



Legislation Passed November 20, 2018

The Tacoma City Council, at its regular City Council meeting of November 20, 2018, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 40161

A resolution reappointing Jeff Ball to the Audit Advisory Board.
[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

Resolution No. 40162

A resolution awarding a contract to Asphalt Patch Systems, Inc., in the amount of \$2,848,453.33, plus applicable sales tax, plus a 30 percent contingency, for a total of \$3,702,989.32, budgeted from various department funds, for as-needed street patching and utility repair services, for a three-year term, with the option to renew for one additional one-year term - Specification No. CT18-0277F.
[Patsy Best, Procurement and Payables Division Manager; Andy Cherullo, Director, Finance]

Resolution No. 40163

A resolution awarding a contract to OSW Equipment & Repair Inc., in the amount of \$1,000,000, plus applicable sales tax, budgeted from the Fleet Equipment Rental Capital General Fund, for nine dump truck bodies and three pup trailers - Snohomish County Contract 060-16SR.
[Paul Hanna, Fleet Services Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40164

A resolution awarding a contract to Western Peterbilt LLC, in the amount of \$1,200,000, plus applicable sales tax, budgeted from the Fleet Equipment Rental Capital General Fund, for nine truck cabs and chassis - Washington State Contract 01513.
[Paul Hanna, Fleet Services Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40165

A resolution approving the Planning and Development Services Fee Schedule for development permitting, effective January 1, 2019.
[Peter Huffman, Director, Planning and Development Services]

Resolution No. 40166

A resolution approving the General Government Fee Schedule for special and miscellaneous services.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

Resolution No. 40167

A resolution authorizing the use of \$6,500 of City Council Contingency Funds, to fund tools to address and manage the impacts of exploitation and sexual assault; and directing the City Manager to negotiate and execute an agreement with the non-profit organization Rock, Paper, Scissors, outlining the scope of work and deliverables.

[Mayor Woodards and Council Members Hunter and Ushka]

Ordinance No. 28535

An ordinance approving the renewal and extension of the Non-Exclusive Franchise and Right of Use Agreement with Pierce Transit, from January 1, 2019 to January 1, 2024, for transit-related infrastructure within City rights-of-way.

[Jennifer Hines, Assistant Division Manager; Kurtis D. Kingsolver, P.E., Director, Public Works]

Ordinance No. 28536

An ordinance requesting a planned residential development overlay classification be added to 8.94 acres of mostly undeveloped land in the "R-2" Single-Family Dwelling District, generally located at 1239 East 54th Street, to allow for a Planned Residential Development of 94 units/lots for single-family, and townhouse residences.

(CFW LLC; File No. LU18-0120)

[Jeff H. Capell, Hearing Examiner]

Ordinance No. 28547

An ordinance amending Chapter 12.08 of the Municipal Code, relating to Wastewater and Surface Water Management - Regulation and Rates, to adjust rates and charges for services provided by the Wastewater and Surface Water Utilities for the years 2019 and 2020.

[Dan Thompson, Ph.D., Business Operations Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Ordinance No. 28548

An ordinance amending Chapter 12.09 of the Municipal Code, relating to Solid Waste, Recycling, and Hazardous Waste, to adjust rates and charges for services provided by the Solid Waste Utility for the years 2019 and 2020.

[Lewis Griffith, Solid Waste Management Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Ordinance No. 28549

An ordinance amending Chapters 3.06 and 3.09 of the Municipal Code, relating to Alarm Systems and Fire Code Permits and Fees, by adding a new Section 3.06.005, entitled "Fire False Alarms" and revising fees for commercial fire protection systems compliance and building inspections.

[Teresa Green, Fire Department Manager; James P. Duggan, Fire Chief]

Amended Ordinance No. 28550

An ordinance amending Chapter 6B.50 of the Municipal Code, relating to Ambulances, by adding a new Section 6B.50.070, entitled "Penalty for Non-Emergent Lift Assistance at Licensed Care Facilities," to issue a penalty charge for non-emergent patient lift assistance performed by the Fire Department or its contractors, effective February 1, 2019.

[Teresa Green, Fire Department Manager; James P. Duggan, Fire Chief]

Ordinance No. 28551

An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, for two rate adjustments, effective April 1, 2019 and April 1, 2020.

[Bill Berry, Rates, Planning, and Analysis Manager; Chris Robinson, Power Superintendent]

Ordinance No. 28552

An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, by adding a new Section 12.06.371, entitled "Electric Vehicle Fast Charge - Schedule FC," to establish a temporary rate schedule to test rates that would facilitate economic sales of energy to electric vehicle fast charging sites, effective January 1, 2019 through December 31, 2031.

[Bill Berry, Rates, Planning, and Analysis Manager; Chris Robinson, Power Superintendent]

Ordinance No. 28553

An ordinance amending Chapter 12.13 of the Municipal Code, relating to Click! Network TV Products, to revise prices by 9.8 percent for Click! Network Cable TV services, and \$5 per service tier for the wholesale ISP Advantage service, effective January 1, 2019.

[Tenzin Gyaltzen, Click! General Manager; Chris Robinson, Power Superintendent]

Ordinance No. 28554

An ordinance amending Chapter 12.10 of the Municipal Code, relating to Water - Regulations and Rates, for two rate adjustments, effective January 1, 2019 and January 1, 2020.

[Sean Senescall, Rates and Financial Planning Manager; Scott Dewhirst, Water Superintendent]

Ordinance No. 28555

An ordinance authorizing the reissuance of Tacoma Municipal Belt Line 8807 series freight switching tariff, to ensure reliable rail services at cost of service rates, effective January 1, 2019.

[Dan McCabe, Rail Section Manager; Dale King, Rail Superintendent]

Ordinance No. 28556

An ordinance adopting the 2019-2020 Biennial Operating Budget.

[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

Ordinance No. 28557

An ordinance approving the 2019-2024 Capital Facilities Program of the Comprehensive Plan, and approving the 2019-2020 Capital Budget.
[Katie Johnston, Budget Officer; Andy Cherullo, Director, Finance]

Ordinance No. 28558

An ordinance amending Chapter 1.29 of the Municipal Code, relating to the Human Rights Commission, to add source of income as a protected class.
[Andreta Armstrong, Human Rights Manager; Diane Powers, Director, Office of Equity and Human Rights]

Amended Ordinance No. 28559

An ordinance amending Title 1 of the Municipal Code, relating to Administration and Personnel, by adding a new Chapter 1.95, entitled "Rental Housing Code," to increase the number of days a landlord must give a tenant before terminating a tenancy; require additional notification for increased rent; require landlords to pay tenant relocation assistance; and require landlords to provide tenants with information relevant to the rental agreements, landlords, and rental properties, effective February 1, 2019.
[ChiQuata Elder, Landlord-Tenant/Crime Free Housing Coordinator; Diane Powers, Director, Office of Equity and Human Rights]



RESOLUTION NO. 40161

1 BY REQUEST OF COUNCIL MEMBERS BLOCKER, HUNTER, AND MELLO

2 A RESOLUTION relating to committees, boards, and commissions; reappointing
3 an individual to the Audit Advisory Board.

4 WHEREAS a vacancy exists on the Audit Advisory Board, and

5 WHEREAS, at its meeting of November 6, 2018, the Government
6 Performance and Finance Committee conducted interviews and recommended
7 the reappointment of Jeff Ball to said board, and

8
9 WHEREAS, pursuant to City Charter 2.4 and the Rules, Regulations, and
10 Procedures of the City Council, Jeff Ball has been nominated to serve on the
11 Audit Advisory Board; Now, Therefore,

12 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

13 That Jeff Ball is hereby confirmed and reappointed to the Citizen Member
14 position on the Audit Advisory Board, to serve a two-year term, effective
15 January 1, 2019, to expire December 31, 2020.
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17
18 Adopted _____

19 _____
Mayor

20 Attest:

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22 _____
City Clerk

23 Approved as to form:

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25 _____
City Attorney
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RESOLUTION NO. 40162

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the execution of a contract with
3 Asphalt Patch Systems, Inc., in the amount of \$2,848,453.33, plus
4 applicable sales tax, plus a 30 percent contingency, for a cumulative total
5 of \$3,702,989.32, budgeted from various department funds, for as-needed
6 street patching and utility repair services, for a three-year term, with the
7 option to renew for one additional one-year term, pursuant to Specification
8 No. CT18-0277F.

9 WHEREAS the City has complied with all applicable laws and processes
10 governing the acquisition of those supplies, and/or the procurement of those
11 services, inclusive of public works, as is shown by the attached Exhibit "A,"
12 incorporated herein as though fully set forth, and

13 WHEREAS the Board of Contracts and Awards has concurred with the
14 recommendation for award as set forth in the attached Exhibit "A"; Now,
15 Therefore,

16 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

17 Section 1. That the Council of the City of Tacoma concurs with the
18 Board of Contracts and Awards to adopt the recommendation for award as set
19 forth in the attached Exhibit "A."

20 Section 2. That the proper officers of the City are hereby authorized to
21 enter into a contract with Asphalt Patch Systems, Inc., in the amount of
22 \$2,848,453.33, plus applicable sales tax, plus a 30 percent contingency, for a
23 cumulative total of \$3,702,989.32, budgeted from various department funds, for
24 as-needed street patching and utility repair services, for a three-year term, with
25
26



the option to renew for one additional one-year term, pursuant to Specification
No. CT18-0277F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 40163

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the execution of a contract
3 with OSW Equipment & Repair Inc., in the amount of \$1,000,000, plus
4 applicable sales tax, budgeted from the Fleet Equipment Rental Capital
General Fund, for nine dump truck bodies and three pup trailers,
pursuant to Snohomish County Contract 060-16SR.

5 WHEREAS the City has complied with all applicable laws and processes
6 governing the acquisition of those supplies, and/or the procurement of those
7 services, inclusive of public works, as is shown by the attached Exhibit "A,"
8 incorporated herein as though fully set forth, and
9

10 WHEREAS the Board of Contracts and Awards has concurred with the
11 recommendation for award as set forth in the attached Exhibit "A"; Now,
12 Therefore,

13 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

14 Section 1. That the Council of the City of Tacoma concurs with the
15 Board of Contracts and Awards to adopt the recommendation for award as set
16 forth in the attached Exhibit "A."
17

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with OSW Equipment & Repair Inc., in the amount of
20 \$1,000,000, plus applicable sales tax, budgeted from the Fleet Equipment
21



1 Rental Capital General Fund, for nine dump truck bodies and three pup trailers,
2 pursuant to Snohomish County Contract 060-16SR, consistent with Exhibit "A."

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4 Adopted _____

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Mayor

7 Attest:

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9 _____
City Clerk

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11 Approved as to form:

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13 _____
City Attorney

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RESOLUTION NO. 40164

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the execution of a contract
3 with Western Peterbilt LLC, in the amount of \$1,200,000, plus
4 applicable sales tax, budgeted from the Fleet Equipment Rental Capital
General Fund, for nine Peterbilt 348 truck cabs and chassis, pursuant to
Washington State Contract 01513.

5 WHEREAS the City has complied with all applicable laws and processes
6 governing the acquisition of those supplies, and/or the procurement of those
7 services, inclusive of public works, as is shown by the attached Exhibit "A,"
8 incorporated herein as though fully set forth, and
9

10 WHEREAS the Board of Contracts and Awards has concurred with the
11 recommendation for award as set forth in the attached Exhibit "A"; Now,
12 Therefore,

13 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

14 Section 1. That the Council of the City of Tacoma concurs with the
15 Board of Contracts and Awards to adopt the recommendation for award as set
16 forth in the attached Exhibit "A."
17

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with Western Peterbilt LLC, in the amount of \$1,200,000,
20 plus applicable sales tax, budgeted from the Fleet Equipment Rental Capital
21
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1 General Fund, for nine Peterbilt 348 truck cabs and chassis, pursuant to
2 Washington State Contract 01513, consistent with Exhibit "A."

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4 Adopted _____

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Mayor

7 Attest:

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City Clerk

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11 Approved as to form:

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City Attorney

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RESOLUTION NO. 40165

1 A RESOLUTION relating to permitting fees; modifying the Fee Schedule for the
2 Department of Planning and Development Services, relating to development
3 permitting, to become effective January 1, 2019.

4 WHEREAS the Department of Planning and Development Services ("PDS")
5 transitioned from a General Fund Department to a fee-for-service based Enterprise
6 Fund in 2010, and has since focused on providing effective and fiscally sustainable
7 permit services, and

8 WHEREAS, in 2015, PDS conducted a fee study to develop fees supporting
9 the full cost of services, transitioned to a new permitting software system in 2016
10 that enabled staff to capture work effort associated with permits, and worked in
11 parallel with the Master Builders Association of Pierce County to improve permit
12 services related to single-family and duplex construction, and

13 WHEREAS, in addition, the City Council established the Permit Advisory
14 Task Force to work on efficiencies to improve services and develop sustainable
15 fees to support these services, and

16 WHEREAS phase one of the new fee structure was adopted on April 17,
17 2018, pursuant to Resolution No. 39987, and became effective in June 2018; and
18 phase two of the new fee structure is proposed to become effective on January 1,
19 2019, and

20 WHEREAS, in addition to residential fees, PDS is proposing to implement
21 new fees for other permits and services identified in the fee study that were below
22 full cost recovery, or where there were no charges for services, and
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WHEREAS PDS presented the proposed modifications to the Fee Schedule
at the Government Performance and Finance Committee meetings of
September 18, 2018, and October 16, 2018, and, additionally, PDS reached out to
development customers to notify them of the changes, and

WHEREAS, at its meeting of October 11, 2018, the Permit Advisory Task
Force recommended approval of the proposed modifications to the Fee Schedule;
Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proposed modifications to the Fee Schedule for the Planning and
Development Services Department, relating to development permitting, to become
effective January 1, 2019, said document to be substantially in the form of the Fee
Schedule attached hereto as Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

PDS FEE SCHEDULE – Effective January 1, 2019

TABLE 1 – DEDICATED FUND FEES

| DEDICATED FUND TYPE | APPLIES TO: | FEE |
|-----------------------------|---|------------|
| Technology Fund | 1. All Permit and Plan Review Fees for all Permits listed in: <ul style="list-style-type: none"> • PDS Fee Schedule • Fire Department Fee Schedules | 5% of fees |
| | 2. All charges for services listed in: <ul style="list-style-type: none"> • PDS Fee Schedule • Fire Department Fee Schedules | |
| | 3. All Special Fees listed in PDS Fee Schedule | |
| | 4. All Work Orders for Construction in the Right-Of-Way. | |
| Emergency Preparedness Fund | 1. Building, Mechanical, Plumbing, Signs, and Billboards Permit Fees | 5% of fees |
| | 2. Fire Permit Fees | |
| | 3. Site Development and Right-of-Way Construction Permit Fees | |
| | 4. All Work Orders for Construction in the Right-Of-Way. | |
| Natural Resources Fund | 1. All Permit and Plan Review Fees for: <ul style="list-style-type: none"> • Building Permits • Sign Permits • Billboard Permits • Site Development Permits • Right-of-Way Construction Permits • Right-of-Way Use Permits • Work Orders | 5% of fees |
| | 2. Permit Fees for Fire Protection Systems that use water | |
| | 3. Any Permit which may have direct or indirect effects on the water quality and natural resources in and surrounding the City of Tacoma | |
| Reserve Fund | 1. All Permit and Plan Review Fees for all Permits listed in: <ul style="list-style-type: none"> • PDS Fee Schedules • Fire Department Fee Schedules | 2% of fees |
| | 2. All charges for services listed in: <ul style="list-style-type: none"> • PDS Fee Schedule • Fire Department Fee Schedules | |
| | 3. All Special Fees listed in PDS Fee Schedule | |
| | 4. All Work Orders for Construction in the Right-Of-Way. | |

TABLE 2 – GENERAL PERMIT SERVICES AND CHARGES

| TYPE OF SERVICE | FEE |
|---|---|
| Inspections | |
| 1. Reinspections, per each inspection | \$138 |
| 2. Inspections outside of normal business hours on regular work days -Per Hour (Minimum Charge 2 Hours) | \$150 |
| 3. Inspections on non-work days – Per Hour (Minimum Charge 4 Hours) | \$150 |
| 4. Inspections on Sundays or Holidays--Per Hour (Includes inspector's travel time Minimum Charge 4 Hours) | \$172 |
| 5. Inspections for which no fee is specifically indicated--per each inspection | \$138 |
| Minimum counter transaction fee | \$70 |
| Work without permits | Double fee of permit and plan review fees or, \$270, whichever is greater |
| Permit Extensions | |
| 1. Where inspection is required to extend permit, hourly (minimum charge 1 hour) | \$138 |
| 2. Where no Inspection is required to extend permit | No fee |
| Permit Transfers | |
| 1. Transfer and up to one-hour of time to do transfer | \$108 |
| 2. Time to Transfer in Excess of One Hour - Per hour | \$81 |
| Certificate of Occupancy Fees | |
| 1. Temporary Certificate of Occupancy | \$343 |
| 2. Extension of Temporary Certificate of Occupancy | \$172 |
| 3. Re-issuance of an expired Temporary Certificate of Occupancy | \$343 |
| 4. New Certificate of Occupancy not associated with a current building permit. | \$343 |

TABLE 3 – SPECIAL FEES

| TYPE OF SERVICE | FEE |
|---|---|
| Preapplication Services | |
| 1. Preapplication Meeting (See Note 1) | |
| a. Option A: Electronic review & comment memo | \$1,250 |
| b. Option B: Option A's services plus in-person meeting and post-meeting memo. | \$2,500 |
| 2. Inspection of existing buildings at the request of the owner or owner's representative to determine compliance with applicable City codes, per Hour, Minimum 1 hour (See Note 2) | \$138 |
| 3. Inspections of Adult Family Homes to determine compliance with applicable City codes, per Hour, Minimum 1 hour | \$138 |
| Expedited Plan Review (See Note 3) | |
| 1. Building Permits | 0.45 times Building Permit Fee (See Note 3) |
| 2. Site Development Permits | Actual Cost (See Note 4) |
| Project Services (See Note 4) | Actual Cost (See Note 4) |
| Special Inspection Fees: Inspections necessary to effect the correction of noted violations for buildings or structures, per hour, Minimum 1 hour | \$138 |
| E-permits (See Note 5) | |
| 1. Plumbing Permits | \$100 |
| 2. Mechanical Permits | \$100 |
| 3. Residential Demolition | \$100 |
| 4. Residential Remodel | Based on Valuation of Work (Table 8-4) \$100 minimum fee |
| 5. Commercial Tree Planting | \$35 |
| 6. Commercial Remodel | Based on Valuation of Work (Table 8-1) |
| Alternate Method or Modification Request, per hour, Minimum 1 hour | No fee |
| Noise Variance Review and Inspection, per hour, Minimum 1 hour | No fee |
| Floodplain Development Review (for FEMA defined development exempt from site development and building permits), per hour, Minimum 1 hour | No fee |
| Appearance as a Witness or to Provide Testimony | |
| 1. Informal Interview at City of Tacoma office or work location | |
| First half hour | No Fee |
| Over half hour, per hour (Minimum Fee 1 Hour) | \$138 |
| 2. Depositions and court appearances, with or without subpoena, or interviews requested by subpoena, per hour (Minimum fee 4 hours) | \$138 |

Notes

1. [The Preapplication Meeting fee may be credited toward up to 100 percent of the building plan review fee upon issuance of a permit that is applied for within 1 year of the pre-application request.](#)

2 Hourly cost shall include travel time to and from the building.

3. Expedited plan review fee is an additional cost to meet specific needs for the timing of project review and are voluntary. This fee is in addition to all other permit and/or plan review fees for the project. Permit fees used for calculating expedited fees are per the permit fees from Table 8 in this Fee Schedule.
4. PDS may require contract for outside services to meet specific project or permit needs. The costs for said services shall be in addition to all other permit and/or plan review fees, and shall include all administrative fees and overhead costs.
5. E-Permits are only allowed for certain type/scope of permits. Plan review fees are not charged on these permit types; however, all other fees and surcharges apply. See Tacomapermits.org website for available e-permit types and limitations. All E-permits are nonrefundable once issued.

TABLE 4 - LANDUSE PERMIT FEES

| TYPE OF PERMIT | PERMIT SUB-CATEGORY | FEE |
|---|--|-------------------------|
| Accessory Dwelling Unit (ADU) | General | \$1,000 |
| | ADU Reauthorization | \$360 |
| Additional Notice (request of applicant) | Dependent on size of mailing: | |
| | 100-400 feet | \$500 |
| | 1,000 feet | \$1,000 |
| | 2,500 feet | \$2,000 |
| Appeal¹ (including all environmental appeals) | n/a | \$1,000 |
| Combination/Segregation | n/a | \$300 |
| Conditional Use Permit | n/a | \$5,000 |
| Environmental Review² | SEPA checklist with discretionary land use permit | \$1,000 |
| | Parking lots (40 stalls or greater), signs, residential buildings of 20 units or more and 12,000 Sq-Ft or less, and misc. actions not requiring discretionary review | \$2,000 |
| | Grading permits (≥ 500 Cu-Yd.), residential buildings of 20 units or more, and buildings greater than 12,000 Sq-Ft. | \$3,500 |
| | Environmental impact statement (“EIS”), including Supplemental or Addendum, base fee | \$3,000 |
| | + each hour, or fraction thereof, over 12 hours | \$180 |
| Expanded Notice (1.000 Feet)³ | n/a | \$1,000 |
| Expanded Notice (2500 Feet)³ | n/a | \$2,000 |
| Information Requests | Determination/interpretation by Director | \$5,000 |
| | Zoning verification letter | \$250 |
| Major Modification of Permit⁴ | n/a | Note 4 |
| Open Space Use Classification | n/a | \$5,000 |
| Plats / Short plats / Boundary Line Adjustments | Boundary line adjustment | |
| | 2 Lots | \$1,800 |
| | Greater than 2 Lots | \$2,800 |
| | Short plat: | |

| | | |
|--|---|--------------------------|
| | 2-4 lots | \$2,800 |
| | 5-9 lots | \$4,400 |
| | Preliminary Plats: | |
| | 10+ lots | \$8,400 |
| | Final Plat | |
| | 2-9 lots | \$1,000 |
| | 10+ lots | \$2,200 |
| | Plat by binding site approval | \$2,800 |
| Plats / Short plats / Boundary Line Adjustments (additional fees required prior to recordation ⁵) | GIS drafting of plats, short plats, and BLA's: | |
| | New plats, per lot | \$48 |
| | New short plat or boundary line adjustment | \$230 |
| | Scanning hardcopies and indexing into E-Vault, per page | \$34 |
| Reclassification | General | \$10,200 |
| Reconsideration¹ | n/a | \$250 |
| Shoreline | Substantial development permit/conditional use/variance | |
| | Single family | \$6,000 |
| | Other than single family: | |
| | Up to \$500,000 project value | \$12,500 |
| | \$500,001 to \$1,000,000 project value | \$18,000 |
| | Greater than \$1,000,000 | \$24,000 |
| | Revision to shoreline permit | |
| | Revision to shoreline permit - other than single family | \$3,000 |
| | Revisions to shoreline permit - single family | \$1,000 |
| | Shoreline sign waiver | \$2,540 |
| | Shoreline/FWHCA exemption | \$300 |
| | Shoreline permit extension | \$180 |
| Site Approval | n/a | \$7,000 |

| | | |
|--|---|-------------------------|
| Special Development Permit | n/a | \$5,000 |
| Temporary Homeless Camp Permit | n/a | \$2,030 |
| Variance | Single family residential | \$3,000 |
| | Other than single family | \$4,000 |
| | Height - main building | \$3,000 |
| | Height - accessory building | \$2,000 |
| Waiver | n/a | \$5,000 |
| Critical Areas | Development permit | \$9,000 |
| | Minor Development Permit | \$5,000 |
| | Verification | \$3,500 |
| | Mitigation Monitoring Review | \$1,000 |
| | Activities Allowed with Staff Review | \$1,000 |
| | Critical Area Compliance (Compliance with CAPO Permit | \$1,000 |

Notes:

1. The appeal fee shall be refunded if the appellant substantially prevails in the appeal, in the judgment of the Hearing Examiner, City Council, or superior court which finally rules on the appeal.
2. [Separate Public Notice/Public Meeting Fee when required \(excludes meetings requested pursuant to TMC 13.020.G\).](#)
3. [For expanded notice, not specifically listed, the Director shall determine applicable fee](#)
4. [Fee is same as original permit being modified](#)
5. Additional fees payable to the Pierce County Auditor will be required prior to the recordation of documents such as, but not limited to plats, short plats, boundary line adjustments, covenants and easements. Please refer to the Pierce County fee sheet.

General Note: [20.G](#)

This schedule indicates the fee requirements for land use permits within the City of Tacoma. Said fees must be submitted concurrently with the application for a land use permit. The fee for any activity begun prior to receiving appropriate approval shall be double the base fee herein set forth.

Table 5 - BILLBOARD PERMIT FEES

| PERMIT TYPE | FEE |
|---|---------------|
| For issuance of a relocation permit | \$216 |
| Plus per Sq-Ft Over 100 Sq-Ft. | \$1.50 |
| For issuance of an inactive relocation permit | \$324 |
| For transfer of an inactive relocation permit | \$216 |
| For a billboard demolition permit | \$108 |
| Plan review fee (See Note 1) | See Table 8-2 |

Note 1 – Plan review fees shall be charged for all billboard permits and shall be based upon valuation. Plan review fees shall not be less than the minimum counter transaction fee.

TABLE 6 - SITE DEVELOPMENT and RIGHT-OF-WAY CONSTRUCTION PERMIT FEES

Table 6-1. Right-of-Way Construction Permit Fees

| PERMIT TYPE | FEE |
|---|---------------------------------|
| Sidewalks, Curb and Gutter | |
| New Sidewalk (Existing Curb and Gutter is present) For First 30 Sq-Yds | \$324 |
| Plus Per Sq-Yd over 30 Sq-Yds | \$3 |
| New Curb and Gutter (Existing Sidewalk is present), For first 50 Linear Feet | \$243 |
| Plus add the Listed Amount per Linear Feet over 50 Linear Feet: | \$3 |
| Add Listed Amount if Staking is required but no design necessary: | \$1,215 |
| New Sidewalk, or Curb & Gutter, or a Combination of both, (Staking Required) For First 50 Linear Feet | \$338 |
| Plus add the Listed Amount per Linear Feet over 50 Linear Feet: | \$3 |
| Plus add the Listed Amount per Sq-Yd of Sidewalk over 30 Sq-Yds: | \$3 |
| Add Listed Amount for Staking Required and Design Time: | \$2,158 |
| Remove and Replace Sidewalk or Curb & Gutter | \$405 |
| Plus add the Listed Amount per Linear Feet over 50 Linear Feet: | \$3 |
| Plus add the Listed Amount per Sq-Yd of Sidewalk over 30 Sq-Yds: | \$3 |
| Standard Sidewalk Drain | \$405 |
| Storm Connection and, Water Service, or Misc. Utilities | |
| Storm Sewer Connection (See Note 1) | \$405 |
| (Plus add the listed amount if Contractor is to repair street.): | \$41 |
| Trench for Water Line, misc. utilities , etc. (miscellaneous Trench) For First 100 Linear Feet (See Note 1) | \$257 |
| Plus the Listed amount for each Linear Foot over 100 Linear Feet: | \$1 |
| Plus add the listed amount if Contractor is to repair Street | \$81 |
| Water Service Repair | \$81 |
| Water Service Installation (See Note 1) | \$162 |
| Sanitary Sewer Connection | |
| Permit Issuance Fee (See Note 1) | \$91 |
| House sewer connection to City main, per each (See Note 1) | \$338 |
| (Add Following Amount if contractor is to repair street.) | \$81 |
| Repair house sewer to City main or to septic tank | \$297 |
| (Add Following Amount if contractor is to repair street.) | \$81 |
| Driveways | |
| Asphalt Driveways, Temporary | \$243 |
| Permanent Portland Cement Concrete Driveway, up to 30' maximum width (See Note 1) | \$378 |
| Work Order Permit | |
| Permit Issuance Fee | Minimum Counter Transaction Fee |
| Permit review and inspection hourly rate, per hour (minimum charge 1 hour) | \$152 |
| Other Right-of-Way Construction | |
| Tree Planting Permit in Business, Commercial and Industrial Areas | \$35 |
| Work Order Permit (Issuance of a permit related to a Billable Work Order) | Minimum Counter Transaction Fee |
| Modified Work Order Permit (Issuance of a permit related to a Modified Work Order) | Minimum Counter Transaction Fee |

Table 6-2. Site Development Permit Fees

| Permit Type | Permit Fee |
|--|-------------------|
| <u>Site Development Permit^{1,2}</u> | |
| 1. <u>Minor</u> | |
| <u>Level 1: <2,000 SF new/replaced hard surface, AND</u> <u><50 CY grading, AND</u> <u><7,000 SF disturbed area</u> | <u>\$365</u> |
| <u>Level 2: 2,000 SF to <5,000 SF new/replaced hard surface, OR</u> <u>50 to <500 CY grading, OR</u> <u>7,000 SF – <1 AC disturbed area</u> | <u>\$2,250</u> |
| 2. <u>Major³</u> | |
| <u>Level 1: 5,000 – <50,000 SF new/replaced hard surface, OR</u> <u>500 - <10,000 CY grading, OR</u> <u>1 AC - <10 AC disturbed area</u> | <u>\$5,000</u> |
| <u>Level 2: >50,000 SF new/replaced hard surface, OR</u> <u>>10,000 CY grading, OR</u> <u>≥10 AC disturbed area</u> | <u>\$152/hour</u> |
| <u>Paving</u> | |
| <u>Asphalt Paving of Planting Strips or Private Access Way</u> | <u>\$284</u> |
| <u>Asphalt Parking Lots, First 3,000 Sq-Ft</u> | <u>\$243</u> |
| <u>Plus the Listed Amount for each 1000 Sq-Ft or Fraction Thereof Over 3000 Sq-Ft.</u> | <u>\$41</u> |

Notes:

1. The combined total of new and replaced surfaces since January 1, 2003 shall apply when determining the SDEV permit type.
2. Site Development Permit fees associated with a new residential building or additions shall be charged in accordance with Table 8-4.
3. Projects with engineered utilities, devices, etc. shall be permitted under the Major category.

TABLE 7 - RIGHT-OF-WAY USE PERMIT FEES

| PERMIT TYPE | FEE |
|---|---------------------------------|
| Overtime Parking Permit (See Notes 1 and 2) | |
| Per Day/Per Space | \$35 |
| Per Month/Per Space | \$206 |
| Street Barricade (See Notes 1 and 3) | |
| Per Day/Per Block | \$55 |
| Per Month/Per Block | \$275 |
| Moving Buildings in Right-of-Way Permits | |
| Permit Issuance Fee, for each permit issued | Minimum Counter Transaction Fee |
| Building Moving (Over-Width Motor Vehicle Permit) | \$432 |
| Over legal Moving Permit, each | \$42 |
| Annual over legal Moving Permit | \$42 |
| Street Banners and Holiday Decorations | |
| Permit Issuance Fee, for each permit issued | Minimum Counter Transaction Fee |
| Application Fee – Street Banner or Streamer (Installed by Public Works) | \$494 |
| Application Fee – Street Banner or Streamer (Installed by Private Contractor) | \$302 |
| Permit Fee - Street Banners and Streamers, Public Works Installed. Each Location (or per City Block) for 2 weeks. | \$35 |
| Permit Fee - Street Banners and Streamers, Private Contractor Installed. Each Location (or per City Block) for 2 weeks. | \$83 |
| Permit Fee - Holiday Decorations, per City Block | \$55 |

Notes:

1. Overtime parking and barricade permits that are in metered parking spaces must also pay metered parking fees, per space used.
2. Collection of additional taxes may apply to overtime parking permits.
3. Collection of additional taxes may apply to barricade permits.

TABLE 8 - BUILDING PERMIT and PLAN REVIEW FEES**Table 8-1. Permit Fees for Commercial and Multifamily Building and Structures and Signs**

| BUILDING (or Sign) PERMIT VALUATION (See Note 1) | PERMIT FEE |
|---|-------------------|
| \$1.00 to \$500.00 | \$42 |
| \$501.00 to \$2000.00, For the First \$500.00 | \$42 |
| Plus the Listed Amount for Each \$100.00 or Fraction Thereof Over \$500.00: | \$5.50 |
| \$2,001.00 to \$25,000, For the First \$2,000.00 | \$126 |
| Plus the Listed Amount for Each \$1,000.00 or Fraction Thereof Over \$2,000.00: | \$24 |
| \$25,001.00 to \$50,000, For the First \$25,000.00 | \$677 |
| Plus the Listed Amount for Each \$1,000.00 or Fraction Thereof Over \$25,000.00: | \$18 |
| \$50,001.00 to \$100,000, For the First \$50,000.00 | \$1,127 |
| Plus the Listed Amount for Each \$1,000.00 or Fraction Thereof Over \$50,000.00: | \$12 |
| \$100,001.00 to \$500,000.00, For the First \$100,000.00 | \$1,727 |
| Plus the Listed Amount for Each \$1,000.00 or Fraction Thereof Over \$100,000.00: | \$10 |
| \$500,001.00 to \$1,000,000.00, For the First \$500,000.00 | \$5,727 |
| Plus the Listed Amount for Each \$1,000.00 or Fraction Thereof Over \$500,000.00: | \$8 |
| \$1,000,001.00 and Up | \$9,727 |
| Plus the Listed Amount for Each \$1,000.00 or Fraction Thereof Over \$1,000,000.00: | \$6.50 |

Notes:

1. Building permit fees shall use building valuation in determining required fees. For new construction and additions, building valuations shall be calculated using International Code Council's (ICC) most recent Building Valuation Data per square foot. For remodels, or projects for which ICC's building valuation data do not apply, the valuation to be used in computing the permit and plan review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems, site work, and any other permanent work or permanent equipment.

Table 8-2. Plan Review Fees for Commercial and Multifamily Buildings and Signs

| TYPE OF PLAN REVIEW | PLAN REVIEW FEE |
|--|-----------------------------------|
| Commercial Projects - New Construction and/or Remodel and Signs | 65% of the Permit Fee (Table 8-1) |
| Multifamily of three or more dwelling units - New Construction and/or Remodel | 65% of the Permit Fee (Table 8-1) |
| Minimum Plan Review Fee | \$43 |
| Additional Plan Review Fee (per hour, Minimum 1 hour) for: | |
| 1. Review of Minor Additions or Revisions to Plans Before Permit Issuance (See Note 1) | \$138 |
| 2. Review of Minor Additions or Revisions to Plans After Permit Issuance | \$138 |
| 3. Deferred Submittals | \$138 |

Notes:

1. Major revisions to plans will require a new plan review fee. Revisions submitted in response to plan review comments do not require additional plan review fees.

