



Legislation Passed November 22, 2022

The Tacoma City Council, at its regular City Council meeting of November 22, 2022, 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. 41066

A resolution awarding a contract to Carahsoft Technology Corporation, in the amount of \$595,180.53, plus applicable taxes, budgeted from various departmental funds, to renew the City's Enterprise Smartsheet subscription license, for an initial contract period of three years, for a projected contract total of \$823,487.18 - Cooperative Contract No. GS-35F-0119Y.

[Brian Tetreault, Management Analyst III; Daniel Key, Director, Information Technology]

Resolution No. 41067

A resolution awarding contracts to the following contractors:

- Secoma Fence, Inc., in the amount of \$1,350,000, plus applicable taxes; and
- Quality Fence Builders, Inc., in the amount of \$1,350,000, plus applicable taxes; budgeted from various departmental funds, for on-call fencing services, for an initial contract period of one year, with the option to renew for three additional one-year periods, for a projected total of \$2,700,000 - Specification No. CT21-0699F.

[Patsy Best, Procurement and Payables Division Manager; Andy Cherullo, Director, Finance]

Resolution No. 41068

A resolution awarding a contract to Pacifica Law Group LLP, in the amount of \$3,000,000, plus applicable taxes, budgeted from various departmental funds, for bond counsel services for the City of Tacoma, including Tacoma Public Utilities, for an initial contract period of three years, with the option to renew for three additional one-year periods, for a projected contract total of \$3,000,000 - Specification No. LD22-0075F.

[Patsy Best, Procurement and Payables Division Manager; Andy Cherullo, Director, Finance]

Resolution No. 41069

A resolution directing the City Manager to support the Economic Development Committee in reviewing and suggesting recommendations on how to improve communications and better support local businesses.

[Mayor Woodards]

Ordinance No. 28842

An ordinance authorizing Tacoma Rail to update the Rail Rate Policy to include a Volume Investment Fund.

[Dale King, Rail Superintendent; Jackie Flowers, Director, Tacoma Public Utilities]

Ordinance No. 28843

An ordinance authorizing the reissuance of Tacoma Municipal Belt Line (TMBL) 8807 series freight switching tariff and TMBL 6004 series demurrage tariffs, effective January 1, 2023, and a switching tariff supplement, effective January 1, 2024.
[Dale King, Rail Superintendent; Jackie Flowers, Director of Utilities]

Ordinance No. 28844

An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, to add a new Section 12.06.176, entitled "Prepaid small general service - Schedule PB", to allow for payment of electric service in advance of usage, effective April 1, 2023.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

Ordinance No. 28845

An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, to add a new Section 12.06.374, entitled "Electric Vehicle Public Charging Provided by Tacoma Power - Schedule EVPC", to replace the existing fee structure of \$2 per five hours to \$0.21 per kilowatt hour, effective January 1, 2023.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

Ordinance No. 28846

An ordinance amending various sections of Chapters 12.01 and 12.06A of the Municipal Code, relating to Utility Charges and Electrical Code, to update language regarding fees and permitting requirements, effective April 1, 2023.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

Ordinance No. 28847

An ordinance amending Chapter 12.06 of the Municipal Code, relating to Electric Energy - Regulations and Rates, effective April 1, 2023, and April 1, 2024; amending Section 12.06.225, to remove an out-of-date contract requirement, effective April 1, 2023; and amending Section 12.06.300, to adjust the cost for additional poles for private off-street lighting, effective April 1, 2023.
[Ying Hall, Power Section Manager; Chris Robinson, Power Superintendent]

Ordinance No. 28848

An ordinance amending Chapter 12.10 of the Municipal Code, relating to Water - Regulations and Rates, for two rate system average adjustments, effective January 1, 2023, and January 1, 2024.
[Jodi Collins, Assistant Water Division Manager; Scott Dewhirst, Water Superintendent]

Ordinance No. 28849

An ordinance amending Chapter 12.09 of the Municipal Code, relating to Solid Waste, Recycling, and Hazardous Waste, to adjust the 2023 and 2024 rates and charges, effective January 1, 2023, and January 1, 2024.
[Michael P. Slevin III, P.E., Director, Environmental Services]

Ordinance No. 28850

An ordinance amending the Official Schedule of Stormwater Utility and Wastewater Utility Service Rates and Fees, effective January 1, 2023, and January 1, 2024.

