall present its case through the City Attorney, or his or her assistant, who shall be authorized to call witnesses and conduct cross-examinations. The building or property owner, or his or her legal representative, may present his or her case and is authorized to present witnesses and conduct cross-examinations. The agenda for the hearing shall essentially be according to the following:

- 1. Hearing Officer calls the hearing to order.
- 2. Introductions of the Hearing Officer, plaintiffs, defendants, and other parties of interest.
- 3. City Attorney presents the City's case.
- 4. Defendant presents his or her case.
- 5. City provides rebuttal.
- 6. Defendant provides rebuttal.
- 7. Hearing Officer presents final comments and adjourns hearing.

b. The Hearing Officer shall issue a Findings of Fact and Order. The Findings of Fact and Order shall contain the following:

- 1. Name of owner or other interested parties, as listed by the Pierce County Auditor.
- 2. Street address and legal description of the property on which the building is located.
- 3. General description of type of building, wall, or structure deemed dangerous.
- 4. A complete itemized statement or list of particulars which caused the building, wall, or structure to be a Dangerous Building, as defined in Section 2.01.050 and Table E, Dangerous Buildings or Structures.

5. Whether or not the statement or list of particulars, as provided for in paragraph 4.d above, can be removed or repaired.

6. Whether or not the building constitutes a fire hazard.

7. Whether it is reasonable to repair the building or whether the building or structure should be demolished.

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<p><del>7. A statement that the City of Tacoma has incurred costs in processing the Dangerous Building Abatement action and that Pursuant to RCW 35.80.030(1)(h), all costs incurred by the City for this purpose, including demolition, if necessary, shall be assessed against the property and shall be collected thereafter by the County Treasurer as a part of the general taxes.</del></p>	<p>which are in good condition and otherwise meet the Building Code's requirements, do not have to be rebuilt.</p>	<p><del>Deleted: 8</del></p>
<p><del>8. Whether the building is a City landmark or is within a Historic Special Review or Conservation District, and the procedures required by the Landmarks Preservation Commission.</del></p>	<p>2. The fire resistance of all building elements, in regard to the required type of construction, shall be brought into full compliance with the Building Code; provided that, in buildings which have full sprinkler systems, the outside fire-resistive membrane on exterior walls may not be required.</p>	<p><del>Deleted: T</del></p>
<p>The Order shall provide specific instructions on whether the building or structure is to be demolished or repaired, and a time frame for doing so. In the event the building is a City landmark or is within a Historic Special Review or Conservation District, the time schedule shall include Landmarks Preservation Commission procedures defined in Chapter 13.05.045 of the Tacoma Municipal Code, unless an emergency condition has been declared by the Building Official. In addition, a building, structure, or property that is declared dangerous may be required to comply with the requirements set forth in Subsection 1.3, Buildings Declared Dangerous. There may be reason to negotiate repairs due to the historic significance of the property.</p>	<p>3. If required by the Building Code, automatic fire sprinkler systems shall be installed.</p>	<p><del>Deleted: .</del></p>
<p><del>EXCEPTION:</del> <del>If a building is a City landmark or located within a Historic Special Review or Conservation District, or is determined to be a historic resource by the Landmarks Preservation Commission or Historic Preservation Office, the repair requirements may be waived by the Building Official.</del></p>	<p>4. If required by the Building Code or by the Fire Code, as adopted and amended by the City of Tacoma, fire alarm systems shall be installed and shall meet all requirements of the Building Code and the Fire Code, as adopted by the City of Tacoma.</p>	<p><del>Deleted: A</del></p>
<p><del>9. A requirement that the property shall be nuisance free at all times.</del></p>	<p>5. The building shall be brought into structural compliance with the Building Code, except that the building shall be considered as complying with the seismic structural requirements if it can withstand the forces specified by the IEBC, as adopted and amended in the Building Code in Chapter 2.02 of the Tacoma Municipal Code.</p>	<p><del>Deleted: and remitted to the City. This assessment shall constitute a lien against the real property of equal rank with State, County and Municipal taxes.</del></p>
<p><del>10. Whether the building should be repaired or demolished. When it is determined that a building or structure, or any aspect of a building or structure, is dangerous such building or structure shall be:</del></p>	<p>6. The building shall be brought into compliance with provisions of the building code related to accessibility for new construction.</p>	<p><del>Deleted: 9</del></p>
<p><del>a. Demolished, or</del> <del>b. Those aspects which were declared dangerous shall be repaired to the minimum building requirements set forth in Section 2.01.070 of this chapter, and the following items shall be complied with whether or not they are addressed in the Dangerous Building Complaint:</del></p>	<p>7. The building shall be brought into compliance with the Washington State Energy Code.</p>	<p><del>Deleted: 9</del></p>
<p><del>1. Exiting facilities, including doors, corridors, stairs, exit enclosures, and smoke-proof enclosures, shall be brought into full compliance with the Building Code. Stairways with risers not exceeding 7-1/2 inches in height, and treads not less than 10 inches in depth,</del></p>	<p>EXCEPTION: Exterior stud frame walls need only be provided with insulation which can be accommodated by the stud depth of the wall.</p>	<p><del>Deleted: on the Historic Register or within a Historically Designated Area,</del></p>
	<p><del>11. The recommendation to repair or demolish shall be based on the estimated costs of repair in relation to the existing value of the building, as determined by the Pierce County Assessor. The Pierce County Assessor shall be requested to make an assessment of the value of the building specifically for the dangerous building action. If the cost of repairs exceeds 50 percent of the assessed value of the building, the Hearing Officer may recommend that the building be demolished.</del></p>	<p><del>Deleted: Historic</del></p>
	<p><del>12. Appeals to the Board of Building Appeals. The Findings of Fact and Order shall also state that appeal of the Findings of Fact and Order issued by the Hearing Officer shall be made to the Board of Building Appeals, as established and governed by Chapter 2.17 of the Tacoma Municipal Code. Appeals shall be filed within 30 calendar days from the date of the Findings of Fact and Order. Any appeal of the Findings and Order shall be governed by Chapter 2.17.</del></p>	<p><del>Deleted: on the Historic Register or is within a Historically Designated Area,</del></p>
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		<p><del>Deleted: In the event the building is to be repaired, specific direction shall be provided as to the extent of repairs necessary to remove the violations listed against the building or structure.</del></p>
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		<p><del>Deleted: If the Hearing Officer declares a building dangerous, he/she shall make a recommendation on whether the building should be demolished or repaired.</del></p>
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		<p><del>Deleted: 11. The property shall be nuisance free (...)</del></p>
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13. The Findings of Fact and Order shall be sent to all interested parties, as listed by the Pierce County Auditor as having interest in the property, by both first-class mail, and by certified mail, return receipt requested.

**H. Recovery of Costs and Expenses**

The costs incurred by the City relating to the enforcement of TMC 2.01.060.E and G, may be recovered against the owner of the property as authorized in RCW 35.80.030(1)(h) and shall become due no later than 30 calendar days from the date of the invoice. "Costs" include, but are not limited to, personnel costs, both direct and indirect, including attorney's fees; costs to secure the building; costs incurred in documenting the violation; hauling, storage and disposal expenses; filing fees and actual expenses in costs of the City in preparing notices, specifications and contracts in accomplishing and/or contracting and inspecting the work; the costs of any required printing or mailing; and any and all costs of collection.

**I. Posting of Buildings.**

If a building is determined to be in violation of this chapter to an extent that it fails to provide the amenities which are essential to decent living or the building is unsafe, unsanitary, or structurally unsound, the building shall be posted for non-occupancy.

The notice posted on the building shall identify the location of the building by street address, the date on which the building was posted, the signatures of the Building Official and the inspector who posted the notice onto the building, and a telephone number and street address where the inspector can be contacted. The notice shall also state the violation and penalties for removal of the notice from the building.

The notice posted on the building shall state that the building "MUST NOT BE OCCUPIED" and shall be affixed to the main door facing the address street or any other accessible doors if needed. The "MUST NOT BE OCCUPIED" portion of the notice shall be of letters of sufficient size to be read from the public way.

**J. Utility Restraints.**

When a building is determined as being in violation of this chapter and is unfit for human occupancy, a utility restraint may be placed against the property by the Building Official, restraining the utility providers from providing utilities to the building. Dangerous buildings or structures and derelict buildings or structures, which are not occupiable and are posted "MUST NOT BE OCCUPIED," may have utility restraints placed on them. The utility restraint shall be recorded with the Tacoma Public Utilities Department or other utility

providers. The utility restraint shall not be released until the building is repaired or demolished. Once the building has been repaired or demolished, the Building Official shall record with the Tacoma Public Utilities Department, or other utility providers, a written release granting utility service to the building or property. The utility restraint shall not interfere with any Code enforcement action taken by the Tacoma Public Utilities Department or other utility providers.

EXCEPTION: Limited utilities may be permitted to be supplied to the property for facilitating the repairs, at the discretion of the Building Official.

**K. Emergency Cases.**

Where, in the opinion of the Building Official, it appears there is an imminent danger to the life or safety of any person occupying or being admitted to a building or structure, the Building Official shall cause the immediate vacation of the building, in whole or in part, as is necessary, to mitigate the danger to life. The Building Official shall also order the barricading of public right-of-way as necessary to protect the public, and shall secure the building from unauthorized entry, and cause the immediate bracing or repair of the building as necessary to protect the public, or, if that is not possible, to have the building or structure demolished. For buildings that are City landmarks, located within a Historic Special Review or Conservation District, or are identified as "historic resources", the Historic Preservation Officer shall actively pursue feasible intermediate alternatives to total demolition that will remediate emergency condition and/or retain the building or its historic features. If an alternative to demolition is identified, then it may be pursued as the preferred action. The costs of such emergency vacation, bracing, repair, or demolition of such building or structure shall be assessed to the owner in accordance with the provisions of RCW-35.80.030(h).

**L. Permits.**

No person, firm, or corporation shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure, or cause or permit the same to be done, without first obtaining all permits required by the Tacoma Municipal Code and the laws of the State of Washington. The owner or their agent is required to obtain all permits as required by the codes prior to the work being performed. The time frame of the permits may be conditioned in accordance with the time frames agreed upon in the negotiated repair schedule.

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The City Attorney, or his or her assistant, shall:¶  
1. Prosecute all persons failing to comply with the terms of the notices provided for and/or the order provided for in Section 2.01.060.¶

2. Represent the City of Tacoma at hearings before the Hearing Examiner in regard to appeals filed relative to decisions administrative reviews issued by the Building Official pertaining to Substandard and Derelict Buildings.

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43. Represent the City of Tacoma at hearings before the Board of Building Appeals in regard to appeals filed to the Finding of Fact and Order issued by the Building Official pertaining to Dangerous Buildings.¶

54. Represent the City of Tacoma at hearings before superior court in regard to appeals filed to the Finding of Fact and Order issued by the Hearing Examiner pertaining to Substandard and Derelict Buildings.¶

6. Represent the City of Tacoma at hearings before superior court in regard to appeals filed to the Finding of Fact and Order issued by the Hearing Examiner pertaining to Derelict Buildings.¶

75. Represent the City of Tacoma at hearings before superior court in regard to appeals filed to the Finding of Fact and Order issued by the Building Official Hearings Officer, based on the recommendation of the Board of Building Appeals pertaining to Dangerous Buildings.¶

86. Bring suit to collect costs incurred by the City of Tacoma in repairing or causing to be vacated or demolished the Dangerous Buildings.