Table 8-3. Permits Fees for Commercial and Multifamily Building Phased Projects

| PERMIT PHASE | PERMIT FEE (Note 1) |
|--|---|
| Foundation/Structural Permit | 10% of the ICC Building Valuation per sf Minimum Fee \$254 |
| Shell Permit | 80% of the ICC Building Valuation per sf |
| Tenant Improvement for Shell Building (Note 2) | 50% of the ICC Building Valuation per sf |

Notes:

1. Plan review fees shall be paid in accordance with Table 8-2. The most current ICC table of Building Valuations per square foot shall be used.
2. Tenant improvement is limited to nonstructural tenant alterations not included in the building permit for the new shell building. This work is also limited to improvements to previously unoccupied space.

Table 8-4. Single-Family and Duplex Combination Permits Fees

| FEE TYPE | FEE |
|---|---|
| Combination Fee - New Construction | |
| 1. Permit Fee | |
| Building, Mechanical and Plumbing | 1.31% of ICC Building Valuation |
| Site Development (Includes water service connection, storm and sanitary sewer connections, driveway, and grading and erosion control) | 65% of Building Permit Fee |
| 2. Plan Review Fee | |
| Building, Mechanical and Plumbing | 45% of Building Permit Fee |
| Site Development (Includes water service connection, storm and sanitary sewer connections, driveway, and grading and erosion control) | 45% of Building Permit Fee |
| Combination Fee - Additions | |
| 1. Permit Fee | |
| Building, Mechanical and Plumbing | 2.81% of ICC Building Valuation |
| Site Development (Includes grading and erosion control) (Note 1) | 65% of Building Permit Fee |
| 2. Plan Review Fee | |
| Building, Mechanical and Plumbing | 45% of Building Permit Fee |
| Site Development (Includes grading and erosion control) (Note 1) | 45% of Building Permit Fee |
| Combination Fee - Remodels | |
| 1. Permit Fee | |
| Building, Mechanical and Plumbing | 2.81% of ICC Building Valuation (Minimum Fee \$138) |
| 2. Plan Review Fee | |
| Building, Mechanical and Plumbing | 45% of Building Permit Fee |
| Additional Plan Review Fee (per hour, Minimum 1 hour) for revisions. | \$138 |

[Note 1: This fee may be adjusted for sites with cumulative impacts from all hard surfaces of less than 2,000 square feet.](#)

Table 8-5. Valuation Adjustments for Single-Family and Duplex Buildings

| TYPE OF CONSTRUCTION | Adjustment to Building Valuation Data (BVD) |
|---|---|
| Dwellings over 2,000 sq. ft. gross floor area (including basements and garages) | 125 % BVD |
| Dwellings with a wood shake or tile roof or any amount of masonry veneer | 125 % BVD |
| State certified, pre-inspected manufactured housing or factory built housing | 50 % BVD |
| Carports classified as Group U occupancy and Type VB construction | 75 % BVD |
| Uncovered wood deck structures attached to single-family/duplex dwellings | 67 % BVD |

Table 8-6. Building Demolition Permit Fees

| TYPE OF BUILDING (Note 1) | PERMIT FEE |
|---|------------|
| Single Family Dwelling , Two Family Dwellings and Accessory Buildings | \$138 |
| Commercial Buildings | \$233 |

Notes:
1. For demolition of structures and other appurtenances or partial demolition of structures, fees shall be calculated in accordance Table 8-1 based on valuation of work, and Table 8-2 for plan review fees.

TABLE 9 MECHANICAL AND PLUMBING PERMIT FEES

Table 9-1. Mechanical Permit and Plan Review Fees - Commercial and Multifamily Buildings

| FEE TYPE | FEE |
|--|------------------------------|
| Permit Fees | |
| 1. Commercial Refrigeration Assembled On Site: Valuation applies to Total Gross Floor Area Use 5% of the Square-Foot Value applied to Total Gross Floor Area | Use Table 8-1 |
| 2. Heating, Ventilating and Air Conditioning Systems: Use 10% of the Square-Foot Value applied to Total Gross Floor Area | Use Table 8-1 |
| 3. Heating System for R-1, Hotels/Motels, and R-2 Apartment/Condominium Buildings--First Unit Regardless of the System | \$158 |
| Per Dwelling Unit In Excess of One for the Installation of Complex Systems | \$69 |
| Per Dwelling Unit In Excess of One for the Installation of Simple Systems | \$35 |
| 4. Replacement of Individual Mechanical Units, Per Unit | \$158 |
| 5. Residential Duct Work and/or Exhaust Fan Installation, Per Dwelling Unit: (4 Dwelling Units or Less) | \$110 |
| 6. Residential Gas Piping (Piping Only), Per Dwelling Unit (4 Dwelling Units or Less) | \$110 |
| 7. Commercial Duct Work & 5 Units or Larger Residential Building Per Tenant Space or Dwelling Unit | \$158 |
| 8. Commercial Gas Piping (Piping Only), Tenant Space & 5 Units or Larger Residential Building Per Tenant Space or Dwelling Unit | \$158 |
| 9. Pre-Manufactured Commercial Refrigeration Units, Per Refrigeration Unit: | \$110 |
| 10. Piping Venting and Accessory Equipment to Boilers over 10 boiler Horsepower (Over 334,800 BTU/hr) | \$247 |
| 11. Piping and Accessory Equipment to Boilers rated at 10 boiler horsepower or less (334,800 BTU/HR or less) and for other fired or unfired Pressure Vessels other than boilers. | \$158 |
| Plan Review Fees | |
| 1. For mechanical permits not associated with building permit application. | 65% of Mechanical Permit Fee |
| 2. Deferred Submittal of mechanical plans after associated building permit has been issued. | 65% Of Mechanical Permit Fee |

Table 9-2 Plumbing Permits Fees – Commercial and Multifamily Buildings

| FEE TYPE | FEE |
|---|----------------------------|
| Permit Fees | |
| Permit Issuance Fee | \$48 |
| Per Plumbing Component Fee | |
| 1. Fee for the first unit of any one of the elements listed below. | \$34 |
| 2. Fee for each additional unit of any element listed below. | |
| a. For each plumbing fixture or trap (including water and drainage piping) | \$13 |
| b. For each sewage back-water valve | \$13 |
| c. For installation, alteration or repair of water piping and/or water treating equipment | \$13 |
| d. For repair or alteration of drainage or vent piping | \$13 |
| e. Interior roof drain (Each) | \$13 |
| f. Final test (Factory-build structures, each fixture or trap) | \$9.50 |
| g. For vacuum breakers or back-flow protective devices: (Each) | \$13 |
| h. Water Heater | \$13 |
| 3. Under Slab or Ground Work Plumbing | \$46 |
| Plan Review Fees | |
| 1. For plumbing permits not associated with building permit application. | 65% of Plumbing Permit Fee |
| 2. Deferred Submittal of plumbing plans after associated building permit has been issued. | 65% of Plumbing Permit Fee |

Table 9-3 Mechanical and Plumbing Permit Fees – Single-Family and Duplex Buildings

| FEE TYPE | FEE |
|---|---|
| Mechanical Permit Fees (See Note 1) | |
| Replacement of Individual Mechanical Units | 2.81% of Construction Value Minimum Fee \$138 (Note 2) |
| Duct Work and/or Exhaust Fan Installation | |
| Gas Piping | |
| Plumbing Permit Fees (See Note 1) | |
| Installation, Repair, Alteration or Replacement of: 1. Plumbing fixture or trap 2. Sewage backwater valve, W 3. Water, drainage, or vent piping 4. Roof drain 5. Vacuum breaker or backflow protective device 6. Water heater 7. Under slab or groundwork plumbing | 2.81% of Construction Value Minimum Fee \$138 (Note 2) |

Notes:

1. This fee is not applicable to combination permits for new, addition, remodel of single-family/duplex buildings.
2. The valuation to be used in computing the permit fees shall be the total value of all construction work for which the permit is issued.



RESOLUTION NO. 40166

1 A RESOLUTION relating to fee schedule rates; approving the General
2 Government Fee Schedule for special and miscellaneous services to
include charges to the public for various departmental services.

3 WHEREAS various departments of the City's General Government
4 provide services to the public and charge the recipients the cost of such
5 services, and

6
7 WHEREAS the cost and description of such services are set forth in a
8 Fee Schedule, which was approved pursuant to prior resolutions and last
9 amended by Resolution No. 39857, adopted November 22, 2016, and
10

11 WHEREAS the existing fee schedule rates are not current and need to
12 be adjusted accordingly; Now, Therefore,

13 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

14 That the City of Tacoma General Government Fee Schedule for special
15 and miscellaneous services, which includes charges to the public for various
16 departmental services and reflects the organization structure, attached hereto
17 as Exhibits "A" and "B" and by this reference fully incorporated herein, is hereby
18 approved by the City Council for use in accordance with the terms thereof by the
19
20
21
22
23
24
25
26



1 General Government departments, and such Fee Schedule replaces and
2 supersedes the prior schedule adopted and last amended by Resolution No. 39587.

3
4 Adopted _____

5

6

Mayor

7 Attest:

8

9

City Clerk

10

Approved as to form:

11

12

Deputy City Attorney

13

14

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EXHIBIT A



GENERAL GOVERNMENT FEE SCHEDULE

* Previous legislative history follows at the end of this document

This fee schedule summarizes special fees not otherwise provided for by ordinances of the City of Tacoma or statutes of the State of Washington. Copies of records and documents requested by the public are provided at cost of reproduction. The furnishing of records and documents is subject to RCW Chapter 42.56.

| Ref. No. | Originating Department | Description of Service to be Furnished | Exemptions | Fee | Fee Collected By |
|----------|--|---|---|--|---|
| 1 | City Attorney | City of Tacoma 3 X 5 Flags | | Single-Reverse \$50.00 Double-Sided Nylon (outdoor) \$125.00 Double-Sided Nylon with Gold Fringe (indoor) \$125.00 | City Clerk |
| 2 | City Attorney | Preparation of verbatim transcript | | \$28/hour | City Clerk |
| 3 | City Attorney | Reproduction of City Council audio tapes | | \$2/tape | City Clerk |
| 4 | City Attorney | Electronic document or audio file copied to CD or DVD | | \$2/CD or DVD | City Clerk |
| 5 | City Manager/Media and Communications/ Cable Communications and Franchise Services | Candidates' statements for Video Voters' Pamphlet | Candidates meeting Auditor's determination of indigence | \$100 studio taping \$50 teleprompter \$50 replay of Primary for General Election | CMO/Media and Communications |
| 6 | City Manager/Media and Communications/ Cable Communications and Franchise Services | Platinum – Exclusive Program Sponsor Monthly fee - 6 mo. min. Annual fee | | \$1,000 \$12,000 | Cable Communications and Franchise Services |
| | | Gold – Exclusive Program Sponsor Monthly fee - 6 mo. min. Annual fee | | \$300 \$3,600 | |
| | | Silver – Exclusive Program Sponsor Monthly fee - 3 mo. min. Annual fee | | \$100 \$1,200 | |
| 7 | City Manager/Media and Communications/ Cable Communications and Franchise Services | DVD (up to 2 hours) - may not be used for commercial use. | | \$20 each | CMO/Media and Communications |
| | | BETA and HD XDCAM Dubs/Stock Fee, plus shot fee charge for non-profit/non-commercial use : | | BETA stock \$15 each + shot fee. HD XDCAM stock \$25 each + shot fee. | |
| | | Shot fee | | \$20 | |
| | | BETA and HD XDCAM Dubs/Stock Fee, plus shot fee for use in for-profit productions : | | \$100 flat rate Rush rates (less than 72 hour turn around) assessed at 150% of scheduled rate (BETA and HD XDCAM Dubs plus clip or shot fee). | |

| Ref. No. | Originating Department | Description of Service to be Furnished | Exemptions | Fee | Fee Collected By |
|----------|---|--|--|--|--|
| | | Library Research Fee | | Hourly staff rate including benefits times number of research hours. | |
| 8 | Community and Economic Development Tacoma Venues & Events | Film production permit | | Commercial Rate: \$100 Student Rate: \$50 A 10% discount will be applied to all applications received more than 60 days prior to the film date. All other fees required by Permitting Authority apply. | Community and Economic Development Tacoma Venues & Events |
| 9 | Community and Economic Development Tacoma Venues & Events | Special Events - Non-profit; block party; constitutionally protected | | <u>Attendance</u> 50-250 \$25 251-1,000 \$50 1,001-10,000 \$100 10,001-50,000 \$250 >50,000 \$500 A 10% discount will be applied to all applications received more than 60 days prior to the event date. All other fees required by Permitting Authority apply. | Community and Economic Development Planning & Development Services |
| 10 | Community and Economic Development Tacoma Venues & Events | Special Events - Commercial | | <u>Attendance</u> 50-250 \$50 251-1,000 \$100 1,001-10,000 \$200 10,001-50,000 \$500 >50,000 \$1,000 A 10% discount will be applied to all applications received more than 60 days prior to the event date. All other fees required by Permitting Authority apply. | Community and Economic Development Planning & Development Services |
| 11 | Finance | Biennial Budget | City departments, other governmental entities, banks holding bonds or performing in a trustee role for the City's indebtedness, rating agencies, and bondholders | \$40 | Finance |
| 12 | Finance | Capital Facilities Program | | \$60 | Finance |
| 13 | Finance | Comprehensive Annual Financial Report (CAFR) | City departments, other governmental entities, banks holding bonds or performing in a trustee role for the City's indebtedness, rating agencies, and bondholders | \$50 | Finance |
| 14 | Hearing Examiner | Reproduction of Hearing Examiner's tapes/CDs | | \$2/Tape \$2/CD | Hearing Examiner |

| Ref. No. | Originating Department | Description of Service to be Furnished | Exemptions | Fee | Fee Collected By |
|----------|---|--|---|---|-----------------------------------|
| 15 | Office of Equity and Human Rights | Crime Free Housing Program Landlord Training class for properties outside the City of Tacoma city limits | | \$50 | Office of Equity and Human Rights |
| 16 | Planning and Development Services | Comprehensive Plan Amendments and Land Use Regulatory Code Revisions | <p>A. Fee is not applicable to City of Tacoma general government departments except for the utilities</p> <p>B. Fee is not applicable to Neighborhood Councils or Business Districts with formal written approval submitted to the City by duly elected Board of Directors or community groups involved in ongoing, long-range, planning studies with the Planning and Development Services Department</p> | \$1,400 per application | Planning and Development Services |
| 17 | Planning and Development Services/Historic Preservation | Landmarks Commission Design Review | <p>A. Fees shall be charged only once per project and once fees have been paid no other fees shall be charged for subsequent reviews of the same project during that duration, except for projects that fall under 'B'</p> <p>B. New fees may be charged for subsequent applications for review if the previous application has been denied by a vote of the Landmarks Commission</p> <p>C. General Government-funded City projects are exempt</p> | <p><u>Flat Fees:</u></p> <p>A. Administrative Review Type 1: Permits that require historic preservation review but are appropriate for staff level review: \$60.</p> <p>B. Design Review, Minor Projects: Projects under \$5,000 in project value: \$175.</p> <p>C. Sliding Scale Fees:</p> <p>1 . Single Family: \$175 + \$25 per \$1000 of estimated project cost above \$5,000. Minimum fee per review is \$175 for residential. Maximum fee is \$500.</p> <p>2 . Commercial: under \$1 million in project value: \$30 per \$1,000, above \$5,000. Minimum fee is \$175. Maximum fee is \$2,000.</p> <p>3 . Major Commercial Projects (exceeding \$1 million in project value): \$3,000 + \$10 per additional \$10,000 of project value, to a maximum of \$4,000.</p> | Planning and Development Services |

| Ref. No. | Originating Department | Description of Service to be Furnished | Exemptions | Fee | Fee Collected By |
|----------|---|--|--|---|-----------------------------------|
| 18 | Planning and Development Services/Historic Preservation | Review fee for the demolition of properties listed on the Tacoma Register of Historic Places or contributing properties in local historic special review districts | <p>A. Demolitions of garages and other accessory structures in the North Slope Historic Special Review District are exempt from demolition fees for garage demolitions</p> <p>B. Demolition of noncontributing buildings and structures in local special review historic districts</p> <p>C. General Government funded City Departments and agencies of the Federal</p> | \$1,500 per application | Planning and Development Services |
| 19 | Planning and Development Services/Historic Preservation | Review of nominations to the Tacoma Register of Historic Places | Nominations initiated by Neighborhood Councils or the City (including City Council Members) | \$100 flat fee | Planning and Development Services |
| 21 | Planning and Development Services/Historic Preservation | Review of Special Tax Valuation Applications | | \$100 for single family projects; \$300 for commercial | Planning and Development Services |
| 22 | Police | Testimony of officer in civil court case | Discretionary waiver by Chief of Police for exceptional cases, [i.e., attorneys acting pro bono (without payment)] | Same as Item 28 with a two (2) hour minimum charge | TPD Budget & Finance |
| 23 | Police | Service of process | Court-determined indigents | <p>Service per person \$12</p> <p>Return services \$10</p> <p>Mileage \$.50/mile round trip</p> | TPD Budget & Finance |
| 24 | Police | Tacoma Police Range Use | | <p>8 a.m. to 6 p.m. (Monday – Friday): \$60/hour</p> <p>6 p.m. to 10 p.m. (Monday – Friday) and 8 a.m. to 10 p.m. Saturday & Sunday: \$120/hour</p> <p>4-hour Minimum for all range reservations.</p> <p>\$240 Range Reservation Cancellation Fee if range reservation is cancelled within 14 days of the reservation.</p> <p>\$120 Range Reservation Cancellation Fee if range reservation is cancelled within 14 to 28 days of the reservation.</p> | TPD Budget & Finance |
| 25 | Police | <p>Civil interviews, on-duty, off-duty or first day off, one (1) hour minimum charge for all occurrences. If interviews occur on or beyond an officer's second day off, there will be a two (2) hour minimum charge. First hour's fee must be paid in advance.</p> <p>Police Chief Assistant Chief</p> | Discretionary waiver by Chief of Police for exceptional cases, [i.e., attorneys acting pro bono (without payment)] | <p>\$180 (\$160 per additional hour)</p> <p>\$169 (\$143 per additional hour)</p> | TPD Budget & Finance |

| Ref. No. | Originating Department | Description of Service to be Furnished | Exemptions | Fee | Fee Collected By |
|----------|---|--|---|---|---|
| | | Captain Lieutenant Sergeant Detective Police Officer Specialist Police Officer Forensic Supervisor Forensic Specialist Latent Print Examiner Crime Scene Technician | | \$135 (\$128 per additional hour) \$118 (\$113 per additional hour) \$96 (\$92 per additional hour) \$85 (\$81 per additional hour) \$85 (\$81 per additional hour) \$78 (\$73 per additional hour) \$89 (\$77 per additional hour) \$77 (\$65 per additional hour) \$85 (\$71 per additional hour) \$77 (\$58 per additional hour) | |
| 26 | Police | Special Events, off-duty four (4) hour minimum (3) hour minimum Police Officer Supervisor Commander | City-sponsored events that have such a provision in a written agreement; Events put on by the City | \$55/hour \$75/hour \$60/hour \$85/hour \$70/hour \$95/hour | TPD Budget & Finance |
| 27 | Public Works/ Facilities Management | Preparation of deeds and easements Management | | \$400 | Facilities |
| 28 | Public Works/ Facilities Management | Release of easements | | \$400 | Facilities |
| 29 | Public Works/ Facilities Management | Processing of permits to use City Real property | | \$400 | Facilities |
| 30 | Various General Government Departments | Copies of ordinances; resolutions; Administrative Code; minutes of meetings of City Council, boards, commissions and committees; Hearing Examiner's reports and files; legal documents such as easements, deeds, contracts; financial and miscellaneous reports and other public records; copies of bound documents | A. No fee to be charged for Tax & License copies of ordinances or specific codes applicable to City Business and Occupation Taxes, Admissions Taxes, or Gross Earning Taxes B. No fee to be charged to applicant for one copy of ordinance or specific code, if requested at time of obtaining any type of city business license or permit No fee to be charged for copies of ordinances and resolutions prior to consideration at the Council meeting | \$0 to \$.15 per page, per side, up to 11"x17" Per page cost may be increased to actual costs where staff salaries, benefits, or other general administrative or overhead costs directly relate to the copying of public records and exceed \$.15 per page; requester of bound document will be charged the cost to send to outside vendor to un-bind, copy and rebind | Various General Government Departments |
| 31 | Various General Government Departments | Printed address labels on computer labels | | \$.01/label | Various General Government Departments |

| Ref. No. | Originating Department | Description of Service to be Furnished | Exemptions | Fee | Fee Collected By |
|----------|------------------------------------|---|---|--|-----------------------|
| 32 | City Manager/Public Records Office | Production of public records requested under the Washington State Public Records Act (Chapter 42.56 RCW)* | No fee will be charged if, in the determination of the Public Records Officer, the cost of processing and collecting the fee exceeds the authorized fee amount. | <p>A. \$0.15 per page for photocopies of public records, printed copies of electronic public records when requested by the person requesting records, or for the use by requester of City equipment to photocopy public records.</p> <p>B. \$ 0.10 per page for public records scanned into an electronic format or for the use by requester of City equipment to scan the records.</p> <p>C. \$0.05 per each four electronic files or attachment uploaded to email, cloud-based data storage service, or other means of electronic delivery.</p> <p>D. \$0.10 per gigabyte for the transmission of public records in an electronic format or for the use by requester of City equipment to send the records electronically. The City shall take reasonable steps to provide the records in the most efficient manner available to the City in its normal operations.</p> <p>E. The actual cost of any digital storage media or device provided by the City, the actual cost of any container or envelope used to mail the copies to the requestor, and the actual postage or delivery charge.</p> <p>F. The above fees may be combined to the extent that more than one type of charge applies to records produced in response to a particular request.</p> | Public Records Office |

*The City finds that calculating the actual cost of copying, scanning, uploading and otherwise processing the records required to fulfill a public records request would be unduly burdensome including for the following reasons:

1. The City employs over 3000 employees. Because the City's methodology for satisfying public records requests includes each employee conducting a search for and processing responsive records that may be in their possession, and all employees earn different rates of pay, the Public Records Officer would have to determine and calculate the salaries of all involved employees in order to invoice for actual costs.
2. The City's Public Records Officer would be required to maintain a record of each employee who contributed to each part of a public records request and potentially charge different rates for different items in the same records production.
3. The City's Public Records Office has limited staff and the response time to fulfill records requests may be delayed if it is required to calculate the actual costs of processing records and to create customized invoices or billing statements reflecting different rates and charges.

History of Legislation related to this document:

Authorized by Resolution No. 39587 11/22/16

Authorized by Resolution No. 39075, 12/9/14

Authorized by Resolution No. 38680, 06/11/13

Authorized by Resolution No. 38588, 12/18/12

Authorized by Amended Resolution No. 37970, 01/12/10

Amended by Resolution No. 36804, 03/21/06

Authorized by Resolution No. 36447, 03/08/05

Authorized by Resolution No. 36384, 12/14/04

Authorized by Resolution No. 36317, 10/12/04

Amended by Resolution No. 35658, 10/15/02

Amended by Resolution No. 34255, 12/15/98

Amended by Resolution No. 33520, 10/22/96

Amended by Resolution No. 32187, 5/11/93

Amended by Resolution No. 32075, 2/2/93

Amended by Resolution No. 31879, 9/18/92

Amended by Resolution No. 31680, 3/17/92



EXHIBIT B

City of Tacoma - Police Department

Memorandum

TO: Elizabeth Pauli
City Manager

FROM: Donald L. Ramsdell
Chief of Police

DR 4347

DATE: September 28, 2018

SUBJECT: 2018 FEE SCHEDULE – OFF DUTY EMPLOYMENT

There are two mechanisms regarding off duty employment for the Tacoma Police Department. Tacoma Police Special Events coordinates off duty employment through two channels, City of Tacoma Special Events permit and direct contact with businesses, organizations, and events seeking Law Enforcement support. Currently, there is a pay disparity and increased off duty employment opportunities creating a lack of available staffing, specifically regarding City of Tacoma Special Events permitted functions. On **December 9, 2009**, current rate of pay was established by City of Tacoma resolution **No. 37970** establishing the following rate of pay for Police Department, Special Events permitted functions.

- Police Officer-\$55.00/hour
- Supervisor-\$60.00/hour
- Commander-\$70.00/hour

In 2014, the Department proposed an increase for City of Tacoma Special Events permitted functions regarding off duty Police City of Tacoma resolution **No. 39075**. That proposal was removed due a proposed fee increase and potential negative impacts to event promoters. The current rate of pay has remained consistent for several years and has not adjusted to reflect current Department overtime pay rates. Additionally, there are individual, off duty accounts that consistently compete for staffing and compensate at higher rate of pay than the existing rate of pay for Police Department, Special Events permitted functions.

The Tacoma Police Department Special Events is continuously seeking available staffing from other law enforcement entities in an attempt to facilitate City of Tacoma Special Events permitted functions. In 2017, through Tacoma Venues and Events, there were a total 128 approved permits issued, 46 of those events employed Police services. There were an additional 65 events requiring police off duty services. Additionally, 22% of off duty employment during 2017 was facilitated through other law enforcement agencies. In 2018, there has been 99 approved permitted functions with an additional 16 pending. Of those 99 approved permits, 32 have required police services and the additional 16 requests anticipate the need for police services. Within the current political climate, there has been a significant increase in requests for Police services causing noteworthy impacts on staffing/labor availability.

To mitigate and enhance staffing availability I would respectfully request an increase of the rate of pay for Police Department personnel, Special Events permitted functions to the level consistent with current average overtime (1.5 hours) 2018 labor agreements. To alleviate impacts on events and event promoters I would recommend reducing the current four (4) hour minimum to a three (3) hour minimum.

- Police Officer: **\$75.00**
- Supervisor: **\$85.00**
- Commander: **\$95.00**

Please contact me if you have any questions regarding this request.

To create a safe and secure environment in which to live, work, and visit by working together with the community, enforcing the law in a fair and impartial manner, preserving the peace and order in our neighborhoods, and safeguarding our constitutional guarantees.



RESOLUTION NO. 40167

1 BY REQUEST OF MAYOR WOODARDS AND COUNCIL MEMBERS HUNTER
2 AND USHKA

3 A RESOLUTION authorizing the expenditure of \$6,500, budgeted from the City
4 Council Contingency Fund, to fund tools to address and manage the
5 impacts of exploitation and sexual assault; and directing the City Manager to
6 negotiate and execute an agreement with the non-profit organization Rock,
7 Paper, Scissors, outlining the scope of work and deliverables for said
8 funding.

9 WHEREAS the “Me Too” Movement, founded in 2006 by Tarana Burke, was
10 created to address both the lack of resources for survivors of sexual violence and
11 to build a community of advocates, driven by survivors, at the forefront of creating
12 solutions that interrupt the sexual violence happening in their communities, and

13 WHEREAS the Me Too Movement became part of the national dialogue last
14 October, when the related hashtag – #metoo – went viral, accompanied by women
15 coming forward to share their stories of sexual harassment, violence, and assault,
16 and, since that time, the news has continued to be punctuated by stories of sexual
17 assault and harassment at local, state, and national levels, and

18 WHEREAS, at the November 13, 2018, Study Session, a Council
19 Consideration Request was shared to authorize the one-time use of \$6,500 from
20 the City Council Contingency Fund to fund tools to address and manage the
21 impacts of exploitation and sexual assault, and

22 WHEREAS this funding is intended to begin to address the lack of resources
23 available, acknowledge the deep impact that these traumatic events have on the
24 lives of Tacoma residents, and provide support for residents who have experienced
25 sexual assault or harassment, and
26



WHEREAS the proposed funding would be allocated according to a
1 proposal provided by the City Manager and Neighborhood and Community
2 Services Director, and would provide up to 100 City residents with tools to address
3 and manage the impacts of exploitation and sexual assault through a community
4 event which will (1) specifically target women who have dealt with sexual assault
5 on the job, in the military, in school, or in church; (2) connect women, including
6 survivors, in dialogue on prevention, intervention, and overcoming sexual assault;
7 (3) provide access to community experts, such as psychologist, medical doctors,
8 legal professionals, counselors, advocates, and survivors, through panel
9 discussion; (4) provide attendees with sexual assault and human trafficking
10 resource guides and books; and (5) teach participants what to do when assault
11 and abuse occur, and how to manage the impacts, and

14 WHEREAS City staff will negotiate and execute an agreement for services
15 with the non-profit organization Rock, Paper, Scissors, outlining the terms and
16 deliverables for said funding, and

18 WHEREAS RCW 35.33.145 and 35.34.250 authorize a withdrawal from the
19 City Council Contingency fund for any municipal expense, the necessity or extent of
20 which could not have been foreseen or reasonably evaluated at the time of
21 adopting the budget, and

23 WHEREAS the need for tools to address and manage the impacts of
24 exploitation and sexual assault could not have been foreseen or reasonably
25 evaluated at the time the City adopted its biennial budget, and
26



WHEREAS Ordinance No. 22569 requires an affirmative vote of not less
than six members of the Council in order to withdraw moneys from this fund; Now,
Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

Section 1. That one-time funding in the amount of \$6,500, budgeted from
the City Council Contingency Fund, is hereby approved to fund tools to address and
manage the impacts of exploitation and sexual assault.

Section 2. That the City Manager is directed to negotiate and execute an
agreement with the non-profit organization Rock, Paper, Scissors, outlining the
scope of work and deliverables for said funding.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28547

1 AN ORDINANCE relating to wastewater and surface water management;
2 amending Chapter 12.08 of the Tacoma Municipal Code by adjusting rates
3 and charges for services provided by the Wastewater and Surface Water
Utilities for the years 2019 and 2020; and establishing an effective date.

4 WHEREAS RCW Ch. 35.92 and Ch. 35.67 authorize the City to construct,
5 condemn and purchase, acquire, add to, alter, maintain, and operate wastewater
6 and surface water sewer systems, and to establish the rates therefore, and

7 WHEREAS the City has established wastewater and surface water sewer
8 utility systems and regulations governing rates and charges for wastewater and
9 surface water sewer utility services codified at Chapter 12.08 of the Tacoma
10 Municipal Code ("TMC"), and

11 WHEREAS the Environmental Services ("ES") Department, working with
12 the Environmental Services Commission ("Commission"), has updated its multi-
13 year rate plan and developed proposed general revenue increases for the
14 2019-2020 Biennium for Wastewater and Surface Water customers, and

15 WHEREAS, consistent with the recommendations from the Commission,
16 a 4 percent increase is proposed for 2019 and 2020, respectively, for
17 Wastewater customers; and a 3.5 percent increase is proposed for 2019 and
18 2020, respectively, for Surface Water customers, and

19 WHEREAS these rate increases are driven primarily by increased labor
20 costs and increased investment in infrastructure, and

21 WHEREAS the low income elderly/low income disabled discount has been
22 maintained at 30 percent, and
23
24
25
26



WHEREAS ES staff presented the proposed amendments to the
1 Neighborhood Councils and Government Performance and Finance Committee,
2 and to the City Council at its Study Session of October 16, 2018, and

3
4 WHEREAS the City Council has determined that it is reasonable and
5 necessary to adopt rate adjustments to meet the City's obligation to adequately
6 fund the ongoing maintenance, operational, and capital costs of the wastewater
7 and surface water sewer utility systems, to meet its service obligations to
8 wastewater and surface water sewer utility systems customers, and to protect the
9 public health, safety and welfare, and
10

11 WHEREAS, in consideration of the foregoing, the City Council finds that
12 an amendment to the TMC, adopting the rate adjustments to the City's
13 wastewater and surface water sewer service charges as set forth herein, is
14 reasonable and necessary to meet revenue requirements to cover the costs
15 necessary to maintain self-supporting and financially viable wastewater and
16 surface water sewer utility systems; Now, Therefore,
17

18 BE IT ORDAINED BY THE CITY OF TACOMA:

19 Section 1. The above-stated recitals are incorporated by this reference as
20 though fully set forth herein and are adopted as the findings and conclusions of
21 the City Council.
22

23 Section 2. That Chapter 12.08 of the Tacoma Municipal Code is hereby
24 amended as set forth in the attached Exhibit "A."
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Section 3. That the effective date of this ordinance shall be 12:01 a.m.

January 1, 2019.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



EXHIBIT "A"

Chapter 12.08

WASTEWATER AND SURFACE WATER MANAGEMENT – REGULATION AND RATES

* * *

12.08.320 Discharge of holding tank contents – Charges – Report.

A. A charge shall be made for the total gallons of holding tank waste material discharged at the wastewater treatment plant, and shall be payable to the City Treasurer and credited to the Wastewater Management Fund. The charge shall be as follows:

Effective Date: January 1, ~~2017~~2019:

| | From Within the City | From Outside the City |
|---|-----------------------------------|-----------------------------------|
| Septic Tank Wastes (Holding, Cesspool, etc.) and Chemical Toilet Wastes | \$13.47 14.67/100 gal. | \$14.82 16.14/100 gal. |

Effective Date: January 1, ~~2018~~2020:

| | From Within the City | From Outside the City |
|---|-----------------------------------|-----------------------------------|
| Septic Tank Wastes (Holding, Cesspool, etc.) and Chemical Toilet Wastes | \$14.08 15.26/100 gal. | \$15.49 16.79/100 gal. |

B. Prior to the discharge of any material from holding tanks, the operator will correctly identify the source and contents being disposed. Incomplete or inaccurate reporting may result in the application of the highest chargeable rate.

* * *

12.08.360 Charges and rates for wastewater service inside the City limits.

As permitted by Chapter 35.67 RCW, charges shall be made for the discharge and for the availability for discharge of all sanitary sewage into sanitary sewers. If the Director requires construction of an extension to the sanitary sewer system prior to issuance of a side sewer permit, the charge for availability for discharge shall not be made until such time as the sanitary sewer extension is completed. Unless otherwise determined by the Director, no allowances will be made for vacancies, remodeling, or other such activities unless the water service for the entire facility, building, or mobile home court (two or more units) is turned off by the Water Utility of the City. Charges shall be as follows:

A. Each single-family residence (including those instances where more than one family residence is served through one water meter, as hereinbefore mentioned in TMC 12.08.010) shall be charged a monthly charge computed as follows:

Effective Date: January 1, ~~2017~~2019:

- (1) A fixed charge of ~~\$23.88~~25.87 plus
- (2) A flow charge calculated at ~~\$4.47~~4.87 per hundred cubic feet (ccf) of water consumption.

Effective Date: January 1, ~~2018~~2020:

- (1) A fixed charge of ~~\$24.96~~26.91 plus
- (2) A flow charge calculated at ~~\$4.68~~5.07 per hundred cubic feet (ccf) of water consumption.



The water consumption for the flow charge shall be the average monthly use as measured during the most recent months of December, January, February, and March. If the average consumption results in a fractional part of a ccf, the number used for calculating the flow charge shall be rounded to the nearest one-hundredth of a ccf.