[Michael P. Slevin III, P.E., Director, Environmental Services]

Ordinance No. 28851

An ordinance amending Subtitle 6A of the Municipal Code, relating to the Tax Code, by adding a new Chapter 6A.130, entitled “Local Solid Waste Customer Excise Tax”, to impose a local solid waste excise tax; and amending Section 6A.10.020, to update tax definitions, effective April 1, 2023.

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

Ordinance No. 28852

An ordinance authorizing an increase in the Ad Valorem general property tax revenue collection in terms of both dollars and percentage for the general property tax levy in 2023.

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

Ordinance No. 28853

An ordinance fixing the amount of the Ad Valorem tax levies necessary to identify the amount of the estimated revenues from property tax levies to match estimated expenditures for debt service and other funding requirements.

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

Ordinance No. 28854

An ordinance authorizing an increase for the Emergency Medical Services property tax levy in terms of both dollars and percentage.

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

Ordinance No. 28855

An ordinance fixing the amount of the Emergency Medical Services levy necessary to identify the amount of the estimated revenues from the property tax levy to match estimated expenditures for debt service and other funding requirements.

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

Substitute Ordinance No. 28856

A substitute ordinance adopting the 2023-2024 Biennial Operating Budget.

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

Ordinance No. 28857

An ordinance adopting the 2023-2028 Capital Facilities Program of the Comprehensive Plan, and adopting the 2023-2024 Capital Budget.

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

Ordinance No. 28858

An ordinance amending Title 8 of the Municipal Code, relating to Public Safety, by adding a new Chapter 8.180, entitled “Interference with Health Care Facilities or Providers”, to ensure public health and safety for persons seeking health care services.
[Council Member Diaz]

Ordinance No. 28859

An ordinance amending various chapters in Title 1, relating to Administration and Personnel; Title 6, relating to the Tax and License Code; and Title 16, relating to Cable Systems, Open Video Systems, Telecommunications Systems and Private Communications Systems of the Municipal Code, for protection against discrimination based on an individual’s actual, potential, perceived, or alleged pregnancy outcomes.
[Council Member Diaz]



RESOLUTION NO. 41066

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 Carahsoft Technology Corporation, in the amount of \$595,180.53, plus
4 applicable taxes, budgeted from various departmental funds, to renew the
5 City's Enterprise Smartsheet subscription license, for an initial contract
6 period of three years, for a projected contract total of \$823,487.18, pursuant
7 to Cooperative Contract No. GS-35F-0119Y.

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

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

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

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

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with Carahsoft Technology Corporation, in the amount of
20 \$595,180.53, plus applicable taxes, budgeted from various departmental funds, to
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1 renew the City's Enterprise Smartsheet subscription license, for an initial contract
2 period of three years, for a projected contract total of \$823,487.18, pursuant to
3 Cooperative Contract No. GS-35F-0119Y, consistent with Exhibit "A."
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5 Adopted _____
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8 Attest: Mayor

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11 City Clerk

12 Approved as to form:
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14 City Attorney
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RESOLUTION NO. 41067

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 Secoma Fence, Inc., in the amount of \$1,350,000, plus applicable taxes;
4 and to Quality Fence Builders, Inc., in the amount of \$1,350,000, plus
5 applicable taxes, budgeted from various departmental funds, for on-call
6 fencing services, for an initial contract period of one year, with the option to
7 renew for three additional one-year periods, for a projected total of
8 \$2,700,000, pursuant to Specification No. CT21-0699F.