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**M. Severability.**

If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a distinct and

independent provision, and such holdings shall not affect the validity of the remaining portions hereof.

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**N. Repeat Offenders**

A repeat offender is defined as a property owner who has a confirmed non-compliance history, including any identical or similar violations of this chapter at the same site or on a different tax parcel under the same ownership two (2) times within a twelve (12) month period. If an owner or tax parcel is found to be a repeat offender, he or she may be subject to an inspection fee equivalent to a re-inspection fee as defined in TMC 2.09. Owner may appeal a re-inspection fee pursuant to TMC 2.01.060.F.5.

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TABLE A

**POINT LIMITS**

Number of Points	Abatement Category/Process
24 or Less	Standard Property
25 to 49	Non-standard property warning
50 or More	Substandard Property

**TABLE B  
SUBSTANDARD PROPERTY**

**EXTERIOR PROPERTY VIOLATIONS**

Item No.	Violation	Maximum Points
1	Unightly or Overgrown Ground Cover, Trees, or Shrubbery	5
2	Garbage/Junk/Debris in Yard	15
3	Abandoned or Inoperable Vehicles in Yard	15
4	Graffiti on Buildings, Fences, or Other Structures	25
5	Missing or Unreadable Address Numbers or Apartment Numbers	10
6	Exterior Stairways (In Yards) Need Repair or Replacement	15
7	Exterior Stairways (In Yards) Need Handrails/Guardrails	10
8	Exterior Sidewalks, <u>or other paved areas</u> , broken, buckled, or deteriorated	15
9	Retaining Wall Needs Repairing or Replacing	10
10	Broken or Plugged Sewer	25

**EXTERIOR BUILDING VIOLATIONS**

Item No.	Violation	Maximum Points
11	Accessory Structure Needs to be Repaired or Demolished	25
12	Accessory Structures Need Painting	5
13	Chimney(s) Needs to be Repaired or Removed	15
14	Roofing Needs Repair	10
15	Roofing Needs Replacing	15
16	Gutters Need to be Repaired or Replaced	5
17	Exterior Walls Need to be Repaired	15

Tacoma Municipal Code

18	Exterior Walls Need Siding Repaired	10
19	Foundations Need Repair	10
20	Foundations Need Replacing	15
21	Porch, Deck, or Balcony Needs to be Repaired, Replaced or Removed	15
22	Porch, Deck, or Balcony Needs Guardrail	15
23	Porch, Deck, or Balcony Needs Guardrail Repaired/Replaced	10
24	Overhangs or Cornices Need Repairing or Replacing	15
25	Window Glass Needs Replacement	10
26	Window Frames Need Repair or Replacement	15
27	Exterior Doors and/or Door Framework Needs to be Repaired or Replaced	10
28	Peeling or absence of paint or weather protection on exterior walls, decks, stairs, porches, and other exterior surfaces	5
29	Improper Use of Recreational Vehicles	50
30	Improper placement or use of cargo containers	50
31	Use of Semi-Trailers for storage	50
32	Exterior unpermitted or non-compliant work	50

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INTERIOR VIOLATIONS

Item No.	Violation	Maximum Points
33	Inadequate Number of Electrical Convenience Outlets	10
34	Electrical Convenience Outlets or Switches do not have Device Plates	5
35	Improper water closets, lavatories, bathtubs, showers, or other plumbing fixtures	15
36	Insufficient number of water closets, lavatories, bathtubs, showers or other plumbing fixtures as required by the size or occupant load of the occupancy	10
37	All lavatories, sinks, bathtubs or similar fixtures where the spigot outlet is below the level of the basin rim, and any other fixtures where cross-connection or back-siphonage is possible	25
38	Substandard Kitchen	15
39	Substandard Laundry	15
40	Plumbing piping or fixtures of non-approved materials	10
41	Leaking Plumbing Piping (Supply and/or Waste)	15
42	Sagging or Improperly Supported Piping	5
43	Clogged or Inoperative Plumbing Piping	15
44	Appliances, including solid-fuel-burning appliances, which have been installed without proper clearances to combustible materials	25
45	Unlisted appliances which have been illegally installed	25
46	Improper Gas Piping	15
47	Missing Temperature/Pressure Relief Valve on Water Heater	25
48	Inadequate, inoperable, or deteriorated heating, mechanical, or elevator equipment	50
49	Inadequate Supply of Combustion Air for Fuel Fired Equipment	15
50	Window Locks Missing or Inoperative	15
51	Door Locks Missing, Inoperative, or Illegal	15
52	Interior Doors Need Repair	5
53	Weather Stripping of Doors and/or Windows Missing or Needs Repair	5
54	Deteriorated brick, concrete, or stone masonry, or detached veneer	15

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<del>55</del>	Deteriorated wood building materials due to inadequate wood to earth clearance	10	Deleted: 54
<del>56</del>	Deteriorated or crumbling plaster or gypsum board	10	Deleted: 55
<del>57</del>	Flaking, scaling, or peeling of wallpaper, paint, or other interior wall coverings	10	Deleted: 56
<del>58</del>	Infestations of Vermin (See Definitions)	25	Deleted: 57
<del>59</del>	No Windows or Inadequate Window Area to Provide Natural Light	15	Deleted: 58
<del>60</del>	Inadequate or no ventilation (either natural or mechanical ventilation)	15	Deleted: 59
<del>61</del>	Room and space dimensions less than required by this chapter	15	Deleted: 60
<del>62</del>	Dampness, mold and/or mildew within the building	10	Deleted: 61
<del>63</del>	Lack of or inadequate garbage and rubbish storage and disposal	10	Deleted: 62
<del>64</del>	Exit Signs are not Provided With Two Sources of Power	25	Deleted: 63
<del>65</del>	Exit Path Lighting is not Provided With Two Sources of Power	25	Deleted: 64
<del>66</del>	Exit Stairs have Incorrect Rise and Run	25	Deleted: 65
<del>67</del>	Access to Electrical Panels is Inadequate	15	Deleted: 66
<del>68</del>	Floor Surfacing Needs Repair	25	Deleted: 67
<del>69</del>	Floor Framing Needs Repair	25	Deleted: 68
<del>70</del>	Wall Surfacing Needs Repair	15	Deleted: 69
<del>71</del>	Wall Framing Needs Repair	15	Deleted: 70
<del>72</del>	Ceiling Surfacing Needs Repair	15	Deleted: 71
<del>73</del>	Ceiling and/or Roof Framing Needs Repair	15	Deleted: 72
<del>74</del>	<b>Overcrowding:</b> Any building or portion thereof, where the exiting is insufficient in number, width, or access for the occupant load served, or where the number of occupants in sleeping rooms exceeds the number permitted by the area of the sleeping room	25	Deleted: 73
<del>75</del>	<b>Interior unpermitted or non-compliant work</b>	<b>50</b>	

UNOCCUPIED OR VACANT BUILDING STANDARDS VIOLATIONS

Item No.	Violation	Maximum Points	
<del>76</del>	Exterior Openings are not properly secured in accordance with Section 2.01.090	50	Deleted: 74
<del>77</del>	Weather protection is not adequate to prevent deterioration of the building	50	Deleted: 75
<del>78</del>	There is debris within the building or on the premises, which creates a fire-hazard or a nuisance	50	Deleted: 75
<del>79</del>	Fire alarms or Fire Sprinkler Systems are inoperable	50	Deleted: 6
<del>80</del>	Adequate heat is not provided to protect the sprinkler system from freezing	50	Deleted: 76
<del>81</del>	Sewer lines are not capped	50	Deleted: 7
<del>82</del>	The owner does not inspect the property and keep the property from looking uncared for	50	Deleted: 77
<del>83</del>	<b>The owner does not repair door(s), window(s), exterior wall(s), or other areas of the building which have been damaged, thereby exposing the building to unauthorized third-party entry or inclement weather</b>	<b>50</b>	Deleted: 8
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**TABLE C  
FIRE AND LIFE SAFETY HAZARDS**

Item No.	Violation	Maximum Points
1	Exit Doors Have Improper Hardware	15
2	Required Corridors Are Not of One-Hour Construction	50
3	Corridor Doors Are Not Properly Rated (or Equivalent)	50
4	Corridor Doors Don't Have Closers	50
5	Corridor Doors Have Improper Hold Open Devices	25
6	Corridor Doors Don't Have Gasketing	25
7	Corridor Door Frames Need to be Repaired or Replaced	50
8	Transoms Above Corridor Doors are not Sealed or Fire-Rated	50
9	Exit Paths Are Not Properly Illuminated	50
10	Required Exit Signs are Missing	50
11	Required Exit Signs are not Illuminated	50
12	Exit Stairs Need to be Repaired or Replaced	50
13	Exit Stairs Need to be Provided With Handrails/Guardrails, or Handrails/Guardrails Need Repair or Replacement	50
14	Exit Stairs Are Missing or Have Improper Landings	50
15	Stair Width is Too Narrow	25
16	Stairs Need to be Enclosed in a Fire Rated Shaft	50
17	Stair Enclosures are not of the Proper Fire Rating	50
18	Doors to Stair Enclosure are Missing or are Blocked Open	50
19	Doors to Stair Enclosures Do Not Meet Required Fire Assembly Requirements, or Fire Assembly Needs Replacement or Repair	50
20	Exit Windows From Sleeping Rooms not Provided	50
21	Exit Windows From Sleeping Room Too Small in Area or Dimension	50
22	Exit Windows From Sleeping Room Have Too High a Sill Height	50
23	Improper or Hazardous Wiring	50
24	Missing or Inoperative Unit Smoke Detectors <u>or Carbon Monoxide Alarms</u>	50
25	Missing or Inoperative Fire Extinguishers	50
26	Improper Storage, Building Clutter, or other Fire Hazards	25
27	Required Fire Sprinkler System Inoperative or Missing	50
28	Fire Resistive Occupancy Separation or Area Separation Walls need to be repaired or replaced	25
29	Fire resistive construction needs repair or replacement	25
30	Lack of, inoperable, or inadequate fire alarm system	50

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**TABLE D  
DERELICT BUILDINGS OR STRUCTURES**