* * *

12.08.365 Charges for special approved discharges.

* * *

B. Discharge to Storm Drainage System.

1. The Director may, at his or her discretion, approve discharges to the storm drainage system under TMC 12.08.080, as necessary. Application for discharge approval must be accompanied by payment of any fixed administrative/application fee(s) and be submitted at least 30 days prior to the requested discharge date.

2. The Director, or his or her representative, may require that samples be taken of the proposed discharge to insure compliance with federal, state, and local water quality requirements. Samples will be analyzed based on known and/or suspected pollutants at the site or in the proposed discharge. Sampling and analysis must be completed and reviewed by City staff prior to any discharge to the City's storm drainage system. The Director, or his or her representative, may require additional sampling throughout the duration of the discharge to insure compliance with the above-referenced requirements.

3. Unless otherwise determined by the Director, the charge for discharges of non stormwater to the surface water system under TMC 12.08.080 hereof shall be as set forth herein. This charge will consist of three parts:

Effective Date: January 1, 1997:

- a. An application fee of \$500 per discharge location payable at the time of application of discharge; and
- b. An annual administration fee of \$300 payable no later than January 30 of the year following initiation of discharge and no later than January 30 of each year thereafter if the discharge continues to occur; and
- c. A quantity fee:

Effective Date: January 1, ~~2017~~2019:

~~\$.0020070.0021812~~ per gallon discharged.

Effective Date: January 1, ~~2018~~2020:

~~\$.0021074.0022575~~ per gallon discharged.

Payments shall be made in a manner and at the frequency determined by the Director.

* * *

12.08.390 Basis for determination of commercial/industrial charges for use of wastewater system by monitored users.

Monitored commercial and/or industrial users shall pay the appropriate charges and fees based upon the wastewater constituents and characteristics. Except for test rate classifications established by the Director pursuant to TMC 12.08.380, these charges and fees for use of the wastewater system shall be computed on the basis of wastewater from a domestic premises with the following characteristics:

BOD - 200 milligrams per liter

Suspended Solids - 225 milligrams per liter

Composite rates per 100 cubic feet (ccf) for existing and new users are/will be developed using the following constituent concentration rates.



Effective Date: January 1, ~~2017~~2019:

| | |
|--------------------------------|--|
| Flow | \$ 4.32 4.67 |
| Biochemical oxygen demand(BOD) | \$.0063024 .006864 per mg/l |
| Suspended solids | \$.0047424 .0051792 per mg/l |
| Monthly fixed charge | \$ 11.40 12.50 per calendar month |

Effective Date: January 1, ~~2018~~2020:

| | |
|--------------------------------|--|
| Flow | \$ 4.52 4.86 |
| Biochemical oxygen demand(BOD) | \$.0066144 .007176 per mg/l |
| Suspended solids | \$.004992 .0054288 per mg/l |
| Monthly fixed charge | \$ 11.92 13.00 per calendar month |

12.08.400 Charge for Commercial/Industrial Wastewater User Groups.

The fixed charge for each commercial or industrial user of wastewater system shall be as follows:

Effective Date: January 1, ~~2017~~2019:

\$~~11.40~~12.50 per calendar month

Effective Date: January 1, ~~2018~~2020:

\$~~11.92~~13.00 per calendar month

In addition each unmonitored commercial or industrial user placed in a user group shall pay the appropriate flow rate per 100 cubic (ccf) as identified in Table II. All restaurants are initially in the Category 8 (Restaurant II) group. Any restaurant customer may petition the Director to be placed in the Category 6 (Restaurant I) group. The customer must provide the Director with documentation that the restaurant has an approved grease retention device to current Uniform Plumbing Code as adopted in Chapter 2.06 of the Tacoma Municipal Code, and as amended thereafter, and Department Policies and Guidelines, and that the customer has an adequate ongoing maintenance program in place for that device. If the Director concurs, the Director will place that restaurant in the Category 6 (Restaurant I) group as long as those conditions are continually met. In the event that those conditions are not continually met, the Director will place the restaurant back into the Category 8 (Restaurant II) group until the conditions of Department Policies and Guidelines are again met.

If, as a result of a rate increase due to an ordinance change, any specific account of a direct commercial and/or industrial customer would receive an increase in wastewater charges that meet the following criteria, that customer will be eligible to receive a one-time rate mitigation credit:

A. The percentage increase for that specific account is more than twice the City-wide average increase; and

B. The percentage increase for that specific account is more than 10 percent; and

C. The dollar increase as a result of the rate increase for that specific account is more than \$1,000 for the 12 months following implementation of that rate increase.

The credit shall apply to the first 12 months of implementation of the ordinance change and be equal to 50 percent of the increased charges that exceed the first \$1,000 increase for that 12-month period. The credit does not apply to any subsequent year's charges due to the same individual City-wide rate increase. The manner and method of applying the credit shall be determined by the Director.



Table II Rates for Commercial and/or Industrial User Groups
Effective Date: January 1, ~~2017~~2019

| Billing Category | Constituent Strength limits | Rate (\$/ccf) |
|------------------|--------------------------------------|---------------------------------|
| Category 8 | (BOD 901 + mg/l) (SS 600 mg/l) | \$13.01 <u>14.13</u> |
| Category 7 | (BOD 701-900 mg/l) (SS 700 mg/l) | \$12.59 <u>13.67</u> |
| Category 6 | (BOD 701-900 mg/l) (SS 400 mg/l) | \$11.13 <u>12.09</u> |
| Category 5 | (BOD 501-700 mg/l) (SS 400 mg/l) | \$9.69 <u>10.55</u> |
| Category 4 | (BOD 301-500 mg/l) (SS 450 mg/l) | \$9.57 <u>10.38</u> |
| Category 3 | (BOD 301-500 mg/l) (SS 0-400 mg/l) | \$8.16 <u>8.84</u> |
| Category 2 | (BOD 200-300 mg/l) (SS 150-400 mg/l) | \$6.48 <u>7.02</u> |
| Category 1 | (BOD 0-250 mg/l) (SS 0-150 mg/l) | \$6.22 <u>6.75</u> |

Table II Rates for Commercial and/or Industrial User Groups
Effective Date: January 1, ~~2018~~2020

| Billing Category | Constituent Strength limits | Rate (\$/ccf) |
|------------------|--------------------------------------|---------------------------------|
| Category 8 | (BOD 901 + mg/l) (SS 600 mg/l) | \$13.60 <u>14.70</u> |
| Category 7 | (BOD 701-900 mg/l) (SS 700 mg/l) | \$13.16 <u>14.22</u> |
| Category 6 | (BOD 701-900 mg/l) (SS 400 mg/l) | \$11.64 <u>12.58</u> |
| Category 5 | (BOD 501-700 mg/l) (SS 400 mg/l) | \$10.13 <u>10.98</u> |
| Category 4 | (BOD 301-500 mg/l) (SS 450 mg/l) | \$10.01 <u>10.80</u> |
| Category 3 | (BOD 301-500 mg/l) (SS 0-400 mg/l) | \$8.53 <u>9.20</u> |
| Category 2 | (BOD 200-300 mg/l) (SS 150-400 mg/l) | \$6.78 <u>7.31</u> |
| Category 1 | (BOD 0-250 mg/l) (SS 0-150 mg/l) | \$6.50 <u>7.02</u> |

* * *

12.08.450 New services – Rates.

For new residential services or account holders which have incomplete or no winter flow records available, the monthly flow portion of the charge for sanitary sewerage shall be computed using the flows listed below:

Single-family Dwellings - ~~7~~6 ccf per month

Multiple-family Dwelling - 5 ccf per unit per month

Except that charges for existing multiple-family dwellings with previous consumption history shall not change solely due to changes in account holder or ownership.

12.08.460 Minimum charge.

Every premises to which wastewater service is furnished, and every premises to which there is availability for such service shall be charged for such service in accordance with the rates and charges herein placed in effect; provided, however, that in no event shall any such charge be less than as provided below:

Effective Date: January 1, ~~2017~~2019:

~~\$23.88~~25.87 per calendar month



Effective Date: January 1, ~~2018~~2020:

~~\$24.96~~26.91 per calendar month

* * *

12.08.500 Surface water rates and charges.

A. Surface water charges shall be based on the square footage area of each parcel of real property and the land use designation of such parcel. The Director shall determine what rate shall apply to each specific parcel in accordance with this section, and the charge resulting from that determination and application of the other factors herein set forth. Upon request, and based on information provided by the parcel owner, the Director may, in his/her sole discretion determine that the City's use of a surface water or storm drainage or collection system on or at a specific parcel benefits the City's storm drain system and is grounds for reducing surface water drainage charges; except that: (1) collection from single premises and concentrating the flow; (2) collection of surface water which is piped through or underneath the surface of a property; or (3) water which flows via a natural drainage course through a property, shall not constitute such grounds.

1. Wetlands maintained and dedicated by deed restriction for mitigation purposes may be eligible for a reduction of a surface water drainage charge under this section.

2. Open space parcels with forested land cover, as that phrase is defined in TMC 12.08.010, shall be charged a monthly surface water rate of ~~\$7.17~~8.10 per parcel in ~~2017~~2019, and ~~\$7.65~~8.36 per parcel in ~~2018~~2020.

3. Parcels contiguous with waterfront/direct discharge parcels which are under common ownership and discharge 100 percent of surface water flow to the contiguous waterfront/direct discharge parcel shall be charged the waterfront/direct discharge rate.

B. For purposes of computing surface water rates under this section, the land use designation shall be the principal activity on the parcel as listed in the North American Industry Classification System (NAICS, 2002), prepared by the Statistical Policy Division of the Federal Office of Management and Budget and adopted hereby for this purpose. The land use category for each parcel will place it in one of the five following specific categories, hereinafter referred to as "Basic Categories of Development," as to each of which the rate per month per 500-square-foot increment of parcel area shall apply:



Effective Date: January 1, ~~2017~~2019:

| Basic Category of Development | Rate per Month |
|---|--|
| Waterfront/Direct Discharge Parcels: | |
| Undeveloped - First Acre or Less | \$0. 1371 <u>1463</u> per 500 ft ² |
| Undeveloped - Area in Excess of One Acre | \$0. 0608 <u>0616</u> per 500 ft ² |
| Light | \$0. 4150 <u>4505</u> per 500 ft ² |
| Moderate | \$0. 5786 <u>6300</u> per 500 ft ² |
| Heavy | \$0. 8312 <u>9118</u> per 500 ft ² |
| Very Heavy | \$1. 1091 <u>2210</u> per 500 ft ² |
| All Other Parcels: | |
| Undeveloped – First Acre or Less | \$0. 2793 <u>2899</u> per 500 ft ² |
| Undeveloped – Area in Excess of One Acre | \$0. 0608 <u>0616</u> per 500 ft ² |
| Light | \$0. 8441 <u>9015</u> per 500 ft ² |
| Moderate | \$1. 1506 <u>2393</u> per 500 ft ² |
| Heavy | \$1. 6890 <u>8224</u> per 500 ft ² |
| Very Heavy | \$2. 2526 <u>4394</u> per 500 ft ² |

Effective Date: January 1, ~~2018~~2020:

| Basic Category of Development | Rate per Month |
|---|--|
| Waterfront/Direct Discharge Parcels: | |
| Undeveloped - First Acre or Less | \$0. 1422 <u>1493</u> per 500 ft ² |
| Undeveloped - Area in Excess of One Acre | \$0. 0616 <u>0614</u> per 500 ft ² |
| Light | \$0. 4350 <u>4770</u> per 500 ft ² |
| Moderate | \$0. 6071 <u>6693</u> per 500 ft ² |
| Heavy | \$0. 8724 <u>9572</u> per 500 ft ² |
| Very Heavy | \$1. 1650 <u>2819</u> per 500 ft ² |
| All Other Parcels: | |
| Undeveloped – First Acre or Less | \$0. 2865 <u>2921</u> per 500 ft ² |
| Undeveloped – Area in Excess of One Acre | \$0. 0616 <u>0614</u> per 500 ft ² |
| Light | \$0. 8812 <u>9324</u> per 500 ft ² |
| Moderate | \$1. 2054 <u>2886</u> per 500 ft ² |
| Heavy | \$1. 7684 <u>8824</u> per 500 ft ² |
| Very Heavy | \$2. 3619 <u>5216</u> per 500 ft ² |

C. Waterfront/direct discharge parcels are those parcels directly abutting Puget Sound with at least 50 feet of frontage, or parcels discharging, by private means, all or substantially all of their surface water directly into the marine waters of Puget Sound. For purposes of computing surface water charges, the area of each parcel shall be rounded to the nearest 500-square foot increment (the area of premises less than 250-square feet shall be set at 500 square feet) and the appropriate rate from Table III shall be multiplied by the number of such increments in the parcel. In addition to the area charge listed above, the City shall charge a monthly fixed fee of:



Effective January 1, ~~2017~~2019: \$7,178.10

Effective January 1, ~~2018~~2020: \$7,658.36

D. Single-family residential parcels will be assigned the “Moderate” Basic Category of Development for determination of monthly charges, except that all single-family residential parcels of 15,000 square feet or less inspected by the Environmental Services Department and placed in a different Basic Category of Development shall pay the rate assigned to such Basic Category of Development. Single-family residential parcels of 15,000 square feet or more shall pay at the moderate rate for the first 15,000 square feet and the remainder at the undeveloped rate, unless the parcel is inspected by the Environmental Services Department and placed in a different Basic Category of Development, in which case the first 15,000 square feet shall pay the rate assigned to such Basic Category of Development and the remainder at the undeveloped rate. The fixed charge will be computed only once per parcel per month, regardless of area.

E. Residential customers who qualify as low-income senior or low-income disabled under TMC 12.06.165 B shall be eligible for a 30 percent reduction from the regular storm drainage charges. The determination of low income senior and low income disabled status shall be made as set forth in TMC 12.06.165 B. Individuals must submit an application documenting such determination for review and acceptance by the Director to qualify for this reduction. The effective date for the rate reduction shall be the first day of the billing period in which the Director’s acceptance is granted.

* * *



ORDINANCE NO. 28548

1 AN ORDINANCE relating to solid waste management; amending Chapter 12.09
2 of the Tacoma Municipal Code to adjust rates and charges for services
3 provided by the Solid Waste Utility for years 2019 and 2020; and
4 establishing an effective date.

5 WHEREAS RCW 35.67.020 and RCW 35.92.020 provide that the City
6 has full authority to operate, control, regulate, and fix the price of services and
7 facilities of a solid waste system, and

8 WHEREAS the City has established solid waste system and regulations
9 governing rates and charges for solid waste services codified in Chapter 12.09
10 of the Tacoma Municipal Code ("TMC"), and

11 WHEREAS the Environmental Services ("ES") Department, Solid Waste
12 Management Division, working with the Environmental Services Commission
13 ("Commission"), has updated its multi-year rate plan and developed proposed
14 rates for the 2019-2020 Biennium for Solid Waste Management ("SWM")
15 customers, and

16 WHEREAS, consistent with the recommendation from the Commission, a
17 3 percent per year increase is proposed for 2019 and 2020, and

18 WHEREAS the low-income senior/low-income disabled discount has
19 been maintained at 30 percent, and

20 WHEREAS SWM staff presented the proposed amendments to the
21 Neighborhood Councils and Government Performance and Finance Committee,
22 and to the City Council at its Study Session of October 16, 2018, and
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1 WHEREAS the City Council has determined that it is reasonable and
2 necessary to adopt rate adjustments to meet the City's obligation to adequately
3 fund the ongoing maintenance, operational, and capital costs of the solid waste
4 utility system, to meet its service obligations to solid waste utility system
5 customers, and to protect the public health, safety and welfare, and
6

7 WHEREAS, in consideration of the foregoing, the City Council finds that
8 an amendment to the TMC, adopting the rate adjustments to the City's solid
9 waste service charges as set forth herein, is reasonable and necessary to meet
10 revenue requirements to cover the costs necessary to maintain a self-supporting
11 and financially viable solid waste utility system; Now, Therefore,
12

13 BE IT ORDAINED BY THE CITY OF TACOMA:

14 Section 1. The above-stated recitals are incorporated by this reference
15 as though fully set forth herein and are adopted as the findings and conclusions
16 of the City Council.
17

18 Section 2. That Chapter 12.09 of the Tacoma Municipal Code is hereby
19 amended as set forth in the attached Exhibit "A."
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Section 3. That the effective date of this ordinance shall be 12:01 a.m.

January 1, 2019.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



EXHIBIT "A"

Chapter 12.09

SOLID WASTE, RECYCLING, AND HAZARDOUS WASTE

* * *

12.09.110 Residential automated and semi-automated services.

A. Minimum Monthly Service.

| | Effective Years | |
|--|---------------------------|---------------------------|
| | 2017 2019 | 2018 2020 |
| Once every other week pick-up 30-gallon (supplied by City) | \$ 21.14 22.79 | \$ 21.93 23.69 |

1. Collection personnel shall not be required to negotiate steep ramps or stairs or remove 30-, 45-, 60-, and 90-gallon containers from storage bins in the performance of their duties. Where 30-, 45-, 60-, and 90-gallon residential containers are accessible on ground level in the location designated by Solid Waste Management on the street or alley, within five feet of the curb, street, or alley where a Solid Waste Management collection vehicle can stop legally for collection and loading, the rate shall be:

| 2017 2019 RATES EVERY OTHER WEEK PICKUP RESIDENTIAL BARRELS | | | | |
|---|-----------------------------|--------------------------------|-------------|--|
| Residential Category | Monthly Rate | Additional Charge for Overload | Each Reload | Each additional yard waste container (after initial two) |
| Regular Service | | | | |
| 30 gallon | \$ 21.14 22.79 | \$10.00 | \$15.00 | \$3.00 |
| 45 gallon | \$ 31.71 34.18 | \$10.00 | \$15.00 | \$3.00 |
| 60 gallon | \$ 42.27 45.58 | \$10.00 | \$15.00 | \$3.00 |
| 90 gallon | \$ 63.42 68.37 | \$10.00 | \$15.00 | \$3.00 |
| 2-60 gallon | \$ 84.54 91.14 | \$10.00 | \$15.00 | \$3.00 |
| 60 + 90 gallon | \$ 105.69 113.94 | \$10.00 | \$15.00 | \$3.00 |
| 2-90 gallon | \$ 126.84 136.75 | \$10.00 | \$15.00 | \$3.00 |

| 2018 2020 RATES EVERY OTHER WEEK PICKUP RESIDENTIAL BARRELS | | | | |
|---|-----------------------------|--------------------------------|-------------|--|
| Residential Category | Monthly Rate | Additional Charge for Overload | Each Reload | Each additional yard waste container (after initial two) |
| Regular Service | | | | |
| 30 gallon | \$ 21.93 23.69 | \$10.00 | \$15.00 | \$3.00 |
| 45 gallon | \$ 32.89 35.53 | \$10.00 | \$15.00 | \$3.00 |
| 60 gallon | \$ 43.85 47.38 | \$10.00 | \$15.00 | \$3.00 |
| 90 gallon | \$ 65.78 71.06 | \$10.00 | \$15.00 | \$3.00 |
| 2-60 gallon | \$ 87.69 94.73 | \$10.00 | \$15.00 | \$3.00 |
| 60 + 90 gallon | \$ 109.63 118.42 | \$10.00 | \$15.00 | \$3.00 |
| 2-90 gallon | \$ 131.57 142.13 | \$10.00 | \$15.00 | \$3.00 |



2. Where residential containers and extra containers are accessible on ground level, but farther than five feet from the curb, street, or alley where a Solid Waste Management collection vehicle can stop legally for collection and loading, the following additional carry service charges, measured along the route taken for collection, shall apply to each container:

| | Garbage | Recycle & Yard Waste |
|--|------------------|----------------------|
| Over 5 feet to 25 feet | \$4.45 per month | \$4.45 per month |
| Each additional 25 feet or portion thereof | \$5.55 per month | \$5.55 per month |

Carry distances shall be measured along the route necessarily taken for collection.

The above rates apply to each and every can or container collected and loaded from a specific premises.

* * *

12.09.120 Commercial services.

Solid Waste Management reserves the right to establish the appropriate level of service. No single unit of a multi-business complex or building may receive individual container service of less than one cubic yard in capacity unless the subject unit is directly billed by the City for payment of all other public utilities servicing that unit, including electricity, water, surface water, and wastewater. Minimum monthly service for City-owned containers shall be one pickup per week, per month, per container, with the exception of drop-off boxes and compactors. Commercial rates for collection of solid waste shall be as follows:

A. Commercial Barrels.

| | Effective Years | |
|--------------------------------------|---------------------|---------------------|
| | <u>20172019</u> | <u>20182020</u> |
| Minimum Monthly Service (20-Gallon): | <u>\$27.9228.71</u> | <u>\$28.3629.06</u> |

| <u>20172019</u> RATES COMMERCIAL BARRELS | | | | |
|---|--------------------------|---------------------------------------|------------------------|-----------------|
| Commercial Category | Monthly Container Rent * | Monthly Rate (times pickups per week) | Each Additional Pickup | Overload Charge |
| Regular Service | | | | |
| 20 gallon | na | <u>\$27.9228.71</u> | \$15.00 | \$10.00 |
| 30 gallon | na | <u>\$36.9137.71</u> | \$15.00 | \$10.00 |
| 60 gallon | na | <u>\$55.6658.19</u> | \$15.00 | \$10.00 |
| 90 gallon | na | <u>\$75.7879.76</u> | \$15.00 | \$10.00 |
| 300 gallon | \$4.00 | \$166.05 | \$38.35 | \$25.00 |
| Temporary Service | | | | |
| Commercial Category | Daily Container Rent* | Each Haul Container | Placement Fee | Overload Charge |
| 20 gallon | na | \$15.00 | na | \$5.00 |
| 30 gallon | na | \$15.00 | na | \$5.00 |
| 60 gallon | na | \$15.00 | na | \$5.00 |
| 90 gallon | na | \$15.00 | na | \$5.00 |
| 300 gallon | \$1.00 | \$38.35 | \$15.00 | \$25.00 |

*Excluding Washington State Sales Tax



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| 2018 2020 RATES COMMERCIAL BARRELS | | | | |
|--|--------------------------|---------------------------------------|------------------------|-----------------|
| Commercial Category | Monthly Container Rent * | Monthly Rate (times pickups per week) | Each Additional Pickup | Overload Charge |
| Regular Service | | | | |
| 20 gallon | na | \$28.36 29.06 | \$15.00 | \$10.00 |
| 30 gallon | na | \$37.35 38.08 | \$15.00 | \$10.00 |
| 60 gallon | na | \$56.90 59.51 | \$15.00 | \$10.00 |
| 90 gallon | na | \$77.70 81.88 | \$15.00 | \$10.00 |
| 300 gallon | \$4.00 | \$166.05 | \$38.35 | \$25.00 |
| Temporary Service | | | | |
| Commercial Category | Daily Container Rent* | Each Haul Container | Placement Fee | Overload Charge |
| 20 gallon | na | \$15.00 | na | \$5.00 |
| 30 gallon | na | \$15.00 | na | \$5.00 |
| 60 gallon | na | \$15.00 | na | \$5.00 |
| 90 gallon | na | \$15.00 | na | \$5.00 |
| 300 gallon | \$1.00 | \$38.35 | \$15.00 | \$25.00 |

*Excluding Washington State Sales Tax

* * *

F. Commercial Bulk Noncompacted Container Rates.

1. City-owned, drop-off box – minimum charge of \$200.00 per month in addition to rent, if not hauled, provided, this charge will not be assessed to boxes used for the purposes of recycling.
2. City-owned, front-load container used on a temporary basis will be charged \$50.00 per month in addition to rent, if not hauled.
3. City-owned 20-, 30-, 60-, 90-, or 300-gallon container used on a temporary basis will be charged the 20-gallon commercial barrel monthly rate if not hauled.
4. Customer-owned container – minimum charge, if not hauled, will be the 20-gallon commercial barrel monthly rate.
5. An additional \$200.00 charge per haul for drop-off box for same day service.
6. An additional rental charge of \$9.00 per month or \$0.30 per day will be made for any container requiring a cover or extra-strength construction.
7. An additional \$25.00 charge per haul for front-load container for same day service.
8. The following carry service charge shall apply per pick-up for each front-load container (two- to four-cubic yard with casters).

| | |
|---------------------------|---------------------|
| Each front-load container | \$27.00 per pick-up |
|---------------------------|---------------------|

9. An additional \$50.00 charge for each container relocation without a haul (dump).
10. An additional \$50.00 return charge will be billed to customers who have a scheduled haul for their compactor or DOB and the container was not made accessible for hauling when Solid Waste staff arrived.
11. An additional \$25.00 return charge will be billed to customers who have a scheduled haul for their front-load container and the container was not made accessible for hauling when Solid Waste staff arrived.
12. An additional \$10.00 may be charged for containers or compactors that require double-picking.



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| 20172019 RATES FRONT LOAD CONTAINERS | | | | |
|---|-------------------------|---------------------------------------|----------------------------|-----------------|
| Commercial Category | Monthly Container Rent* | Monthly Rate (times pickups per week) | Each Additional Pickup | Overload Charge |
| Regular Service | | | | |
| 2 Cubic yard | \$7.80 | \$223.52 229.24 | \$51.16 52.90 | \$25.00 |
| 3 Cubic yard | \$8.90 | \$285.83 290.67 | \$65.27 67.08 | \$30.00 |
| 4 Cubic yard | \$10.60 | \$348.36 352.96 | \$79.44 81.45 | \$35.00 |
| 6 Cubic yard | \$13.85 | \$472.68 475.78 | \$108.37 109.80 | \$40.00 |
| 8 Cubic yard | \$15.30 | \$597.60 600.26 | \$137.30 138.52 | \$45.00 |
| Temporary Service | | | | |
| Commercial Category | Daily Container Rent* | Each Haul Container | Placement Fee | Overload Charge |
| 2 Cubic yard | \$1.00 | \$51.16 52.90 | \$15.00 | \$25.00 |
| 3 Cubic yard | \$1.00 | \$65.27 67.08 | \$15.00 | \$30.00 |
| 4 Cubic yard | \$1.00 | \$79.44 81.45 | \$15.00 | \$35.00 |
| 6 Cubic yard | \$1.00 | \$108.37 109.80 | \$15.00 | \$40.00 |
| 8 Cubic yard | \$1.00 | \$137.30 138.52 | \$15.00 | \$45.00 |

*Excluding Washington State Sales Tax

| 20182020 RATES FRONT LOAD CONTAINERS | | | | |
|---|-------------------------|---------------------------------------|----------------------------|-----------------|
| Commercial Category | Monthly Container Rent* | Monthly Rate (times pickups per week) | Each Additional Pickup | Overload Charge |
| Regular Service | | | | |
| 2 Cubic yard | \$7.80 | \$228.24 230.25 | \$51.81 53.13 | \$25.00 |
| 3 Cubic yard | \$8.90 | \$290.17 291.17 | \$65.58 67.19 | \$30.00 |
| 4 Cubic yard | \$10.60 | \$352.52 353.40 | \$79.44 81.55 | \$35.00 |
| 6 Cubic yard | \$13.85 | \$475.78 | \$108.37 109.80 | \$40.00 |
| 8 Cubic yard | \$15.30 | \$600.26 | \$137.30 138.52 | \$45.00 |
| Temporary Service | | | | |
| Commercial Category | Daily Container Rent* | Each Haul Container | Placement Fee | Overload Charge |
| 2 Cubic yard | \$1.00 | \$51.81 53.13 | \$15.00 | \$25.00 |
| 3 Cubic yard | \$1.00 | \$65.58 67.19 | \$15.00 | \$30.00 |
| 4 Cubic yard | \$1.00 | \$79.44 81.55 | \$15.00 | \$35.00 |
| 6 Cubic yard | \$1.00 | \$108.37 109.80 | \$15.00 | \$40.00 |
| 8 Cubic yard | \$1.00 | \$137.30 138.52 | \$15.00 | \$45.00 |

*Excluding Washington State Sales Tax



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**20172019 RATES
DROP OFF BOX**

| Commercial Category | Monthly Container Rent* | Each Haul per Container |
|------------------------|-------------------------|------------------------------|
| Regular Service | | |
| 15 Cubic Yard | \$38.90 | \$525.59 558.67 |
| 20 Cubic Yard | \$42.45 | \$616.29 645.46 |
| 25 Cubic Yard | \$43.25 | \$707.25 737.59 |
| 30 Cubic Yard | \$46.05 | \$799.28 834.80 |
| 40 Cubic Yard | \$52.15 | \$981.46 1,023.63 |

| Temporary Service | | | |
|--------------------------|-----------------------|------------------------------|---------------|
| | Daily Container Rent* | Each Haul per Container | Placement Fee |
| 15 Cubic Yard | \$1.50 | \$525.59 558.67 | \$50.00 |
| 20 Cubic Yard | \$1.50 | \$616.29 645.46 | \$50.00 |
| 25 Cubic Yard | \$1.50 | \$707.25 737.59 | \$50.00 |
| 30 Cubic Yard | \$1.50 | \$799.28 834.80 | \$50.00 |
| 40 Cubic Yard | \$1.50 | \$981.46 1,023.63 | \$50.00 |

*Excluding Washington State Sales Tax

**20182020 RATES
DROP OFF BOX**

| Commercial Category | Monthly Container Rent* | Each Haul per Container |
|------------------------|-------------------------|--------------------------------|
| Regular Service | | |
| 15 Cubic Yard | \$38.90 | \$547.08 570.51 |
| 20 Cubic Yard | \$42.45 | \$638.77 652.22 |
| 25 Cubic Yard | \$43.25 | \$731.34 743.90 |
| 30 Cubic Yard | \$46.05 | \$826.40 843.29 |
| 40 Cubic Yard | \$52.15 | \$1,012.79 1,034.58 |

| Temporary Service | | | |
|--------------------------|-----------------------|--------------------------------|---------------|
| | Daily Container Rent* | Each Haul per Container | Placement Fee |
| 15 Cubic Yard | \$1.50 | \$547.08 570.51 | \$50.00 |
| 20 Cubic Yard | \$1.50 | \$638.77 652.22 | \$50.00 |
| 25 Cubic Yard | \$1.50 | \$731.34 743.90 | \$50.00 |
| 30 Cubic Yard | \$1.50 | \$826.40 843.29 | \$50.00 |
| 40 Cubic Yard | \$1.50 | \$1,012.79 1,034.58 | \$50.00 |

*Excluding Washington State Sales Tax

13. When the weight of the contents of a noncompacted drop-off box exceeds the applicable maximum weight for a truck to safely handle the load, the customer will be charged the commercial disposal tip fee rate for each ton and/or portion of a ton by which the contents exceed the maximum weight of 10 tons.



14. Uncontained loads that are determined to be “Dusty Loads” by Solid Waste Management are subject to rejection or assessment of additional processing fees.

15. Solid Waste Management reserves the right to collect advance payment for container placement and up to four months of charges for rental and service charges associated with the provision of temporary service. The City Treasurer may accept satisfactory securities or surety bond in lieu of cash payment. Such payment or security may be applied toward the payment of service charges whenever the same shall become due. Solid Waste Management reserves the right to require additional advance payment for subsequent service that may be requested by the customer.

F. Commercial Compactor Container Rates. Commercial rates for collection and disposal of solid waste from customer-owned compactor containers shall be as follows:

1. Customer-owned containers will be charged the 20-gallon commercial barrel rate if no other solid waste service is provided by Solid Waste Management at the location during the month.

| <u>2017</u>2019 RATES | |
|---|---------------------------------------|
| FRONT LOAD COMPACTOR CONTAINER | |
| Commercial Category | Each Container Each Pickup |
| Regular Service | |
| 2 Cubic Yard | \$100.91 <u>102.76</u> |
| 3 Cubic Yard | \$172.66 <u>196.56</u> |
| 4 Cubic Yard | \$222.38 <u>253.82</u> |
| 5 Cubic Yard | \$271.82 <u>310.75</u> |

| <u>2018</u>2020 RATES | |
|---|---------------------------------------|
| FRONT LOAD COMPACTOR CONTAINER | |
| Commercial Category | Each Container Each Pickup |
| Regular Service | |
| 2 Cubic Yard | \$102.45 <u>103.07</u> |
| 3 Cubic Yard | \$184.13 <u>209.83</u> |
| 4 Cubic Yard | \$237.31 <u>271.48</u> |
| 5 Cubic Yard | \$290.11 <u>332.86</u> |



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| 2017 2019 RATES DROP OFF BOX COMPACTOR | |
|--|--------------------------------|
| Commercial Category | Each Container Each Pickup |
| Regular Service | |
| 10 Cubic Yard | \$728.45 737.25 |
| 12 Cubic Yard | \$884.56 989.43 |
| 15 Cubic Yard | \$1,140.01 1,251.83 |
| 16 Cubic Yard | \$1,194.14 1,310.76 |
| 17 Cubic Yard | \$1,241.62 1,380.57 |
| 18 Cubic Yard | \$1,298.23 1,444.70 |
| 20 Cubic Yard | \$1,427.55 1,570.53 |
| 24 Cubic Yard | \$1,658.40 1,827.38 |
| 25 Cubic Yard | \$1,715.82 1,891.06 |
| 26 Cubic Yard | \$1,773.55 1,956.88 |
| 27 Cubic Yard | \$1,829.36 2,016.63 |
| 30 Cubic Yard | \$2,005.93 2,214.06 |
| 33 Cubic Yard | \$2,184.26 2,412.50 |
| 34 Cubic Yard | \$2,236.46 2,475.48 |
| 40 Cubic Yard | \$2,584.96 2,857.06 |

| 2018 2020 RATES DROP OFF BOX COMPACTOR | |
|--|--------------------------------|
| Commercial Category | Each Container Each Pickup |
| Regular Service | |
| 10 Cubic Yard | \$737.25 |
| 12 Cubic Yard | \$941.50 1,039.80 |
| 15 Cubic Yard | \$1,200.09 1,305.80 |
| 16 Cubic Yard | \$1,256.81 1,367.03 |
| 17 Cubic Yard | \$1,324.45 1,439.07 |
| 18 Cubic Yard | \$1,385.26 1,506.69 |
| 20 Cubic Yard | \$1,503.67 1,640.36 |
| 24 Cubic Yard | \$1,747.54 1,910.86 |
| 25 Cubic Yard | \$1,808.05 1,977.88 |
| 26 Cubic Yard | \$1,868.94 2,048.96 |
| 27 Cubic Yard | \$1,927.52 2,109.86 |
| 30 Cubic Yard | \$2,114.42 2,318.40 |
| 33 Cubic Yard | \$2,303.20 2,526.99 |
| 34 Cubic Yard | \$2,357.62 2,599.24 |
| 40 Cubic Yard | \$2,726.05 2,994.37 |

* * *



12.09.140 Disposal rates.

All rates are based on 100-pound increments. (Any fraction of 100 pounds will be billed as 100 pounds.)