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, Therefore,

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Section 2. That the proper officers of the City are hereby authorized to enter into a contract with Secoma Fence, Inc., in the amount of \$1,350,000, plus applicable taxes; and with Quality Fence Builders, Inc., in the amount of \$1,350,000, plus applicable taxes, budgeted from various departmental funds, for on-call fencing services, for an initial contract period of one year, with the option to renew for three additional one-year periods, for a projected total of \$2,700,000, pursuant to Specification No. CT21-0699F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 41068

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 Pacifica Law Group LLP, in the amount of \$3,000,000 plus applicable taxes,
4 budgeted from various departmental funds, for bond counsel services for
5 the City of Tacoma, including Tacoma Public Utilities, for an initial contract
6 period of three years, with the option to renew for three additional one-year
7 periods, for a projected contract total of \$3,000,000, pursuant to
8 Specification No. LD22-0075F.

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, Therefore,

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

16 Section 1. That the Council of the City of Tacoma concurs with the Board of
17 Contracts and Awards to adopt the recommendation for award as set forth in the
18 attached Exhibit "A."
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Section 2. That the proper officers of the City are hereby authorized to enter into a contract with Pacifica Law Group LLP, in the amount of \$3,000,000, plus applicable taxes, budgeted from various departmental Funds, for bond counsel services for the City of Tacoma, including Tacoma Public Utilities, for an initial contract period of three years, with the option to renew for three additional one-year periods, for a projected contract total of \$3,000,000, pursuant to Specification No. LD22-0075F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 41069

1 BY REQUEST OF MAYOR WOODARDS, AND COUNCIL MEMBERS BLOCKER,
2 DANIELS, AND WALKER

3 A RESOLUTION relating to economic development; directing the City Manager
4 to support the Economic Development Committee in reviewing and
5 suggesting recommendations on how to improve communications and
6 better support local businesses.

7 WHEREAS with the passage of Substitute Ordinance No. 28838 on
8 November 1, 2022, the City Council indicated it would refer the ordinance to the
9 Economic Development Committee ("EDC") and ask that they work with
10 stakeholders to make a recommendation to the full City Council by September 30,
11 2023, regarding the business license fees for 2025, as well as applicable tiers,
12 potential fees, and a process for adjustments to fees for the years following 2025,
13 and

14 WHEREAS in addition to the guidance provided by Substitute Ordinance
15 No. 28838, the City Council also indicated it would bring forward additional
16 legislation that would direct staff to work with the EDC to review and suggest
17 recommendations on how the City can improve communications and better
18 support local businesses and this proposed resolution would formalize that
19 direction, and

20 WHEREAS sponsors of Substitute Ordinance No. 28838 reworked that
21 ordinance to ensure that the City is working together with businesses to support
22 the whole community, and this resolution would build on that work to continue
23 partnerships with the business community, and
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1 WHEREAS additional community engagement should also be part of the
2 EDC's process in developing recommendations over the next year to further
3 involve both business and community stakeholders, and should include a
4 business climate survey sent to businesses in the City, and

6 WHEREAS the business climate survey can be done through existing
7 Community and Economic Development staff and information systems such as
8 business license registrations, or GovDelivery for no additional cost, and if the
9 EDC chooses to pursue a professional consultant and/or a more in-depth
10 process, and there is cost associated with the work then the EDC will work with
11 staff and/or consultants to develop questions to reduce such costs, and

13 WHEREAS this resolution would give the EDC an additional directive to
14 review how the City can improve communications and better support local
15 businesses, as well as how it uses revenues to support necessary community
16 services that also meet the particular needs of the business community, and

18 WHEREAS the EDC should not only ensure support to our business
19 community, but also that the City is prioritizing anti-racism in the evaluation of
20 new policies and programs which can have an acute impact on our most
21 marginalized communities, and