Item No.	Violation
1	<p><b>Interior Environment Violations</b>, which shall include, but not be limited to, the following, if required specifically by the occupancy classification for the use of the building:</p> <ul style="list-style-type: none"> <li>a. Lack of, or inadequate ventilation.</li> <li>b. Infestation by insects, vermin, or rodents.</li> </ul>
2	<p><b>Structural Hazards</b>, Structural hazards which constitute a danger to life and limb, but are of limited extent, and are repairable. These shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Cracked or crumbling concrete or masonry foundation walls, footings, or posts, or deteriorated or rotting wood foundations or wood posts.</li> <li>b. Flooring or floor supports which are defective, deteriorated, or of insufficient size to carry imposed loads with safety.</li> <li>c. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective materials or deterioration, or are of insufficient size to carry imposed loads with safety.</li> <li>d. Members or supports of ceilings and roofs, or other horizontal members which sag, split, or buckle due to defective material or deterioration, or are of insufficient size to carry imposed loads with safety.</li> <li>e. Fireplaces or chimneys which list, bulge, or settle due to defective materials or deterioration, or are of insufficient size or strength to carry imposed loads with safety.</li> <li>f. Exterior cantilever walls or parapets, appendages attached to or supported on the exterior of a building located adjacent to a public way or other space used by pedestrians which are not constructed, anchored, and braced to be able to withstand earthquake forces.</li> <li>g. Exterior walls located adjacent to a public way or other space used by pedestrians, which are not constructed, anchored, and braced to be able to withstand earthquake forces.</li> </ul>
3	<p><b>Hazardous or inadequate wiring</b> which presents an immediate danger to life or limb:</p> <ul style="list-style-type: none"> <li>a. Wiring which is inadequately sized for the presently imposed electrical loads.</li> <li>b. Wiring where, due to improper ground, lack of insulation, or other conditions, short circuits can occur.</li> <li>c. Damaged, missing, or insufficient electrical convenience outlets, electrical components, or equipment.</li> </ul>
4	<p><b>Hazardous or inadequate plumbing</b> which present a hazard to health, or do not provide minimum acceptable amenities for occupancy:</p> <ul style="list-style-type: none"> <li>a. Lack of, or inoperable water closets, lavatories, bathtubs, showers, or other plumbing fixtures as required for the occupancy.</li> <li>b. Lack of hot and/or cold running water to plumbing fixtures.</li> <li>c. Lack of, or inadequate water heating facilities.</li> <li>d. Plumbing piping and fixtures improperly installed.</li> <li>e. Plumbing piping and connections which leak, are plugged, or otherwise are inoperative.</li> <li>f. Plumbing fixtures which are not properly connected to the waste and vent system, or which are cracked, inoperative, or leak.</li> <li>g. Lack of or inadequate sewage disposal/or connection of plumbing fixtures thereto.</li> </ul>
5	<p><b>Hazardous mechanical equipment</b> which present a hazard to health, life, or limb, or do not provide minimum acceptable amenities for occupancy:</p> <ul style="list-style-type: none"> <li>a. Lack of or inadequate heating facilities.</li> <li>b. Mechanical equipment with undersized vents or chimneys.</li> <li>c. Fuel-fired equipment with insufficient combustion air.</li> <li>d. Mechanical equipment which, because of lack of maintenance or improper installation, constitutes a fire hazard.</li> </ul>

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6	<p><b>Faulty Weather Protection:</b> Indications of which shall include, but not be limited to, the following:</p> <ul style="list-style-type: none"> <li>a. Holes, including broken windows or doors; breaks; cracked, loose, or rotted boards or timbers; and any other conditions in exterior walls and weather-exposed exterior surfaces or attachments which might admit rain or dampness to the interior portions of the walls or occupied spaces of the building.</li> <li>b. Deteriorated or missing roof covering material and flashing.</li> <li>c. Standing water in crawl spaces or basements.</li> <li>d. Deteriorated or rotted stairs, porches, balconies, or decks.</li> </ul>
7	<p><b>Fire Hazard:</b> Any conditions which, in the opinion of the Fire Chief, constitute a distinct hazard to life or property.</p>
8	<p><b>Faulty Materials or Construction:</b> Faulty materials are defined as all materials not specifically allowed or approved by the Building Code in effect at the time of construction, or this chapter. Faulty materials also include approved materials which are used improperly. Faulty Construction is defined as materials assembled using improper or substandard workmanship.</p>
9	<p><b>Hazardous or Unsanitary Premises:</b> Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or condition which constitute fire, health, or safety hazards.</p>
10	<p><b>Inadequate Exits:</b> All buildings or portions thereof not provided with exit facilities as required by the Building Code, except those buildings or portions thereof whose exit facilities are safe and conformed with all applicable laws at the time of their construction.</p>
11	<p><b>Inadequate Fire-Protection or Fire-Fighting Equipment:</b> All buildings or portions thereof which are not provided with fire-resistive construction, fire extinguishing systems, or smoke detection equipment as required by the Tacoma Municipal Code.</p>
12	<p><b>Improper Occupancy:</b> Buildings or portions thereof, where the use or character of its occupancy has changed from the original approved design or intended use, without a recorded action reviewed by the Building Official.</p>

**TABLE E  
DANGEROUS BUILDINGS OR STRUCTURES**

Item No.	Violation
1	Whenever any door, aisle, passageway, stairway, or other means of exit is not of sufficient width or size, or is not arranged as to provide safe and adequate means of exit in case of fire or panic.
2	Whenever the walking surface of any aisle, passageway, stairway, or other means of exit is racked, warped, buckled, settled, worn, loose, torn, or otherwise is in such condition as to not provide safe and adequate means of exit in case of fire or panic.
3	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code in effect at the time the building was constructed.
4	Whenever any portion, member, or appurtenance thereof is likely to fail, become detached, dislodged, or collapse and thereby injure persons or damage property.
5	Whenever any portion of a building, any member, appurtenance, or ornamentation on the exterior thereof has deteriorated, or been damaged so as to be no longer capable of withstanding wind pressures or seismic forces specified in the Building Code in effect at the time the building was constructed.
6	Whenever any portion thereof has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

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7	Whenever the building or structure, or any portion thereof, is likely to partially or completely collapse because of: (i) dilapidation, deterioration, or decay; (ii) faulty construction; (iii) removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) deterioration, decay, or inadequacy of its foundation; or (v) any other cause.
8	Whenever, for any reason, the building or structure, or any portion thereof, is unsafe for the purpose for which it is being used.
9	Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
10	Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of a supporting member or members, or 50 percent damage or deterioration of non-supporting members, including wall coverings.
11	Whenever the building or structure has been so damaged by fire, wind, earthquake, flood, or other causes, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for transients or vandals; or (iii) a place for performing criminal or unlawful activities.
12	Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or this chapter, or of any law or ordinance of this state or jurisdiction relating to the condition, location, or structure of buildings.
13	Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member, or portion less than 50 percent [or in any supporting part, member, or portion less than 66 percent] of the (i) strength; (ii) fire-resisting qualities or characteristics; or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height, and occupancy in the same location.
14	Whenever a building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction, or arrangement, inadequate light, air, or sanitation facilities, or otherwise, is determined to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.
15	Whenever any building or structure, because of dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined to be a fire hazard.
16	Whenever any building or structure is in such a condition as to constitute a public nuisance known to the common law or in equity jurisprudence.
17	Derelict Buildings where Alternate Procedures have been undertaken pursuant to the provisions of Section 2.01.060.D.8.b.

(Ord. 27908 Ex. A; passed Aug. 17, 2010: Ord. 27875 Ex. A; passed Feb. 23, 2010: Ord. 27027 § 1; passed Dec. 10, 2002: Ord. 26715 § 3; passed Oct. 17, 2000: Ord. 26380 § 1; passed Mar. 16, 1999: Ord. 20530 § 2; passed Aug. 26, 1975: Ord. 17517 § 1; passed Jan. 2, 1964: Ord. 16384 § 5; passed Jun. 29, 1959: Ord. 15742 §§ 1-13; passed Nov. 13, 1956)

**2.01.070 Minimum building requirements.**

No owner shall maintain, or permit to be maintained, any property which does not comply with the requirements of this chapter. All property shall be maintained to the Building Code requirements in effect at the time of construction. Alterations or repairs shall meet the minimum standards in this section and the repair standards set forth in Section 2.01.080, Repair Standards.

**A. Display of Address Number.**

Address numbers posted shall be the same as the number assigned by the City of Tacoma Building and Land Use Services Division. All buildings shall have address numbers posted in a conspicuous place on contrasting background so they may be read from the street or public way. Tenant spaces in buildings shall be clearly numbered or lettered, in a logical and consistent manner.

**B. Foundations.**

Building foundation systems shall adequately support the building. Those parts of the system constructed of wood shall be free from deterioration or dry rot. Concrete and masonry elements shall be integral without substantial fracturing or cracks.

Exterior walls shall be supported on a continuous concrete or masonry foundation, or an engineer-designed foundation system, which accounts for both vertical and lateral (earthquake and wind) loads, shall be provided. In absence of a continuous masonry or concrete foundation, an approved skirting system shall be provided to prevent the entrance of rodents and other animals to the crawl space or under-floor area of the building.

The building shall be anchored to the foundation system in an approved manner.

Under-floor areas shall be ventilated by an approved mechanical means or by openings in the exterior foundation walls to provide natural ventilation.

**C. Floors.**

Floors shall be even, without breaks or holes, and constructed of materials of adequate strength to support the dead loads of the floor materials and the live loads required by the Building Code in effect at the time the building was built. Floors shall be reasonably level [and free from deterioration and dry rot.](#)

**D. Exterior Walls.**

Exterior walls and exposed exterior surfaces shall be structurally sound, and shall form a weather-tight

barrier to the outside elements. [Exterior walls shall be free from deterioration and dry rot.](#)

Exterior walls shall comply with the Building Code in effect at the time the building was built for fire resistance, parapets, and opening protection.

**E. Windows and Glazing.**

Windows and glazing shall be in good condition and maintain a weather barrier against the elements. All glazing shall be uncracked and unbroken. Operable windows shall be able to operate in the manner in which they were designed, and shall not be painted closed or otherwise bind in a manner rendering them inoperable. Sash weights and cords shall be intact and in good condition if needed for the operation of the windows. Frames and sashes shall be free of deteriorated or rotted materials.

**F. Roofs.**

Roof structures shall be structurally sound and free of deteriorated or rotted materials. Roofing shall be weather tight and provide protection to the interior of the building from outside elements. Roof drainage shall be directed to approved locations. Roofs shall be maintained in good repair.

Roof systems shall be provided with adequate ventilation to prevent deterioration.

An attic where the ceiling or roof is constructed of combustible materials and which has a vertical height of 30 inches or more shall be provided with an access opening as required by the Building Code in effect at the time the building was built. [If one does not exist, then provide an attic access opening to current code.](#)

**G. Exterior Stairs, Ramps, Porches, and Decks.**

Every exterior stair, ramp, porch, deck, or other exterior appurtenances, including guardrails and handrails, shall be constructed of materials of sufficient strength to perform the function for which it is designed and to carry the live and dead loads prescribed by the Building Code in effect at the time the building was built. All material shall be kept in sound condition and good repair. Replacement of materials shall be made, as necessary, of flooring treads, risers, stringers, decking, and other materials that show excessive wear, [and/or](#) are broken, warped, loose, or deteriorated. Weather-exposed surfaces shall be protected in an approved manner.

**H. Exits.**

All buildings shall be provided with exits in accordance with the Building Code.

Exception: Exiting systems which met the Building Code at the time that the building or structure was

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constructed, which have been maintained in good condition and do not pose a danger to life, in the opinion of the Building Official, may be accepted as an alternative to the Building Code.

Exits shall terminate at a public street or shall terminate to a place of refuge which is sufficiently large enough to receive all the occupants in the structure, and which is no less than 60 feet from the building or structure.

I. Doors, Latches, and Locks.

The width and height for all exit doors shall comply with the Building Code in effect at the time the building was originally constructed, and shall be openable from the interior without a key or special knowledge. All doors serving an occupant load of 50 or more shall swing in the direction of egress.

Doors serving an occupant load of less than ten, as calculated by the Building Code, may have dead bolts, provided a thumb operator, knob, or equivalent is installed on the interior side of the door. Dead bolts which require keys to be operated from the interior are not permitted.

Doors serving occupancies classified as Group A (Assembly), Group E (Educational or Day Care), Group H (Hazardous), and Group I (Institutional) shall be provided with panic hardware when serving occupant loads of 50 or more as calculated by the Building Code, or when otherwise required by the Building Code.

J. Corridors.

Corridors shall be constructed in accordance with the provisions of the Building Code in effect at the time the building was constructed. Corridors shall terminate at doors to the exterior of the building or to doors leading to stair enclosures or to doors passing through horizontal exits, as defined by the Building Code. Exits from corridors shall not pass through intervening rooms except for lobbies and waiting areas constructed to corridor standards as defined by the Building Code in effect at the time the building was constructed.