1. Solid waste generated within a private resident's home or yard, not including material from:

| Pounds per load | Within City of Tacoma | | Outside City of Tacoma | |
|-----------------------------------|---|---|---|---|
| | <u>2017</u> <u>2019</u> | <u>2018</u> <u>2020</u> | <u>2017</u> <u>2019</u> | <u>2018</u> <u>2020</u> |
| 0 - 400 | \$20.00 | \$20.00 | \$7.25 per 100 pounds - minimum charge \$20.00 | \$7.25 per 100 pounds - minimum charge \$20.00 |
| Disposals of more than 400 pounds | \$7.25 per each 100 pounds exceeding the initial 400-pound load | \$7.25 per each 100 pounds exceeding the initial 400-pound load | \$7.25 per each 100 pounds exceeding the initial 400-pound load | \$7.25 per each 100 pounds exceeding the initial 400-pound load |

To qualify for these disposal rates, City residents must present proper documentation in a form that satisfies the requirements of TMC 12.09.130.

2. There shall be no charge for City residential yard waste that is properly prepared and sorted and hauled to the City's public disposal area by the homeowner. This shall apply only to loads consisting of 100 percent yard waste (vegetation). To qualify for this service at no charge, the customer must present at the time of disposal documentation that satisfies the requirements of TMC 12.09.130.B.

3. All material, except Item 1 above:

| Pounds per load | |
|--|--|
| <u>2017</u> <u>2019</u> | <u>2018</u> <u>2020</u> |
| \$7.25 per 100 pounds; minimum charge of \$20.00 | \$7.25 per 100 pounds; minimum charge of \$20.00 |

4. Material from nonprofit corporations qualifying under Section 12.09.140.B:

| Pounds per load | |
|--|--|
| <u>2017</u> <u>2019</u> | <u>2018</u> <u>2020</u> |
| \$3.63 per 100 pounds; minimum charge of \$20.00 | \$3.63 per 100 pounds; minimum charge of \$20.00 |

* * *



ORDINANCE NO. 28549

1 AN ORDINANCE relating to alarm systems, fire code permits and fees; amending
2 Chapter 3.06 of the Tacoma Municipal Code by the addition of a new
3 section thereof, to be known and designated as Section 3.06.005, "Fire false
4 alarms"; and amending Chapter 3.09, Fire Code Permits and Fees, to revise
5 fees for commercial fire protection systems compliance and building
6 inspections.

7 WHEREAS the Tacoma Fire Department ("TFD") has experienced a yearly
8 increase in call volume, and

9 WHEREAS the cost of providing vital emergency response is increasing,
10 and unintentional or preventable activations and system malfunctions create costly
11 emergency response for non-emergent conditions, and

12 WHEREAS, in order to increase community and firefighter safety and to
13 enable TFD to operate more efficiently by addressing issues that take valuable
14 emergency resources out of availability for non-emergent purposes, TFD is
15 proposing a new section to be added to the Tacoma Municipal Code ("TMC"), and

16 WHEREAS TFD is proposing to amend the TMC by adding language that
17 would authorize TFD to contract with private contractors to assist in enforcing
18 provisions in the fire code for timely testing and repair of commercial fire protection
19 systems, which TFD expects would increase system compliance and greatly
20 improve the safety of the citizens and businesses within the City, and

21 WHEREAS the City is currently at 50 percent compliance on all commercial
22 fire protection systems, which means only one-half of systems have complied with
23 the testing requirement and have submitted confidence test reports, and
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WHEREAS other municipalities, such as Seattle, Bellevue, Redmond, and
Los Angeles, have improved compliance ratings with confidence testing by
contracting with a third-party compliance vendor, and

WHEREAS TFD is proposing a one-time 15-20 percent fee increase or
building inspections in 2019, after which the fee schedule will revert back to
CPI-based annual increases, and

WHEREAS the current allowable increase has not been sufficient to keep
up with the increasing cost of TFD to run the inspection program; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 3.06 of the Tacoma Municipal Code ("TMC") is
hereby amended by the addition of a new section thereof, to be known and
designated as Section 3.06.005, "Fire false alarms," as set forth in the attached
Exhibit "A."

Section 2. That Chapter 3.09 of the Tacoma Municipal Code is hereby
amended as set forth in the attached Exhibit "B."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

Chapter 3.06 ALARM SYSTEM

Sections:

- 3.06.005 Fire false alarms.
- 3.06.010 Signal box keys – Custody.
- 3.06.020 False keys – Misdemeanor.
- 3.06.030 Meddling with alarm system.
- 3.06.040 Permit to remove wire or pole.
- 3.06.050 Expense of removals and changes.
- 3.06.060 Impersonation of employee.
- 3.06.070 Use of poles.
- 3.06.080 Trees – Trimming.
- 3.06.090 Failure to trim trees.
- 3.06.100 Violation – Penalty.

3.06.005 Fire false alarms.

A. Purpose. It shall be the intent of this section to reduce the number of fire false alarms occurring within the City and reduce the resulting dependency on City resources by assessing financial penalties for each occurrence.

B. Definitions. For the purposes of this section:

"Fire false alarm" is the activation of a fire alarm by any means or for any purpose other than an actual fire. A fire alarm is properly activated when evidence of fire, smoke, or emergency conditions are found to exist upon arrival of the Fire Department. All other activations, including non-fire heat-related activation, construction, or maintenance-related incidents and accidental or malicious activation, shall be considered false.

"Fire alarm activation" is the giving, signaling, or transmission of a fire alarm to any public fire station, fire company, fire officer or any employee of the jurisdiction with normal responsibilities for public safety or to any central alarm monitoring agency whose purpose is to monitor fire alarms, whether by telephone, spoken word, electronic conveyance or otherwise, any information to the effect that there is a fire at or near the place indicated by such signal or transmission.

"Person" shall include any natural person, partnership, joint stock company, unincorporated association or society, club or corporation of any type whatsoever.

"Residential" shall mean for buildings approved for single-family or duplex occupancies.

"Commercial" shall mean for buildings approved for all occupancies other than residential occupancies.

C. Penalty Assessed. It shall be unlawful for any person to give, signal or transmit or for any person to cause or permit to be given, signaled or transmitted in any manner any fire false alarm. For a fire department dispatch or response to any fire false alarm, the City shall charge and collect from the person(s) having or maintaining such fire alarm on the premises owned or occupied by them the following penalty:

1. A charge of \$150 for each residential fire false alarm billed to the building owner, as indicated on the County's Assessor-Treasurer record for the parcel, at the residential address of the false alarm.

2. A charge of \$250 for each commercial fire false alarm. If the commercial fire false alarm is generated by an accidental or unintentional activation of an alarm by the owner or employees of a business, the charge shall be billed to the business. If the activation occurs due to fire alarm system malfunction, repair or maintenance work performed on the system the charge shall be billed to the building owner unless a contractor maintaining the system accepts the charge for the owner.



D. Notice of violation. The Fire Chief or their designee shall be responsible for the issuance of written notices of violation and assessment of penalties for all fire false alarms.

E. Administrative Decision. Notice of the imposition of penalty charges under the provisions of this section shall be given to the person having or maintaining a fire alarm on premises owned or occupied by them; provided that with respect to business premises the owner, manager or chief administrative agent regularly assigned and employed on the premises at the time of the occurrence shall be presumed to be the person having or maintaining said alarm on said business premises.

F. Waiver of Penalty. In the event the Fire Chief or their designee determines that fire false alarms occurred as a direct result of an interruption of power provided by an electrical utility, natural hazard, telephone system malfunction, alarm equipment malfunction of properly installed and maintained equipment, or for other causes beyond the control of the persons otherwise responsible for the false alarm, such as an emergency situation or a malicious activation in a public building, the Fire Chief or their designee may waive imposition of the applicable penalties.

G. Appeal of Administrative Decision. Any party subject to a penalty under the provisions of this section shall have a right of appeal to the Fire Chief or the Fire Chief's designee. A notice of appeal must be submitted in writing no later than ten days after issuance of the notice of the penalty and must be directed to the Fire Chief at the address listed on the notice of penalty. The written appeal should include the penalty fee reference number and the party's reasoning why the determination of a fire false alarm should be reconsidered. Within 30 days of receipt of a written appeal, an impartial review of the appeal shall be completed and a recommendation shall be presented to the Fire Chief or their designee for final decision to the appellant in writing. Unless notice of appeal is properly filed in accordance with this section within ten days of issuance of notice of penalty said penalty is deemed final.

* * *



EXHIBIT "B"

Chapter 3.09 FIRE CODE PERMITS AND FEES

3.09.015 Adjustments.

Beginning January 1, 2010, the fees and charges specified in this chapter shall be adjusted periodically by legislative action of the Tacoma City Council or annually using the "Seattle-Tacoma-Bremerton, WA Consumer Price Index (CPI) for All Urban Consumers." In January of each year, the CPI for the year end of 2008 shall be compared with the most recent June-to-June index comparison, and the fees and charges shall be adjusted accordingly. Permit fees adjusted by the CPI will be rounded to the nearest \$0.50 for fees under \$10, to the nearest \$1 for fees between \$10 and \$100, and to the nearest \$10 for fees greater than \$100. Total permit fees due at issuance will be rounded to the nearest dollar.

* * *

3.09.040 Miscellaneous services and fees.

The Fire Department shall collect the following additional fees:

* * *

Q. The City shall be authorized to contract with private parties to assist the City to enforce provisions of the fire code requiring timely inspection, testing, and maintenance of fire protection or other required systems. The City's contractors shall be allowed to charge a fee for their service intended to compensate the contractor and assist the City to fund the enforcement of the fire code.

1. The City's contractor's charge to third-party inspection, testing, and maintenance contractors shall be \$25 per occurrence.

2. The City's contractor's charge and fees may be amended annually by written consent of both the contractor and the City.

3.09.050 Building Inspection Program fees.

The Fire Chief or his or her designee has the authority to impose a fee for and administer a Building Inspection Program ("BIP"). The BIP shall focus on commercial, industrial, and multi-family buildings for fire and life safety code enforcement purposes.

A. The owners and occupants of any commercial, industrial, or multi-family building that contains any occupancy type, as defined within the adopted Fire Prevention Code, Chapter 3.02 TMC, shall pay the fee(s) for periodic building inspections conducted under the BIP in accordance with the fee schedule listed in Section 3.09.050.B.1 TMC.

B. Inspection Fees Assessed. Beginning January 1, 2019, b~~B~~uilding inspection fees for periodic fire and life safety code enforcement inspections shall be assessed in accordance with the following base inspection fee schedule based on total building area(s) of each individual occupancy and the relevant occupancy group as defined by the adopted Fire Prevention Code. The base inspection fees will be increased annually in accordance with the methodology in Section 3.09.015 TMC. The current fee schedule, with all adjustments to BIP Base Inspection Fee table below, are available upon request from the Fire Prevention and Preparedness Bureau.



1. BIP Base Inspection Fee Schedule.

| <u>Building Area Sq. Ft.</u> | | <u>Occupancy Group</u> | | | |
|------------------------------|-----------------|------------------------|--------------|--------------|--------------|
| <u>Min</u> | <u>Max</u> | <u>1</u> | <u>2</u> | <u>3</u> | <u>4</u> |
| <u>0</u> | <u>1,500</u> | <u>\$43</u> | <u>\$98</u> | <u>\$146</u> | <u>\$43</u> |
| <u>1,501</u> | <u>3,000</u> | <u>\$72</u> | <u>\$129</u> | <u>\$178</u> | |
| <u>3,001</u> | <u>5,000</u> | <u>\$104</u> | <u>\$159</u> | <u>\$210</u> | |
| <u>5,001</u> | <u>7,500</u> | <u>\$135</u> | <u>\$190</u> | <u>\$242</u> | |
| <u>7,501</u> | <u>10,000</u> | <u>\$164</u> | <u>\$220</u> | <u>\$274</u> | |
| <u>10,001</u> | <u>12,500</u> | <u>\$197</u> | <u>\$250</u> | <u>\$305</u> | <u>\$197</u> |
| <u>12,501</u> | <u>15,000</u> | <u>\$227</u> | <u>\$279</u> | <u>\$335</u> | |
| <u>15,001</u> | <u>17,500</u> | <u>\$256</u> | <u>\$312</u> | <u>\$372</u> | |
| <u>17,501</u> | <u>20,000</u> | <u>\$285</u> | <u>\$342</u> | <u>\$403</u> | |
| <u>20,001</u> | <u>30,000</u> | <u>\$315</u> | <u>\$373</u> | <u>\$434</u> | |
| <u>30,001</u> | <u>40,000</u> | <u>\$347</u> | <u>\$405</u> | <u>\$466</u> | <u>\$347</u> |
| <u>40,001</u> | <u>50,000</u> | <u>\$381</u> | <u>\$435</u> | <u>\$497</u> | |
| <u>50,001</u> | <u>60,000</u> | <u>\$411</u> | <u>\$465</u> | <u>\$528</u> | |
| <u>60,001</u> | <u>70,000</u> | <u>\$440</u> | <u>\$495</u> | <u>\$565</u> | |
| <u>70,001</u> | <u>100,000</u> | <u>\$470</u> | <u>\$523</u> | <u>\$596</u> | |
| <u>100,001</u> | <u>150,000</u> | <u>\$500</u> | <u>\$553</u> | <u>\$625</u> | <u>\$500</u> |
| <u>150,001</u> | <u>200,000</u> | <u>\$535</u> | <u>\$589</u> | <u>\$659</u> | |
| <u>200,001</u> | <u>200,001+</u> | <u>\$566</u> | <u>\$619</u> | <u>\$689</u> | |

Group 1

B – (Business) The use of a building or structure for office, professional or service type transactions.

M – (Mercantile) Building or structures used for the display and sale of merchandise accessible to the public.

U – (Miscellaneous) Building or structures of an accessory character and miscellaneous structures not classified in any specific occupancy.

Group 2

A – (Assembly) The use of a building or structure for the gathering together of persons for the purposes such as civic, social or religious functions, recreation, food or drink consumption or awaiting transportation.

E – (Educational) The use of a building or structure by 6 or more persons for educational purposes through the 12th grade. (Day Cares: More than 5 children older than 2.5 years of age).

Group 3

F – (Factory) The use of a building or structure for assembling, disassembling, fabricating, finishing, manufacturing, packaging, repair or processing operations.

H – (Hazardous) The use of a building or structure that involves the manufacturing, processing, generation or storage of materials that constitutes a physical or health hazard.

I – (Institutional) The use of a building or structure in which people are cared for or are living in a supervised environment. This includes people having physical limitations because of health or age, are harbored for medical treatment or other care and where people are detained for correctional purposes.

S – (Storage) The use of a building or structure for storage that is not classified as an “H” Occupancy.

Group 4

R – (Residential) The use of a building or structure for sleeping purposes.

Single-family and duplex residential buildings are excluded from the inspection program and therefore shall not be assessed inspection fees.

a. Base Inspection Fees. The base inspection fee shall cover the initial inspection and one follow-up inspection for the purpose of ensuring the correction of any deficiencies or defects noted during the initial inspection.

b. Additional Follow-Up Inspection Fees. Any additional follow-up inspections beyond the first follow-up inspection necessary to ensure correction of any identified deficiencies or defects shall be billed at a minimum of \$177 per hour (one-hour minimum charge with additional time computed in quarter-hour increments) until full compliance is achieved.



c. The Fire Chief, or designee, is authorized to waive or partially reduce inspection fees in accordance with Section 3.09.060 TMC.

BIP Base Inspection Fees^{1, 2, 3}

| | Building Area (sq. ft.) | 1. Occupancy Group 1 Fee (\$) (B, M & R⁴ & U) | 2. Occupancy Group 2 Fee (\$) (A & E) | 3. Occupancy Group 3 Fee (\$) (F, H, I & S) |
|---|------------------------------------|---|--|--|
| A | 0—1,500 | 35 | 80 | 115 |
| B | 1,501—3,000 | 60 | 105 | 140 |
| C | 3,001—5,000 | 85 | 130 | 165 |
| D | 5,001—7,500 | 110 | 155 | 190 |
| E | 7,501—10,000 | 135 | 180 | 215 |
| F | 10,001—12,500 | 160 | 205 | 240 |
| G | 12,501—15,000 | 185 | 230 | 265 |
| H | 15,001—17,500 | 210 | 255 | 290 |
| I | 17,501—20,000 | 235 | 280 | 315 |
| J | 20,001—30,000 | 260 | 305 | 340 |
| K | 30,001—40,000 | 285 | 330 | 365 |
| L | 40,001—50,000 | 310 | 355 | 390 |
| M | 50,001—60,000 | 335 | 380 | 415 |
| N | 60,001—70,000 | 360 | 405 | 440 |
| O | 70,001—100,000 | 385 | 430 | 465 |
| P | 100,001—150,000 | 410 | 455 | 490 |
| Q | 150,001—200,000 | 435 | 480 | 515 |
| R | Over 200,000 | 460 | 505 | 540 |

¹ ~~Base Inspection Fees: The base inspection fee shall cover the initial inspection and one follow-up inspection for the purpose of ensuring the correction of any deficiencies or defects noted during the initial inspection.~~

² ~~Additional Follow Up Inspection Fees: Any additional follow-up inspections beyond the first follow-up inspection necessary to ensure correction of any identified deficiencies or defects shall be billed at a minimum of \$177 per hour (one hour minimum charge with additional time computed in quarter-hour increments) until full compliance is achieved.~~

³ ~~The Fire Chief or his or her designee is authorized to waive or partially reduce inspection fees in accordance with 3.09.060 TMC.~~

⁴ ~~Single-family residences and duplexes are excluded from the inspection program and therefore shall not be assessed inspection fees.~~

* * *



ORDINANCE NO. 28550

1 AN ORDINANCE relating to ambulances; amending Chapter 6B.50 of the Tacoma
2 Municipal Code by the addition of a new section thereof, to be known and
3 designated as Section 6B.50.070, "Penalty for non-emergent lift assistance
4 at licensed care facilities," to authorize the assessment of penalties for non-
5 emergent patient lift assistance performed by the Tacoma Fire Department
6 or its contractors at licensed care facilities; and declaring an effective date.

7 WHEREAS the Tacoma Fire Department ("TFD") has been dispatched via
8 911 to licensed care facilities in the City for the purpose of lifting patients with
9 non-emergent medical conditions, and
10

11 WHEREAS, for the last several years, the TFD has worked with staff of local
12 care facilities to reduce their reliance on the 911 system for non-emergent lift
13 assistance of patients, and
14

15 WHEREAS, in 2014, the Medical Services Office of TFD and staff of the
16 FD CARES program began attending monthly meetings of the local licensed care
17 industry, currently the Pierce County Care Transitions Consortium, to share
18 information about the proper use of 911, and to share documents from the TFD
19 and the Washington State Department of Social and Health Services which provide
20 clear guidelines about when to call 911, and
21

22 WHEREAS in addition, TFD staff has had multiple one on one meetings
23 with supervisors and staff of the facilities to educate them about proper 911 use,
24 emphasizing that non-emergent lift assists are the responsibility of facility staff,
25 however, despite this ongoing effort by TFD, some local facilities continue to utilize
26 the 911 system for non-emergent lift assists in their facilities, and

WHEREAS it is estimated by TFD staff that their emergency personnel will
be dispatched to approximately 365 non-emergent list assists in 2018, and due to



the continued misuse of TFD services for non-emergent lift assists, TFD is proposing that a penalty charge of \$850 will be assessed whenever a lift assist is performed for non-emergent medical aid in these facilities, and

WHEREAS the penalty charge will only be applied to non-emergent lift assists in registered family homes, skilled nursing facilities, and assisted living facilities, as Washington State law requires these facilities to provide adequate staffing to meet the needs of their residents, which includes assessing a resident's condition following a fall and assisting the resident back into a pre-fall position;

Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 6B.50 of the Tacoma Municipal Code is hereby amended by the addition of a new section thereof, to be known and designated as Section 6B.50.070, "Penalty for non-emergent lift assistance at licensed care facilities," as set forth in the attached Exhibit "A."

Section 2. That this ordinance shall have an effective date of February 1, 2019.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 6B.50

AMBULANCES

Sections:

- 6B.50.010 Definitions.
6B.50.020 State ambulance license required.
6B.50.030 Health Department certification required.
6B.50.040 The City of Tacoma Fire Department is the lead emergency medical services agency.
6B.50.050 Basic life support services by contract.
6B.50.060 Ambulance service rates.
6B.50.070 Penalty for non-emergent lift assistance at licensed care facilities.

* * *

6B.50.070 Penalty for non-emergent lift assistance at licensed care facilities.

It shall be the policy and practice of the City to discourage the use of the 911 emergency system to dispatch personnel of the Tacoma Fire Department or its contractors and partners for non-emergency patient lift assistance at licensed care facilities.

A. Definitions. For the purpose of this section, the following terms, phrases, words, and their derivations shall have the meanings given:

"Lift assist" means a response by a fire department emergency response unit or the emergency response unit of a private contractor of the City or the unit of another public safety department providing automatic or mutual aid to the City to a state licensed care or nursing facility for the purpose of lifting a fallen patient to a pre-fall position.

"Non-emergent/emergency" means a determination, based upon an assessment by the commanding officer of the emergency response unit, that there is not an emergent medical condition or medical necessity justifying the presence of the emergency unit at the facility.

"Licensed care facility" means a Washington State licensed care or nursing facility, such as a skilled nursing facility, or an assisted living facility. A registered adult family home is not included in the definition of a licensed care facility.

B. Determination of Non-Emergent Lift Assist. Based upon the assessment undertaken by the commanding officer of an emergency response unit dispatched to a licensed care facility and their determination that no emergent medical condition or emergent medical necessity exists, but the staff of the facility desires that emergency response personnel complete a lift assist of a fallen patient, the officer shall declare the incident a non-emergent lift assist in their incident report.

C. Assessment of Penalty. The Fire Chief, or designee, shall be authorized to issue a penalty charge of \$350 for the first incident, \$500 for the second incident, and \$850 for each incident thereafter determined to be non-emergency lift assist at licensed care facilities; provided that, as of January 1, 2020, the authorized penalty charge shall be \$850 per incident without regard to the number of prior incidents.

D. Administrative Decision. Notice of the imposition of penalty charges under the provisions of this section shall be sent to the owner or management of the facility where the incident occurred; provided that, with respect to business premises, the owner, manager, or chief administrative agent regularly assigned and employed on the premises at the time of the occurrence shall be presumed to be the appropriate person to receive the notice, unless the City is notified otherwise.

E. Waiver of Imposition. In the event the Fire Chief, or designee, determines that City's assessment or determination was in error or there were other mitigating facts which the commanding officer did not possess at the time of the incident, the Fire Chief, or designee, may waive imposition of the applicable penalty(ies).



1 F. Appeal from Administrative Decision. Any party subject to a penalty under the provisions of this section
2 shall have a right of appeal to the Fire Chief, or designee. A notice of appeal must be submitted in writing no
3 later than ten days after issuance of the notice of the penalty and must be directed to the Fire Chief, at the
4 address listed on the notice of penalty. The written appeal should include the penalty reference number and
5 the party's reasoning why the determination of notice of non-emergency lift assist should be reconsidered.
6 Within 30 days of receipt of a written appeal, an impartial review of the appeal shall be completed and a
7 recommendation shall be presented to the Fire Chief, or designee, for final decision, which will be reported to
8 the appellant in writing. Unless a notice of appeal is properly filed in accordance with this section within ten
9 days of the issuance of notice of penalty, said penalty is deemed final.
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ORDINANCE NO. 28551

1 AN ORDINANCE relating to the Department of Public Utilities, Power Division;
2 amending Chapter 12.06 of the Tacoma Municipal Code, relating to electric
3 energy regulations, rates, and fees.

4 WHEREAS the City of Tacoma, Department of Public Utilities, Light Division
5 (d.b.a. "Tacoma Power"), revenue requirements analysis for the 24-month rate
6 period of April 1, 2019, through March 31, 2021, indicates a revenue shortfall of
7 approximately \$21.9 million at current rates, due to general inflationary increases
8 in operating and capital expenses such as technology upgrades, regulatory
9 compliance, and cybersecurity enhancements, and
10

11 WHEREAS, based on this analysis, Tacoma Power is requesting approval
12 for an approximate overall rate increase of 2.0 percent effective April 1, 2019, and
13 an approximate overall rate increase of 2.0 percent effective April 1, 2020, to be
14 distributed to different customer classes based on a cost-of-service analysis, to
15 generate projected revenue requirements for utility operations, and
16

17 WHEREAS, pursuant to Tacoma City Charter Section 4.11, revisions to
18 Tacoma Power rates and regulations require approval by the Public Utility Board
19 and City Council, and

20 WHEREAS public comments on this matter were taken by the Public Utility
21 Board ("Board") on October 10, 2018, and the Board approved the recommended
22 changes at its regular meeting held on October 24, 2018, and
23

24 WHEREAS the recommended changes to the rates and regulations are just,
25 fair, and reasonable, and are in the best interest of the citizens of Tacoma and the
26 customers of Tacoma Power; Now, Therefore,



BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 12.06 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit "A," to become effective April 1, 2019.

Section 2. That Chapter 12.06 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit "B," to become effective April 1, 2020.

Passed _____

Mayor

Attest:

City Clerk

Approved as to Form:

Chief Deputy City Attorney

Requested by Public Utility Board
Amended Resolution No. U-11033



EXHIBIT "A"

Chapter 12.06

ELECTRIC ENERGY – REGULATIONS AND RATES

Sections:

- 12.06.010 General application.
- 12.06.020 Definitions.
- 12.06.030 Available voltages.
- 12.06.040 Application for service and contract.
- 12.06.050 Inspection.
- 12.06.060 Equipment and wires.
- 12.06.070 Rearranging lines or equipment.
- 12.06.080 Metering.
- 12.06.090 Connected load.
- 12.06.100 Deposits and connection charges.
- 12.06.110 Billing – Payment of bills and delinquency.
- 12.06.115 Disconnection of electric service.
- 12.06.120 Resale of electric energy prohibited.
- 12.06.130 Diversion of current.
- 12.06.140 Tampering and injury to City equipment.
- 12.06.150 City not liable for damages.
- 12.06.160 Residential service – Schedule A-1. Effective April 1, 2019[98, to March 31, 2020.](#)
- 12.06.165 Low-income/senior and/or low-income/disabled discount residential service – Schedule A-2.
- 12.06.170 Small general service – Schedule B. Effective April 1, 2019[98, to March 31, 2020.](#)
- 12.06.180 *Repealed.*
- 12.06.190 *Repealed.*
- 12.06.210 *Repealed.*
- 12.06.215 General service – Schedule G. Effective April 1, 2019[98, to March 31, 2020.](#)
- 12.06.220 *Repealed.*
- 12.06.225 High voltage general service – Schedule HVG. Effective April 1, 2019[98, to March 31, 2020.](#)
- 12.06.240 *Repealed.*
- 12.06.250 *Repealed.*
- 12.06.260 Contract industrial service – Schedule CP. Effective April 1, 2019[98, to March 31, 2020.](#)
- 12.06.270 *Repealed.*
- 12.06.280 *Repealed.*
- 12.06.290 Street lighting and traffic signal service – Schedule H-1. Effective April 1, 2019[98, to March 31, 2020.](#)
- 12.06.295 Street lighting service – Schedule H-3. Effective April 1, 2019[98, to March 31, 2020.](#)
- 12.06.300 Private off-street lighting service – Schedule H-2. Effective April 1, 2019[98, to March 31, 2020.](#)
- 12.06.310 Power factor provisions – Schedule P.
- 12.06.314 Tax credit – Schedule TC.
- 12.06.315 *Repealed.*
- 12.06.317 *Repealed.*
- 12.06.318 *Repealed.*
- 12.06.320 Additional rules may be made by director.
- 12.06.330 Customer service policies – Additional rules and regulations.
- 12.06.340 Violations – Penalties – Enforcement.
- 12.06.350 Severability.
- 12.06.360 *Repealed.*
- 12.06.370 Renewable Energy Program.



* * *

12.06.160 Residential service – Schedule A-1. Effective April 1, 2018, to March 31, 2020.

* * *

C. Monthly Rate. The sum of the following energy, delivery and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.
2. Delivery: All energy delivered in kilowatt-hours at \$0.~~034891~~ ~~034435~~ per kWh.
3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$16.~~950~~ per month, for all but collectively metered apartments; \$13.~~85~~ ~~50~~ per month, for collectively metered apartments.

4. Exceptions:

(a) Within the City of Fife:

- (1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.
- (2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034891~~ ~~034435~~ per kWh.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$16.~~950~~ per month, for all but collectively metered apartments; \$13.~~85~~ ~~50~~ per month, for collectively metered apartments.

(b) Within the City of Fircrest:

- (1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.
- (2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034891~~ ~~034435~~ per kWh.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$16.~~950~~ per month, for all but collectively metered apartments; \$13.~~85~~ ~~50~~ per month, for collectively metered apartments.

(c) Within the City of Lakewood:

- (1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.
- (2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034891~~ ~~034435~~ per kWh.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$16.~~950~~ per month, for all but collectively metered apartments; \$13.~~85~~ ~~50~~ per month, for collectively metered apartments.

(d) Within the City of Steilacoom:

- (1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.
- (2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034891~~ ~~034435~~ per kWh.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$16.~~950~~ per month, for all but collectively metered apartments; \$13.~~85~~ ~~50~~ per month, for collectively metered apartments.

(e) Within the City of University Place:

- (1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.
- (2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034891~~ ~~034435~~ per kWh.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$16.~~950~~ per month, for all but collectively metered apartments; \$13.~~85~~ ~~50~~ per month, for collectively metered apartments.

* * *

12.06.170 Small general service – Schedule B. Effective April 1, 2018, to March 31, 2020.

* * *

B. Monthly Rate. The sum of the following energy, delivery and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.



2. Delivery: All energy delivered in kilowatt-hours at \$0.~~034895~~ ~~034587~~ per kWh.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$~~232.05~~0 per month, for all but unmetered services; \$17.~~95~~0 per month, for unmetered services.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034895~~ ~~034587~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$~~232.05~~0 per month, for all but unmetered services; \$17.~~95~~0 per month, for unmetered services.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034895~~ ~~034587~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$~~232.05~~0 per month, for all but unmetered services; \$17.~~95~~0 per month, for unmetered services.

(c) Within the City of Lakewood:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034895~~ ~~034587~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$~~232.05~~0 per month, for all but unmetered services; \$17.~~95~~0 per month, for unmetered services.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034895~~ ~~034587~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$~~232.05~~0 per month, for all but unmetered services; \$17.~~95~~0 per month, for unmetered services.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~034895~~ ~~034587~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$~~232.05~~0 per month, for all but unmetered services; \$17.~~95~~0 per month, for unmetered services.

* * *

12.06.215 General service – Schedule G. Effective April 1, 2018, to March 31, 2020.

* * *

B. Monthly Rate. The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.~~047317~~ ~~044813~~ per kWh.

2. Delivery: All kilowatts of Billing Demand delivered at \$8.~~43~~ ~~35~~ per kW.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$~~786~~.00 per month.



4. Exceptions:

(a) Within the City of Fife:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~047317~~ ~~044813~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$8.~~43~~ ~~35~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$7~~86~~.00 per month.

(b) Within the City of Fircrest:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~047317~~ ~~044813~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$8.~~43~~ ~~35~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$7~~86~~.00 per month.

(c) Within the City of Lakewood:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~047317~~ ~~044813~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$8.~~43~~ ~~35~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$7~~86~~.00 per month.

(d) Within the City of Steilacoom:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~047317~~ ~~044813~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$8.~~43~~ ~~35~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$7~~86~~.00 per month.

(e) Within the City of University Place:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~047317~~ ~~044813~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$8.~~43~~ ~~35~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$7~~86~~.00 per month.

* * *

12.06.225 High voltage general service – Schedule HVG. Effective April 1, 2018, to March 31, 2020.

A. Availability. For general power use where a demand meter is installed and where a customer served does not require the use of Tacoma Power's distribution facilities other than substation transformation. Customers over 8 Megawatts who do not have a Power Service Agreement (Contract) with Tacoma Power will take service under TMC 12.06.215, General ~~S~~service. A Power Service Agreement (Contract) with Tacoma Power is required for customers who begin taking service under TMC 12.06.225 High voltage general service after April 16, 2017. For customers who provide all of their own transformation from Tacoma Power's transmission system voltage, a credit of 204.00 percent will be applicable to the delivery charge.

~~High voltage general service customers shall be billed the following rates under Subsection 12.06.225.B (a two-step rate increase effective April 16, 2017 and April 1, 2018) unless the Customer files by April 21, 2017, a written notice in a form approved by Tacoma Power that irrevocably elects to be billed under the alternative rates under Subsection 12.06.225.C (a one step rate increase effective April 16, 2017 with a second default rate increase effective April 1, 2019, unless superseded prior to the effective date).~~

B. Monthly Rate: The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.~~042915~~ ~~041691~~ per kWh.
2. Delivery: All kilowatts of Billing Demand delivered at \$4.~~89~~ ~~75~~ per kW.
3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~54~~90.00 per month.



4. Exceptions:

(a) Within the City of Fife:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~042915~~ ~~041691~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$4.~~89~~ ~~75~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~54~~90.00 per month.

(b) Within the City of Fircrest:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~042915~~ ~~041691~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$4.~~89~~ ~~75~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~54~~90.00 per month.

(c) Within the City of Lakewood:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~042915~~ ~~041691~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$4.~~89~~ ~~75~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~54~~90.00 per month.

(d) Within the City of Steilacoom:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~042915~~ ~~041691~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$4.~~89~~ ~~75~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~54~~90.00 per month.

(e) Within the City of University Place:

- (1) Energy: All energy measured in kilowatt-hours at \$0.~~042915~~ ~~041691~~ per kWh.
- (2) Delivery: All kilowatts of Billing Demand delivered at \$4.~~89~~ ~~75~~ per kW.
- (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~54~~90.00 per month.

C. Monthly Rate (a one step rate increase effective April 16, 2017, with a second default rate increase effective April 1, 2019, unless superseded prior to the effective date).

| | <u>Effective 4/16/2017</u> | <u>Effective 4/1/2019 unless superseded prior to effective date</u> |
|------------------------------------|----------------------------|---|
| <u>Energy</u> | <u>\$0.039987</u> | <u>\$0.041691</u> |
| <u>Delivery</u> | <u>\$4.63</u> | <u>\$4.75</u> |
| <u>Customer Charge</u> | <u>\$1,175.00</u> | <u>\$1,490.00</u> |
| <u>Exceptions:</u> | | |
| <u>Within the City of Fife</u> | | |
| <u>Energy</u> | <u>\$0.039987</u> | <u>\$0.041691</u> |
| <u>Delivery</u> | <u>\$4.63</u> | <u>\$4.75</u> |
| <u>Customer Charge</u> | <u>\$1,175.00</u> | <u>\$1,490.00</u> |
| <u>Within the City of Fircrest</u> | | |
| <u>Energy</u> | <u>\$0.039987</u> | <u>\$0.041691</u> |
| <u>Delivery</u> | <u>\$4.63</u> | <u>\$4.75</u> |
| <u>Customer Charge</u> | <u>\$1,175.00</u> | <u>\$1,490.00</u> |



| | | |
|--|------------|------------|
| Within the City of Lakewood | | |
| Energy | \$0.039987 | \$0.041691 |
| Delivery | \$4.63 | \$4.75 |
| Customer Charge | \$1,175.00 | \$1,490.00 |
| Within the City of Steilacoom | | |
| Energy | \$0.039987 | \$0.041691 |
| Delivery | \$4.63 | \$4.75 |
| Customer Charge | \$1,175.00 | \$1,490.00 |
| Within the City of University Place | | |
| Energy | \$0.039987 | \$0.041691 |
| Delivery | \$4.63 | \$4.75 |
| Customer Charge | \$1,175.00 | \$1,490.00 |

DC. Billing Demand. Determined by means of a demand meter, 30-minute interval, reset monthly. The billing demand shall be the higher of:

1. The highest measured demand for the month adjusted for power factor, or
2. 60 percent of the highest measured demand occurring during any of the preceding 11 months after adjustment for power factor.