23 WHEREAS focusing on programs that support businesses and the
24 community will help improve the City's existing business development, as well
25 as improve the overall perception of safety and strength of our economy that
26



1 will attract new development and expansion of our current businesses; Now,

2 Therefore,

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

4 That the City Manager is hereby directed to support the Economic
5 Development Committee in reviewing and suggesting recommendations on how
6 to improve communications and better support local businesses, and the support
7 should include a business climate survey sent to businesses in the City.
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9 Adopted _____
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12 _____
13 Mayor

14 Attest:

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16 City Clerk

17 Approved as to form:

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19 City Attorney

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ORDINANCE NO. 28842

1 AN ORDINANCE relating to the Department of Public Utilities; authorizing
2 Tacoma Rail to update the Rail Rate Policy to include a Volume
Investment Fund.

3 WHEREAS Tacoma Rail's Rail Rate Policy was last updated January 1,
4 2016, and

5 WHEREAS due to the variability of the economy and shipping lines, railcar
6 volumes have the potential to deviate significantly from budgeted volumes, and

7 WHEREAS the proposed Rail Rate Policy amendment creates a Volume
8 Investment Fund, a sub fund in SAP, ("Fund") to provide a repository for operating
9 revenue surpluses due to unanticipated rail volume growth above budget, and
10

11 WHEREAS the Fund will provide revenue requirement flexibility during
12 times of unanticipated economic downturns or capital spending that may be used
13 to offset the necessity of rate increases, and

14 WHEREAS use of the Fund will be limited to workforce stability during
15 unanticipated economic downturns, locomotive upgrades, rail infrastructure and
16 grant or debt matching opportunities, and

17 WHEREAS to establish a balance to the sub-fund, an initial \$500,000 will
18 be transferred to the sub-fund from Tacoma Rail's 4500 enterprise fund when
19 created; the sub-fund will be tracked and reported to the Tacoma Public Utility
20 Board on a quarterly basis, and
21

22 WHEREAS it is in the best public interest to approve the update to the Rail
23 Rate Policy as recommended, and

24 WHEREAS, by adoption of Public Utility Board Resolution No. U-11329 on
25 June 29, 2022, the proposed amendment was approved, pending confirmation
26 from the City Council; Now, Therefore,



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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Section 2. That the proposed update to Tacoma Rail’s Rail Rate Policy to create a Volume Investment Fund, for the limited purposes of workforce stability during unanticipated economic downturns, locomotive upgrades, rail infrastructure and grant or debt matching opportunities, is approved in substantially the same form as on file with the Clerk.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No.11329



ORDINANCE NO. 28843

1 AN ORDINANCE relating to the Department of Public Utilities; authorizing the
2 reissuance of Tacoma Municipal Belt Line ("TMBL") 8807 series freight
3 switching tariff and TMBL 6004 series demurrage tariffs, effective January 1,
2023, and a switching tariff supplement, effective January 1, 2024.

4 WHEREAS Tacoma Rail's customers consist of local industries and other
5 railroads, and switching tariffs define the line haul and miscellaneous switching
6 charges allocated to the movement of railcars, and

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8 WHEREAS Tacoma Rail's Tacoma Municipal Belt Line ("TMBL") tariff rates
9 associated with unit train and other Tacoma interchanged line haul traffic were last
10 updated in 2022, and miscellaneous switching rates were last updated in 2021, and

11 WHEREAS Tacoma Rail's rates encapsulate cost of service practices, and
12 line haul rates are charged to the BNSF or Union Pacific railroads unless the
13 industry served or the shipper elects to pay the fees themselves, and

14
15 WHEREAS the switching tariff rate adjustments for 2023 include a system
16 average rate increase of 4.3 percent over current rates, a special switch rate
17 increase of \$85 to \$600, and a 3 percent increase to all miscellaneous switching
18 rates, and

19
20 WHEREAS the 2024 tariff supplement increases the line haul traffic rates by
21 a system average of 4.3 percent, and