K. Stairways and Stair Enclosures.

Stairs shall be constructed as required by the Building Code in effect at the time the building was constructed. Stairs shall be enclosed when required by the Building Code in effect at the time the stair enclosure was constructed.

Exceptions:

1. Stairways constructed prior to July 1, 1988, which serve occupant loads of ten or more, but which have

risers in excess of 7 inches but not exceeding 7.5 inches, and/or have treads with a depth less than 11 inches but not less than 10 inches measured from tread nose to tread nose.

2. Buildings and structures which have fire escapes which have been maintained and tested in accordance with the Building Code and the Fire Code. See Subsection Q, Fire Escapes, of this chapter.

L. Ramps.

Ramps shall be constructed as required by the Building Code.

Exception: Existing ramps which do not exceed a slope of one vertical to eight horizontal (12.5 percent) and which conformed to the Building Code in effect at the time the building or structure was constructed may be used for exiting purposes, provided there are landings at the top and the bottom of the ramp which have lengths equal to the width of the ramp, or 36 inches, whichever is greater. The length of such landings do not need to exceed 44 inches.

M. Guardrails.

Unenclosed floor and roof openings, open and glazed sides of stairways, landings and ramps, balconies or porches, which are more than 30 inches above grade or floor below, and roofs used for other than service of the building shall be protected by a guardrail.

Exception: Guardrails need not be provided at the following locations:

- 1. On the loading side of loading docks.
- 2. On the auditorium side of a stage, raised platforms, and other raised floor areas, such as runways, ramps, and side stages used for entertainment or presentation; along the side of an elevated walking surface, when used for the normal functioning of special lighting or for access and use of other special equipment; at vertical openings in the performance area of stages.
- 3. Along vehicle service pits not accessible to the public.

Height. The top of guardrails shall meet the requirements of Building Code in effect at the time the guardrail was built, but need not exceed 42 inches in height.

Exceptions:

- 1. The top of guardrails for Group R, Division 3 and Group U, Division 1 Occupancies, and interior guardrails within individual dwelling units, Group R, Division 3 congregate living facilities, and guest

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rooms of Group R, Division I Occupancies, do not need to exceed 36 inches in height.

2. The top of guardrails on a balcony immediately in front of the first row of fixed seats and which are not at the end of an aisle may be 26 inches in height.

3. The top of guardrails for stairways, exclusive of their landings, may have a height as specified in the Stairway Handrails section of this chapter.

Openings. Open guardrails shall have intermediate rails or an ornamental pattern that complies with the Building Code in effect at the time the guardrail was built. If the guardrail is new or needs to be reconstructed, the intermediate rails or ornamental pattern shall comply with the presently adopted Building Code. If the existing guardrail does not have intermediate rails or an ornamental pattern, intermediate rails or an ornamental pattern shall be provided which complies with the presently adopted Building Code.

N. Stairway Handrails.

Stairways shall have handrails on each side, and every stairway required to be more than 88 inches in width shall be provided with not less than one intermediate handrail for each 88 inches of required width. Intermediate handrails shall be spaced approximately equally across with the entire width of the stairway.

Exceptions:

1. Stairways less than 44 inches in width or stairways serving one individual dwelling unit in Group R, Division 1 or Division 3 Occupancies, or a Group R, Division 3 congregate living facilities, may have one handrail.

2. Private stairways 30 inches or less in height may have handrails on one side only.

3. Stairways having less than four risers and serving one individual dwelling unit in Group R, Division 1 or Division 3, or a Group R, Division 3 congregate living facilities, or serving Group U Occupancies, need not have handrails.

The top of handrails and handrail extensions shall meet the requirements of the Building Code in effect at the time the stairway was built, but in no case shall be less than 30 inches nor more than 38 inches above the nosing of treads and landings. Handrails shall be continuous the full length of the stairs. Handrail ends shall be returned or shall terminate in newel posts or safety terminals.

The handgrip portion of handrails shall meet the requirements of the Building Code in effect at the

time the stairway was built. The handgrip portion of handrails shall have a smooth surface with no sharp corners.

Handrails projecting from a wall shall have a space of not less than 1-1/2 inches between the wall and the handrail.

Handrails used to protect the open side of stairways or landings shall be provided with intermediate rails or an ornamental pattern, when the drop from the stairs or landing is 30 inches or more to the ground or surface below. The intermediate rails or patterns shall be as required by the Building Code under which it was constructed. If such handrail is new or being replaced, it shall meet the requirements of the presently adopted Building Code. If such handrail is existing, but is not provided with intermediate rails or ornamental pattern, intermediate rails or an ornamental pattern shall be provided to comply with the presently adopted Building Code.

O. Exit Path Lighting.

General. Except within individual dwelling units, guest rooms, and sleeping rooms, exits shall be illuminated at any time the building is occupied, with light having intensity of not less than 1.0 foot-candle at floor level.

Exception: In auditoriums, theaters, concert or opera halls, and similar assembly uses, the illumination at floor level may be reduced during performances to not less than 0.2 foot-candle.

Sources of Power. The power supply for exit illumination shall normally be provided by the premises' wiring system. Emergency backup power or power on separate circuits shall be in accordance with the Building Code in effect at the time the lighting was installed.

P. Exit Signs.

Where Required. When two or more exits from a story are required, exit signs shall be installed at stair enclosure doors, horizontal exits, and other required exits from the story. When two or more exits are required from a room or area, exit signs shall be installed at the required exits from the room or area and where otherwise necessary to clearly indicate the direction and path of egress.

Exceptions:

1. Main exterior exit doors, which obviously and clearly are identifiable as exits, need not be signed when approved by the Building Official.

2. Group R, Division 3, and individual units of Group R, Division 1 Occupancies.

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3. Exits from rooms or areas with an occupant load of less than 50 when located within a Group I, Division 1.1, 1.2, or 2 Occupancy, or a Group E, Division 3 day-care occupancy.

Graphics. The color and design of lettering, arrows, and other symbols on exit signs shall be in high contrast with their background. Words on the signs shall be in block letters 6 inches in height with a stroke of not less than 3/4 inch, or in accordance with the Building Code in effect at the time the original signs were installed.

Illumination. Signs shall be internally or externally illuminated in accordance with the Building Code in effect at the time the exit signs were installed.

Power Supply. Current supply to one of the lamps for exit signs shall be provided by the premises' wiring system. Power to the other lamp shall be from storage batteries or an on-site generator set, and the system shall be installed in accordance with the Electrical Code or in accordance with the Building Code in effect at the time the exit signs were installed.

Q. Fire Escapes.

New fire escapes shall not be permitted to be installed. Existing fire escapes complying with this section may be accepted by the Building Official as one of the required exits. The fire escape shall not be the primary or the only exit. Fire escapes shall not take the place of stairways required by the codes under which the building was constructed. Fire escapes shall be subject to re-inspection as required by the Building Official. The Building Official shall require documentation to show compliance with the requirements of this section.

Fire escapes shall comply with the following:

1. Access from the corridor shall not be through an intervening room.

Exception: Access through an intervening room may be permitted if the intervening door is not lockable and an exit sign is installed above the door which will direct occupants to the fire escape. Such intervening rooms shall not be storage rooms, mechanical equipment rooms, kitchens, or similar spaces, and shall be common to the building in general and not part of a tenant space.

2. All openings in an exterior wall below or within 10 feet, measured horizontally, of an existing fire escape serving a building over two stories in height, shall be protected by a self-closing fire assembly having a three-fourths-hour fire protection rating. When located within a recess or vestibule, adjacent

enclosure walls shall be of not less than one-hour fire-resistive construction.

3. Egress from the building shall be by an opening having a minimum clear width and height of not less than 29 inches. Such openings shall be openable from the interior without the use of a key or special knowledge or effort. The sill of an opening giving access to the fire escape shall not exceed 30 inches above the floor of the building or balcony. The top of the frame of the opening giving access to the fire escape shall be a minimum of 59 inches above the floor.

4. Fire escape stairways and their balconies shall support their dead load plus a live load of not less than 100 pounds per square foot or a concentrated load of 300 pounds placed anywhere on the balcony or stairway so as to produce the maximum stress conditions. The stairway shall have a slope not to exceed 60 degrees from the horizontal and shall have a minimum width of 18 inches. The stairway shall be provided with a top and intermediate railing on each side. Treads shall not be less than 4 inches in width, and the rise between treads shall not exceed 10 inches. All stairway and balcony railings shall support a horizontally applied force of not less than 50 pounds per lineal foot of railing or a concentrated load of 200 pounds placed anywhere on the railing so as to produce the maximum stress conditions.

5. Fire escape balconies shall not be less than 44 inches in width with no floor openings greater than 5/8 inch in width except the stairway opening. Stairway openings in such balconies shall not be less than 22 inches by 44 inches. The guardrail of each balcony shall not be less than 36 inches high with not more than 9 inches between intermediate rails.

6. Fire escapes shall extend to the roof or provide an approved gooseneck ladder between the top floor landing and roof when serving buildings four or more stories in height having roofs with a slope not exceeding 4 in 12. Such ladders shall be designed and connected to the building to withstand a horizontal force of 100 pounds per lineal foot; each rung shall support a concentrated load of 500 pounds placed anywhere on the rung so as to produce the maximum stress conditions. All ladders shall be at least 15 inches in clear width, be located within 12 inches of the building, and shall be placed flat wise relative to the face of the building. Ladder rungs shall be 3/4 inch in diameter and shall be located 10 inches to 12 inches on center. Openings for roof access ladders through cornices and similar projections shall have minimum dimensions of 30 inches by 33 inches.

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7. The lowest balcony shall not be more than 18 feet from the ground. Fire escapes shall extend to the ground or be provided with counter-balanced stairs reaching the ground.

8. Fire escapes shall be kept clear and unobstructed at all times and shall be maintained in good working order. Fire escape stairways, balconies, railings, and ladders shall be visually inspected annually and shall be subjected to a stress test every five years in accordance with the provisions of Chapter 3.02 of the Tacoma Municipal Code. Fire escapes failing the stress test shall be repaired or removed from the building, as directed by the Fire Chief. If the fire escape is removed from the building, it shall be replaced with stairways meeting all requirements for stairways in new construction.

9. The fire escape shall have clearance from electrical service conductors as required by the Electrical Code.

R. Exits for Sleeping Rooms.

All sleeping rooms below the fourth story in buildings shall be provided with two exits. One of the exits may be a window opening onto a public way or into a court or yard which provides access to a public way. Such exit window shall provide a net openable area of 5.7 square feet with a minimum clear width of 20 inches and a minimum clear height of 24 inches, and a maximum sill height of 44 inches measured from the floor of the sleeping room.

Exceptions:

1. In buildings constructed prior to May 26, 1981, existing window with a net openable area of 5 square feet, a minimum clear width of 22 inches, a minimum clear height of 22 inches, and a maximum sill height of 48 inches measured from the floor of the sleeping room, shall be deemed to meet the exit window requirement. Where the window frame is to be replaced, this exception shall not apply, except as necessary to fit within the rough framed opening, in which case the opening dimensions shall be maximized. (Note: If a new opening needs to be created or an existing opening needs to be enlarged to provide an exit window from a sleeping room, this exception shall not apply.)