For purposes of the determination of Billing Demand in subsection 2 above, the 11 months of history shall be carried forward from the customer's previous account(s).

ED. Service Conditions.

1. Power factor provision applicable.
2. Applicable provisions of the Tacoma Municipal Code, General Provisions, and Customer Service Policies governing the sale of electric energy shall apply.

* * *

12.06.260 Contract industrial service – Schedule CP. Effective April 1, 2018, to March 31, 2020.

* * *

B. Monthly Rate. The sum of the following power service, delivery, customer and other charges:

1. Power Service Charges:

(a) Energy: All Contract Energy (as set forth in the Contract) measured in kilowatt-hours at \$0.033038 per kWh.

(b) Demand: All kilowatts of Billing Demand delivered at \$4.6833-per kW.

(c) Minimum Charge: The Demand Charge.

(d) Contract Energy Overrun: All energy measured in excess of the Contract Energy (as set forth in the Contract) is subject to a Contract Energy Overrun charge, pursuant to the following formula:

Contract Energy Overrun Charge = (MWh + Losses) x (THI + Tx) x 120%.

Where: MWh = the aggregate MWh over the day the customer's total measured daily load was above the Contract Energy amount; Losses = MWh x 1.9%; THI = the highest hourly price observed on the Tacoma Hourly Index within the day of overrun; Tx = applicable BPA or successor organization, transmission rate in \$ per MWh.

(e) Contract Demand Overrun: A Contract Demand Overrun charge shall be imposed when the total measured demand (highest 30-minute integrated demand) exceeds the Contract Demand (as set forth in the Contract). Said charge is pursuant to the following formula:



Contract Demand Overrun Charge = MW x 300% x DC

Where: MW = MW of metered Demand in excess of the Contract Demand; DC = Demand Charge.

2. Delivery: All kilowatts of Billing Demand delivered at \$4.~~22~~ ~~00~~-per kW.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$~~32~~,980.00 per month.

4. Exceptions:

(a) Within the City of Fife:

(1) Power Service Charges:

(i) Energy: All Contract Energy (as set forth in the Contract) measured in kilowatt-hours at \$0.033038 per kWh.

(ii) Demand: All kilowatts of Billing Demand delivered at \$4.~~68~~ ~~33~~-per kW.

(iii) Minimum Charge: The Demand Charge.

(iv) Contract Energy Overrun: All energy measured in excess of the Contract Energy (as set forth in the Contract) is subject to a Contract Energy Overrun charge, pursuant to the following formula:

Contract Energy Overrun Charge = (MWh + Losses) x (THI + Tx) x ~~120~~~~4.13~~~~19~~%

Where: MWh = the aggregate MWh over the day the customer's total measured daily load was above the Contract Energy amount; Losses = MWh x 1.9%; THI = the highest hourly price observed on the Tacoma Hourly Index within the day of overrun; Tx = applicable BPA or successor organization, transmission rate in \$ per MWh.

(v) Contract Demand Overrun: A Contract Demand Overrun charge shall be imposed when the total measured demand (highest 30-minute integrated demand) exceeds the Contract Demand (as set forth in the Contract). Said charge is pursuant to the following formula:

Contract Demand Overrun Charge = MW x 300% x DC

Where: MW = MW of metered Demand in excess of the Contract Demand; DC = Demand Charge.

(2) Delivery: All kilowatts of Billing Demand delivered at \$4.~~22~~ ~~00~~-per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$~~32~~,980.00 per month.

* * *

**12.06.290 Street lighting and traffic signal service – Schedule H-1. Effective April 1, 201~~89~~,
to March 31, 2020.**

* * *

B. Monthly Rate: Rates stated herein are for (1) unmetered installations [items 1 and 2] where charges are per fixture and shall be applied to the number of installed units on the system as determined by Tacoma Power at the time the billing is rendered, and (2) metered installations [item 3].

1. Street Lighting Units (Unmetered):

(a) Incandescent Lamps:

| Nominal Wattage | Energy Charge Per Unit |
|------------------|---------------------------------------|
| Up to 150 Watts | \$3.22 \$3.40 |
| 151-220 Watts | \$4.73 \$4.55 |
| 221-320 Watts | \$6.87 \$6.61 |
| 321-520 Watts | \$11.17 \$10.74 |
| 521 & Over Watts | \$17.62 \$16.94 |



(b) High Intensity Discharge Lamps:

| Energy Charge Per Unit | | | |
|------------------------|-----------------------------------|-----------------------------------|-----------------------------------|
| Nominal Wattage | Continuous | Dusk to Dawn | Dusk to 2:20 a.m. |
| 50 Watts | <u>\$2.39</u> \$2.30 | <u>\$1.29</u> \$1.24 | <u>\$0.81</u> \$0.78 |
| 70 Watts | <u>\$3.34</u> \$3.21 | <u>\$1.81</u> \$1.74 | <u>\$1.13</u> \$1.09 |
| 100 Watts | <u>\$4.77</u> \$4.59 | <u>\$2.58</u> \$2.48 | <u>\$1.62</u> \$1.56 |
| 150 Watts | <u>\$7.17</u> \$6.89 | <u>\$3.87</u> \$3.72 | <u>\$2.43</u> \$2.34 |
| 175 Watts | <u>\$8.35</u> \$8.03 | <u>\$4.51</u> \$4.34 | <u>\$2.84</u> \$2.73 |
| 200 Watts | <u>\$9.55</u> \$9.18 | <u>\$5.16</u> \$4.96 | <u>\$3.24</u> \$3.12 |
| 250 Watts | <u>\$11.94</u> \$11.48 | <u>\$6.45</u> \$6.20 | <u>\$4.06</u> \$3.90 |
| 310 Watts | <u>\$14.80</u> \$14.23 | <u>\$8.00</u> \$7.69 | <u>\$5.03</u> \$4.84 |
| 400 Watts | <u>\$19.09</u> \$18.36 | <u>\$10.32</u> \$9.92 | <u>\$6.49</u> \$6.24 |
| 700 Watts | <u>\$33.42</u> \$32.13 | <u>\$18.04</u> \$17.35 | <u>\$11.37</u> \$10.93 |
| 1000 Watts | <u>\$43.76</u> \$42.08 | <u>\$23.64</u> \$22.73 | <u>\$14.88</u> \$14.31 |
| 1500 Watts | <u>\$71.60</u> \$68.85 | <u>\$38.68</u> \$37.19 | <u>\$24.36</u> \$23.42 |

(c) At the discretion of Tacoma Power, all lamps may be charged the following equivalent rate: Energy charge for lamp installations at the rate of \$39.78 ~~\$38.25~~, \$21.49 ~~\$20.66~~, and \$13.53 ~~\$13.01~~ per month per kilowatt of total connected load for Continuous, Dusk to Dawn, and Dusk to 2:20 a.m. lamps, respectively.

* * *

3. Street Lighting and Traffic Control Units (Metered): The sum of the following energy, delivery and customer charges:

(a) Energy: All energy measured in kilowatt-hours at \$0.035690 per kWh.

(b) Delivery: All energy delivered in kilowatt-hours at \$0.015415 ~~\$0.014961~~ per kWh.

(c) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$10.00 per month.

* * *

12.06.295 Street Lighting Service – Schedule H-3. Effective April 1, 2018.

* * *

D. Monthly Rates: The sum of the following energy and capital recovery charges:

1. Energy: Energy charge for lamp installations shall be the monthly rate of the otherwise applicable published rate schedule as set forth in Chapter 12.06.290 Street lighting and traffic signal service ~~at the rate of \$38.25, \$20.66, and \$13.01 per month per kilowatt of total connected load for Continuous, Dusk to Dawn, and Dusk to 2:20 a.m. lamps, respectively.~~

2. Capital Recovery Charge:

* * *

b. Accounting records shall be kept that record the differences between actual and estimated installation cost, and actual and estimated fixture-months billed. For biennia subsequent to that in which the fixtures are installed, the Capital Recovery Charge shall be calculated as follows:

(1) The amount required to be recovered from the Jurisdiction each month of the Capital Recovery Period shall be a net present value calculation based on the Utility Financing Cost and actual installation cost.

(2) The amount calculated in (1) shall be multiplied by the number of months in the rate period.



(3) The amount in (2) shall be divided by the estimated number of fixture-months to be billed during the rate period.

(4) The amount in (3) shall be adjusted to reflect ~~the~~^{the} difference between actual and estimated expenses and recoveries during the biennium during which the fixtures were installed.

12.06.300 Private off-street lighting service – Schedule H-2. Effective April 1, 2018~~9~~, to March 31, 2020.

* * *

C. Monthly Rate.

1. High Pressure Sodium Lamps:

| Lamp Rating (Watts/Lamp) | Type | Rental Charge |
|-----------------------------|--------------|-------------------------------|
| 100-Watt | Sodium Vapor | \$12.95 \$13.47 |
| 200-Watt | Sodium Vapor | \$16.66 \$17.33 |
| 400-Watt | Sodium Vapor | \$33.32 \$34.65 |

2. All Other Lamps:

| Lamp Rating (Watts-Equivalent/Lamp) | Rental Charge |
|--|-------------------------------|
| 0-200 Watt Equivalent | \$14.81 \$15.40 |
| 201-400 Watt Equivalent | \$33.32 \$34.65 |
| 401-800 Watt Equivalent | \$51.84 \$53.91 |
| 801-1000 Watt Equivalent | \$70.35 \$73.16 |
| 1001-1500 Watt Equivalent | \$88.87 \$92.42 |

* * *



EXHIBIT “B”

Chapter 12.06

ELECTRIC ENERGY – REGULATIONS AND RATES

Sections:

- 12.06.010 General application.
- 12.06.020 Definitions.
- 12.06.030 Available voltages.
- 12.06.040 Application for service and contract.
- 12.06.050 Inspection.
- 12.06.060 Equipment and wires.
- 12.06.070 Rearranging lines or equipment.
- 12.06.080 Metering.
- 12.06.090 Connected load.
- 12.06.100 Deposits and connection charges.
- 12.06.110 Billing – Payment of bills and delinquency.
- 12.06.115 Disconnection of electric service.
- 12.06.120 Resale of electric energy prohibited.
- 12.06.130 Diversion of current.
- 12.06.140 Tampering and injury to City equipment.
- 12.06.150 City not liable for damages.
- 12.06.160 Residential service – Schedule A-1. Effective April 1, 2020~~19~~.
- 12.06.165 Low-income/senior and/or low-income/disabled discount residential service – Schedule A-2.
- 12.06.170 Small general service – Schedule B. Effective April 1, 2020~~19~~.
- 12.06.180 *Repealed.*
- 12.06.190 *Repealed.*
- 12.06.210 *Repealed.*
- 12.06.215 General service – Schedule G. Effective April 1, 2020~~19~~.
- 12.06.220 *Repealed.*
- 12.06.225 High voltage general service – Schedule HVG. Effective April 1, 2020~~19~~.
- 12.06.240 *Repealed.*
- 12.06.250 *Repealed.*
- 12.06.260 Contract industrial service – Schedule CP. Effective April 1, 2020~~19~~.
- 12.06.270 *Repealed.*
- 12.06.280 *Repealed.*
- 12.06.290 Street lighting and traffic signal service – Schedule H-1. Effective April 1, 2020~~19~~.
- 12.06.295 Street lighting service – Schedule H-3. Effective April 1, 2018.
- 12.06.300 Private off-street lighting service – Schedule H-2. Effective April 1, 2020~~19~~.
- 12.06.310 Power factor provisions – Schedule P.
- 12.06.314 Tax credit – Schedule TC.
- 12.06.315 *Repealed.*
- 12.06.317 *Repealed.*
- 12.06.318 *Repealed.*
- 12.06.320 Additional rules may be made by director.
- 12.06.330 Customer service policies – Additional rules and regulations.
- 12.06.340 Violations – Penalties – Enforcement.
- 12.06.350 Severability.
- 12.06.360 *Repealed.*
- 12.06.370 Renewable Energy Program.



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12.06.160 Residential service – Schedule A-1. Effective April 1, ~~2019~~ to March 31, 2020.

* * *

C. Monthly Rate. The sum of the following energy, delivery and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.

2. Delivery: All energy delivered in kilowatt-hours at \$0.~~035353~~ ~~034891~~ per kWh.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$16.90~~ 17.30 per month, for all but collectively metered apartments; ~~\$13.85~~ 14.15 per month, for collectively metered apartments.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~035353~~ ~~034891~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$16.90~~ 17.30 per month, for all but collectively metered apartments; ~~\$13.85~~ 14.15 per month, for collectively metered apartments.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~035353~~ ~~034891~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$16.90~~ 17.30 per month, for all but collectively metered apartments; ~~\$13.85~~ 14.15 per month, for collectively metered apartments.

(c) Within the City of Lakewood:

(1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~035353~~ ~~034891~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$16.90~~ 17.30 per month, for all but collectively metered apartments; ~~\$13.85~~ 14.15 per month, for collectively metered apartments.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~035353~~ ~~034891~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$16.90~~ 17.30 per month, for all but collectively metered apartments; ~~\$13.85~~ 14.15 per month, for collectively metered apartments.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.045351 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.~~035353~~ ~~034891~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$16.90~~ 17.30 per month, for all but collectively metered apartments; ~~\$13.85~~ 14.15 per month, for collectively metered apartments.

* * *



12.06.170 Small general service – Schedule B. Effective April 1, 2020 to March 31, 2020.

B. Monthly Rate. The sum of the following energy, delivery and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

2. Delivery: All energy delivered in kilowatt-hours at \$0.035207 ~~034895~~ per kWh.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$23.50 ~~00~~ per month, for all but unmetered services; \$18.30 ~~17.90~~ per month, for unmetered services.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.035207 ~~034895~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$23.50 ~~00~~ per month, for all but unmetered services; \$18.30 ~~17.90~~ per month, for unmetered services.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.035207 ~~034895~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$23.50 ~~00~~ per month, for all but unmetered services; \$18.30 ~~17.90~~ per month, for unmetered services.

(c) Within the City of Lakewood:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.035207 ~~034895~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$23.50 ~~00~~ per month, for all but unmetered services; \$18.30 ~~17.90~~ per month, for unmetered services.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.035207 ~~034895~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$23.50 ~~00~~ per month, for all but unmetered services; \$18.30 ~~17.90~~ per month, for unmetered services.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.044616 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.035207 ~~034895~~ per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$23.50 ~~00~~ per month, for all but unmetered services; \$18.30 ~~17.90~~ per month, for unmetered services.

12.06.215 General service – Schedule G. Effective April 1, 2020 to March 31, 2020.

B. Monthly Rate. The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.049961 ~~047317~~ per kWh.

2. Delivery: All kilowatts of Billing Demand delivered at \$8.51 ~~43~~ per kW.



3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$8078.00 per month.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at \$0.049961 047317-per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.51 43-per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$8078.00 per month.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at \$0.049961 047317-per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.51 43-per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$8078.00 per month.

(c) Within the City of Lakewood:

(1) Energy: All energy measured in kilowatt-hours at \$0.049961 047317-per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.51 43-per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$8078.00 per month.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at \$0.049961 047317-per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.51 43-per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$8078.00 per month.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.049961 047317-per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$8.51 43-per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$8078.00 per month.

* * *

12.06.225 High voltage general service – Schedule HVG. Effective April 1, 202019 to March 31, 2020.

* * *

B. Monthly Rate. The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.044175 042915-per kWh.

2. Delivery: All kilowatts of Billing Demand delivered at \$5.034.89 per kW.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,6590.00 per month.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at \$0.044175 042915-per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.034.89 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,6590.00 per month.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at \$0.044175 042915-per kWh.



(2) Delivery: All kilowatts of Billing Demand delivered at \$5.034.89 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~65~~90.00 per month.

(c) Within the City of Lakewood:

(1) Energy: All energy measured in kilowatt-hours at \$0.~~044175 042915~~ per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.034.89 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~65~~90.00 per month.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at \$0.~~044175 042915~~ per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.034.89 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~65~~90.00 per month.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.~~044175 042915~~ per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.034.89 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,~~65~~90.00 per month.

* * *

12.06.260 Contract industrial service – Schedule CP. Effective April 1, ~~2020~~ to March 31, 2020.

* * *

1. Power Service Charges:

(a) Energy: All Contract Energy (as set forth in the Contract) measured in kilowatt-hours at \$0.033038 per kWh.

(b) Demand: All kilowatts of Billing Demand delivered at \$5.074.68 per kW.

(c) Minimum Charge: The Demand Charge.

(d) Contract Energy Overrun: All energy measured in excess of the Contract Energy (as set forth in the Contract) is subject to a Contract Energy Overrun charge, pursuant to the following formula:

Contract Energy Overrun Charge = (MWh + Losses) x (THI + Tx) x 120%.

Where: MWh = the aggregate MWh over the day the customer's total measured daily load was above the Contract Energy amount; Losses = MWh x 1.9%; THI = the highest hourly price observed on the Tacoma Hourly Index within the day of overrun; Tx = applicable BPA or successor organization, transmission rate in \$ per MWh.

(e) Contract Demand Overrun: A Contract Demand Overrun charge shall be imposed when the total measured demand (highest 30-minute integrated demand) exceeds the Contract Demand (as set forth in the Contract). Said charge is pursuant to the following formula:

Contract Demand Overrun Charge = MW x 300% x DC

Where: MW = MW of metered Demand in excess of the Contract Demand; DC = Demand Charge.

2. Delivery: All kilowatts of Billing Demand delivered at \$4.4522 per kW.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$43,980.00 per month.

4. Exceptions:

(a) Within the City of Fife:

(1) Power Service Charges:



(i) Energy: All Contract Energy (as set forth in the Contract) measured in kilowatt-hours at \$0.033038 per kWh.

(ii) Demand: All kilowatts of Billing Demand delivered at \$5.074.68 per kW.

(iii) Minimum Charge: The Demand Charge.

(iv) Contract Energy Overrun: All energy measured in excess of the Contract Energy (as set forth in the Contract) is subject to a Contract Energy Overrun charge, pursuant to the following formula:

Contract Energy Overrun Charge = (MWh + Losses) x (THI + Tx) x 120%

Where: MWh = the aggregate MWh over the day the customer's total measured daily load was above the Contract Energy amount; Losses = MWh x 1.9%; THI = the highest hourly price observed on the Tacoma Hourly Index within the day of overrun; Tx = applicable BPA or successor organization, transmission rate in \$ per MWh.

(v) Contract Demand Overrun: A Contract Demand Overrun charge shall be imposed when the total measured demand (highest 30-minute integrated demand) exceeds the Contract Demand (as set forth in the Contract). Said charge is pursuant to the following formula:

Contract Demand Overrun Charge = MW x 300% x DC

Where: MW = MW of metered Demand in excess of the Contract Demand; DC = Demand Charge.

(2) Delivery: All kilowatts of Billing Demand delivered at \$4.4522 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$43,980.00 per month.

C. Billing Demand. Determined by means of a demand meter, 30-minute interval, reset monthly.

1. The Billing Demand shall be the highest of:

(a) The highest measured demand for the month, adjusted for power factor;

(b) 60 percent of the highest measured demand occurring during any of the preceding 11 months after adjustment for power factor;

(c) A demand level equal to the Contract Energy, in average megawatt (as set forth in the Contract); or

(d) 60 percent of the highest Contract Demand (as set forth in the Contract) during any of the preceding 11 months.

* * *

12.06.290 Street lighting and traffic signal service – Schedule H-1. Effective April 1, 2020 to March 31, 2020.

* * *

B. Monthly Rate. Rates stated herein are for (1) unmetered installations [items 1 and 2] where charges are per fixture and shall be applied to the number of installed units on the system as determined by Tacoma Power at the time the billing is rendered, and (2) metered installations [item 3].

1. Street Lighting Units (Unmetered):

(a) Incandescent Lamps:

| Nominal Wattage | Energy Charge Per Unit |
|------------------|-------------------------------|
| Up to 150 Watts | <u>\$3.35</u> <u>\$3.22</u> |
| 151-220 Watts | <u>\$4.92</u> <u>\$4.73</u> |
| 221-320 Watts | <u>\$7.15</u> <u>\$6.87</u> |
| 321-520 Watts | <u>\$11.62</u> <u>\$11.17</u> |
| 521 & Over Watts | <u>\$18.32</u> <u>\$17.62</u> |



(b) High Intensity Discharge Lamps:

| Energy Charge Per Unit | | | |
|------------------------|---------------------------------------|---------------------------------------|---------------------------------------|
| Nominal Wattage | Continuous | Dusk to Dawn | Dusk to 2:20 a.m. |
| 50 Watts | \$2.49 \$2.39 | \$1.34 \$1.29 | \$0.84 \$0.81 |
| 70 Watts | \$3.47 \$3.34 | \$1.88 \$1.81 | \$1.18 \$1.13 |
| 100 Watts | \$4.96 \$4.77 | \$2.68 \$2.58 | \$1.69 \$1.62 |
| 150 Watts | \$7.45 \$7.17 | \$4.02 \$3.87 | \$2.53 \$2.43 |
| 175 Watts | \$8.69 \$8.35 | \$4.69 \$4.51 | \$2.95 \$2.84 |
| 200 Watts | \$9.93 \$9.55 | \$5.36 \$5.16 | \$3.37 \$3.24 |
| 250 Watts | \$12.42 \$11.94 | \$6.71 \$6.45 | \$4.22 \$4.06 |
| 310 Watts | \$15.39 \$14.80 | \$8.32 \$8.00 | \$5.23 \$5.03 |
| 400 Watts | \$19.86 \$19.09 | \$10.73 \$10.32 | \$6.75 \$6.49 |
| 700 Watts | \$34.75 \$33.42 | \$18.77 \$18.04 | \$11.82 \$11.37 |
| 1000 Watts | \$45.51 \$43.76 | \$24.58 \$23.64 | \$15.48 \$14.88 |
| 1500 Watts | \$74.47 \$71.60 | \$40.22 \$38.68 | \$25.33 \$24.36 |

(c) At the discretion of Tacoma Power, all lamps may be charged the following equivalent rate: Energy charge for lamp installations at the rate of ~~\$41.37~~ ~~39.78~~, ~~\$22.35~~ ~~21.49~~, and ~~\$14.07~~ ~~13.53~~ per month per kilowatt of total connected load for Continuous, Dusk to Dawn, and Dusk to 2:20 a.m. lamps, respectively.

* * *

3. Street Lighting and Traffic Control Units (Metered): The sum of the following energy, delivery and customer charges:

(a) Energy: All energy measured in kilowatt-hours at \$0.035690 per kWh.

(b) Delivery: All energy delivered in kilowatt-hours at ~~\$0.0158~~ ~~3415~~ per kWh.

(c) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$10.00 per month.

* * *

12.06.300 Private off-street lighting service – Schedule H-2. Effective April 1, 20~~2019~~ to March 31, 2020.

* * *

C. Monthly Rate.

1. High Pressure Sodium Lamps:

| Lamp Rating (Watts/Lamp) | Type | Rental Charge |
|--------------------------|--------------|---------------------------------------|
| 100-Watt | Sodium Vapor | \$14.01 \$13.47 |
| 200-Watt | Sodium Vapor | \$18.02 \$17.33 |
| 400-Watt | Sodium Vapor | \$36.04 \$34.65 |

2. All Other Lamps:

| Lamp Rating (Watts-Equivalent/Lamp) | Rental Charge |
|-------------------------------------|---------------|
|-------------------------------------|---------------|



| | |
|---------------------------|-----------------------------------|
| 0-200 Watt Equivalent | <u>\$16.02</u> \$15.40 |
| 201-400 Watt Equivalent | <u>\$36.04</u> \$34.65 |
| 401-800 Watt Equivalent | <u>\$56.07</u> \$53.91 |
| 801-1000 Watt Equivalent | <u>\$76.09</u> \$73.16 |
| 1001-1500 Watt Equivalent | <u>\$96.12</u> \$92.42 |

3. Additional Equipment: Fixtures will be installed on existing poles. Additional poles required for a lighting installation may be installed at applicant expense. A maximum of three poles will be allowed at a cost of \$624.23 per pole. Ancillary materials will be an additional expense. The customer shall pay the entire installation cost prior to installation.

4. For customers billed under low-income senior and/or low-income disabled discount residential service, Rate Schedule A-2, a discount will be provided by reducing the monthly bill by 30 percent.

D. Service Conditions. Applicable provisions of the Tacoma Municipal Code, General Provisions, and Customer Service Policies governing the sale of electric energy shall apply.

* * *



ORDINANCE NO. 28552

1 AN ORDINANCE relating to Tacoma Power; amending Chapter 12.06 of the
2 Tacoma Municipal Code, relating to Electric Energy - Regulations and
3 Rates, by adding thereto a new Section 12.06.371, entitled "Electric
4 Vehicle Fast Charge - Schedule FC," to establish a temporary rate
5 schedule to test rates that would facilitate economic sales of energy to
6 electric vehicle fast charging sites, effective January 1, 2019, through
7 December 31, 2031.

8 WHEREAS the City of Tacoma, Department of Public Utilities, Light
9 Division, d.b.a. "Tacoma Power," is requesting an additional schedule,
10 Schedule FC – Electric Vehicle Fast Charge ("Schedule FC"), to Chapter 12.06
11 of the Tacoma Municipal Code, and

12 WHEREAS Schedule FC is a pilot tariff, effective January 1, 2019, through
13 December 31, 2031, for publically-available direct-current ("DC") stations for the
14 rapid charging of electric vehicles, and

15 WHEREAS Tacoma Power is proposing Schedule FC to test the
16 appropriate rate(s) that would facilitate economic sales of energy to electric
17 vehicle charging sites, and

18 WHEREAS selling energy to owners of electric vehicle charging sites is an
19 economic opportunity for Tacoma Power and could realize more revenue per unit
20 of energy than disposing of that energy into the wholesale market, and, in
21 addition, has a collateral benefit of providing services to the community that
22 remove a barrier to transportation with less pollutants, and

23 WHEREAS, under the proposed Schedule FC, electric vehicle charging
24 sites transition energy and delivery services from Small general service
25
26



1 (Schedule B) rates to General service (Schedule G) rates over a period of
2 13 years, allowing charging sites to transition into charges that are based on
3 peak monthly demand, and

4 WHEREAS exact estimates of the cost of service for DC fast charging
5 sites are unknown until further data patterns are available, and

6 WHEREAS revisions regarding electric regulations and rates require
7 approval by the Public Utility Board and Tacoma City Council, pursuant to
8 Tacoma City Charter Section 4.11, and

9 WHEREAS the recommended changes to the rates and regulations are
10 just, fair and reasonable, and are in the best interest of the citizens of Tacoma
11 and the customers of Tacoma Power; Now, Therefore,

12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 That Chapter 12.06 of the Tacoma Municipal Code is hereby amended by
14 the addition thereto of a new Section 12.06.371, entitled "Electric Vehicle Fast
15
16
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1 Charge - Schedule FC," as set forth in the attached Exhibit "A," to be effective
2 January 1, 2019, through December 31, 2031.

3
4 Passed _____

5

6

Mayor

7

8

Attest:

9

10

City Clerk

11

Approved as to form:

12

13

Chief Deputy City Attorney

14

15 Requested by Public Utility Board
16 Resolution No. U-11035

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EXHIBIT "A"

Chapter 12.06

ELECTRIC ENERGY – REGULATIONS AND RATES

Sections:

* * *

12.06.370 Renewable Energy Program.

12.06.371 Electric Vehicle Fast Charge – Schedule FC. Effective January 1, 2019, to December 31, 2031.

* * *

12.06.371 Electric Vehicle Fast Charge – Schedule FC. Effective January 1, 2019 to December 31, 2031.

A. Definitions. The following definitions will apply:

1. Electric Vehicle – A vehicle that uses at least one method of propulsion that is capable of being reenergized by an external source of electricity, is designed to have the capability to drive at a speed of more than 35 miles per hour, and is licensed to drive on state and federal highways.

2. Electric Vehicle Charging Site – A site that hosts the equipment used to deliver electricity to an Electric Vehicle. Hosted equipment must meet all applicable electrical requirements for interconnection and nationally recognized testing laboratory standards.

3. Direct Current (DC) Fast Charger – Electric Vehicle charging equipment with a Direct Current connection that is designed to recharge the battery of an Electric Vehicle.

B. Availability. No more than 25 installations may concurrently participate in this schedule, which will be available for a period of 13 years. Participation in this schedule will be on a first-come, first-served basis.

C. Applicability. Service under this schedule is applicable to non-residential Electric Vehicle Charging Sites supplied through one point of delivery and measured separately from all other commercial loads through one meter. Electric Vehicle Charging Sites must be broadly available to the general public and must include at least one Direct Current (DC) Fast Charger. Ancillary uses, limited to no more than 5 kilovolt amperes (5 kVA) and specifically related to the provision of Electric Vehicle charging (such as lighting), are permitted under this schedule. Actual demand, as determined by Tacoma Power, must not exceed 1 megavolt-amperes (1 MVA).

For customers providing all their own transformation from Tacoma Power's distribution-system voltage, a discount for transformer investment and maintenance will be provided by reducing the monthly bill by 0.8 percent. For customers metered on the primary side of a transformer, a discount for transformer losses will be provided by reducing the monthly bill by 1 percent. These discount percentages are additive, and not compounded.

Unless extended by City Council resolution or ordinance, this schedule will conclude on December 31, 2031. On this date, customers enrolled in Schedule FC will transition their service in accordance with the applicable published rate schedules set forth in Chapter 12.06. Nothing shall prevent the City from adjusting this schedule as it may determine necessary or appropriate.

D. Monthly Rate: The sum of the following energy, delivery, and customer charges:

1. Energy: All energy, measured in kilowatt-hours, charged per kWh at:

all Energy charges of the otherwise applicable published rate schedule set forth in Chapter 12.06 + Energy Adder Discount x Energy Adder.



Where Energy Adder Discount is applied in the year shown:

| <u>Effective Year</u> | <u>Energy Adder Discount</u> |
|-----------------------|------------------------------|
| <u>2019</u> | <u>1.0</u> |
| <u>2020</u> | <u>1.0</u> |
| <u>2021</u> | <u>1.0</u> |
| <u>2022</u> | <u>0.9</u> |
| <u>2023</u> | <u>0.8</u> |
| <u>2024</u> | <u>0.7</u> |
| <u>2025</u> | <u>0.6</u> |
| <u>2026</u> | <u>0.5</u> |
| <u>2027</u> | <u>0.4</u> |
| <u>2028</u> | <u>0.3</u> |
| <u>2029</u> | <u>0.2</u> |
| <u>2030</u> | <u>0.1</u> |
| <u>2031</u> | <u>0.0</u> |

And where Energy Adder is calculated per kWh at:

all applicable Energy charges of Section 12.06.170 + all applicable Delivery charges of Section 12.06.170 -
all Energy charges of the otherwise applicable published rate schedule set forth in Chapter 12.06

2. Delivery: All Billing Demand, measured in kilowatts, charged per kW at:

Delivery Charge Discount x all Delivery charges of the otherwise applicable published rate schedule set
forth in Chapter 12.06.

Where Delivery Charge Discount is applied in the year shown:

| <u>Effective Year</u> | <u>Delivery Charge Discount</u> |
|-----------------------|---------------------------------|
| <u>2019</u> | <u>0.0</u> |
| <u>2020</u> | <u>0.0</u> |
| <u>2021</u> | <u>0.0</u> |
| <u>2022</u> | <u>0.1</u> |
| <u>2023</u> | <u>0.2</u> |
| <u>2024</u> | <u>0.3</u> |
| <u>2025</u> | <u>0.4</u> |
| <u>2026</u> | <u>0.5</u> |
| <u>2027</u> | <u>0.6</u> |
| <u>2028</u> | <u>0.7</u> |
| <u>2029</u> | <u>0.8</u> |
| <u>2030</u> | <u>0.9</u> |
| <u>2031</u> | <u>1.0</u> |

3. Customer Charge: Customer Charge of the otherwise applicable published rate schedule set forth in
Chapter 12.06.

E. Billing Demand. Determined by means of a demand meter, 30-minute interval, reset monthly. The
Billing Demand shall be the highest of:

1. The highest measured demand for the month adjusted for power factor; or

2. Sixty percent of the highest measured demand occurring during any of the preceding 11 months after
adjustment for power factor.

F. Service Conditions.

1. Upon reasonable notice, customers participating in this schedule shall allow Tacoma Power access to the
site in order to inspect, install, maintain, upgrade, replace, or remove Tacoma Power equipment, or to
confirm compliance with the applicability conditions set forth hereinabove. If, upon inspection, Tacoma



Power discovers any one of the applicability conditions are not met, service will be immediately transferred in accordance with the applicable published rate schedules set forth in Chapter 12.06.

3. Customers participating in this schedule retain the right to cancel service under this rate schedule and transfer to another applicable published rate schedule set forth in Chapter 12.06. The customer may not subsequently elect service under this rate schedule for at least one year after the effective date of cancellation.

4. An Electric Vehicle Charging Site is considered broadly available to the general public for the purposes of eligibility on this rate schedule if it is accessible by any driver. Eligibility and acceptance of a customer for service under this rate schedule is subject to review and approval by Tacoma Power.

G. Reporting and Limitation on Use of Customer Usage Information: Tacoma Power may publish reports related to this schedule, except when the report would result in publication of information attributable to a single individual customer.



ORDINANCE NO. 28553

1 AN ORDINANCE relating to Tacoma Power; amending Chapter 12.13 of the
2 Tacoma Municipal Code, relating to Click! Network TV Products, to revise
3 prices by 9.8 percent for Click! Network Cable TV services, and \$5 per
4 service tier for the wholesale ISP Advantage service, effective January 1,
5 2019.