22 WHEREAS demurrage is a federal requirement for railroads to charge for the
23 undo detention of railcars, and Tacoma Rail's demurrage tariff was last updated in
24 2018, and
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1 WHEREAS the proposed tariff increases the demurrage rate by \$5 per day,
2 for a total of \$65, and also adds Juneteenth as a holiday, and

3 WHEREAS Tacoma Rail provides railroad services to customers primarily
4 in the Port of Tacoma area, and its primary rate payers are BNSF Railway and
5 Union Pacific Railroad, and

6 WHEREAS the proposed tariff changes have been communicated through
7 public meetings and individual communications with customers, and

8 WHEREAS by adoption of Public Utility Board Resolution No. U-11358 on
9 October 26, 2022, the proposed amendment was approved, pending confirmation
10 from the City Council; Now, Therefore,

11 BE IT ORDAINED BY THE CITY OF TACOMA:

12 Section 1. That the proposed Tacoma Rail Tacoma Municipal Belt ("TMBL")
13 Line 8807 series freight switching tariff and TMBL 6004 series demurrage tariffs,
14 effective January 1, 2023, are adopted in substantially the form as on file in the
15 office of the City Clerk.
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Section 2. That the proposed tariff supplement with an effective date of January 1, 2024, is adopted in substantially the form as on file in the office of the City Clerk.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11358



ORDINANCE NO. 28844

1 AN ORDINANCE relating to Electric Energy; amending Chapter 12.06 of the
2 Municipal Code, "Electric Energy - Regulations and Rates," to add a new
3 Section 12.06.176, entitled "Prepaid small general service - Schedule PB," to
4 allow for payment of electric service in advance of usage, effective April 1,
5 2023.

6 WHEREAS Tacoma Power received inquiries from small general
7 customers about prepayment options after the residential prepayment was
8 launched in January 2021, and one of the anticipated benefits of the Advanced
9 Metering Infrastructure ("AMI") program currently underway is to allow the
10 provision of this type of rate option, and

11 WHEREAS this tariff will allow small general customers to elect to pay
12 for electric service in advance of usage as soon as AMI is installed, and will be
13 a voluntary rate option, and

14 WHEREAS many electric utility customers prefer to pay for electricity
15 before they use it, which allows for a better understanding of their electricity
16 use, budgeting for electricity expenses, and greater control over electricity
17 costs, and

18 WHEREAS the prepayment option is especially important for small
19 general customers with a tight budget and irregular cash flow, which may include
20 minority business owners without good credit resources; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 12.06 of the Municipal Code, "Electric Energy - Regulations and Rates," is hereby amended to add a new Section 12.06.176, entitled "Prepaid small general service - Schedule PB," to read as set forth in the attached Exhibit "A."

Section 2. That new Section 12.06.176, entitled "Prepaid small general service - Schedule PB" which will allow for payment of electric service in advance of usage, has an effective date of April 1, 2023.

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



EXHIBIT "A"

CHAPTER 12.06

ELECTRIC ENERGY – REGULATIONS AND RATES¹

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, 2022.*
- 12.06.165 Low-income/senior and/or low-income/disabled discount residential service – Schedule A-2. *Effective January 1, 2021.*
- 12.06.166 Prepaid residential service – Schedule PR. *Effective January 1, 2021.*
- 12.06.170 Small general service – Schedule B. *Effective April 1, 2022.*
- 12.06.176 Prepaid small general service – Schedule PB. *Effective April 1, 2023.*
- 12.06.180 *Repealed.*
- 12.06.190 *Repealed.*
- 12.06.210 *Repealed.*
- 12.06.215 General service – Schedule G. *Effective April 1, 2022.*
- 12.06.220 *Repealed.*
- 12.06.225 High voltage general service – Schedule HVG. *Effective April 1, 2022.*
- 12.06.240 *Repealed.*
- 12.06.250 *Repealed.*
- 12.06.260 Contract industrial service – Schedule CP. *Effective April 1, 2022.*
- 12.06.265 New large load service – Schedule NLL. *Effective April 1, 2022.*
- 12.06.270 *Repealed.*
- 12.06.280 *Repealed.*
- 12.06.290 Street lighting and traffic signal service – Schedule H-1. *Effective April 1, 2022.*
- 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, 2022.*
- 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.