2. Where the sill height exceeds the maximum specified, including when Exception 1 applies, a landing with a minimum depth of 24 inches and width equal to the width of the window and frame, but not less than 36 inches, may be provided directly below the exit window within the sleeping room, provided: stairs shall be provided to the landing if its height exceeds 12 inches above the sleeping room floor, and that the landing and stairs do not decrease

the minimum required dimensions of the sleeping room below those required by this chapter and the Building Code.

3. The size of egress windows below the fourth floor opening onto a court yard may be modified by the Building Official or the Fire Chief.

Escape and rescue windows with a finished sill height below the adjacent ground elevation shall have a window well. Window wells at escape or rescue windows shall comply with the following:

- 1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of 9 square feet, with a minimum dimension of 36 inches.
- 2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches.

Bars, grilles, grates, or similar devices may be installed on emergency escape or rescue windows, doors, or window wells, provided:

- 1. The devices are equipped with approved release mechanisms which are openable from the interior without the use of a key or special knowledge or effort; and
- 2. The building is equipped with smoke detectors installed in accordance with the Building Code.

S. Minimum Room Dimensions for Residential Buildings.

1. Ceiling heights. Habitable space shall have a ceiling height of not less than 7 feet. Where exposed beam ceiling members are spaced at less than 48 inches on center, ceiling height shall be measured to the bottom of these members. Where exposed beam ceiling members are spaced at 48 inches or more on center, ceiling height shall be measured to the bottom of the deck supported by these members, provided that the bottoms of the members are not less than 7 feet above the floor.

If any room in a building has a sloping ceiling, the prescribed ceiling height for the room is required in only one-half the area thereof. No portion of the room measuring less than 5 feet from the finished floor to the finished ceiling shall be included in any computation of the minimum area thereof.

If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds the area

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thereof, but in no case shall the height of the furred ceiling be less than 7 feet.

Exception: The Building Official may permit lower ceiling heights where existing conditions make the strict compliance with this section impractical.

2. Floor area. Dwelling units and congregate residences shall have at least one room which shall have not less than 120 square feet of floor area. Other habitable rooms, except kitchens, shall have an area of not less than 70 square feet. Sleeping rooms shall be increased in floor area by a minimum of 50 square-feet for each occupant in excess of two. Efficiency dwelling units shall comply with the requirements of Subsection T.

3. Width. Habitable rooms, other than a kitchen, shall not be less than 7 feet in any dimension.

T. Efficiency Dwelling Units.

An efficiency dwelling unit shall conform to the requirements of the Building Code in effect at the time the building was constructed, except as herein provided:

- 1. The unit shall have a living room of not less than 220 square feet of superficial floor area. An additional 100 square feet of superficial floor area shall be provided for each occupant of such unit in excess of two.
2. The unit shall be provided with a separate closet.
3. The unit shall be provided with a kitchen sink, cooking appliance, and refrigeration facilities, each having a clear working space of not less than 30 inches in front. Light and ventilation conforming to this chapter shall be provided.
4. The unit shall be provided with a separate bathroom containing a water closet, lavatory, and bathtub or shower.

U. Residential Dwelling or Dwelling Unit Room Arrangement.

Rooms in dwellings and dwelling units containing two or more sleeping rooms shall be arranged in such a manner that bathroom or water closet compartment access is provided without traveling through a sleeping room.

Exception: Where each bedroom has its own bathroom facilities.

Rooms in dwellings or dwelling units shall be so arranged that access to all sleeping rooms can be made directly without traveling through other sleeping rooms, bathrooms, or water closet compartments.

Dwellings and dwelling units shall be self-contained, with access to all portions being possible without leaving the dwelling or dwelling unit.

V. Overcrowding, Residential Buildings.

For single family dwellings, duplexes and multi-family dwellings with 3 or more units, the maximum number of residents of each dwelling unit shall not exceed the gross area divided by 200, rounded to the nearest whole number. Bedrooms will accommodate two persons with a minimum size of 70 square feet, with no dimension being less than 7 feet. An additional 50 square feet shall be provided for each person in excess of two.

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Children less than one year of age shall not be considered in applying the above provisions.

Deleted: For multiple family dwellings buildings with three or more units, the maximum number of residents of each dwelling unit shall not exceed the gross area divided by 200, rounded to the nearest whole number. Bedrooms will accommodate two persons with a minimum size of 70 square feet, with no dimension being less than 7 feet. An additional 50 square feet shall be provided for each person in excess of two.

W. Smoke Detectors and Fire Alarm Systems.

1. Smoke detectors.

a. General. Dwelling units, congregate residences, and hotel or lodging house guest rooms that are used for sleeping purposes shall be provided with smoke detectors. Detectors shall be installed in accordance with the approved manufacturer's instructions.

b. Additions, alterations, or repairs to Group R Occupancies. When the valuation of an addition, alteration, or repair to a Group R Occupancy exceeds \$1,000.00 and a permit is required, or when one or more sleeping rooms are added or created in existing Group R Occupancies, smoke detectors shall be installed in accordance with the current Building Code.

Exception: Repairs to the exterior surfaces of a Group R Occupancy are exempt from the requirements of this section.

c. Power source. In new construction, required smoke detectors shall receive their primary power from the building wiring when such wiring is served from a commercial source, and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke detectors may be solely battery operated when installed in existing buildings; or in buildings without commercial power; or in buildings which undergo alterations, repairs or additions regulated by the Building Code.

d. Location within dwelling units. In dwelling units, a detector shall be installed in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. When the dwelling unit has more than one story, and in

dwellings with basements, a detector shall be installed on each story and in the basement. In dwelling units where a story or basement is split into two or more levels, the smoke detector shall be installed on the upper level, except that when the lower level contains a sleeping area, a detector shall be installed on each level. When sleeping rooms are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. In dwelling units where the ceiling height of a room open to the hallway serving the bedrooms exceeds that of the hallway by 24 inches or more, smoke detectors shall be installed in the hallway and in the adjacent room. Detectors shall sound an alarm audible in all sleeping areas of the dwelling unit in which they are located.

e. Location in efficiency dwelling units, congregate residences and hotels. In efficiency dwelling units, hotel suites, and in hotel and congregate residence sleeping rooms, detectors shall be located on the ceiling or wall of the main room or each sleeping room. When sleeping rooms within an efficiency dwelling unit or hotel suite are on an upper level, the detector shall be placed at the ceiling of the upper level in close proximity to the stairway. When actuated, the detector shall sound an alarm audible within the sleeping area of the dwelling unit or congregate residence, hotel suite, or sleeping room in which it is located.

f. State law requires Carbon Monoxide Alarms be installed in existing apartments, condominiums, hotels, motels and single-family residences by January 1, 2013. The alarms shall be installed as follows:

1. Alarms must be located outside of each separate sleeping area, in the immediate vicinity of the bedroom and on each level of the residence.

2. Single station carbon monoxide alarms must be listed as complying with UL 2034, and installed in accordance with the code and the manufacturer's instructions.

3. Combined Carbon Monoxide alarms and smoke alarms are permitted and shall be installed per the manufactures specifications.

Exemptions

SSB 5561, implemented as RCW 19.27.530, charged the State Building Code Council with adoption of administrative rules (WAC 51-50-0908) to implement the carbon monoxide alarm law and consider exemptions for some building classifications. Sleeping units or dwelling units in new or existing motels, hotels, college dormitories,

and DSHS licensed boarding home and residential treatment facilities, which do not themselves contain a fuel-burning appliance, or a fuel-burning fireplace, or have an attached garage-are located in a building with a fuel-burning-appliance, or a fuel-burning fireplace, or an attached garage, need not be provided with Carbon Monoxide alarms provided that:

• The sleeping unit or dwelling unit is not adjacent to any room that contains a fuel-burning appliance, a fuel-burning fireplace, or an attached garage; and

• The sleeping unit or dwelling unit is not connected by duct work or ventilation shafts with a supply or return register in the same room to any room containing a fuel-burning appliance, a fuel-burning fireplace, or to an attached garage; and

• The building has a common area Carbon Monoxide alarm system. 2. Fire Alarm Systems.

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a. Group R, Division 1 Occupancies shall be provided with an approved manual and automatic fire alarm system in apartment houses three or more stories in height or containing 16 or more dwelling units, in hotels three or more stories in height or containing 20 or more guest rooms, and in congregate residences three or more stories in height or having an occupant load of 20 or more. A fire alarm and communication system shall be provided in Group R, Division 1 Occupancies located in a high-rise building.

Exceptions:

1. A manual fire alarm system need not be provided in buildings not over two stories in height when all individual dwelling units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least one-hour fire-resistive occupancy separations and each individual dwelling unit or guest room has an exit directly to a public way, exit court, or yard.

2. A separate fire alarm system need not be provided in buildings which are protected throughout by an approved supervised fire sprinkler system having a local alarm to notify all occupants. The alarm signal shall be a distinctive sound which is not used for any other purpose other than the fire alarm. Alarm-signaling devices shall produce a sound that exceeds the prevailing equivalent sound level in the room or space by 15 decibels minimum, or exceeds any maximum sound level with a duration of 30 seconds minimum by 5 decibels minimum, whichever is louder. Sound levels for alarm signals shall be 120 decibels maximum.

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For the purposes of this section, area separation walls shall not define separate buildings.

b Occupancies Other Than Group R. Fire alarm systems shall be provided in all other buildings other than Group R occupancies in accordance with the provisions of the Building Code and Fire Code in effect at the time the building was constructed, or when last substantially renovated, remodeled, extended, or altered.

X. Kitchen Facilities.

Each dwelling unit shall be provided with a kitchen. The kitchen area shall contain:

1. A sink with hot and cold running water.
2. Space for a stove, hot plate, or microwave.
3. Space for a refrigerator.
4. Adequate counter space for food preparation and dish washing.
5. Adequate storage space for kitchen utensils and food.
6. Adequate floor space.

Kitchens shall be provided with light and ventilation meeting the minimum standards set forth in this chapter.

Communal kitchens shall be permitted only in rooming house or boarding homes. Such communal kitchens shall be located within a room accessible to the occupants of each guest room sharing the use of the kitchen without going outside the rooming house or boarding home, or going through a unit of another occupant.

Commercial kitchens shall comply with the Mechanical Code in effect at the time the kitchen was constructed, and the requirements of the Tacoma-Pierce County Health Department. Commercial kitchens shall be provided with grease hoods and grease traps or interceptors when determined necessary.

Y. Laundry Facilities.

All residential buildings shall provide facilities for the washing of clothes in accordance with the provisions of the codes in force at the time the building was constructed. In an apartment house, where laundry facilities are not provided for each unit, means such as laundry trays or washing machines shall be provided elsewhere on site and shall be available to tenants.

Z. Electrical System and Lighting.

All occupied buildings shall be connected to an approved source of electrical power. An approved source of electrical power shall be Electrical Utilities authorized to furnish electrical power within the limits of the City of Tacoma.

All electrical equipment, components, and wiring shall be installed and maintained in a safe manner in accordance with applicable codes. All electrical equipment shall be listed by an approved testing and/or listing agency. All damaged or missing electrical components or equipment shall be replaced, repaired, or removed as appropriate.

The electrical system shall be safe and not be a shock or fire hazard to the occupants of the building.

Services shall be adequately sized and provided with fuses, breakers, and other appropriate safety equipment. Wiring shall be maintained in a safe condition.

Exit facilities and other hallways and stairs shall be provided with supplied and operable lighting capable of providing a minimum of one foot-candle lighting intensity at floor level. Emergency power shall be provided if required by the code under which the building was constructed.

Every habitable room shall contain at least two supplied and operable electrical convenience outlets, or one supplied electric convenience outlet and one supplied and operable light fixture.