6 WHEREAS the City of Tacoma, Department of Public Utilities, Power
7 Division, Telecommunications Section, d.b.a. Click! Network ("Click!"), desires to
8 adjust pricing for cable television rates and adjust wholesale ISP Advantage rates,
9 and

10 WHEREAS, due to legal and financial constraints, it is necessary for Click!
11 to develop a budget for the 2019-2020 Biennium which will ensure the viability of
12 Click! through a transition period that will allow the City to pursue a Public/Private
13 Collaboration Model for the future of Click!, and

14 WHEREAS the proposed Click! budget includes two Cable TV rate
15 increases: a rate increase of 9.8 percent, on average, effective January 1, 2019;
16 and a second rate increase of 18 percent, on average, effective January 1, 2020,
17 in addition to increases in bulk rates for residential and commercial complexes,
18 and

19 WHEREAS the proposed Click! budget also includes two ISP Advantage
20 rate increases of \$5 per service tier, per year, effective January 1 of each year of
21 the 2019-2020 biennium, which would result in rates that are still within the range
22 of \$5-\$150 as set forth in TMC 12.13.030 for Click! ISP Advantage rates, and

23 WHEREAS the Cable TV rate adjustments and ISP Advantage rate
24 adjustments covered by this ordinance are the rate increases for 2019, and
25
26



WHEREAS revisions regarding electric regulations and rates require approval by the Public Utility Board and Tacoma City Council, pursuant to Tacoma City Charter Section 4.11, and

WHEREAS the proposed rate adjustments are just, fair and reasonable and are necessary to meet the budgeted revenue requirements as set forth in the 2019-2020 Biennial Budget; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 12.13 of the Tacoma Municipal Code is hereby amended as set forth in the attached Exhibit "A," to become effective January 1, 2019.

Section 2. That the proposed ISP Advantage rate increases of \$5.00 per service tier, effective January 1, 2019, are hereby approved.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11036



EXHIBIT "A"

Chapter 12.13

CLICK! NETWORK CABLE TV PRODUCTS

Sections:

- 12.13.010 Click! Network Cable TV products – inside the City of Tacoma.
- 12.13.015 Click! Network Cable TV products and services – outside the City of Tacoma.
- 12.13.020 Click! Network Cable TV additional sports channels for businesses.
- 12.13.030 Broadband services and internet service providers.
- 12.13.040 Applicable taxes and franchise fees.
- 12.13.050 Promotional pricing.

12.13.010 Click! Network Cable TV products – inside the City of Tacoma.

| Click! Cable TV Products | Recurring Monthly Price |
|---|-----------------------------------|
| Broadcast--Includes broadcast, local, and PEG channels | \$19.69 <u>\$21.62</u> |
| Standard--Includes a large variety of satellite, broadcast, local channels, and PEG | \$59.99 <u>\$65.87</u> |

| Click! Special Products | Recurring Monthly Price |
|---|---|
| Premium Channels (e.g., HBO, Showtime, Cinemax, Starz, commercial digital music, and others) | \$2.00 – \$29.95 |
| Pay-per-View VOD Movies, Events, and Specials (e.g., NBA and NHL package subscriptions) | \$.99 – \$300.00 |
| Set-top Receivers, Adjunct Equipment | \$0.00 – \$19.99 |
| Low-income/Disabled and Senior Discount (Must meet Tacoma Power customer requirements for eligibility) | 20% discount on Broadcast or Standard service |
| Cable TV Guide (Paper Magazine; subject to annual 5% adjustment for mailing costs) | \$4.99 |

| Bulk Rates for Apartment Complexes | Recurring Monthly Price |
|--|---|
| 1 – 25 Units (full retail rate) | Broadcast \$19.69 <u>\$21.62</u> |
| | Standard \$59.99 <u>\$65.87</u> |
| 26 – 150 Units (5% discount on broadcast; 10% discount on standard) | Broadcast \$18.71 <u>\$20.54</u> |
| | Standard \$53.99 <u>\$59.28</u> |
| 151 – 300 Units (5% discount on broadcast; 15% discount on standard) | Broadcast \$18.71 <u>\$20.54</u> |
| | Standard \$50.99 <u>\$55.99</u> |
| 300 Units and Above (5% discount on broadcast; 20% discount on standard) | Broadcast \$18.71 <u>\$20.54</u> |
| | Standard \$47.99 <u>\$52.70</u> |

* * *



12.13.015 Click! Network Cable TV products and services – outside the City of Tacoma.

| Click! Cable TV Products | Recurring Monthly Price |
|---|-----------------------------------|
| Broadcast—Includes broadcast, local, and PEG channels | \$21.29 <u>\$23.38</u> |
| Standard--Includes a large variety of satellite, broadcast, local channels, and PEG | \$62.39 <u>\$68.50</u> |

* * *

| Bulk Rates for Apartment Complexes | Recurring Monthly Price |
|--|---|
| 1 – 25 Units (full retail rate) | Broadcast \$21.29 <u>\$23.38</u> Standard \$62.39 <u>\$68.50</u> |
| 26 - 150 Units (5% discount on broadcast; 10% discount on standard) | Broadcast \$20.23 <u>\$22.21</u> Standard \$56.15 <u>\$61.65</u> |
| 151 - 300 Units (5% discount on broadcast; 15% discount on standard) | Broadcast \$20.23 <u>\$22.21</u> Standard \$53.03 <u>\$58.23</u> |
| 300 Units and Above (5% discount on broadcast; 20% discount on standard) | Broadcast \$20.23 <u>\$22.21</u> Standard \$49.91 <u>\$54.80</u> |
| Other Fees | Nonrecurring Monthly Price |
| Hourly Service Charge | \$40.00 |
| Connect--Install new wiring | \$50.00 |
| Connect--Using existing wiring | \$40.00 |
| Install Additional Outlet | \$20.00 |
| Unreturned Remote Control | \$10.00 |
| Nonstandard Installation | Hourly service charge plus materials |
| Unreturned Rented Equipment | \$50.00 - 600.00 |
| Miscellaneous Adjunct Equipment | \$ 5.00 - 50.00 |
| Late Payment Charges | \$ 6.99 |
| Credit Card Misuse Fee | \$20.00 |
| Miscellaneous Customer Premise Visit (VCR connection, late payment pick-up fee, install A/B switch, and nonpayment reconnection fee) | Hourly service charge |
| Returned Item Fee (NSF check) | \$20.00 |
| Nonpayment Reactivation Fee (Equipment Reauthorization) | \$1.99 |



12.13.020 Click! Network Cable TV additional sports channels for businesses.

| ROOT Sports Pricing Scale (for businesses) | |
|---|--------------------------|
| Estimated Viewing Area | Price |
| 0 – 50 Patrons | \$ 46.88 |
| 51 – 100 Patrons | \$ 62.50 |
| 101 – 150 Patrons | \$ 93.75 |
| 151 – 200 Patrons | \$125.00 |
| 200+ Patrons | \$156.00 |
| Non-Hospitality Business | \$10.00 12.00 |
| Big Ten Sports Channel (for businesses) | |
| Commercial Big Ten | \$ 8.50 |

12.13.030 Broadband services and internet service providers.

| Products | Monthly Rate Range | Monthly Variable Rate ¹ | Monthly HUB Fee ² | Engineering NRC ³ | HUB NRC ⁴ | Labor & Materials ⁵ |
|--|---------------------|------------------------------------|------------------------------|------------------------------|----------------------|--------------------------------|
| Click! ISP Advantage | \$5 – \$150 | TBD | TBD | N/A | N/A | TBD |
| Click! Net 1 | \$25 – \$1,200 | TBD | TBD | TBD | TBD | TBD |
| Click! Net 3 | \$125 – \$4,500 | TBD | TBD | TBD | TBD | TBD |
| Click! Net OC3 | \$2,170 – \$4,500 | TBD | TBD | TBD | TBD | TBD |
| Click! Net OC12 | \$3,100 – \$12,000 | TBD | TBD | TBD | TBD | TBD |
| Click! Net OC48 | \$10,000 – \$30,000 | TBD | TBD | TBD | TBD | TBD |
| Click! Net 1 Includes an Internet DS1 Product - Click! Net 3 Includes an Internet DS3 Product – Click! Net OC3 Includes a 100 Base-T | | | | | | |
| ¹ Actual pass-through carrier fees with a 10% administration fee. | | | | | | |
| ² Actual monthly Hub cost for maintaining connection. | | | | | | |
| ³ Actual costs to engineer the job. | | | | | | |
| ⁴ Actual cost to terminate the circuit(s) in the Hub. | | | | | | |
| ⁵ Actual costs for current labor rates and materials. A 10% handling fee will apply to the materials. | | | | | | |

* * *



ORDINANCE NO. 28554

1 AN ORDINANCE relating to the Department of Public Utilities, Water Division;
2 amending Chapter 12.10 of the Tacoma Municipal Code, relating to water
3 rates and fees.

4 WHEREAS the City of Tacoma, Department of Public Utilities, Water
5 Division (d.b.a. "Tacoma Water") revenue requirements analysis for the 24-month
6 rate period of January 1, 2019, through December 31, 2021, indicates a revenue
7 shortfall of approximately \$6.4 million due to general inflationary increases for
8 expenses such as personnel, as well as increases for assessments, including
9 additional support for the low-income program, and
10

11 WHEREAS, based on this analysis, Tacoma Water is requesting approval
12 for an approximate overall rate increase of 2.5 percent effective January 1, 2019,
13 and an approximate overall rate increase of 2.5 percent effective January 1, 2020,
14 to generate projected revenue requirements for utility operations, and

15 WHEREAS, pursuant to Tacoma City Charter Section 4.11, revisions to
16 Tacoma Water rates and regulations require approval by the Public Utility Board
17 and City Council, and
18

19 WHEREAS public comments on this matter were taken by the Public Utility
20 Board ("Board") on October 10, 2018, and the Board approved the recommended
21 changes at its regular meeting held on October 24, 2018, and
22

23 WHEREAS the recommended changes to the rates and regulations are just,
24 fair, and reasonable, and are in the best interest of the citizens of Tacoma and the
25 customers of Tacoma Water; Now, Therefore,
26



BE IT ORDAINED BY THE CITY OF TACOMA:

That Chapter 12.10 of the Tacoma Municipal Code, "Water Regulations and Rates," is hereby amended as set forth in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to Form:

Chief Deputy City Attorney

Requested by Public Utility Board
Amended Resolution No. U-11037

EXHIBIT “A”

Chapter 12.10

WATER - REGULATIONS AND RATES

Sections:

- 12.10.010 Rules established.
- 12.10.020 Definitions.
- 12.10.030 Water service inside/outside City limits.
- 12.10.035 Ability to supply water within City limits.
- 12.10.040 Application for service.
- 12.10.045 Services and meters.
- 12.10.050 Establishment of service account and request for turn-on.
- 12.10.060 Billing.
- 12.10.110 Turn-on and/or - Unauthorized use.
- 12.10.115 Turn-off, turn-on - Responsibility and liability.
- 12.10.120 Turn-off, turn-on - Condemned buildings.
- 12.10.125 Damage of water service installation.
- 12.10.130 Termination of service.
- 12.10.150 Interruption of service.
- 12.10.170 Ownership of water mains and appurtenances.
- 12.10.180 Operation of private water systems.
- 12.10.200 Private contract charges.
- 12.10.220 Cross connections.
- 12.10.250 Water service construction charges.
- 12.10.275 Property-side (private) in public rights-of-way.
- 12.10.300 Fire hydrant installation and relocation.
- 12.10.301 Fire hydrant services fee ~~(inside City of Tacoma).~~
- 12.10.302 System capacity flow testing.
- ~~12.10.303 Franchise hydrant service fee (outside City of Tacoma).~~
- 12.10.305 Fire hydrant use (non-fire fighting).
- 12.10.310 System development charge (“SDC”).
- 12.10.315 Water main charge.
- 12.10.350 Premises not abutting a permanent water main.
- 12.10.400 Rates - Inside and outside City limits.
- 12.10.485 City not liable for damages.
- 12.10.490 Protection of public health.
- 12.10.495 South Tacoma Groundwater Protection.
- 12.10.500 Waivers - By Superintendent.
- 12.10.505 Customer service policies - Additional rules and regulations.
- 12.10.515 Violations - Penalties - Enforcement.
- 12.10.520 Severability.
- 12.10.525 Interference with and/or damage to City water system.

* * *

12.10.301 Fire hydrant services fee ~~(inside City of Tacoma).~~

Pursuant to Chapter 70.315 of the Revised Code of Washington, the Water Division will charge and collect all costs associated with providing fire hydrant services ~~inside the City of Tacoma~~ from ~~the City of Tacoma general government and~~ the customers, “Residential Service,” “Commercial and Industrial – General Service,” and “Commercial and Industrial – Large Volume Service” rate categories, ~~located inside the City~~ following the rate schedules below:

| Monthly Hydrant Service Fee | | |
|---|---------------------------------|---------------------------------|
| | Rate Effective Dates Commencing | |
| | 4/1/171/1/19 | 1/1/181/1/20 |
| Inside City of Tacoma Customer | \$2.38 <u>\$2.71</u> | \$2.54 <u>\$2.90</u> |
| <u>Outside City of Tacoma</u> | <u>\$3.48</u> | <u>\$3.75</u> |

The ~~inside City of Tacoma~~ customer portion of the fire hydrant service fee shall be calculated on a monthly basis, included in the Ready to Serve charge, invoiced and collected pursuant to the applicable customer service policies.

* * *

12.10.303 — Franchise hydrant service fee.

Pursuant to the Washington State Supreme Court decision in *City of Tacoma v. City of Bonney Lake*, 173 Wn.2d 584 (2012) and Chapter 70.315 of the Revised Code of Washington, ~~all costs associated with providing fire hydrant services in areas served through franchise agreements or other contract shall be charged and collected from ratepayers in these areas as a cost of doing business. Only those customers in the “Residential Service,” “Commercial and Industrial—General Service,” and “Commercial and Industrial—Large Volume Service” rate categories will be charged for these services. The total costs owed shall be calculated on a biennial basis as part of the Water Division’s approved budget and distributed to customers via a monthly service fee. The service fee is composed of two components calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies:~~

1. ~~a “historical service component” that is a temporary amortized recovery of historical service provided but not previously billed to customers outside the City of Tacoma during the time the City of Tacoma v. City of Bonney Lake case was litigated, with said component applying only to customers in the affected areas outside the City of Tacoma; and~~

2. ~~an “ongoing service component.”~~

| Monthly Hydrant Service Fee (Historical Service Component) | | |
|--|-------------------|-------------------|
| | Commencing | |
| | 4/1/2017 | 1/1/2018 |
| Outside City, other contract | \$1.90 | \$1.90 |

| Monthly Hydrant Service Fee (Ongoing Service Component) | | |
|---|-------------------|-------------------|
| | Commencing | |
| | 4/1/2017 | 1/1/2018 |
| Outside City, other contract | \$3.06 | \$3.23 |

12.10.400 Rates – Inside and outside City limits.

The standard charge for water supplied inside and outside the City for residential, commercial/industrial, parks and irrigation, and public facilities use shall consist of a customer charge, also termed a “monthly ready to serve charge,” based on the meter size together with the rate for the quantity of water used, and public fire protection fees, where applicable.

For water supplied to a single premises which contains multiple dwelling units, i.e., two or more houses under the same ownership, duplexes, apartment buildings, condominiums, mobile home parks, trailer courts, industrial buildings, etc., the monthly charges will be the same as indicated above.

When water is being supplied to an existing multiple premises, i.e., two or more separate premises being served by one service and meter, the “monthly ready to serve charge” will be based on either the existing meter size or on a 5/8-inch meter size for each premises served, whichever is the greater charge.

When more than one service supplies a premises, the consumption of water for each meter shall be computed separately.

A. Standard charges:

1. The monthly ready to serve charge shall be in accordance with the following schedule for residential, commercial/industrial, and commercial/industrial large volume.

| Residential, Commercial & Large Volume - Ready to Serve Charge | | | | |
|--|--|----------------------|--|----------------------|
| Meter Size (Inches) | Inside City of TacomaInside Commencing | | Outside City of TacomaOutside Commencing | |
| | Rate Effective Dates | | | |
| | 4/1/171/1/19 | 1/1/181/1/20 | 4/1/171/1/19 | 1/1/181/1/20 |
| 5/8 | \$21.20\$24.76 | \$22.05\$24.95 | \$25.44\$29.94 | \$26.46\$30.21 |
| 3/4 | \$31.80\$35.79 | \$33.08\$35.98 | \$38.16\$43.18 | \$39.70\$43.45 |
| 1 | \$53.00\$57.84 | \$55.13\$58.03 | \$63.60\$69.64 | \$66.16\$69.91 |
| 1.5 | \$106.00\$112.96 | \$110.25\$113.15 | \$127.20\$135.78 | \$132.30\$136.05 |
| 2 | \$169.60\$179.11 | \$176.40\$179.30 | \$203.52\$215.16 | \$211.68\$215.43 |
| 3 | \$318.00\$333.46 | \$330.75\$333.65 | \$381.60\$400.38 | \$396.90\$400.65 |
| 4 | \$530.00\$553.96 | \$551.25\$554.15 | \$636.00\$664.98 | \$661.50\$665.25 |
| 6 | \$1,060.00\$1,105.21 | \$1,102.50\$1,105.40 | \$1,272.00\$1,326.48 | \$1,323.00\$1,326.75 |
| 8 | \$1,696.00\$1,766.71 | \$1,764.00\$1,766.90 | \$2,035.20\$2,120.28 | \$2,116.80\$2,120.55 |
| 10 | \$2,438.00\$2,538.46 | \$2,535.75\$2,538.65 | \$2,925.60\$3,046.38 | \$3,042.90\$3,046.65 |
| 12 | \$3,577.50\$3,723.65 | \$3,720.94\$3,723.84 | \$4,293.00\$4,468.61 | \$4,465.13\$4,468.88 |

The monthly ready to serve charge shall be in accordance with the following schedule for parks and irrigation.

| Parks and Irrigation - Ready to Serve Charge | | | | |
|--|--|---|---|---|
| Meter Size (Inches) | <u>Inside City of Tacoma</u> Commencing | | <u>Outside City of Tacoma</u> Commencing | |
| | Rate Effective Dates | | | |
| | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> |
| 5/8 | \$17.67 <u>\$11.03</u> | \$14.70 <u>\$7.35</u> | \$21.20 <u>\$13.23</u> | \$17.64 <u>\$8.82</u> |
| 3/4 | \$26.50 <u>\$16.54</u> | \$22.05 <u>\$11.03</u> | \$31.80 <u>\$19.85</u> | \$26.47 <u>\$13.23</u> |
| 1 | \$44.17 <u>\$27.57</u> | \$36.75 <u>\$18.38</u> | \$53.00 <u>\$33.08</u> | \$44.11 <u>\$22.05</u> |
| 1.5 | \$88.33 <u>\$55.13</u> | \$73.50 <u>\$36.75</u> | \$106.00 <u>\$66.15</u> | \$88.20 <u>\$44.10</u> |
| 2 | \$141.33 <u>\$88.20</u> | \$117.60 <u>\$58.80</u> | \$169.60 <u>\$105.84</u> | \$141.12 <u>\$70.56</u> |
| 3 | \$265.00 <u>\$165.38</u> | \$220.50 <u>\$110.25</u> | \$318.00 <u>\$198.45</u> | \$264.60 <u>\$132.30</u> |
| 4 | \$441.67 <u>\$275.63</u> | \$367.50 <u>\$183.75</u> | \$530.00 <u>\$330.75</u> | \$441.00 <u>\$220.50</u> |
| 6 | \$883.33 <u>\$551.25</u> | \$735.00 <u>\$367.50</u> | \$1,060.00 <u>\$661.50</u> | \$882.00 <u>\$441.00</u> |
| 8 | \$1,413.33 <u>\$882.00</u> | \$1,176.00 <u>\$588.00</u> | \$1,696.00 <u>\$1,058.40</u> | \$1,411.20 <u>\$705.60</u> |
| 10 | \$2,031.67 <u>\$1,267.88</u> | \$1,690.50 <u>\$845.25</u> | \$2,438.00 <u>\$1,521.45</u> | \$2,028.60 <u>\$1,014.30</u> |
| 12 | \$2,981.25 <u>\$1,860.47</u> | \$2,480.63 <u>\$1,240.31</u> | \$3,577.50 <u>\$2,232.57</u> | \$2,976.75 <u>\$1,488.38</u> |

The monthly ready to serve charge shall be in accordance with the following schedule for wholesale.

| <u>Wholesale - Ready to Serve Charge</u> | | |
|---|------------------------------------|----------------------|
| <u>Meter Size (Inches)</u> | <u>Rate Effective Dates</u> | |
| | <u>1/1/19</u> | <u>1/1/20</u> |
| <u>5/8</u> | <u>\$26.46</u> | <u>\$26.46</u> |
| <u>3/4</u> | <u>\$39.70</u> | <u>\$39.70</u> |
| <u>1</u> | <u>\$66.16</u> | <u>\$66.16</u> |
| <u>1.5</u> | <u>\$132.30</u> | <u>\$132.30</u> |
| <u>2</u> | <u>\$211.68</u> | <u>\$211.68</u> |
| <u>3</u> | <u>\$396.90</u> | <u>\$396.90</u> |
| <u>4</u> | <u>\$661.50</u> | <u>\$661.50</u> |
| <u>6</u> | <u>\$1,323.00</u> | <u>\$1,323.00</u> |
| <u>8</u> | <u>\$2,116.80</u> | <u>\$2,116.80</u> |
| <u>10</u> | <u>\$3,042.90</u> | <u>\$3,042.90</u> |
| <u>12</u> | <u>\$4,465.13</u> | <u>\$4,465.13</u> |

2. The schedule of rates for water used shall be as follows and billed to the nearest CCF (100 cubic feet or approximately 748 gallons):

| Residential Service - <u>Rate per CCF</u> | | | | |
|---|--|-------------------------------|-------------------------------|-------------------------------|
| | <u>Inside City of Tacoma</u> <u>Rate per CCF</u> | | <u>Outside City of Tacoma</u> | |
| Range in CCF (100 cubic feet) | <u>Rate Effective Dates</u> <u>Inside Commencing</u> | | | |
| | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> |
| Winter Tier: For each CCF of water consumption during the winter months of October through and including May | <u>\$1.825</u> <u>\$2.011</u> | <u>\$1.895</u> <u>\$2.132</u> | <u>\$2.190</u> <u>\$2.413</u> | <u>\$2.274</u> <u>\$2.558</u> |
| Summer Tier 1: For the first five CCF of water consumption per month during the summer months of June through and including September | <u>\$1.825</u> <u>\$2.011</u> | <u>\$1.895</u> <u>\$2.132</u> | <u>\$2.190</u> <u>\$2.413</u> | <u>\$2.274</u> <u>\$2.558</u> |
| Summer Tier 2: For each CCF of water consumption over five CCF during the summer months of June through and including September | <u>\$2.281</u> <u>\$2.514</u> | <u>\$2.369</u> <u>\$2.665</u> | <u>\$2.738</u> <u>\$3.016</u> | <u>\$2.843</u> <u>\$3.198</u> |

| Commercial and Industrial - General Service - <u>Rate per CCF</u> | | | | |
|---|--|----------------------------------|----------------------------------|----------------------------------|
| | <u>Inside City of Tacoma</u> Rate per CCF | | <u>Outside City of Tacoma</u> | |
| Range in CCF (100 cubic feet) | <u>Rate Effective Dates</u> | | | |
| | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> |
| For each CCF of water consumption | <u>\$2.032</u> <u>\$2.209</u> | <u>\$2.123</u> <u>\$2.298</u> | <u>\$2.438</u> <u>\$2.651</u> | <u>\$2.548</u> <u>\$2.758</u> |

| Commercial and Industrial - Large Volume Service - <u>Rate per CCF</u> . Customers may qualify for this rate based on an established consumption history greater than 65,000 CCF annually. | | | | |
|--|--|-----------------------------------|--|-----------------------------------|
| Range in CCF (100 cubic feet) | <u>Inside City of Tacoma</u> Inside Commencing | | <u>Outside City of Tacoma</u> Outside Commencing | |
| | <u>Rate Effective Dates</u> | | | |
| | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> |
| For each CCF of water consumption | \$1.666 <u>\$1.784</u> | \$1.782 <u>\$1.787</u> | \$1.999 <u>\$2.141</u> | \$2.138 <u>\$2.144</u> |

| Parks and Irrigation Service - <u>Rate per CCF</u> | | | | |
|--|--|-----------------------------------|--|-----------------------------------|
| Range in CCF (100 cubic feet) | <u>Inside City of Tacoma</u> Inside Commencing | | <u>Outside City of Tacoma</u> Outside Commencing | |
| | <u>Rate Effective Dates</u> | | | |
| | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> |
| For each CCF of water consumption | \$3.115 <u>\$3.739</u> | \$3.485 <u>\$3.998</u> | \$3.738 <u>\$4.487</u> | \$4.182 <u>\$4.798</u> |

B. Wholesale Service. Wholesale water service may be provided to community water systems that are in compliance with state Department of Health regulations. All wholesale water agreements are subject to Tacoma Public Utility Board approval. Any customer purchasing wholesale water must adopt or commit, in writing, to a water conservation and water shortage response program substantially equivalent to the Division's program as a condition of service.

1. Water Rates. A wholesale water service customer with contractual agreement from Tacoma Water may choose either a rate schedule below with a corresponding ready to serve charge as described in section A1. For an outside city customer or a market-based price set by Tacoma Water staff based on an analysis of the wholesale system and their supply alternatives.

a. Constant Use Customer:

| Wholesale Constant Use Customer - Rate per CCF | | |
|---|---|-----------------------------------|
| Range in CCF (100 cubic feet) | <u>Rate per CCF</u> <u>Effective Dates</u> | |
| | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> |
| Per CCF for winter months (October - May) | \$2.112 <u>\$2.042</u> | \$2.112 <u>\$1.973</u> |
| Per CCF for summer months (June - September) | \$2.640 <u>\$2.553</u> | \$2.640 <u>\$2.466</u> |

This option may be considered by those customers using water on a year-round basis where their average summer day use divided by their average winter day use results in a summer/winter use ratio of 2.5 or less.

b. Summer Season, Peaking:

| Wholesale Summer Season, Peaking - Rate per CCF | | |
|--|---|-----------------------------------|
| Range in CCF (100 cubic feet) | <u>Rate per CCF</u> <u>Effective Dates</u> | |
| | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> |
| For each CCF of water consumption | \$3.960 <u>\$3.829</u> | \$3.960 <u>\$3.699</u> |

This option will be used for those customers using relatively large amounts of water in the summer months and little or no water in winter months. The ratio of average summer day use divided by average winter day use shall be greater than 2.5.

For purposes of these rates, summer-use months are defined as June through September and winter-use months are October through May.

Existing customers will be classified into one of the two rate schedules upon annual review of their usage patterns. New customers will select a rate based upon anticipated use. This selection will be subject to revision if usage is not consistent with the above options after a six-month period.

1. Additional Water. Additional or new water may be provided by the City to a wholesale customer conditioned upon satisfying the following:

c. For every new customer of the wholesale customer that is provided with water from City's surplus supply, the wholesale customer shall remit to the City (on a monthly basis or by other arrangement as agreed to by the Superintendent) the appropriate SDC for said customer based on meter size in accordance with TMC 12.10.310.

d. That, in lieu of satisfying subsection A above, in the event the wholesale customer is in a water deficient status or later becomes water deficient as determined by the Superintendent in consultation with wholesale customer, then the Superintendent shall establish a SDC equivalent for said wholesale customer. This SDC equivalent shall not be less than what the total "retail customer equivalent" would have been for the total deficiency.

e. That the City and wholesale customer shall enter into a letter agreement setting forth the above requirements and committing the wholesale customer to remit the SDC payment to City. The wholesale customer may be required to provide City with periodic reports, certified to be accurate, detailing pertinent data.

D. Emergency Intertie Service. Requests for one-way and two-way emergency intertie service between the City and another purveyor will be considered.

The Superintendent may enter into specific agreements, specifying the terms under which water will be furnished or accepted by the Division. Water furnished to a purveyor through an emergency intertie service will be billed as a wholesale service with a ready to serve charge and rate for water used. Billing will be at the constant use rate for up to 30 days. If use exceeds 30 days the Superintendent will have the discretion to change the constant use rate to the summer season peaking rate. Said agreement shall provide that neither party shall be liable for failure to deliver water to the other at any time.

E. Fire Protection Service. When a customer does not receive domestic water from the Division and requests a fire service from the Division the appropriate regular domestic service rates shall apply as detailed above. In addition all regular construction fees, main charges and SDC shall apply. Where City water is used for domestic purposes, such customers are entitled to a separate fire service at the regular fire service rate, payable monthly as follows:

| Fire Protection Service – Ready to Serve Charge | | | | | |
|---|---|-------------------------------------|---|-------------------------------------|---|
| Meter Size (Inches) | <u>Inside City of Tacoma</u> <u>Inside Commencing</u> | | <u>Outside City of Tacoma</u> <u>Outside Commencing</u> | | Maximum Allowable Monthly Water Usage for Testing and Leakage, CCF |
| | <u>Rate Effective Dates</u> | | | | |
| | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> | <u>4/1/17</u> <u>1/1/19</u> | <u>1/1/18</u> <u>1/1/20</u> | |
| 2 | \$25.89 <u>\$27.37</u> | \$26.07 <u>\$28.78</u> | \$31.07 <u>\$32.84</u> | \$31.07 <u>\$34.54</u> | 2.99 |
| 3 | \$37.70 <u>\$39.85</u> | \$37.96 <u>\$41.91</u> | \$45.24 <u>\$47.82</u> | \$45.24 <u>\$50.29</u> | 2.99 |
| 4 | \$62.98 <u>\$66.58</u> | \$63.42 <u>\$70.01</u> | \$75.58 <u>\$79.90</u> | \$75.58 <u>\$84.01</u> | 2.99 |
| 6 | \$141.27 <u>\$149.35</u> | \$142.25 <u>\$157.04</u> | \$169.52 <u>\$179.22</u> | \$169.52 <u>\$188.45</u> | 2.99 |
| 8 | \$251.49 <u>\$265.87</u> | \$253.24 <u>\$279.57</u> | \$301.79 <u>\$319.04</u> | \$301.79 <u>\$335.48</u> | 2.99 |
| 10 | \$393.37 <u>\$415.86</u> | \$396.11 <u>\$437.28</u> | \$472.04 <u>\$499.03</u> | \$472.04 <u>\$524.74</u> | 2.99 |
| 12 | \$629.19 <u>\$665.16</u> | \$633.57 <u>\$699.43</u> | \$755.03 <u>\$798.19</u> | \$755.03 <u>\$839.32</u> | 2.99 |

Where such fire service is provided, the monthly rate shall include usage of up to a maximum of 2.99 units of water per month. The 2.99 units of allowable water use is for incidental water use for monthly leakage and system testing and is the maximum amount allowed in a single month. In any month where the total consumption is in excess of the amount shown above, the rate for water consumed shall be as noted below.

| Fire Protection Service - Rate per CCF | | | | |
|---|--|---------------------------------|-------------------------------|---------------|
| Range in CCF (100 cubic feet) | Rate per CCF <u>Inside City of Tacoma</u> | | <u>Outside City of Tacoma</u> | |
| | <u>Rate Effective Dates Commencing</u> | | | |
| | 4/1/17 <u>1/1/19</u> | 1/1/18 <u>1/1/20</u> | <u>1/1/19</u> | <u>1/1/20</u> |
| For each CCF of water consumption All CCF— Inside City | \$3.960 | \$3.960 | \$4.752 | \$4.752 |
| All CCF— Outside City | \$4.752 | \$4.752 | | |

If the Water use in excess of the maximum monthly allowable amount was used in extinguishing fires of incendiary or accidental origin and the customer at the location where the use occurs gives written notice to the Division within ten days from the time of such fire the customer shall pay only for actual water used at the rate noted above. If the Division is not notified the Division will conclude that water is being used for purposes other than extinguishing fires and charge the additional fee noted below of 12 times the monthly rate.

Whenever water from the Division is available on a premise through a service being charged the rate for fire protection only and is used for purposes other than extinguishing fires of incendiary or accidental origin including ongoing leakage of the fire service line and the amount of water used is in excess of the amount shown in the table above, 12 times the ready to serve charge for the specific service in question shall be the monthly minimum charge and the charge for water consumed shall be as noted in the “Fire Protection Service – Rate per CCF” table above. Waivers may be granted from the assessment of the 12 times the ready to serve charge for leaks or other accidental use upon written request with all supporting documentation but the charge for water consumed shall not be waived.

Nonpayment of invoices related to the construction of or monthly use of a fire service will result in the service being turned off and notification of the appropriate fire official who may then disallow occupancy of the premise.

Unauthorized use of water through a detector check meter more than once per calendar year may be cause for installation of a turbine meter assembly, UL/FM approval for fire service assemblies at the expense of the customer. Within the City of Tacoma, whenever water is used for purposes other than extinguishing fires, the amount of water used may be subject to the appropriate sanitary sewer charge as defined in TMC 12.08, in addition to the rates noted above and assessment of the 12 times the ready to serve charge.

Should the unauthorized use continue, including leakage in excess of the maximum amount of water allowed, the service will be considered as other than standby fire protection and be billed in accordance with the type of use pursuant to this section, and shall be subject to payment of the applicable SDC pursuant to TMC 12.10.310. Refusal to pay for the installation of the fire line meter and/or the SDC shall result in termination of service pursuant to TMC 12.10.130.

When a customer desires a fire service for the protection of a premises and the domestic water for said premises is provided from another source, the applicable single-family residential, multi-family residential, or commercial/industrial rates shall apply for the requested fire protection service inside and outside the City, respectively. When any outlet for fire protection purposes is installed on a residential, commercial or industrial service, no rebate will be allowed for water used for extinguishing a fire.

F. Special Contracts. The Superintendent, with the approval of the Board, shall have the right to enter into contracts for periods up to 20 years where service conditions are extraordinary; provided, that such contracts shall contain applicable rates as adopted by the Board and the City Council.

G. The Pulp Mill Contract. The rates, terms, and conditions in the contract originally entered between the City and RockTenn CP, LLC (“Pulp Mill”) and all future assignee to the contract are applicable, except as modified by this section. For a nominated contract demand, the water rate will be based on a monthly distribution charge and the daily supply charge. If the monthly water use exceeds 103% of the contract demand or the daily water use exceeds 109% of the contract demand, an excess water usage charge will be applied. The excess water usage charge will be either the daily excess water use charge or the monthly excess water use charge, whichever is greater.

1. Water use within the range of contract demand plus 3 percent: The charge will consist of a monthly distribution charge and daily supply charge per ccf metered as stated below.

2. Daily water use greater than one hundred and nine percent (109%) of the contract demand: The charge will consist

of a monthly distribution charge, daily supply charge, plus a Daily Excess Water Usage Charge (based upon the commercial and industrial-large volume rate) for water metered daily in excess of the contract demand plus 9 percent as stated below.