¹ Prior legislation: Ords. 16486, 16718, 16729, 16979, 17181, 17335, 17652, 17740, 18074, 18121, 18378, 18379, 18577, 18654, 18705 and 19120.



- 12.06.340 Violations – Penalties – Enforcement.
12.06.350 Severability.
12.06.360 *Repealed.*
12.06.370 Renewable Energy Program.
12.06.371 Electric Vehicle Fast Charge – Schedule FC. *Effective January 1, 2019, to December 31, 2031.*
12.06.372 Shore power – Schedule SP. *Effective April 1, 2022.*
12.06.373 Electrofuel service pilot – Schedule EF. *Effective April 1, 2021.*

* * *

12.06.176 Prepaid small general service – Schedule PB. Effective April 1, 2023.

A. Availability. Available for nonresidential lighting, heating, and incidental power uses with Advanced Metering Infrastructure installed, subject to billing system availability. The customer's actual demand as determined by Tacoma Power may not exceed 50 kilovolt amperes or total connected load as estimated by Tacoma Power may not exceed 65 kilowatts upon initial service energization.

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

1. Energy: The energy rate of the otherwise applicable published rate schedule as set forth in Chapter 12.06.170 Small general service.

2. Delivery: The delivery rate of the otherwise applicable published rate schedule as set forth in Chapter 12.06.170 Small general service.

3. Customer Charge: Calculated on a daily basis, invoiced, and collected pursuant to the applicable customer service policies: The customer charge of the otherwise applicable published rate schedule as set forth in Chapter 12.06.170 Small general service, multiplied by 12, divided by 365, and rounded to the nearest cent.

C. Service Conditions.

1. The maximum allowable total connected motor rating is 7.5 horsepower (5.6 kilowatts), exclusive of motors of ¼ horsepower and under for standard plug-in applications.

2. At the option of Tacoma Power, a customer may be transferred to a demand-metered rate if the customer's actual demand has exceeded 50 kilovolt amperes at least three times in the prior 24-month period.

3. Power factor provision applicable.

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

* * *



ORDINANCE NO. 28845

1 AN ORDINANCE relating to Electric Energy; amending Chapter 12.06 of the
2 Municipal Code, "Electric Energy - Regulations and Rates," to add a new
3 Section 12.06.374, entitled "Electric Vehicle Public Charging Provided by
4 Tacoma Power - Schedule EVPC," to replace the existing fee structure of \$2
per five hours to a new fee of \$0.21 per kilowatt hour, effective January 1,
2023.

5 WHEREAS Tacoma Power has provided electric services to utility-owned
6 electric vehicle ("EV") charging stations since 2012, and currently operates 51
7 EV chargers, and

8
9 WHEREAS, in 2021, Washington State passed Senate Bill 5192 regarding
10 EV service provider disclosures, codified as Revised Code of Washington ("RCW")
11 19.94.560, and

12 WHEREAS RCW 19.94.560, in part, requires that all EV service providers
13 must disclose to the user the price to refuel in United States dollars per kilowatt-
14 hour ("kWh") or megajule by January 1, 2023, and

15
16 WHEREAS in compliance with the new state regulation, Tacoma Power
17 developed a cost-based price for EV public charging of \$0.21 per kWh, which
18 includes Schedule B (Small General) electric rates, networking fees,
19 maintenance costs, and all relevant taxes, and which replaces the current set fee
20 of \$2 per five hours, and

21
22 WHEREAS Tacoma Power researched the prices charged by other
23 utilities and private companies for public EV charging service, and the new rate is
24 competitive with rates offered by other service providers in the region, and
25
26