Every kitchen, furnace room, and laundry room shall contain at least one supplied electric convenience outlet and one supplied and operable light fixture.

Every bathroom, rest room, and toilet compartment shall contain at least one supplied and operable electric light fixture. In addition, every room containing lavatories shall be provided with at least one convenience outlet.

AA. Heating, Mechanical, and Elevator Equipment.

Heating equipment shall be provided to heat every dwelling and guest room, and shall have the capacity to heat all habitable rooms to 70 degrees Fahrenheit with an ambient outside temperature of 20 degrees Fahrenheit. Such equipment shall be in compliance with the Mechanical Code or the Building Code in effect at the time of installation. Solid-fuel-burning appliances and portable heating devices shall not be used to provide the primary heat for the dwelling or guest rooms.

Elevators shall be maintained in compliance with the code at the time of installation and the manufacturer's specifications.

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### BB. Water Heating Equipment.

Every dwelling or dwelling unit shall have water heating equipment which is properly installed and maintained in safe and good working condition. Such equipment shall be provided with piping to distribute the hot water to all locations required by the Building, Plumbing, and Mechanical Codes and this chapter. Water heating equipment shall be capable of heating water to 120 degrees Fahrenheit in quantities to permit a reasonable amount of hot water to be drawn at every required kitchen sink, lavatory, bathtub, or shower on demand. Hot water heating equipment shall have its thermostat set no lower than 120 degrees Fahrenheit, and shall be provided with all safety equipment prescribed by the Plumbing and Mechanical Codes. Water-heating equipment required by this section shall be independent of the building heating system.

### CC. Light and Ventilation.

1. Lighting. All occupied portions of buildings shall be provided with natural or artificial light.

All habitable rooms in residential dwelling buildings or dwelling units shall be provided with natural light.

Natural light shall be provided for each room by windows and/or skylights which combine to have a minimum area of one-tenth (1/10) of the floor area of the room or combination of rooms being considered.

Artificial light shall be provided with electrical fixtures wired to house power provided by a supply utility which provide a minimum light intensity of 1.0 foot-candle at floor level. Existing lighting which met the Building Code in effect at the time the building was constructed, has been maintained in safe condition, and which provides the minimum 1.0 foot-candle at floor level is deemed as meeting this section. New lighting shall be required to meet the Washington State Energy Code.

Adjacent rooms may be considered as one room, provided that the opening in the wall between the two rooms provide a minimum clear opening of one-tenth (1/10) of the floor area of the interior room, 25 square feet, or one-half of the area of the wall between the rooms, whichever is greater.

2. Ventilation. All occupied portions of buildings shall be provided with natural or mechanical ventilation.

Natural ventilation shall be by means of openable windows, doors, skylights, or other approved openings to the exterior of the building. Natural ventilation shall be provided at a rate of one-

twentieth (1/20) of the floor area of the space or combination of spaces being considered.

Existing mechanical ventilation meeting the requirements of the Building and Mechanical Codes in effect at the time the building was constructed shall be considered satisfactory. New or revised mechanical ventilation shall meet the requirements of the Washington State Ventilation and Indoor Air Quality Code.

### DD. Solid-Fuel-Burning Appliances.

[A City of Tacoma building permit is required for the installation of a solid fuel burning device.](#)

[Solid fuel burning appliances shall be listed by an approved testing agency and shall be installed in accordance with their listing and with the manufacturers installation instructions and shall comply with the applicable Washington State Department of Ecology emissions standards and/or the United States Environmental Protection Agency emission standards for air quality.](#)

[The appliance shall be vented in accordance with the International Mechanical Code, International Building Code or the International Residential Code. Masonry chimneys must be lined. Factory built chimneys shall be listed by an approved testing agency and shall be installed in accordance with their listing.](#)

[The installation of a used appliance is prohibited, except for engineered installations with prior approval by the Building Official or other authorities having jurisdiction.](#)

### EE. Chimneys.

Every smoke pipe and every chimney shall remain adequately supported and free from obstructions and shall be maintained in a condition which ensures there will be no leakage or back-up of noxious gases. Every chimney shall be reasonably plumb. Loose bricks or blocks shall be rebonded. Loose or missing mortar shall be replaced. Unused openings into the interior of the structure must be permanently sealed using approved materials. Chimneys used for approved gas appliances shall be lined with approved materials.

Masonry chimneys supported on chimney brackets ("shelf chimneys") shall be removed, or the chimney shall be modified to provide an approved support system.

### FF. Plumbing.

Supply, waste, and vent plumbing piping shall be in good condition and free from leaks. Waste piping

**Deleted:** Solid-fuel-burning appliances shall be listed by an approved testing and/or listing agency, and shall be installed in accordance with their listings for clearances, chimneys, and floor protection.¶

**Deleted:** Exception: Unlisted solid-fuel-burning appliance installations which existed prior to 1977, and which are in good condition, may remain, provided:¶

1. The clearances to combustible materials are in accordance with Tables 3-A and 3-B of the 1994 Uniform Mechanical Code.¶

2. The installation meets the requirements of the Building Code in effect at the time of the installation.¶

Solid-fuel-burning appliances shall not be used as the primary heating source for dwelling units.¶

Exception: Solid-fuel-burning furnaces with an approved ducted heat distribution system, and an automatic fuel delivery system.¶

**Moved up [1]:** A solid fuel burning device means any device for burning wood, coal, or any other non-gaseous and non-liquid fuel.

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shall be adequately sized to safely convey waste water to the City Sewer or to other approved plumbing waste disposal systems. Vent piping shall be adequately sized and configured to prevent siphoning of plumbing fixture traps. All plumbing fixtures shall be in good condition, free from cracks and leaks, and shall be properly connected to the waste and vent system of the building.

### GG. Number of Plumbing Fixtures.

**Dwelling Units:** Every dwelling unit shall be provided with a kitchen sink, a water closet, a lavatory (bathroom sink), and either a bathtub or a shower.

**Lodging Houses:** Lodging Houses shall be provided with a minimum of a kitchen sink, a water closet, a lavatory (bathroom sink), and a bathtub or a shower, provided that, where the bathtub or shower is provided in the same room as a water closet and lavatory, that there shall be an additional water closet and lavatory in the building in a different location.

**Apartment Houses, Hotels, and Motels:** Each apartment house dwelling unit, hotel unit, or motel unit shall be provided with a water closet, a lavatory (bathroom sink), and a bathtub or a shower.

**Exception:** Apartment houses, hotels, and motels existing prior to January 1, 1961, which contain communal toilet and bathing facilities rather than facilities for each unit, may continue operation without requiring modification, provided:

1. There are separate toilet and bathing facilities for each sex.
2. Toilet and bathing facilities shall be separate from each other or of adequate size to permit simultaneous use.
3. The men's toilet facilities shall contain:

**Water Closets:** One for every ten guest rooms, or fraction thereof, but not less than one.

**Urinals:** One for every 25 guest rooms, or fraction thereof, but not less than one.

**Lavatories:** One for every 12 guest rooms, or fraction thereof, but not less than one.

4. The women's toilet facilities shall contain:

**Water Closets:** One for every eight guest rooms, or fraction thereof, but not less than one.

**Lavatories:** One for every 12 guest rooms, or fraction thereof, but not less than one.

5. The bathing facilities for each sex shall contain:

One shower and bathtub combination and, in addition, shall provide one additional shower for every eight guest rooms over eight.

**Dormitories:** Dormitories shall provide toilet facilities in accordance with the exception listed for Hotels and Motels.

**Commercial and Industrial Buildings:** Commercial and Industrial Buildings shall be provided with toilet facilities for each sex. Each toilet facility shall be provided with a minimum of one water closet and one lavatory. In addition, each men's toilet facility shall also be provided with a urinal where there are more than four persons using the facility.

### Exceptions:

1. Commercial and Industrial buildings may provide a single toilet facility with a lockable door where four or less persons are employed.
2. Restaurants with seating for 24 or less patrons may provide a single toilet facility with a lockable door.

The number of fixtures provided in each of the toilet facilities for commercial and industrial buildings shall meet the requirements set forth in the Building Code.

**Exception:** Toilet facilities which provided adequate fixtures in accordance with the Plumbing Code in effect when the building was constructed.

### HH. Sanitation.

1. **Floors.** In other than dwelling units, toilet room floors shall have a smooth, hard, nonabsorbent surface, such as Portland cement, concrete, ceramic tile, or other approved material which extends upward onto the walls at least 5 inches.
2. **Walls.** Walls within 2 feet of the front and sides of urinals and water closets shall have a smooth, hard, nonabsorbent surface of Portland cement, concrete, ceramic tile, or other smooth, hard, nonabsorbent surface to a height of 4 feet, and except for structural elements, the materials used in such walls shall be of a type which is not adversely affected by moisture.

### Exceptions:

1. Dwelling units and guest rooms.
2. Toilet rooms which are not accessible to the public and which have not more than one water closet.
3. **Hardware.** In all occupancies, accessories such as grab bars, towel bars, paper dispensers, and soap dishes, provided on or within walls, shall be installed and sealed to protect structural elements from moisture.

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4. Bathtub and Shower. Bathtub and shower enclosures in all occupancies shall be finished as specified in items 1 and 2 above, to a height of not less than 70 inches above the drain inlet. Materials other than structural elements used in such walls shall be of a type which is not adversely affected by moisture.

5. Water Closet Room Separation. A room in which a water closet is located shall be separated from food preparation or food storage rooms by tight-fitting doors.

II. Infestation.

Every building shall be kept free from infestations of vermin. Where infestations of vermin are found, they shall be promptly eliminated by extermination. After elimination of infestations, proper precautions shall be taken to prevent reinfestations. (See definition of vermin.)

JJ. Accessory Structures.

All accessory structures shall be maintained structurally safe and sound and in good repair. All exterior surfaces of accessory structures shall be of a material specifically for use in such a weather-exposed location. Accessory structures shall not be used for the storage of garbage or rubbish unless such garbage or rubbish is placed in an approved container or stored in a manner so as not to constitute a health or safety hazard.

An accessory structure shall contain no habitable space. No person shall occupy or allow another to occupy an accessory structure for living purposes. Plumbing shall not be permitted in an accessory structure, except as permitted by the Tacoma Land Use Regulatory Code.

Accessory buildings are not permitted on building lots separate from the main building, except as permitted by the Tacoma Land Use Regulatory Code. Detached accessory buildings located on a site where the main building has been removed may remain on the lot for up to a year, without the main building being replaced.

Exception: With the permission of the Building Official, accessory buildings may remain on a building lot where the main building has been destroyed for longer than one year, for sufficient reasons, presented to the Building Official in writing.

KK. Accessibility for the Physically Disabled.

All buildings shall be in compliance with the provisions of the [American National Standards Institute 117.1](#) that were in effect at the time the building was constructed. Additions, renovations

and/or remodeling of existing buildings shall meet the requirements of the present [American National Standards Institute 117.1](#), as it applies to existing buildings and to the specific project.

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LL. Exterior Maintenance.

1. Buildings. The exterior of buildings shall be maintained in a manner which appears neat and orderly. Weatherproofing elements, such as roofing and siding, shall be firmly attached and in good condition. Glazing and exterior doors shall be intact and in good repair. Painted surfaces shall be fully covered and all peeling or blisters shall be scraped and repainted.

2. Sidewalks and Paving. The owner shall be responsible for maintaining sidewalks and other paving on the property. Sidewalks and other paving on the property shall provide a reasonably even surface without potential hazards.