3. Monthly water use greater than one hundred and three percent (103%) of the contract demand: The charge will consist of a monthly distribution charge, daily supply charge, plus a Monthly Excess Water Usage Charge (based on the commercial and industrial-large volume rate) for water metered during a month in excess of the contract demand plus 3 percent, as stated in the following table.

| <u>Pulp Mill</u> | | |
|---|--|---------------------------------------|
| Billing Components | <u>Rate Effective Dates Commencing</u> | |
| | <u>4/1/171/1/19</u> | <u>1/1/181/1/20</u> |
| Distribution Charge per Month | <u>\$77,201.64</u> <u>\$82,296.95</u> | <u>\$80,289.71</u> <u>\$84,354.37</u> |
| Supply Charge/CCF | <u>\$0.7620256</u> <u>\$0.7148458</u> | <u>\$0.7810762</u> <u>\$0.7434396</u> |
| Daily or Monthly Excess Water Usage Charge (Commercial and Industrial - Large Volume Rate) per CCF | <u>\$1.666</u> <u>\$1.784</u> | <u>\$1.782</u> <u>\$1.787</u> |

4. The Superintendent is hereby authorized to execute a contract with the Pulp Mill to provide additional terms and conditions of service and other provisions consistent with this ordinance.

B. Meter Tests. If a customer has informed the Division that its water consumption has been above its normal billing consumption and verification discovers no leaks on the customer facilities, the customer may request that the Division test the meter. If the test discloses the meter is accurate within the American Water Works Association (“AWWA”) specifications, the customer will be billed for the test and their water bill will not be adjusted. If the test discloses the meter is not accurate within the AWWA specifications and the inaccuracy is the cause of the recorded high consumption, the customer’s water bill will be adjusted and credit given for the excessive consumption and the customer will not be billed for the test. The charge for testing meters shall be added to the customer’s bill as follows:

| Meter Size | Cost |
|--------------------|-----------------|
| 1-inch and smaller | \$75.00 |
| >1-inch | *Estimated Cost |

*The customer shall pay a deposit in the amount of the Division’s estimated cost.

If the actual cost differs from the estimated cost, the customer will be refunded or billed the difference. The Division will not test meters owned by others.

B. Low Pressure or Low Flow Concerns. The customer may request the Division to conduct a flow and pressure test on the service to its premises. If the cause of the problem is found to be located on the property side of the meter yoke outlet, the customer will be invoiced for a fee of \$25.

If the test discloses that the low flow and/or pressure is caused by Division facilities, the Division will attempt to correct the problem and the customer will not be charged.

C. Low-income Senior and/or Low-income Disabled Residential Rate Discount. Residential customers who qualify as low-income senior or low-income disabled shall be eligible for a 30 percent reduction from the regular residential water rates. The determination of low-income senior and low-income disabled shall be made as set forth in TMC 12.06.165 for City Light Division (d.b.a. “Tacoma Power”) customers. Customers must submit an application for review and acceptance by the authorized administering agency to qualify for this reduction. For the water rate discount, there is no requirement that a customer be a Tacoma Power customer or submit to an energy audit.

D. Water System Acquisition. A water system may be acquired by the City under an agreement between the water system owner(s) and the City with Board and City Council approval. When all or a portion of the acquired system requires upgrading equal to Division standards, the agreement shall provide for funds to achieve compliance with said standards. Under the agreement, a surcharge may be levied by the City for a period of time or an LID may be formed in accordance with RCW Title 35. The surcharge shall be an additional charge equivalent to the Ready to Serve charge per month times a multiplier, or an actual dollar amount as stated in the acquisition agreement and set forth below. The current surcharge areas include:

| | |
|------------------------------|---|
| Former Water System | |
| Hyada Mutual Service Company | Total Monthly Charge \$30.00 per month through July 2022 |
| Andrain | Total Monthly Charge equal to the Ready to Serve charge per month until paid in full. |
| Curran Road | Total Monthly Charge equal to the Ready to Serve charge per month until paid in full. |

If allowed by the acquisition agreement, a customer in a surcharge area may opt to pay off the outstanding surcharge amount.

* * *



ORDINANCE NO. 28555

1 AN ORDINANCE relating to the Department of Public Utilities; authorizing the
2 Beltline Division, d.b.a. Tacoma Rail, to reissue the TMBL 8807 series
3 freight switching tariff, with an effective date of January 1, 2019, to ensure
4 reliable rail services at cost of service rates.

5 WHEREAS the Department of Public Utilities, Beltline Division (d.b.a.
6 "Tacoma Rail"), is recommending adjustments to charges related to freight
7 switching, and is seeking approval to reissue its freight switching tariff TMBL 8807,
8 incorporating such adjustments, and

9 WHEREAS the switching tariffs define the line haul and miscellaneous
10 switching charges allocated to the movement of railcars, and the proposed
11 adjustments include the following:

- 12 • Intermodal increase, from \$50 to \$51 per platform;
- 13 • Unit train single spot increase, from \$220 to \$224;
- 14 • Unit train multiple spot increase, from \$295 to \$300; and
- 15 • Commercial increases, from \$300 and \$350 to \$306 and \$356,

16 and

17 WHEREAS Section 4.11 of the Tacoma City Charter requires that all
18 matters related to the fixing of rates and charges for utility services shall be
19 initiated by the Board and approved by the City Council, and

20 WHEREAS, on October 24, 2018, the Public Utility Board approved the
21 proposed revisions, and

22 WHEREAS Tacoma Rail believes it is in the best interests of its customers
23 and the citizens of Tacoma that the recommended freight switching tariff be
24 approved; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the proposed adjustments to the Tacoma Rail Freight Switching Tariff TMBL 8807 series are hereby approved, effective January 1, 2019.

Section 2. That the publication of Freight Switching Tariff TMBL 8807, substantially in the form of the document on file in the office of the City Clerk, is hereby approved.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11039



ORDINANCE NO. 28556

1 AN ORDINANCE relating to the Biennial Operating Budget; adopting the
2 2019-2020 Biennial Budget of the City of Tacoma.

3 WHEREAS the City Council desires to adopt the proposed 2019-2020
4 Biennial Budget, and

5 WHEREAS budgets, notices of hearings, hearings, and adoption of the
6 Biennial Budget are processed and accomplished in accordance with the
7 requirements of RCW 35.34, and
8

9 WHEREAS, in October and November 2018, two public hearings were
10 held to review the preliminary budget and receive citizen comments thereon,
11 and the City Council held six additional budget work sessions to consider the
12 same, and

13 WHEREAS a summary of the totals of estimated revenues and
14 appropriations for each separate fund and the aggregate totals for all such funds
15 combined for the 2019-2020 biennium is attached as Exhibit "A," and
16

17 WHEREAS the City Council finds it to be in the best interests of the City
18 to adopt the 2019-2020 Biennial Operating Budget; Now, Therefore,

19 BE IT ORDAINED BY THE CITY OF TACOMA:
20

21 That the Biennial Operating Budget of the City of Tacoma for 2019-2020
22 and each and every item thereof, as fixed, determined, and set out in
23 Exhibit "A," attached hereto and by this reference incorporated herein as though
24
25
26



1 fully set forth, is hereby adopted as the Biennial Operating Budget of the City of
2 Tacoma for 2019-2020.

3
4 Passed _____

5
6 _____
Mayor

7 Attest:

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9 _____
City Clerk

10 Approved as to form:

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12 _____
13 Deputy City Attorney

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Exhibit "A"

**City of Tacoma, Washington
2019-2020 Biennial Operating Budget Ordinance**

| Fund No. | Fund Name | Proposed Appropriation | Adjustments | Estimated Revenues and Use of Available Funds | Adopted Appropriation |
|------------------------------|--|-----------------------------------|--------------------|--|----------------------------------|
| 0010 | eneral Fund | \$514,622,542 | \$0 | \$514,622,542 | \$514,622,542 |
| Special Revenue Funds | | | | | |
| 1020 | Courts Special Revenue | 156,330 | | 156,330 | 156,330 |
| 1030 | Contingency Fund | 550,000 | | 550,000 | 550,000 |
| 1050 | PWS Transportation Revenues | 9,865,311 | | 9,865,311 | 9,865,311 |
| 1065 | PW Street Fund (Street Ops, Eng, Transp) | 52,602,736 | (50,000) | 52,552,736 | 52,552,736 |
| 1070 | Transportation Benefit District | 17,921,498 | | 17,921,498 | 17,921,498 |
| 1085 | Voted Streets Initiative | 42,937,904 | | 42,937,904 | 42,937,904 |
| 1090 | TFD Special Revenue | 5,262,025 | | 5,262,025 | 5,262,025 |
| 1100 | PWF Property Management | 370,075 | | 370,075 | 370,075 |
| 1110 | Local Improvement Guaranty | 28,952 | | 28,952 | 28,952 |
| 1145 | NCS Demolition | 1,466,158 | | 1,466,158 | 1,466,158 |
| 1155 | TFD EMS Special Revenue | 34,699,300 | | 34,699,300 | 34,699,300 |
| 1180 | PAF Tourism & Conventions | 9,901,314 | | 9,901,314 | 9,901,314 |
| 1185 | NCS Special Revenue | 17,730,349 | | 17,730,349 | 17,730,349 |
| 1195 | CED Economic Development Grants | 16,201,140 | | 16,201,140 | 16,201,140 |
| 1200 | Library Special Revenue | 1,296,710 | | 1,296,710 | 1,296,710 |
| 1236 | CED Small Business Enterprise | 528,521 | | 528,521 | 528,521 |
| 1267 | TPD Special Revenue | 2,060,710 | | 2,060,710 | 2,060,710 |
| 1431 | CMO Municipal Cable TV | 7,085,069 | | 7,085,069 | 7,085,069 |
| 1500 | CED Local Employment Apprenticeship Program | 920,365 | | 920,365 | 920,365 |
| 1650 | Traffic Enforcement, Engineering & Education | 7,428,010 | | 7,428,010 | 7,428,010 |
| | Total Special Revenue Funds | \$229,012,477 | \$50,000 | \$228,962,477 | \$228,962,477 |
| ebt Service Funds | | | | | |
| 2010 | Voted Bonds | 5,440,750 | | 5,440,750 | 5,440,750 |
| 2035 | LTD GO Bonds 1997 A & B | 8,478,340 | | 8,478,340 | 8,478,340 |
| 2038 | Public Works Trust Fund Loan | 1,172,259 | | 1,172,259 | 1,172,259 |
| 2040 | LTGO 2009 Series A-F Bond Redemption | 3,189,275 | | 3,189,275 | 3,189,275 |
| 2041 | 2010 LTGO Bonds Series 2010B - 2010E | 9,446,932 | | 9,446,932 | 9,446,932 |
| 2042 | 2013 LTGO Refunding Bonds | - | | - | - |
| 2043 | LTGO Bond Issuances | 3,462,974 | | 3,462,974 | 3,462,974 |
| | Total ebt Service Funds | \$31,190,530 | \$0 | \$31,190,530 | \$31,190,530 |
| Capital Project Funds | | | | | |
| 3210 | Real Estate Excise Tax | 26,622,668 | 30,000 | 26,652,668 | 26,652,668 |
| 3216 | Police Facility 2002 | - | | - | - |
| 3220 | 2010 LTGO Bonds | 307,966 | | 307,966 | 307,966 |
| | Total Capital Project Funds | \$26,930,634 | \$30,000 | \$26,960,634 | \$26,960,634 |

Exhibit "A"

**City of Tacoma, Washington
2019-2020 Biennial Operating Budget Ordinance**

| Fund No. | Fund Name | Proposed Appropriation | Adjustments | Estimated Revenues and Use of Available Funds | Adopted Appropriation |
|--|--|-----------------------------------|--------------------|--|----------------------------------|
| Enterprise Funds | | | | | |
| 4110 | Permit Services Fund | 34,645,782 | 30,000 | 34,675,782 | 34,675,782 |
| 4120 | PW Tacoma Rail Mountain Division | 4,789,504 | | 4,789,504 | 4,789,504 |
| 4140 | PWE Parking Operating | 17,675,244 | | 17,675,244 | 17,675,244 |
| 4165 | Convention Center | 24,426,769 | | 24,426,769 | 24,426,769 |
| 4170 | Cheney Stadium | 3,265,368 | | 3,265,368 | 3,265,368 |
| 4180 | Tacoma Dome | 23,407,429 | | 23,407,429 | 23,407,429 |
| 4190 | Performing Arts | 3,415,057 | | 3,415,057 | 3,415,057 |
| 4200 | Solid Waste | 152,641,105 | | 152,641,105 | 152,641,105 |
| 4300 | Wastewater | 209,622,623 | | 209,622,623 | 209,622,623 |
| 4301 | Surface Water | 110,442,978 | | 110,442,978 | 110,442,978 |
| 4450 | Union Station | 7,935,530 | | 7,935,530 | 7,935,530 |
| 4500 | Tacoma Rail | 67,652,846 | | 67,652,846 | 67,652,846 |
| 4600 | Water Utility | 228,291,541 | | 228,291,541 | 228,291,541 |
| 4700 | Power | 958,830,967 | | 958,830,967 | 958,830,967 |
| 4800 | TPU Self Insurance Claims | 6,712,450 | | 6,712,450 | 6,712,450 |
| 4805 | Low Income Assistance | 2,500,000 | | 2,500,000 | 2,500,000 |
| | Total Enterprise Funds | \$1,856,255,193 | \$30,000 | \$1,856,285,193 | \$1,856,285,193 |
| Internal Service Funds | | | | | |
| 5050 | TPU Fleet Service | 26,379,258 | | 26,379,258 | 26,379,258 |
| 5086 | Tacoma Training & Employment Program | 626,150 | | 626,150 | 626,150 |
| 5400 | PW Fleet Equipment Rental | 24,914,954 | (56,210) | 24,858,744 | 24,858,744 |
| 5453 | PWS Asphalt Plant | 3,251,760 | | 3,251,760 | 3,251,760 |
| 5540 | Comms Equipment - Replacement Reserve | 5,889,722 | | 5,889,722 | 5,889,722 |
| 5550 | Third Party Liability Claims | 9,838,600 | | 9,838,600 | 9,838,600 |
| 5560 | Unemployment Compensation | 1,267,200 | | 1,267,200 | 1,267,200 |
| 5570 | Worker's Compensation | 15,508,020 | | 15,508,020 | 15,508,020 |
| 5700 | Municipal Building Acquisition & Oper | 10,517,126 | | 10,517,126 | 10,517,126 |
| 5800 | General Governmental Internal Services | 125,843,827 | | 125,843,827 | 125,843,827 |
| | Total Internal Service Funds | \$224,036,617 | \$56,210 | \$223,980,407 | \$223,980,407 |
| Trust Agency Funds | | | | | |
| 6050 | Deferred Compensation Trust | 431,501 | | 431,501 | 431,501 |
| 6100 | Employees Retirement | 394,683,748 | | 394,683,748 | 394,683,748 |
| 6120 | Relief & Pension Police | 10,398,343 | | 10,398,343 | 10,398,343 |
| 6150 | Relief & Pension Firefighters | 11,950,709 | | 11,950,709 | 11,950,709 |
| 6430 | Health Care Trust Labor Management | 146,710,893 | | 146,710,893 | 146,710,893 |
| 6440 | Group Life Trust | 1,592,204 | | 1,592,204 | 1,592,204 |
| 6460 | Dental Care Labor Management | 10,755,630 | | 10,755,630 | 10,755,630 |
| 6470 | Health Care Trust Firefighters | 7,194,025 | | 7,194,025 | 7,194,025 |
| 6480 | Health Care Trust Police | 7,371,052 | | 7,371,052 | 7,371,052 |
| 6795 | Public Facilities Districts | 9,263,448 | | 9,263,448 | 9,263,448 |
| | Total Trust Agency Funds | \$600,351,553 | \$0 | \$600,351,553 | \$600,351,553 |
| Total City of Tacoma Operating Budget | | \$3,482,399,546 | \$46,210 | \$3,482,353,336 | \$3,482,353,336 |



ORDINANCE NO. 28557

1 AN ORDINANCE relating to the Comprehensive Plan and Capital Budget;
2 approving the 2019-2024 Capital Facilities Element of the Comprehensive
3 Plan, and approving the City of Tacoma 2019-2020 Capital Budget.

4 WHEREAS the purpose of the Capital Facilities Program is to provide the
5 City with a comprehensive capital facilities overview and to guide policy decisions
6 for capital improvements and services, and

7 WHEREAS, periodically, the Capital Facilities Program is updated with new
8 information on capital projects for the next six-year cycle, and

9 WHEREAS the City Council desires to adopt the 2019-2024 Capital Facilities
10 Program concurrently with the adoption of the 2019-2020 Capital Budget, and

11 WHEREAS, periodically, the Planning Commission reviews and
12 recommends to the City Council the adoption of the Capital Facilities Program, and

13 WHEREAS the Capital Facilities Program helps inform the development of
14 the City's Capital Budget, and

15 WHEREAS the 2019-2024 Capital Facilities Program amends the Capital
16 Facilities Element of the Comprehensive Plan and replaces the 2017-2022 Capital
17 Facilities Program, and

18 WHEREAS the City Council finds it to be in the best interests of the City to
19 amend the Capital Facilities Element of the Comprehensive Plan and to replace
20 the 2017-2022 Capital Facilities Program with the 2019-2024 Capital Facilities
21 Program, and

22 WHEREAS, pursuant to RCW 35.34, the City must pass an ordinance that
23 appropriates estimated expenditures and revenues/use of available funds, and
24



WHEREAS funds within the Capital Budget are provided with multi-year appropriation and are adopted separately from the City's biennial operating budget;

Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the Capital Facilities Element of the Comprehensive Plan is hereby amended, and the 2017-2022 Capital Facilities Program is replaced with the 2019-2024 Capital Facilities Program, said document to be substantially in the form of the document on file in the office of the City Clerk.

Section 2. That the City of Tacoma 2019-2020 Capital Budget, attached hereto as Exhibit "A," is hereby approved.

Section 3. That the Budget Director is hereby authorized to bring forward into fiscal year 2019 all appropriations and allocations not otherwise closed, completed, or deleted from prior years' capital budgets.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Exhibit "A"

City of Tacoma, Washington
2019-20120 Capital Budget Ordinance

| Fund No. | Fund Name | Proposed Appropriation | Adjustments | Estimated Revenues and Use of Available Funds | Adopted Appropriation |
|--|--|---------------------------|--------------------|---|--------------------------|
| Special Capital Funds | | | | | |
| 1060 | Transportation Capital and Engineering | 14,142,241 | 2,580,000 | 16,722,241 | 16,722,241 |
| 1140 | PWE Paths & Trails Reserve | - | 88,874 | 88,874 | 88,874 |
| 3211 | Capital Projects Fund | 12,997,634 | | 12,997,634 | 12,997,634 |
| Total City of Tacoma Capital Budget | | \$27,139,875 | \$2,668,874 | \$29,808,749 | \$29,808,749 |



ORDINANCE NO. 28558

1 AN ORDINANCE relating to human rights and housing discrimination; amending
2 Chapter 1.29 of the Tacoma Municipal Code, Human Rights Commission, to
add source of income as a protected class.

3 WHEREAS the rental market is drastically changing in the City, which has
4 made it harder for low-income people to access housing, and

5 WHEREAS source of income discrimination has been documented by
6 researchers, and appears to create barriers for people struggling to find housing
7 within the City, and

8 WHEREAS, in 2017, in an effort to address this issue, the City Council
9 requested the City Manager, through the Office of Equity and Human Rights
10 ("OEHR"), to research whether source of income could be added to Tacoma
11 Municipal Code ("TMC") 1.29, Human Rights Commission, as a protected class,
12 and

13 WHEREAS, on September 30, 2018, state law went into effect to prohibit
14 source of income discrimination; however, there is no enforcement mechanism,
15 and

16 WHEREAS adding source of income as a protected class would prohibit
17 discrimination against renters who use subsidies or alternative sources of income
18 to pay housing costs, such as social security, veteran's benefits; retirement; rent
19 subsidies from federal, state or local housing programs; or short-term rental
20 assistance, and

21 WHEREAS state law provides that the following actions cannot be taken
22 against a renter based on the renter's use of a subsidy or alternative source of
23



1 income: denying an application for housing; refusing to show a unit to a
2 prospective tenant; expelling or evicting a tenant; applying different terms and
3 conditions; harassing or retaliating against a tenant; or using preferences or
4 limitations in advertising, and

5 WHEREAS the proposed TMC amendment will make housing more
6 accessible for low-income people, and by making source of income a protected
7 class, will allow for enforcement action; Now, Therefore,

8 BE IT ORDAINED BY THE CITY OF TACOMA:

9 That Chapter 1.29 of the Tacoma Municipal Code, Human Rights
10 Commission, is hereby amended as set forth in Exhibit "A."
11

12 Passed _____
13

14
15 _____
Mayor

16 Attest:
17

18 _____
City Clerk
19

20 Approved as to form:
21

22 _____
Deputy City Attorney
23
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EXHIBIT "A"

Chapter 1.29

HUMAN RIGHTS COMMISSION

* * *

1.29.010 Findings.

In response to the problem of unlawful discrimination, the City Council of the City of Tacoma hereby finds that unlawful discrimination on the basis of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or military status, ~~or~~ disability, or source of income is inimical to the public welfare and good order of the City of Tacoma. The City Council accordingly finds it necessary, in the exercise of its police powers for the protection of the public health, safety, and welfare, to prohibit such discrimination and to initiate action for the remedy and prevention of unlawful discriminatory acts. Pursuant to this finding, and in accordance with the City of Tacoma's policy of providing and assuring equal opportunity for all Tacoma residents in the areas of employment, education, credit, insurance, access to public accommodations, and the acquisition of real property, the City Council, in order to effect this policy and to achieve the City's goal of eliminating unlawful discrimination, hereby creates and empowers a commission to study and investigate problems of prejudice, bigotry, and discrimination, and to encourage and coordinate the implementation of programs consistent with the needs and the rights of all residents of the City of Tacoma. The Council also hereby establishes an administrative agency to support and assist this commission and to be responsible for the monitoring and enforcement of anti-discrimination ordinances and resolutions within the City.

* * *

1.29.030 Commission Responsibilities of the Office of Equity and Human Rights.

A. In accordance with all appropriate local, state, and federal laws, and within the legal geographic boundaries of the City of Tacoma, the Office of Equity and Human Rights staff shall:

1. Receive and conduct impartial investigations of complaints that have been filed by individuals who believe they have been discriminated against due to their race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or military status, ~~or~~ disability, or source of income; and seek the satisfactory adjustment of such complaints; provided, that no such action shall be taken with respect to any complaint within the exclusive jurisdiction of any state or federal agency.
2. Conduct fact-finding conferences through the City Attorney, subpoenaing witnesses and such books, papers, records, files, etc., as are deemed necessary during an investigation, and requiring and compelling the attendance and testimony of such witnesses and the production of such books, papers, records, files, etc., for examination and reproduction; making findings of fact; publishing such findings as appropriate; and doing all things necessary and proper for the enforcement of this chapter.
3. Notify all appropriate parties to the charge of the decisions rendered as a result of the staff's investigation.
4. Make recommended findings to the Commission based upon its finding of fact as discovered through investigation. If it is discovered that an unlawful violation has occurred and efforts to conciliate the matter fail, it may be necessary to forward the case to the City's Hearing Examiner for a public hearing.
5. Prepare and disseminate educational and informational material relating to prejudice and discrimination and ways and means of eliminating such prejudice and discrimination.
6. Cooperate with and provide information, guidance, and technical assistance to other public agencies and to private persons, organizations, and institutions engaged in activities and programs intended to eliminate prejudice and discrimination.
7. Consult with, and maintain contact with, other public agencies, civil rights organizations, representatives of employers, labor unions, property owners, associations, realtor associations, religious denominations and institutions, professional associations, national origin groups, community organizations concerned with



interracial, interreligious and intercultural understanding, social welfare organizations, and any other such organizations and institutions as directed by the City Council or as the Commission shall deem advisable to further the objectives of this chapter.

* * *

1.29.040 Definitions.

As used in this chapter:

* * *

“Sexual orientation” shall mean actual or perceived homosexuality, bisexuality, or heterosexuality.

“Source of income” shall mean benefits or subsidy programs, including housing assistance, public assistance, emergency rental assistance, veterans benefits, social security, supplemental security income or other retirement programs, and other programs administered by any federal, state, local, or nonprofit entity. “Source of income” does not include income derived in an illegal manner.

“Student,” for purposes of appointment to the Tacoma Human Rights Commission, shall mean an individual who is at least 15 years of age and under 24 years of age at the time of his or her appointment and who is an enrolled student at the high school or college level.

* * *

1.29.100 Unlawful discriminatory housing practices.

The exclusion of a person from, or failure or refusal to extend to a person, equal opportunities because of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or military status, ~~or~~ disability, or source of income is hereby declared to be an unlawful discriminatory housing practice. Unlawful housing discriminatory practices shall include, but are not limited to, the following:

(1) Refusal to sell or rent a dwelling after a bona fide offer has been made, or to negotiate for the sale or rental of a dwelling, because of race, color, religion, sex, gender identity, sexual orientation, familial status, honorably discharged veteran or military status, marital status, age, ~~or~~ national origin, or source of income, or discrimination in the sale or rental of a dwelling because of disability;

(2) Discrimination in the terms, conditions or privileges of sale or rental of a dwelling, or in the provision of services or facilities in connection with sales or rentals, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income;

(3) Engaging in any conduct relating to the provision of housing which otherwise makes unavailable or denies dwellings to persons because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income;

(4) Making, printing or publishing, or causing to be made, printed or published, any notice, statement or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, source of income, or an intention to make any such preference, limitation or discrimination;

(5) Representing to any person, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income, that a dwelling is not available for sale or rental when such dwelling is in fact available;

(6) Engaging in blockbusting practices in connection with the sale or rental of dwellings because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income; and/or

(7) Denying access to or membership or participation in, or discriminating against any person in his or her access to or membership or participation in, any multiple-listing service, real estate brokers' association, or other service organization or facility relating to the business of selling or renting a dwelling or in the terms or conditions of membership or participation, because of race, color, religion, sex, gender identity, sexual



orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

Application of Chapter 1.29 of the City of Tacoma Law Against Discrimination, as amended, with respect to persons with disabilities is discussed in Section 1.29.060K.

A. Exemptions. Nothing in this chapter shall:

1. Apply to the renting, subrenting, leasing, or subleasing of a single-family dwelling, wherein the owner or person entitled to possession thereof maintains a permanent residence, home, or abode; or

2. Prohibit a nonprofit religious or sectarian organization, or any nonprofit organization operated, supervised or controlled by or in conjunction with a nonprofit religious or sectarian organization, from limiting the sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons, unless membership in such religion is restricted on account of race, color, ~~or~~ national origin, or source of income; or

3. Prohibit any person from limiting the rental or occupancy of housing accommodations in any YMCA, YWCA, fraternity, sorority, school dormitory, emergency or transitional shelter, group home, or similar residential hall to persons of one sex where privacy is a concern; or

4. Be construed to protect criminal conduct.

B. Unlawful to Sell or Rent or to Negotiate for the Sale or Rental.

1. It shall be unlawful for a person to refuse to sell or rent a dwelling to a person who has made a bona fide offer, because of race, color, religion, sex, gender identity, sexual orientation, familial status, marital status, age, ~~or~~ national origin ~~or~~, source of income, or to refuse to negotiate with a person for the sale or rental of a dwelling because of race, color, religion, sex, gender identity, sexual orientation, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income, or to discriminate against any person in the sale or rental of a dwelling because of disability.

2. Prohibited actions under this section include, but are not limited to:

a. Failing to accept or consider a bona fide offer because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

b. Refusing to sell or rent a dwelling to, or to negotiate for the sale or rental of a dwelling with, any person because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

3. Because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income, imposing upon any person different sales prices or rental charges for the sale or rental of a dwelling.

4. Using different qualification criteria or applications, or sale or rental standards or procedures, such as income standards or procedures, application requirements, application fees, credit analysis, sale or rental approval procedures, or other requirements, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

5. Evicting tenants because of their race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, age, ~~or~~ national origin, or source of income, or because of the race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income of a tenant's guest.

C. Discrimination in Terms, Conditions and Privileges, and in Services and Facilities.

1. It shall be unlawful, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income to impose different terms, conditions or privileges relating to the sale or rental of a dwelling or to deny or limit services or facilities in connection with the sale or rental of a dwelling.

2. Prohibited actions under this section include, but are not limited to:



1 a. Using different provisions in leases or contracts of sale, such as those relating to rental charges, security
deposits and the terms of a lease and those relating to down payment and closing requirements, because of
2 race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status,
3 honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

4 b. Failing or delaying maintenance or repairs of sale or rental dwellings because of race, color, religion, sex,
5 gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or
6 military status, age, ~~or~~ national origin, or source of income.

7 c. Failing to process an offer for the sale or rental of a dwelling or to communicate an offer accurately
8 because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital
9 status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

10 d. Limiting privileges or the use of services or facilities associated with a dwelling because of race, color,
11 religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably
12 discharged veteran or military status, age, ~~or~~ national origin, or source of income of an owner, tenant or a
13 person associated with him or her.

14 e. Denying or limiting services or facilities in connection with the sale or rental of a dwelling, because a
15 person failed or refused to provide sexual favors.

16 D. Other Prohibited Sale and Rental Conduct.

17 1. It shall be unlawful, because of race, color, religion, sex, gender identity, sexual orientation, disability,
18 familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or
19 source of income, to restrict or attempt to restrict, by word or conduct, the choices of a person in connection
20 with seeking, negotiating for, buying or renting a dwelling so as to perpetuate, or tend to perpetuate,
21 segregated housing patterns, or to discourage or obstruct choices in a community, neighborhood or
22 development.

23 2. It shall be unlawful, because of race, color, religion, sex, gender identity, sexual orientation, disability,
24 familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or
25 source of income, to engage in any conduct relating to the provision of housing, or of services and facilities in
26 connection therewith, that otherwise makes unavailable or denies dwellings to persons.

3. Prohibited actions under paragraph 1 of this subsection, which are generally referred to as unlawful
steering practices, include, but are not limited to:

a. Discouraging any person from inspecting, purchasing or renting a dwelling because of race, color, religion,
sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran
or military status, age, ~~or~~ national origin, or source of income, or because of the race, color, religion, sex,
gender identity, sexual orientation, disability, familial status, marital status, age, ~~or~~ national origin, or source
of income of persons in a community, neighborhood or development.

b. By exaggerating drawbacks or failing to inform any person of desirable features of a dwelling or a
community, neighborhood, or development, discouraging the purchase or rental of a dwelling because of race,
color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, age, ~~or~~
national origin, or source of income.

c. Communicating to any prospective purchaser that he or she would not be comfortable or compatible with
existing residents of a community, neighborhood or development because of race, color, religion, sex, gender
identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military
status, age, ~~or~~ national origin, or source of income.

d. Assigning any person to a particular section of a community, neighborhood or development, or to a
particular floor of a building, because of race, color, religion, sex, gender identity, sexual orientation,
disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national
origin, or source of income.

4. Prohibited activities relating to dwellings under paragraph 2 of this subsection include, but are not limited
to:

a. Discharging or taking other adverse action against an employee, broker or agent because he or she refused
to participate in a discriminatory housing practice.



b. Employing codes or other devices to segregate or reject applicants, purchasers or renters; refusing to take or to show listings of dwellings in certain areas because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, age, ~~or~~ national origin, or source of income; or refusing to deal with certain brokers or agents because they, or one or more of their clients, are of a particular race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or receive a source of income.

c. Denying or delaying the processing of an application made by a purchaser or renter or refusing to approve such a person for occupancy in a cooperative or condominium dwelling because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

d. Refusing to provide municipal services or property or hazard insurance for dwellings, or providing such services or insurance differently because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

E. Discriminatory Advertisements, Statements and Notices.

1. It shall be unlawful to make, print or publish, or cause to be made, printed or published, any notice, statement or advertisement with respect to the sale or rental of a dwelling which indicates any preference, limitation or discrimination because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income, or an intention to make any such preference limitation or discrimination.

2. The prohibitions in this section shall apply to all written or oral notices or statements by a person engaged in the sale or rental of a dwelling. Written notices and statements include any applications, flyers, brochures, deeds, signs, banners, posters, billboards or any documents used with respect to the sale or rental of a dwelling.

3. Discriminatory notices, statements and advertisements include, but are not limited to:

a. Using words, phrases, photographs, illustrations, symbols, or forms which convey that dwellings are available or not available to a particular group of persons because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, age, ~~or~~ national origin, or source of income of such persons.

b. Expressing to agents, brokers, employees, prospective sellers or renters, or any other persons, a preference for or limitation on any purchaser or renter because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income of such persons.

c. Selecting media or locations for advertising the sale or rental of dwellings which deny particular segments of the housing market information about housing opportunities because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

d. Refusing to publish advertising for the sale or rental of dwellings, or requiring different charges or terms for such advertising, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income.

F. Discriminatory Representations on the Availability of Dwellings.

1. It shall be unlawful, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income, to provide inaccurate or untrue information about the availability of dwellings for sale or rent.

2. Prohibited actions under this section include, but are not limited to:

a. Indicating through words or conduct that a dwelling which is available for inspection, sale, or rent has been sold or rented, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial



status, marital status, honorably discharged veteran or military status, age, ~~or~~national origin, or source of income.

b. Representing that covenants or other deed, trust or lease provisions which purport to restrict the sale or rental of dwellings because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~national origin, or source of income preclude the sale or rental of a dwelling to a person.

c. Enforcing covenants or other deed, trust, or lease provisions which preclude the sale or rental of a dwelling to any person because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~national origin, or source of income.

d. Limiting information, by word or conduct, regarding suitably priced dwellings available for inspection, sale or rental, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~national origin, or source of income.

e. Providing false or inaccurate information regarding the availability of a dwelling for sale or rental to any person, including testers, regardless of whether such person is actually seeking housing, because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~national origin, or source of income.

G. Blockbusting.

1. It shall be unlawful, for profit, to induce or attempt to induce a person to sell or rent a dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular race, color, religion, sex, gender identity, sexual orientation, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~national origin, or source of income, or with a disability.

2. In establishing a discriminatory housing practice under this section it is not necessary that there was in fact profit as long as profit was a factor for engaging in the blockbusting activity.

3. Prohibited actions under this section include, but are not limited to:

a. Engaging, for profit, in conduct (including uninvited solicitations for listings) which conveys to a person that a neighborhood is undergoing, or is about to undergo, a change in the race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~national origin, or source of income of persons residing in it, in order to encourage the person to offer a dwelling for sale or rental.

b. Encouraging, for profit, any person to sell or rent a dwelling through assertions that the entry or prospective entry of persons of a particular race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~national origin, source of income, or with disabilities, can or will result in undesirable consequences for the project, neighborhood or community, such as a lowering of property values, an increase in criminal or antisocial behavior, or a decline in the quality of schools or other services or facilities.

* * *

1.29.140 Interference, coercion or intimidation.

A. Prohibited Interference, Coercion or Intimidation.

1. It shall be unlawful to coerce, intimidate, threaten, or interfere with any person in the exercise or enjoyment of, or on account of that person having exercised or enjoyed, or on account of that person having aided or encouraged any other person in the exercise or enjoyment of, any right granted or protected by this section.