1 WHEREAS Tacoma Power has also notified EV charging vendors about
2 the upcoming changes, and

3 WHEREAS cost-effective public charging removes barriers to accessing
4 the benefits of EVs, such as lower long-run transportation costs and cleaner air,
5 and
6

7 WHEREAS all EV public charging sites owned by Tacoma Power are
8 accessible to the general public, and the public charging program is designed to
9 expand access to EV charging services in low-opportunity neighborhoods and for
10 those customers who do not have access to at-home charging; Now, Therefore,
11

12 BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That Chapter 12.06, "Electric Energy - Regulations and Rates,"
14 is hereby amended to add a new Section 12.06.374, entitled "Electric Vehicle
15 Public Charging Provided by Tacoma Power - Schedule EVPC," to read as set
16 forth in the attached Exhibit "A."
17

18 Section 2. That the change from the existing fee structure of \$2 per five
19 hours for Electric Vehicle charging, to the new fee structure of \$0.21 per
20 kilowatt hour, is effective January 1, 2023.
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Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



EXHIBIT "A"

CHAPTER 12.06

ELECTRIC ENERGY – REGULATIONS AND RATES¹

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, 2022.*
- 12.06.165 Low-income/senior and/or low-income/disabled discount residential service – Schedule A-2. *Effective January 1, 2021.*
- 12.06.166 Prepaid residential service – Schedule PR. *Effective January 1, 2021.*
- 12.06.170 Small general service – Schedule B. *Effective April 1, 2022.*
- 12.06.180 *Repealed.*
- 12.06.190 *Repealed.*
- 12.06.210 *Repealed.*
- 12.06.215 General service – Schedule G. *Effective April 1, 2022.*
- 12.06.220 *Repealed.*
- 12.06.225 High voltage general service – Schedule HVG. *Effective April 1, 2022.*
- 12.06.240 *Repealed.*
- 12.06.250 *Repealed.*
- 12.06.260 Contract industrial service – Schedule CP. *Effective April 1, 2022.*
- 12.06.265 New large load service – Schedule NLL. *Effective April 1, 2022.*
- 12.06.270 *Repealed.*
- 12.06.280 *Repealed.*
- 12.06.290 Street lighting and traffic signal service – Schedule H-1. *Effective April 1, 2022.*
- 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, 2022.*
- 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.

¹ Prior legislation: Ords. 16486, 16718, 16729, 16979, 17181, 17335, 17652, 17740, 18074, 18121, 18378, 18379, 18577, 18654, 18705 and 19120.



1 12.06.350 Severability.
12.06.360 *Repealed.*
2 12.06.370 Renewable Energy Program.
12.06.371 Electric Vehicle Fast Charge – Schedule FC. *Effective January 1, 2019, to December 31,*
3 *2031.*
12.06.372 Shore power – Schedule SP. *Effective April 1, 2022.*
4 12.06.373 Electrofuel service pilot – Schedule EF. *Effective April 1, 2021.*
12.06.374 Electric Vehicle Public Charging Provided by Tacoma Power – Schedule EVPC. *Effective*
5 *January 1, 2023.*

6 * * *

7 **12.06.374 Electric Vehicle Public Charging Provided by Tacoma Power – Schedule**
8 **EVPC. *Effective January 1, 2023***

9 A. Definitions.

10 The following definitions will apply:

11 1. Electric Vehicle – A vehicle that uses at least one method of propulsion that is capable of being
12 reenergized by an external source of electricity.

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

16 B. Availability.

17 For Electric Vehicle Charging Sites owned by Tacoma Power.

18 C. Applicability.

19 Service under this schedule is provided to members of the general public charging Electric Vehicles at
20 Electric Vehicle Charging Sites owned by Tacoma Power.