3. Exterior Property Areas, Yards, and Courts. The owner shall be responsible for maintaining all exterior property areas, yards, and courts in a reasonably neat, clean, and sanitary condition. Property areas shall be maintained free from any accumulation of garbage, litter, debris, overgrown, or noxious vegetation, or other conditions which constitute a nuisance as defined by Chapter 8.30 of the Tacoma Municipal Code. For the purposes of this section, owners shall be responsible for maintaining the property to the centerline of abutting public streets and alleys, pursuant to Chapter 9.17 of the Tacoma Municipal Code.

MM. Recreational Vehicles or Other Vehicles.

No recreational vehicles, as defined by this chapter, or other vehicles shall be used for the purpose of living, sleeping, cooking, or any similar use while parked on public or private property.

NN. Cargo Containers and Semi-Trailers.

1. Except as permitted by the City of Tacoma Land Use Regulatory Code, cargo containers shall not be permitted to be used as storage buildings.

2. Semi-trailers shall not be used for storage buildings. (Ord. 26715 § 3A; passed Oct. 17, 2000; Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 20530 § 3; passed Aug. 26, 1975; Ord. 18914 § 1; passed Sept. 2, 1969; Ord. 17517 § 1; passed Jan. 2, 1964; Ord. 16384 § 6; passed Jun. 29, 1959; Ord. 15742 §§ 1-13; passed Nov. 13, 1956)

2.01.080 Repair standards.

It is recognized that, in order to maintain the properties as required by this chapter, repairs will

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Tacoma Municipal Code

need to be made. Repairs, renovations, alterations, and additions in general will be required to meet the applicable codes in effect at the time they are undertaken, with the minimum acceptable standard of repair being made to bring the building or element of a building up to at least the minimum standards listed in Section 2.01.070 of this chapter. The following provisions provide guidelines for these repairs, renovations, alterations, and additions which, when undertaken, require meeting a higher standard or repair than just meeting the minimum requirements set forth in Section 2.01.070 of this chapter.

Where there is a change of use or where there is a substantial renovation as defined by the Building Code, all work shall be in accordance with the Building Code and the ~~JIBC~~, as adopted and amended by the City of Tacoma in Chapter 2.02 of the Tacoma Municipal Code.

A. Foundations.

When an existing foundation system supporting the exterior walls of a building is a post and beam system, and is found by inspection to be substandard, it shall either be replaced with a continuous concrete or masonry foundation system or shall be analyzed by an engineer as to its structural adequacy to support vertical and lateral loads and shall be modified according to the engineering report to correct deficiencies.

Exception: Skirting and other non-structural material, or occasional deteriorated or damaged structural members, may be replaced with the approval of the Building Official.

The building shall be anchored to the foundation system in an approved manner.

In crawl space construction using combustible materials, a minimum clearance of 18 inches shall be provided between the dirt and the floor joists or flooring, and 12 inches between the dirt and floor beams. The dirt shall be covered by a 6-mil black polyethylene or approved equivalent moisture barrier. When the above under-floor clearances are required, access to the under-floor area shall be provided.

Access to under-floor areas shall be provided with a minimum 18-inch by 24-inch opening, unobstructed by pipes, ducts, and similar construction. All under-floor access openings shall be effectively screened or covered. Pipes, ducts, and other construction shall not interfere with the accessibility to or within under-floor areas.

Exception: When proper under-floor clearance is not provided under an existing building, the Building Official may permit the required clearance to be

provided only where plumbing or other equipment is located, provided there is at least adequate clearance to prevent deterioration of materials or where the wood is pressure treated with approved wood preservatives.

Under-floor areas shall be ventilated by an approved mechanical means or by openings in the exterior foundation walls.

Mechanical Ventilation: Mechanical ventilation shall meet the Building Code requirements.

Natural Ventilation: If the under-floor space is to be provided ventilation by openings in the foundation walls, such openings shall have a net area of not less than 1 square foot for each 150 square feet of under-floor area. Openings shall be located as close to corners as is practical and shall provide cross-ventilation. The required area of such openings shall be approximately equally distributed along the length of at least two opposite sides. They shall be covered with corrosion-resistant wire mesh with 1/4-inch square mesh openings.

B. Floors.

Floors which are required to be repaired or reconstructed shall, as nearly as possible, follow the requirements of the Building Code for materials, floor loads, support, bracing, sheathing, and nailing. Where it is not practical, in the opinion of the Building Official, to repair or replace a floor to new building code standards, he/she may approve an alternate level of compliance, which is no less than that required by the Building Code in effect at the time the building was built.

C. Exterior Walls.

Exterior walls and exposed exterior surfaces shall be structurally sound, and shall form a weather tight barrier to the outside elements.

Deteriorated or dry rotted elements of exterior walls shall be replaced or repaired. Siding and weather-resistant coatings or coverings shall be maintained in good condition.

Exterior walls which are opened for repair shall be insulated as required by the Energy Code.

New or rebuilt exterior walls shall comply with the Building Code for fire resistance, parapets, and opening protection.

D. Windows and Glazing.

Broken glazing (panes of glass) may be replaced with new glazing that matches the broken glass in thickness, thermal performance, fire resistance, and strength, provided that safety glazing shall be used to

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replace broken glass in all locations where safety glazing is required by the Building Code.

All new windows (glazing and frames) shall meet the Building Code for fire protection due to location relative to the property lines, safety glazing where glass is subject to impact as defined in the Building Code, and the thermal requirements of the Energy Code for building envelope and type of heating.

Exception: In Group R, Division 3 Occupancies where new windows are provided with no modifications to the existing wall framing, the fire protection rating of the new windows shall be at least equal to the windows being replaced.

#### E. Roofs.

Roof structures shall be structurally sound. Roofing shall be weather tight and provide protection to the interior of the building from outside elements. Roof drainage shall be directed to approved locations. Deteriorated or dry-rotted materials shall be replaced or repaired. Roofs shall be maintained in good repair.

Where ventilation is being added to roof systems, the aggregate net ventilation area shall be provided at a rate of 1/150 of the ceiling area.

Exception: Where the outlet vents are 3 feet or more above the inlet vents, the aggregate net roof ventilation area may be reduced to 1/300 of the ceiling area.

The vent area shall be divided evenly between the inlet and outlet vents. Vents shall be so located to provide cross ventilation and to avoid creating unventilated areas. The openings shall be covered with corrosion-resistant metal mesh with mesh openings of 1/4-inch in dimension.

Where attic access openings need to be provided, the opening shall be located in a corridor, hallway, or other readily accessible location. Attics with a maximum vertical height of less than 30 inches need not be provided with access openings. The attic access opening shall not be less than 22 inches by 30 inches. Thirty-inch minimum clear headroom in the attic space shall be provided at or above the access opening.

#### F. Doors, Latches, and Locks.

All new doors serving an occupant load of ten or more, as calculated by the Building Code, shall have a minimum width of not less than 36 inches and a minimum height of not less than 6 feet 8 inches, and shall be openable from the inside without a key or special knowledge. All doors serving an occupant

load of 50 or more shall swing in the direction of egress.

Doors serving an occupant load of less than ten, as calculated by the Building Code, may have dead bolts, provided they have a thumb operator, knob, or equivalent on the inside. Dead bolts which require keys to be operated from the inside are not permitted.

Doors serving occupancies classified as Group A (Assembly), Group E (Educational or Day Care), Group H, (Hazardous), and Group I (Institutional) shall be provided with panic hardware when serving occupant loads of 50 or more, as calculated by the Building Code, or when otherwise required by the Building Code.

#### G. Corridors.

New, reconstructed, or remodeled corridors shall be constructed in accordance with the provisions of the Building Code.

Exception: Existing duct penetration provided with fire dampers in accordance with the Building Code in effect at the time the building or structure was constructed do not need to be updated to the smoke/fire dampers required by the Building Code.

Newly established required corridors shall not have dead ends which exceed 20 feet, and corridors shall terminate at doors to the exterior of the building or to doors leading to stair enclosures or to doors passing through horizontal exits, as defined by the Building Code. Exits from corridors shall not pass through intervening rooms, except for lobbies and waiting areas constructed to corridor standards as defined by the Building Code.

#### H. Stairways and Stair Enclosures.

New or rebuilt stairs shall be constructed as required by the Building Code. New stairs shall be enclosed, when required by the Building Code.

#### I. Guardrails.

New guardrails, and guardrails which need to be replaced, shall meet all the requirements set forth for guardrails in the Building Code.

#### J. Stairway Handrails.

Where stairways are missing handrails, handrails shall be provided which meet all the requirements of the Building Code.

#### K. Exit Path Lighting.

Exit path shall be illuminated at all times the building or structure is occupied. Exit path lighting shall provide a minimum illumination at floor level of 1.0 foot-candle. Where exit path lighting in existing

buildings is missing or is required to be upgraded, it shall meet the following requirements:

General. Except within individual dwelling units, guest rooms, and sleeping rooms, exits shall be illuminated at any time the building is occupied with light having intensity of not less than 1.0 foot-candle at floor level.

Exception: In auditoriums, theaters, concert or opera halls, and similar assembly uses, the illumination at floor level may be reduced during performances to not less than 0.2 foot-candle.

Separate Sources of Power. The power supply for exit illumination shall normally be provided by the premises' wiring system. In the event of its failure, illumination shall be automatically provided from an emergency system for Group I, Divisions 1.1 and 1.2 Occupancies, and for all other occupancies where the exiting system serves an occupant load of 100 or more.

Emergency systems shall be supplied from storage batteries or an on-site generator set and the system shall be installed in accordance with the requirements of the Electrical Code.

L. Exit Signs.

Where exit signs in existing buildings are missing or are required to be upgraded, they shall meet the following requirements:

Where Required. When two or more exits from a story are required, exit signs shall be installed at stair enclosure doors, horizontal exits, and other required exits from the story. When two or more exits are required from a room or area, exit signs shall be installed at the required exits from the room or area and where otherwise necessary to clearly indicate the direction and path of egress.

Exceptions:

1. Main exterior exit doors, which obviously and clearly are identifiable as exits, need not be signed when approved by the Building Official.
2. Group R, Division 3, and individual units of Group R, Division 1 Occupancies.
3. Exits from rooms or areas with an occupant load of less than 50 when located within a Group I, Divisions 1.1, 1.2, or 2 Occupancy, or a Group E, Division 3 day-care occupancy.

Graphics. The color and design of lettering, arrows, and other symbols on exit signs shall be in high contrast with their background. Words on the sign shall be in block letters 6 inches in height with a stroke of not less than 3/4 inch.

Illumination. Signs shall be internally or externally illuminated by two electric lamps or shall be of an approved self-luminous type. When the luminance on the face of an exit sign is from an external source, it shall have an intensity of not less than 5.0 foot-candles from either lamp. Internally-illuminated signs shall provide equivalent luminance.

Power Supply. Current supply to one of the lamps for exit signs shall be provided by the premises' wiring system. Power to the other lamp shall be from storage batteries or an on-site generator set, and the system shall be installed in accordance with the Electrical Code.

(Note: Refer to Building Code for high-rise buildings and for amusement structures.) (Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 17842 § 2; passed Mar. 18, 1965; Ord. 15742 §§ 1-13; passed Nov. 13, 1956)

**2.01.090 Unoccupied, ~~vacant or partially secured~~ building standards.**

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A. Intent.