2. Conduct made unlawful under this section includes, but is not limited to, the following:

a. Coercing a person, either orally, in writing, or by other means, to deny or limit the benefits; provided, that person in connection with the sale or rental of a dwelling or in connection with a residential real estate-related transaction because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~national origin, or source of income.



b. Threatening, intimidating or interfering with persons in their enjoyment of a dwelling because of the race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income of such persons, or of visitors or associates of such persons.

c. Threatening an employee or agent with dismissal or an adverse employment action, or taking such adverse employment action, for any effort to assist a person seeking access to the sale or rental of a dwelling or seeking access to any residential real estate-related transaction, because of the race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or source of income of that person or any person associated with that person.

d. Intimidating or threatening any person because that person is engaging in activities designed to make other persons aware of, or encouraging such other persons to exercise, rights granted or protected by this section.

e. Retaliating against any person because that person has made a complaint, testified, assisted, or participated in any manner in a proceeding under Chapter 1.29 of the City of Tacoma Law Against Discrimination, as amended.

* * *



ORDINANCE NO. 28559

1 AN ORDINANCE relating to rental housing; amending Title 1 of the Tacoma
2 Municipal Code, Administration and Personnel, by the addition thereto of a
3 new Chapter 1.95, to be known and designated as the "Rental Housing
4 Code," to increase the number of days a landlord must give a tenant before
5 terminating a tenancy; require additional notification for increased rent in
6 certain circumstances; require landlords to pay tenant relocation assistance
7 in certain circumstances; and require landlords to provide tenants with
8 information relevant to the rental agreements, landlords, and rental
9 properties; amending TMC 1.23.050 to update the name of Chapter 1.95
10 therein; and declaring an effective date of February 1, 2019.

11 WHEREAS, in April 2018, Chapter 1.95 of the Tacoma Municipal
12 Code ("TMC"), Tenant Rights Code, was enacted, which required a 90-day notice
13 period in the event of demolition, substantial rehabilitation, or conversion to another
14 use of a rental property, and

15 WHEREAS the current Tenant Rights Code, which offers limited protection
16 to tenants, is set to expire on January 31, 2019, and

17 WHEREAS the Tacoma rental market is changing and the current state law
18 does not adequately support this change; as a result, the City has a need for more
19 proactive approaches to prevent increases in the homeless population, and

20 WHEREAS, since the Tenant Rights Code was enacted, City staff has
21 researched a range of tenant protections in other local jurisdictions and tenant
22 relocation assistance provisions authorized by state law, and

23 WHEREAS a new, comprehensive Rental Housing Code will offer better
24 protections for tenants and provide specific guidance to landlords, and

25 WHEREAS the Rental Housing Code was developed by using data from the
26 City's Landlord-Tenant Program, feedback received from Citizens Forums and City



Council meetings, and a stakeholder group consisting of tenants, landlords, and legal representatives of both landlords and tenants, and

WHEREAS the proposed revised Rental Housing Code includes a 120-day notice to vacate and relocation assistance for low-income tenants, authorized by RCW 59.18.440, when a landlord intends to change the use, substantially rehabilitate, or demolish a dwelling unit; a 60-day notice to vacate for no-cause eviction; codifies relocation assistance when the City declares building uninhabitable, as authorized by RCW 59.18.085; a 60-day notice requirement for an increase in rent; a requirement that landlords distribute certain information; prohibits retaliation; allows installment payments for various deposits and fees; and provides authority to enforce violations, and

WHEREAS, on October 2, 2018, the City held a public hearing to receive public testimony on the relocation expenses displaced tenants would reasonably incur in the City, and

WHEREAS the public testimony and research by the City regarding the costs of relocating support a tenant relocation assistance program for low-income tenants in certain situations, and

WHEREAS the average move-in and relocation costs in the City of Tacoma are \$2,542 for a studio apartment and \$2,866 for a one bedroom apartment, which includes first and last months' rent, security deposit, utility deposit and truck rental, and

WHEREAS, since the existing Tenant Rights Code is set to expire on January 31, 2019, staff is recommending that the proposed revised Rental Housing



Code become effective February 1, 2019; a delayed effective date will also allow
adequate time for outreach and training to City of Tacoma housing providers,
tenants and community partners, and

WHEREAS staff recommends using existing staff from the City's
Employment Standards program, along with the Landlord Tenant Coordinator, to
support this program, and

WHEREAS the proposed 2019-2020 Biennial Budget includes \$200,000 for
relocation assistance support, and

WHEREAS the Employment Standards program is budgeted through 2019,
and staff is recommending that this program be evaluated for continued funding
during the mid-biennium budget adjustment, and

WHEREAS, additionally, the Hearing Examiner, pursuant to TMC 1.23, is
authorized to hear Tenant Rights Code; in order for the Hearing Examiner to be
able to consider appeals under the new Rental Housing Code, it is necessary to
amend TMC 1.23.050 to correct the name of TMC 1.95 therein; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Title 1 of the Tacoma Municipal Code, Administration and
Personnel, is hereby amended by the addition thereto of a new Chapter 1.95, to be
known and designated as the "Rental Housing Code," effective February 1, 2019,
as set forth in the attached Exhibit "A." The effective date of TMC 1.95.060, "Notice
to increase rent requirements," shall become effective ten days after publication of



the ordinance, provided no penalties shall be imposed for any violation of this section prior to February 1, 2019.

Section 2. That Chapter 1.23 of the Tacoma Municipal Code is hereby amended, effective February 1, 2019, as set forth in the attached Exhibit "B."

Section 3. That the City Manager shall direct City staff to develop meaningful baselines and reporting, and provide periodic reviews to the City Council Community Vitality and Safety Committee, or the full City Council, and to stakeholders regarding the impact of the Rental Housing Code, so that changes can be made to protect both the rental market or tenants' rights, if so warranted.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT “A”

TITLE 1 ADMINISTRATION AND PERSONNEL

Chapters:

* * *

Chapter 1.90 Local Employment and Apprenticeship Training Program

Chapter 1.95 Rental Housing Code

* * *

Chapter 1.95 RENTAL HOUSING CODE

Sections:

1.95.010 Purpose and Intent.

1.95.020 Definitions.

1.95.030 Distribution of information required.

1.95.040 Deposit requirements and installment payments permitted.

1.95.050 Notice requirement generally—reasonable accommodation request.

1.95.060 Notice to increase rent requirements.

1.95.070 Notice to vacate requirements.

1.95.080 Tenant relocation assistance

1.95.090 Compliance and enforcement.

1.95.100 Severability.

1.95.010 Purpose and Intent. The purpose of this chapter is to establish regulations supporting the topic of increasing housing security, and to establish standards and enforcement mechanisms as they relate to rental housing within the City limits of Tacoma.

It is the City’s intent to continue its long-term commitment to maintain vibrant and diverse neighborhoods within Tacoma. The regulations contained in this chapter balance the needs of the landlord, tenant, and the City while creating a partnership to ensure safe, healthy, and thriving rental housing in Tacoma. The City recognizes that the renting of residential property is a commercial venture where owners and landlords must evaluate risk, profit, and loss. Providing housing for Tacoma residents directly impacts quality of life at the most basic level, and therefore requires regulations to ensure that it is equitably undertaken. This chapter strives to ensure housing security for current and future residents, and addresses potential retaliation against tenants who make complaints about housing conditions.

1.95.020 Definitions. Unless the context clearly requires otherwise, the definitions in this section apply throughout this chapter:

“Assisted housing development” means a multifamily rental housing development that either receives government assistance and is defined as federally assisted housing in RCW 59.28.020, or that receives other federal, state, or local government assistance and is subject to use restrictions.

“Change of use” means the conversion of any dwelling unit from a residential use to a nonresidential use; conversion from one type residential use to another type residential use, such as



1 a conversion to a retirement home, emergency shelter, transient hotel, or short-term rental as
2 defined in Tacoma Municipal Code ("TMC") 13.06.700; the removal of use restrictions, including
3 those in an assisted housing development; provided that an owner displacing a tenant so that the
4 owner or immediate family member can occupy the rental dwelling unit shall not constitute a
5 change of use. Any "change of use" are provided herein requires displacement of a tenant.

6 "Days" means calendar days unless otherwise provided.

7 "Demolition" means the destruction of any dwelling unit. Any "demolition" as provided herein
8 requires displacement of a tenant.

9 "Director" means the Director of the City of Tacoma Neighborhood and Community Services
10 Department, or the Director's designee.

11 "Displacement" or "displaced" means the demolition, substantial rehabilitation, or change of use
12 requiring existing tenants to vacate the dwelling unit, but shall not include the relocation of a tenant
13 from one dwelling unit to another dwelling unit with the tenant's consent.

14 "Dwelling unit" means a structure or part of a structure used as a home, residence, or sleeping place
15 by one, two, or more persons maintaining a common household, including, but not limited to,
16 single-family residences and multiplexes, apartment buildings, and mobile homes.

17 "Housing costs" means the compensation or fees paid or charged, usually periodically, for the use
18 of any property, land, buildings, or equipment for residential purposes. For purposes of this chapter,
19 housing costs include the basic rent charge, but do not include utility charges that are based on
20 usage and that the tenant has agreed in the rental agreement to pay, unless the obligation to pay
21 those charges is itself a change in the terms of the rental agreement.

22 "Immediate family member" includes the spouse or domestic partner, dependent children, and other
23 dependent relatives.

24 "Landlord" means a landlord as defined in and within the scope of RCW 59.18.030 and
25 RCW 59.18.040 of the Residential Landlord-Tenant Act of 1973 ("RLTA") in effect at the time the
26 rental agreement is executed. As of the effective day of this ordinance, the RLTA defines
27 "landlord" as "the owner, lessor, or sublessor of the dwelling unit or the property of which it is a
28 part, and in addition means any person designated as representative of the owner, lessor, or
29 sublessor including, but not limited to, an agent, a resident manager, or a designated property
30 manager."

31 "Non-refundable move-in fees" means non-refundable payment paid by a tenant to a landlord to
32 cover administrative, pet, or damage fees, or to pay for cleaning of the dwelling unit upon
33 termination of the tenancy, but does not include payment of a holding fee authorized by
34 RCW 59.18.253(2).

35 "Owner" means one or more persons, or entities, jointly or severally, in whom is vested:

36 A. All or any part of the real title to property; or

37 B. All or part of the beneficial ownership, and a right to present use and enjoyment of the property.

38 "Rental agreement" means a rental agreement as defined in and within the scope of RCW 59.18.030
39 and RCW 59.18.040 of the state RLTA in effect at the time the rental agreement is executed. As of
40 the effective day of this ordinance, the state RLTA defines "rental agreement" as "all agreements
41 which establish or modify the terms, conditions, rules, regulations, or any other provisions
42 concerning the use and occupancy of a dwelling unit."

43 "Security deposit" means a refundable payment or deposit of money, however designated, the
44 primary function of which is to secure performance of a rental agreement or any part of a rental
45 agreement. "Security deposit" does not include a fee.



1 "Substantial rehabilitation" means extensive structural repair or extensive remodeling and requires
2 a building, electrical, plumbing, or mechanical permit for the tenant's dwelling unit at issue. Any
3 "substantial rehabilitation" as provided herein requires displacement of a tenant.

4 "Tenant" means any person who is permitted to occupy a dwelling unit primarily for living or
5 dwelling purposes under a rental agreement and includes those persons who are considered to be
6 tenants under the state RLTA, chapter 59.18 RCW and those tenants whose living arrangements are
7 exempted from the state RLTA under RCW 59.18.040(3). For purposes of this chapter, "tenant"
8 shall not include the owner of a dwelling unit or members of the owner's immediate family.

9 **1.95.030 Distribution of information required.**

10 **A. Distribution of resources by landlord.**

11 1. At the time a prospective tenant applies to reside in a dwelling unit, the landlord shall provide the
12 prospective tenant with the landlord's written rental criteria and, once created by the City, with a
13 City of Tacoma informational website address designated by the City for the purpose of providing
14 information about the property and its landlord, which may include, but is not limited to, local code
15 enforcement information relating to properties within City limits, findings or settlements related to
16 housing discrimination against the landlord pursuant to TMC 1.29, Human Rights Commission, and
17 a website address for the Washington Secretary of State for the purpose of providing information on
18 how to register to vote or change their address, if the individual is already registered to vote.

19 2. In the event a prospective tenant cannot reasonably access the internet and at their request, a
20 landlord shall provide the prospective tenant a paper copy of the property and landlord information
21 that can be found on the website identified above.

22 **B. Distribution of information packets by landlord.**

23 1. The Director shall prepare and update as necessary, summaries of this chapter, the Minimum
24 Buildings and Structures Code (TMC 2.01), state RLTA (RCW 59.18), Forcible Entry and Forcible
25 and Unlawful Detainer (RCW 59.12), and Fair Housing laws, describing the respective rights,
26 obligations, and remedies of landlords and tenants, including information about legal resources
27 available to tenants.

28 2. A landlord shall provide a copy of the summaries prepared by the Director to any tenant or
29 prospective tenant when a rental agreement is offered, whether or not the agreement is for a new or
30 renewal agreement.

31 3. Where there is an oral rental agreement, the landlord shall give the tenant copies of the
32 summaries described herein, either before entering into the oral rental agreement or as soon as
33 reasonably possible after entering into the oral rental agreement.

34 4. For existing tenants, landlords shall, within 30 days after the summaries are made available by
35 the City, distribute current copies of the summaries to existing tenants.

36 5. The initial distribution of information to tenants must be in written form and landlords shall
37 obtain the tenant's signature documenting tenant's receipt of such information. If a tenant refuses to
38 provide a signature documenting the tenant's receipt of the information, the landlord may draft a
39 declaration stating when and where the landlord provided tenant with the required information.
40 After the initial distribution of the summaries to tenants, a landlord shall provide existing tenants
41 with updated summaries by the City, and may do so in electronic form unless a tenant otherwise
42 requests written summaries.

43 6. The packet prepared by the Director includes informational documents only, and nothing in the
44 summaries therein shall be construed as binding on or affecting any judicial determination of the
45 rights and responsibilities of landlords and tenants, nor is the Director liable for any misstatement
46 or misinterpretation of the applicable laws.



C. Notice of resources. A landlord is required to provide a copy of a resource summary, prepared by the City, to any tenant when the landlord provides a notice to a tenant under RCW 59.12.030.

1.95.040 Deposit requirements and installment payments permitted.

A. Installment payments, generally. Upon a tenant's written request, tenants may pay security deposits, non-refundable move-in fees, and/or last month's rent in installments as provided herein; except that the tenant cannot elect to pay the security deposit and non-refundable move-in fees in installments if (1) the total amount of the security deposit and nonrefundable move-in fees does not exceed 25 percent of the first full month's rent for the tenant's dwelling unit; and (2) payment of last month's rent is not required at the inception of the tenancy. Landlords may not impose any fee, charge any interest, or otherwise impose a cost on a tenant because a tenant elects to pay in installments. Installment payments are due at the same time as rent is due. All installment schedules must be in writing, signed by both parties.

B. Fixed-term tenancies for three months or longer. For any rental agreement term that establishes a tenancy for three months or longer, the tenant may elect to pay the security deposit, non-refundable move-in fees, and last month's rent, excluding any payment made by a tenant to the landlord prior to the inception of tenancy to reimburse the landlord for the cost of obtaining a tenant screening report, in three consecutive, equal monthly installments that begin at the inception of the tenancy.

C. Month-to-month or two-month tenancy. For any rental agreement term that establishes a tenancy from month-to-month or two months, the tenant may elect to pay the security deposit, non-refundable move-in fees, and last month's rent, excluding any payment made by a tenant to the landlord prior to the inception of tenancy to reimburse the landlord for the cost of obtaining a tenant screening report, in two equal installments. The first payment is due at the inception of the tenancy, and the second payment is due on the first day of the second month or period of the tenancy.

D. A tenant's failure to pay a security deposit, non-refundable move-in fees, and last month's rent according to an agreed payment schedule is a breach of the rental agreement and subjects the tenant to a ten-day notice pursuant to RCW 59.12.030(4), and shall mean that the entire amount of any outstanding payments shall become due when the next rent payment is due, unless otherwise agreed to in writing by the landlord and tenant.

E. Paying in installments does not apply to a landlord obtaining a tenant screening report, which report cost paid by the tenant shall be limited to the standard and actual cost of the tenant screening report.

F. No security deposit may be collected by a landlord unless the rental agreement is in writing and a written checklist or statement specifically describing the condition and cleanliness of or existing damages to the premises and furnishings, including, but not limited to, walls, floors, countertops, carpets, drapes, furniture, and appliances, is provided by the landlord to the tenant at the beginning of the tenancy. The checklist or statement shall be signed and dated by the landlord and the tenant, and the tenant shall be provided with a copy of the signed checklist or statement.

G. A landlord must place any required security deposit in a trust account and provide a written receipt and notice of the name, address, and location of the depository and any subsequent change thereof to the tenant, in compliance with the requirements of RCW 59.18.270.

H. Nothing in this Chapter 1.95 prohibits a landlord from bringing an action against a tenant to recover sums exceeding the amount of the tenant's security deposit for damage to the dwelling unit for which the tenant is responsible. The landlord may seek attorney's fees for such an action as authorized by chapter 59.18 RCW.



1 **1.95.050 Notice requirement generally – reasonable accommodation request.** A landlord shall
2 review and comply with all reasonable accommodation requests, as required in TMC 1.29.120.D,
3 received from a tenant related to the service of any notice required by this chapter.

4 **1.95.060 Notice to increase rent requirements.** A landlord is required to provide a minimum of
5 60 days' prior written notice whenever the periodic or monthly housing costs to be charged a tenant
6 will increase by any amount over the periodic or monthly rental rate charged the same tenant for the
7 same housing unit, unless the fixed lease agreement includes agreed-upon rent increases during the
8 term of the tenancy or agreement.

9 **1.95.070 Notice to vacate requirements.**

10 A. The notice requirements provided in this subsection apply when premises are rented with
11 monthly or other periodic tenancy and apply before the expiration of a fixed-term lease, unless the
12 lease automatically converts to a month-to-month or periodic tenancy at the end of its expiration.

13 B. Requirement for notice to tenant when tenant displaced. When a tenant is to be displaced, a
14 landlord may only terminate the tenancy by providing a tenant with written notice of at least
15 120 days preceding the end of the month or period of tenancy. For any notice provided under this
16 subsection, the landlord shall also serve at the same time the Tenant Relocation Information Packet
17 and further comply with the Tenant Relocation Assistance requirements in TMC 1.95.080.B.

18 C. Requirement for notice to tenant for no cause termination. Unless provided otherwise under
19 federal or state law applicable to low-income or affordable housing programs or under subsection B
20 above, a landlord may only terminate a tenancy for no cause by providing the tenant written notice
21 of at least 60 days preceding the end of the month or period of tenancy. Notices that are exempt
22 from this subsection include, but are not limited to, three-day notice to pay or vacate, three-day
23 notice for waste or nuisance, or ten-day notice to comply with the terms of the rental agreement or
24 vacate.

25 C. Notice requirements, generally.

26 1. Notices provided in this section shall comply with RCW 59.12.040, as it exists and as hereinafter
amended.

2. The notice shall list the name of the tenant and the dwelling unit number.

3. Proof of any service under this section must be made by the affidavit or declaration of the person
providing the notice. When a copy of the notice is sent through the mail as provided in this section,
service shall be deemed complete when such copy is deposited in the United States mail.

D. Tenant meeting. A tenant who receives a 120-day notice as provided herein may request an
in-person meeting with the landlord to discuss the upcoming termination. If such request is made,
the landlord shall schedule, notify tenants in writing, and hold such a meeting within 20 days of
such request, at a time and location reasonably convenient for the parties. A landlord may schedule
and hold one meeting for multiple tenants and requests. A landlord holding such meeting at a
reasonable time and location shall meet the requirements herein, regardless of whether the impacted
tenants attend.

E. The notices required herein do not apply when:

1. A landlord terminates for nonpayment of rent or for other cause allowed by the state RLTA,
chapter 59.18 RCW, or the Forcible Entry and Forcible and Unlawful Detainer Act,
chapter 59.12 RCW; or

2. A landlord is required to repair the dwelling unit due to a violation of the Minimum Building and
Structures Code, TMC 2.01.050, and is found to be either derelict or unfit.



1.95.080 Tenant relocation assistance.

A. Tenant relocation assistance for condemned or unlawful dwelling. Landlords are required to comply with the relocation assistance and related requirements pursuant to RCW 59.18.085, Rental of condemned or unlawful dwelling – Tenant’s remedies – Relocation assistance – Penalties.

B. Tenant relocation assistance for low-income tenants when residential property demolished, substantially rehabilitated, or upon the change of use.

1. When tenant relocation assistance applies. This section shall apply to low-income tenants when a notice is required under TMC 1.95.070.B, except as otherwise expressly required by state or federal law, and with the exception of displacement of tenants from the following:

a. Any dwelling unit demolished or vacated because of damage caused by an event beyond the landlord’s control, including that caused by fire, civil commotion, malicious mischief, vandalism, tenant waste, natural disaster, or other destruction;

b. Any dwelling unit ordered vacated or demolished pursuant to TMC 2.01.050, Minimum Building and Structures Code, because of damage within the landlord’s control;

c. Any dwelling unit owned or managed by the Tacoma Housing Authority;

d. Any dwelling unit located inside the boundaries of a major educational institution which is owned by the institution and which is occupied by students, faculty, or staff of the institution;

e. Any dwelling unit for which relocation assistance is required to be paid to the tenants pursuant to another state, federal, or local law; and

f. Any dwelling unit functioning as emergency or temporary shelter for homeless persons (whether or not such persons have assigned rooms or beds, and regardless of duration of stay for any occupant) operated by a nonprofit organization or public agency owning, leasing, or managing such dwelling unit.

2. Tenant Relocation Information Packet. When a landlord intends to displace a tenant, prior to the landlord providing the notice outlined in TMC 1.95.070.B, the landlord shall obtain from the City one Tenant Relocation Information Packet for each dwelling unit where tenants will be displaced. The Tenant Relocation Information Packet shall contain the following:

a. A Relocation Assistance Certification Form with instructions for its submission to the Director; and

b. A description of the relocation benefits potentially available to eligible tenants.

3. Delivery of Tenant Relocation Information Packet. When a landlord serves the notice required under TMC 1.95.070.B, the landlord shall also deliver a Tenant Relocation Information Packet to each dwelling unit where the tenants will be displaced.

4. Within 20 days of providing the Tenant Relocation Information Packet to tenants, the landlord shall provide the Director with a list of names of the legal tenants and number of dwelling units for the dwelling units at issue.

5. Tenant eligibility for relocation assistance. Low-income tenants who are parties to a rental agreement for the dwelling unit may be eligible for relocation assistance only if the tenant to be displaced resides in a dwelling unit at issue when the landlord delivers the Tenant Relocation Assistance Packet. As used in this section, “low-income tenants” means tenants whose combined total income per dwelling unit is at or below 50 percent of the median income, adjusted for family size, in Pierce County.

6. Tenant income verification.

a. Within 20 days after the date of delivery of the Tenant Relocation Information Packet, each displaced legal tenant of a dwelling unit wanting to apply for relocation assistance must submit to



1 the Director a signed and completed Relocation Assistance Certification Form certifying the
2 names and addresses of all occupants of the dwelling unit, the total combined annual income of
3 the legal occupants of the dwelling unit for the previous calendar year, the total combined income
4 of all of the adult occupants for the current calendar year, and any other information that the
5 Director may require to determine eligibility for this program. A tenant who, with good cause, is
6 unable to return the certification form within 20 days may, within 20 days after the date of
7 delivery of the Tenant Relocation Information Packet, submit to the Director a written request for
8 an extension of time which details the facts supporting the claim of “good cause.” If the request is
9 submitted within the 20-day period and the facts constitute good cause in accordance with rules
10 adopted pursuant to this chapter, the deadline for submission of the Relocation Assistance
11 Certification Form may be extended by the Director another 20 days. The Director shall review
12 the request and notify the tenant and landlord if an extension has been granted within ten business
13 days.

14 b. If information submitted by a tenant on a Relocation Assistance Certification Form is
15 incomplete or appears to be inaccurate, the Director may require the tenant to submit additional
16 information to establish eligibility for relocation assistance.

17 c. Any tenant who fails or declines the opportunity to submit the Relocation Assistance
18 Certification Form, who refuses to provide the information in a timely manner as required, or
19 who is found to have intentionally misrepresented any material information regarding income or
20 eligibility to relocation benefits, shall not be eligible for relocation assistance under this chapter.

21 7. Relocation assistance verification. Within 14 days of the Director’s receipt of the signed
22 Relocation Assistance Certification Forms from all tenants who are parties to a rental agreement
23 in a dwelling unit, or within 14 days of the expiration of the same tenants’ 20-day period for
24 submitting signed Relocation Assistance Certification Forms to the Director, whichever occurs
25 first, the Director shall send to each dwelling unit household who submitted a signed certification
26 form and to the landlord, by both regular United States mail and certified mail, return receipt
requested, a notice stating whether the dwelling unit’s certification form indicates eligibility for
relocation assistance.

27 8. Relocation assistance payments.

28 a. Low-income tenants who are displaced, who comply with the requirements of this chapter, and
29 are determined to be eligible by the Director, may receive a total relocation assistance payment of
30 \$2,000 for their eligible dwelling unit. The amount of relocation assistance shall be adjusted
31 annually on or before January 1 by the percentage amount of change in the housing component of
32 the Consumer Price Index, as published by the United States Department of Labor, Bureau of
33 Labor Statistics. The relocation assistance payment shall be in addition to the refund from the
34 landlord of any deposits or other sums to which the tenant is lawfully qualified to receive.

35 b. The landlord that is displacing a tenant is responsible for payment of one-half of the total
36 amount of relocation assistance due to eligible tenants pursuant to this chapter and the City is
37 responsible for one-half the relocation assistance due to eligible tenants pursuant to this chapter.

38 c. A tenant may be eligible to obtain a relocation assistance payment only after receipt of a notice
39 from the Director of eligibility for tenant relocation assistance or, if an appeal was taken as
40 outlined herein, after receipt of a final unappealed decision from the Hearing Examiner or a court
41 that the tenant is eligible for relocation assistance.

42 d. An eligible tenant may obtain the relocation assistance payment by completing a request for
43 relocation assistance. The Director shall notify the landlord obligated to pay such relocation
44 assistance of the request. Within 21 days after submission of the tenants’ request to the Director,
45 the landlord and the City shall provide eligible tenants who will be displaced with their portion of



the relocation assistance. A landlord must submit written proof to the City that it provided the eligible tenants with the required payment within five business days of such payment.

9. Appeal.

a. Either the tenant or the landlord may file an appeal with the Hearing Examiner, pursuant to TMC Chapter 1.23, of the Director's determination of the tenant's eligibility for relocation assistance or to resolve a dispute between the parties relating to unlawful detainer actions during relocation. An appeal regarding eligibility for relocation assistance shall be filed within ten days after the landlord or tenant receives the Director's notice of tenant eligibility. All requests for an appeal shall be in writing and shall clearly state specific objections and the relief sought, and shall be filed with the City Clerk. A record shall be established at the hearing before the Hearing Examiner. Appeals shall be considered de novo. The Hearing Examiner shall issue a decision within 30 days of a request for a hearing by either the tenant or landlord.

b. Judicial review of an administrative hearing decision relating to relocation assistance may be made by filing a petition in Pierce County Superior Court within ten days of the Hearing Examiner's decision. Judicial review shall be confined to the record of the administrative hearing and the court may reverse the decision only if the administrative findings, inferences, conclusions, or decision is:

(1) In violation of constitutional provisions;

(2) In excess of the authority or jurisdiction of the administrative hearing officer;

(3) Made upon unlawful procedure or otherwise is contrary to law; or

(4) Arbitrary and capricious.

10. If the City makes no appropriation to support this relocation assistance program in this subsection TMC 1.95.080.B, then neither the landlord nor the City shall be subject to the relocation assistance requirements for low-income tenants, and tenants shall not be entitled to relocation assistance as otherwise provided.

1.95.090 Compliance and enforcement.

A. Compliance.

1. Any rental agreement or renewal of a rental agreement in a residential unit in the City of Tacoma entered into after February 1, 2019, shall include, or is deemed to include, a provision requiring the provisions outlined in this chapter.

2. A landlord is prohibited from engaging in reprisals or retaliatory actions pursuant to RCW 59.18.240 and 59.18.250, as they exist or are hereinafter amended, including reprisals or retaliatory actions against a tenant's good faith and lawful rights to organize.

3. Pursuant to provisions of the state RLTA (Chapter 59.18 RCW), landlords may not evict residential tenants without a court order, which can be issued by a court only after the tenant has an opportunity in a show cause hearing to contest the eviction (RCW 59.18.380).

a. In addition to any other legal defense a tenant may have, it is an additional affirmative defense to an unlawful detainer action that a landlord failed to:

(1) Give a 120-day or 60-day "no cause" notice to a monthly or periodic tenant as provided in Section 1.95.070, with service conforming with RCW 59.12.040, prior to the end of such month or period, unless a different for cause notice period is specifically authorized by law; or

(2) Provide relocation assistance in a timely manner as provided in Sections 1.95.080 or 1.95.090.

b. Any rental agreement provision which waives or purports to waive any right, benefit or entitlement created by this section shall be deemed void and of no lawful force or effect.



4. Joint and Several Responsibility and Liability. Responsibility for violations subject to enforcement under this chapter is joint and several, and the City is not prohibited from taking action against a person where other persons may also be potentially responsible persons, nor is the City required to take action against all potentially responsible persons.

B. Rebuttable Presumption.

1. If a landlord provides a 60-day notice to vacate under TMC 1.95.070.C, and within 90 days after the tenant vacates the dwelling unit, the landlord commences activity to demolish or substantially rehabilitate or change the use of the dwelling unit, the City shall presume that the landlord intended to avoid the 120-day notice to terminate requirement in TMC 1.95.070.B.

2. To overcome the presumption in subsection B.1, the landlord must demonstrate by a preponderance of evidence that either the termination was due to proper cause or, in the case of substantial rehabilitation, that the tenant left the dwelling uninhabitable such that substantial rehabilitation was necessary to rent the dwelling.

C. Powers and duties of the Director.

1. The Director is authorized to enforce this chapter and may promulgate rules and regulations consistent with this chapter, provided that the Director shall hold one or more public hearings prior to adoption of final rules and regulations.

2. The Director shall attempt to settle by agreement any alleged violation or failures to comply with the provisions of this chapter; provided that nothing herein shall create a right or entitlement of a landlord to settlement by agreement.

3. The Director is authorized to request records from landlord and the landlord shall allow the Director access to such records, as well as a complete roster of tenants names and contact information, when requested, with at least five business days' notice and at a mutually agreeable time, to investigate potential violations of the requirements of this chapter.

E. Notice of Violation.

1. If a violation of this chapter occurs, the Director shall issue a Notice of Violation. A Notice of Violation shall include:

a. The street address or a description of the building, structure, premises, or land in terms reasonably sufficient to identify its location where the violation occurred;

b. A description of the violation and a reference to the provisions of this chapter which have been violated;

c. A description of the action required to comply with the provisions of this chapter;

d. A statement that the landlord to whom a Notice of Violation is directed may request a hearing. Such request for hearing must be submitted in writing and must be received by the City Clerk no later than ten days after the Notice of Violation has been issued;

e. A statement that penalties will accrue as provided in this chapter;

f. An Advisory Letter to provide the Landlord with a timeline of the process and an invitation to conciliate.

2. The Notice of Violation shall be delivered, in writing, to the person to whom the Notice of Violation is issued by personal delivery or first-class mail.

F. Civil Penalties.

1. Any person violating a provision of this chapter shall be subject to the penalties as outlined below.

a. For a violation of Distribution of information required (TMC 1.95.030), Deposit requirements and installment payments (TMC 1.95.040), Notice requirement generally (TMC 1.95.050), or



Notice to increase rent requirements (TMC 1.95.060), a landlord shall be subject to the following penalties:

(1) For the first violation for each affected dwelling unit, \$500; and

(2) For each affected dwelling unit for each subsequent violation within a three-year period, \$1,000.

b. For a violation of a Notice to vacate (TMC 1.95.070), Tenant Relocation Assistance (TMC 1.95.080), and Retaliation prohibited (TMC 1.95.090.A.2), a landlord shall be subject to the following penalties:

(1) For each violation from the date the violation begins for the first ten days of noncompliance, \$250 per day, per dwelling unit;

(2) For each violation for each day beyond ten days of noncompliance until compliance is achieved, \$500 per day, per dwelling unit.

3. If the tenants have already relocated, but a violation of the notices required pursuant to Section 1.95.070 can be demonstrated by the City by a preponderance of the evidence, then any person violating any provision of this chapter shall be subject to a penalty in the amount of \$1,000 per dwelling unit for which the violation occurred.

4. The Director may waive or reduce the penalty if the landlord comes into compliance within ten days of the Notice of Violation or shows that its failure to comply was due to reasonable cause and not willful neglect. If the Director finds a willful violation of this chapter, which resulted in a Notice of Violation outlined above, the Director may issue a Penalty that shall be \$1,000.

5. Any civil penalties paid by the landlord shall be kept by the City.

F. Administrative Review by Director.

1. General. A person to whom a Notice of Violation or penalty is assessed may request an administrative review of the Notice of Violation or penalty.

2. How to request administrative review. A person may request an administrative review of the Notice of Violation or penalty by filing a written request with the Director within ten days from the date the Notice of Violation or penalty was issued. The request shall state, in writing, the reasons the Director should review the Notice of Violation or penalty. Failure to state the basis for the review in writing shall be cause for dismissal of the review. Upon receipt of the request for administrative review, the Director shall review the information provided. The City has the burden to prove a violation exists by a preponderance of the evidence.

3. Decision of Director. After considering all of the information provided, the Director shall determine whether a violation has occurred and shall affirm, vacate, suspend, or modify the Notice of Violation or penalty. The Director's decision shall be delivered, in writing, to the person to whom the notice of violation was issued by personal delivery or first-class mail.

H. Appeals to the Hearing Examiner of Director's Decision. Appeal of the Director's decision shall be made within ten days from the date of the Director's decision by filing a written notice of appeal, clearly stating the grounds that the appeal is based upon, with the Hearing Examiner, which appeal shall be governed by TMC 1.23.

1.95.100 Severability. If any provision or section of this chapter shall be held to be void or unconstitutional, all other parts, provisions, and sections of this chapter not expressly so held to be void or unconstitutional shall continue in full force and effect.



EXHIBIT "B"

1.23.050 Areas of jurisdiction.

* * *

B. In regard to the matters set forth below, the Examiner shall conduct adjudicative proceedings, maintain a record thereof, and enter findings of fact, conclusions of law, and a final decision or other order, as appropriate:

* * *

40. Appeals arising from violations of the Rental Housing~~Tenant Rights~~ Code (Chapter 1.95).