It is the intent of this section that buildings which are unoccupied, ~~vacant or partially secured, but are occupied,~~ shall present a neat and orderly appearance, and, as much as possible, will appear occupied or ready for occupancy. If a building is to remain unoccupied or vacant for a period of time, it shall meet the following standards:

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1. All exterior openings shall be properly secured as outlined in Subsection C below, Standards for Securing Buildings. Openings shall be secured by the normal building amenities, including, but not limited to, doors, shutters, grills, and window glazing, which can be considered appropriate for securing an occupied building. If it becomes necessary to temporarily secure openings by covering them with structural paneling, the use of the paneling shall be limited to a maximum of 30 calendar days. Where it becomes impractical to secure buildings using the normal security measures, the Building Official may permit the use of medium density overlay or other approved materials, installed in the window frames and painted with a glossy paint of such color to simulate glazing. In such case, the paneling or other approved materials shall blend with the exterior finish of the building, to provide the building with a neat and tended appearance.

2. The building shall be properly weather-protected to prevent deterioration of the exterior and interior of the building. This weather protection shall be approved by the City and shall include the roof and wall assemblies.

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3. All miscellaneous debris which constitutes a fire hazard shall be removed from the building and property, and the property shall be left in such condition as to not be in violation of the City of Tacoma's Nuisance Ordinance, Chapter 8.30 of the Tacoma Municipal Code. The property shall remain nuisance free at all times.

4. All buildings which have automatic fire sprinkler systems and/or fire alarm systems shall have such systems maintained in operable condition at all times.

5. Adequate heat shall be maintained within an unoccupied or vacant building to prevent plumbing and automatic fire sprinkler systems from freezing, or alternatively, the plumbing, automatic fire sprinkler systems, or any other element in the building sensitive to freezing may be winterized in an approved manner.

6. All sewer lines shall be capped. (When approved by Planning and Development Services, this may be accomplished by providing an approved plug at the fixtures within the building.)

7. The owner shall inspect the property periodically to assure that the property remains in compliance with this chapter. In the event that the unoccupied building does not conform to this standard, the Building Official may order the owner to inspect the property, according to a specific schedule, and to provide written reports that the inspections have been performed and that the property is in compliance with these standards.

B. Procedures for Securing Buildings.

1. Vacant Buildings.

Once a building is determined to be vacant and is open to unauthorized third-party entry, the Building Official shall make reasonable effort to contact the owner to have the building secured. If the owner cannot be contacted with reasonable effort, the City of Tacoma shall secure the building. If such building is presenting an immediate danger to the health, safety, and welfare of the public, or is requested to be immediately secured by the Building Official, the City of Tacoma Police Department, the City of Tacoma Fire Department and/or the Tacoma-Pierce County Health Department, the Building Official shall immediately cause the building to be secured. In the event that the City of Tacoma secures the building, all costs incurred shall be assessed to the owner of the property.

2. Occupied Buildings.

If a building is occupied and determined by the City of Tacoma to be in violation of this chapter and

presents an immediate danger to the health, safety, and welfare of the occupants or the public, the building shall be ordered vacated by the Building Official, and the Building Official shall cause the building to be immediately secured from unauthorized third-party entry. In the event that the City of Tacoma secures the building, all costs incurred shall be assessed to the owner of the property.

3. Occupied Buildings which have been secured due to vandalism or other hazards.

Occupied buildings that have been secured due to vandalism or other hazards may remain secured for a period of twenty-one (21) calendar days while the owner obtains estimates for the repair of the damaged door(s), window(s), exterior wall(s) or other areas of the building which have been damaged due to hazards beyond the control of the owner. It shall be a violation of Section 2.01.090, if the owner has not made repairs within thirty (30) calendar days from the date of the Notice of Violation or negotiated a repair schedule.

C. Standards for Securing Buildings.

To secure a building, all doors, window openings, or other openings on floors accessible from grade shall be closed and locked, or shuttered to prevent third-party entry, to the satisfaction of the Building Official. (Ord. 26715 § 4; passed Oct. 17, 2000; Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 15742 § 1-13; passed Nov. 13, 1956)

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**Deleted: 2.01.100 Residential Building Rental Registration Program.¶**

*Repealed by Ord. 27154¶*  
(Ord. 27154 § 1; passed Oct. 21, 2003; Ord. 26715 § 5; passed Oct. 17, 2000; Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 25560 § 1; passed Aug. 23, 1994; Ord. 15742 § 9; passed Nov. 13, 1956)¶

**Deleted: 2.01.??? Recovery of Costs and Expenses¶**

**A. Pursuant to RCW 35.80.030, the costs incurred for enforcement of the violation including incidental expenses may be billed to the owner for which a Notice of Violation of Derelict Building has been corrected, and shall become due and payable to the City of Tacoma no later than thirty (30) calendar days from the date of the invoice. The term "incidental expenses" includes, but is not limited to, personnel costs, both direct and indirect, including attorney's fees; costs to secure the building; costs incurred in documenting the violation; hauling, storage and disposal expenses; filing fees and actual expenses in costs of the City in preparing notices, specifications and contracts in accomplishing and/or contracting and inspecting the work; the costs of any required printing or mailing; and any and all costs of collection.¶**

**B. In addition to a lien, the debt shall be collectible in the same manner as any other civil debt owing to the City and the City may pursue collection of the cost of any abatement proceedings under this chapter by any other lawful means, including but not limited to, referral to a collection agency.¶**  
**2.01.??? Repeat Offenders¶**

A. A repeat offender is defined as a property owner or tax parcel which has a confirmed compliance history, including any identical or similar violations of this chapter at the same site or on a different tax parcel, under the same ownership but caused by the same owner two (2) times within a twelve (12) month period. If an owner or tax parcel is found to be a repeat offender, he or she may be subject to an inspection fee equivalent to a re-inspection fee as defined in TMC 2.09.¶

All administrative reviews in regards to the re-inspection fee shall be as outlined in the appeal process for the Notice of Violation and shall be filed with the Building Official in the same manner.¶

Note: Attorneys to look into LLC's  
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### **Not enough time? Hire a professional.**

Taking the time to hire a reputable contractor can assure that you get quality work for your home repairs and/or renovations at a fair price. Here are some suggestions:

Call the State Department of Labor and Industries' toll-free hotline at 1-800-647-0982 to make sure your contractor is properly licensed and bonded.

Make sure you understand any contract you sign and never sign any contract that doesn't specify what work will be done, the charges, when work will begin, and how long it will take.

Be sure that proper permits are obtained. Permits fees vary based on the scope of work. Call the Building and Land Use Services Permit Counter at (253) 591-5030 for specific information. For more information, call the Master Builders Association of Pierce County at (253) 272-2112

### **Short on money? Housing improvement and safety.**

#### **Moderate Home Repair Program**

The program provides loans up to \$50,000 for code related repairs to owner-occupied homes within the city limits of Tacoma. Code related repairs are those items that adversely affect the health and/or safety of the person(s) living there, or items that if not repaired cause the house to continue to deteriorate over a period of time. The loans are for up to twenty years and have interest rates of 0%, 4%, or 6%. For more information, please call the City of Tacoma Economic Development Department at (253) 591-5630.

#### **Major Home Repair**

If you or someone you know has a disability, is elderly, and/or very low income, this program provides loans up to \$10,000 for emergency repairs. Loans with no interest and no payments are available to qualified individuals for these repairs. For additional information on the above home repair programs call the City of Tacoma Economic Development Department at (253) 591-7020.

#### **Minor Home Repair**

Are you disabled or elderly and have a very low income? This program may provide up to \$400 for the repair or replacement of inexpensive components of your home such as a water heater, faucet set, handrail, and other minor repairs that aren't a serious hazard but need to be fixed to prevent further damage or failure.

Call Metropolitan Development Council's Home Repair Line at (253) 383-3921.

#### **Home Weatherization Grant Program**

Metropolitan Development Council has a weatherization grant to assist in reducing utility costs. Certain income conditions apply and you must reside in the City of Tacoma. Call them for information at (253) 593-2336.

### **Home Insulation Program**

Tacoma's energy experts can provide a free energy-efficiency evaluation of your home and help pay for weatherization improvements with rebates and a zero-interest loan. Weatherizing your home will help you reduce your electric bill and make you more comfortable. You can get up to \$3,600 when you insulate your ceilings, floors, and walls, and seal your heating air ducts. You can also get up to \$1,000 when you replace your inefficient windows. Use our zero-interest loan which covers the balance of the cost in most cases. Qualifying low-income customers are eligible for a grant that typically covers 100 percent of window, insulation, and duct sealing costs. Visit KnowYourPower.com or call Tacoma Power at (253) 502-8363 for more information.

### **Paint Tacoma-Pierce Beautiful**

Paint Tacoma-Pierce Beautiful paints the homes of low-income seniors and low-income disabled in our community. The painting is done by volunteer crews which have technical advisors and do a good job. The homeowner's family is encouraged to assist if possible. There is no cost to the homeowner. Please call (253) 383-3056.

### **Sewer Conservation Loan Program**

Low interest loans for sewer conservation projects are available and may include repair/replacement of residential side sewers. Call Wastewater Management at (253) 591-5236 for more information on this program.

### **FHA Reverse Mortgage Program**

With this program, you may be able to use the equity in your home, live in it at the same time, and make no payments on the loan. It can be used for home repairs, remodeling, pay-off of current mortgages, paying property taxes, and many other essential needs. The homeowner always retains title to the property and the loan may be repaid at any time. The loan is not classified as income so it does not impact your Social Security benefits. No repayment is needed until you no longer occupy the home as your principal residence. Call Pierce County Community Services at (253) 798-6936 to learn about the program.

### **Utility Discount Rates**

Special utility discount rates are available to qualified low income customers 62 years or older and disabled customers receiving disability income. Call (253) 593-3499.

### **The Tacoma Special Valuation Program**

The property must be listed on the Tacoma Register of Historic Places and the rehabilitation must maintain or restore the buildings historic appearance. The property tax increase from the improvement is deferred over a ten-year period. For additional information, call the Tacoma Historic Preservation Office at (253) 591-5220.

### **Tax Exemption For Home Improvement**

This law was passed to allow homeowners a three-year tax break in order to pay on any loan associated with a home improvement project. Call the Pierce County Assessor/Treasurer's office at (253) 798-7145 for an application prior to the completion of the improvement.

[www.co.pierce.wa.us](http://www.co.pierce.wa.us)

### **The Federal Investment Tax Credit Program**

This program is for non-owner occupied properties. About twenty percent (20%) of the rehabilitation costs can be used as a tax credit for personal or corporate income taxes. Call the State Office of Archaeology and Historic Preservation at (360) 407-0752 for more detailed information on the program.

### **Property Tax Deferrals**

Your annual household income may not exceed income limits and you must be 61 years old in the year you have applied or be disabled. The guidelines specify that the postponed (deferred) taxes and/or special assessment, plus interest, becomes a lien in favor of the state until the total amount is repaid. The home must be your principal home, and you must repay the deferred amounts when the property is transferred, you pass away, or you no longer permanently reside at the residence.

### **Property Tax Exemptions**

This program freezes the value of your residence as of January 1 of the initial application and provides you with a reduction in your property taxes. The assessor will continue to establish the market value of the property; however, you will be billed yearly for the taxes on the frozen value. There is no pay back of the property tax exemptions. To qualify for an exemption, your annual household income may not exceed income limits and you must be 61 years of age in the year you have applied or be disabled. For information on the above two programs, call the Pierce County Assessor/Treasurer's Office at (253) 798-6111 or Senior Information and Assistance at (253) 798-4600.