21 D. Charging Rate:

22 All energy measured in kilowatt-hours at \$0.21 per kWh.

23 E. Reporting and Limitation on Use of Customer Usage Information.

24 Tacoma Power may publish reports related to this schedule, except when the report would result in
25 publication of information attributable to a single individual member of the public.
26



ORDINANCE NO. 28846

1 AN ORDINANCE relating to Utility Charges and Electric Energy; amending
2 various sections of Chapters 12.01 and 12.06A of the Municipal Code,
3 "Utility Charges" and "Electrical Code," to update language regarding
fees and permitting requirements, effective April 1, 2023.

4 WHEREAS Chapter 12.06A of the Tacoma Municipal Code ("TMC")
5 covers Tacoma Power's rates, terms, and conditions on electric installation,
6 inspection, and permits, and
7

8 WHEREAS, more specifically, TMC 12.06A.250 specifies fees for
9 inspections and permits under various circumstances for different types of
10 customers, and TMC 12.06A.260 outlines penalty fees and fee adjustments
11 under various circumstances, and
12

13 WHEREAS these fees have not been updated since 2005, and Tacoma
14 Power proposes to update the fees to accurately reflect the current cost of
15 providing these services, as well as to make minor adjustments to the ordinance
16 language, and
17

18 WHEREAS in TMC 12.01.010, Tacoma Power proposes a change to the
19 pole reconnection fees resulting from delinquency cut-offs to reflect the actual
20 cost, as these reconnection fees have not been updated since 1985, and
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WHEREAS Tacoma Power proposes to delete TMC Section 12.06A.135,
“Metering Installations and Labeling,” because all the requirements are already
covered by the Tacoma Public Utilities’ standard C-MR-0005, and

WHEREAS Tacoma Power proposes to make minor modifications to the
language in TMC 12.06A.230, “Permit to owner – conditions and affidavit;” the
revised language will no longer require an owner to submit an affidavit, and
therefore will not need a notary witness, and

WHEREAS Tacoma Power proposes to strike out a sentence in
TMC 12.06A.380, “Classification of occupancies and wiring methods,” to remove
the minimum requirement of 200 ampere service capacity, which will allow
customers to utilize smaller services when allowed by the National Electric Code,
prevent customers from having to oversize their service capacity, and reduce
their costs, and

WHEREAS the proposed updated fees are based on the actual cost of
providing service, will reduce general upward pressure on retail rates, and increase
equity by removing the uncovered cost of inspections from general retail rates;

Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapters 12.01 and 12.06A of the Municipal Code, “Utility
Charges” and “Electrical Code,” are hereby amended, effective April 1, 2023, to
update language regarding fees and permitting requirements, to read as set forth
in the attached Exhibit “A.”



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Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

EXHIBIT “A”

CHAPTER 12.01 UTILITY CHARGES

Sections:

- 12.01.010 Utility services establishment. [*Effective April 1, 2023*](#)
- 12.01.020 Utility field collection call.
- 12.01.030 Invoicing and late payment fee.
- 12.01.040 Residential conservation loan program charges – Light Division.
- 12.01.050 Waiver of utility connection and inspection charges during declared emergency.

12.01.010 Utility services establishment.

A utility service establishment charge shall be imposed for each customer's service order for all utilities provided by the City of Tacoma as set forth below:

A. A utility service establishment charge shall be paid by each utility customer at the time of the service request. The charge includes turn-on and turn-off services if required. The establishment charge shall be as indicated in the table below for each service:

Power (metered)	\$10.50
Water (metered)	\$6.10
Solid Waste	\$3.00
Wastewater	\$1.00
Surface Water	\$1.00

Such utility service establishment charge will be allocated to, and recorded as revenue for City tax purposes by each utility providing service.

Such utility service establishment charge will be allocated to, and recorded as revenue for City tax purposes by each utility providing service.

B. Adjustments/Fees.

A service charge shall be paid by each utility customer if a field call is required to adjust service to a new or different type of service or rate, or for turn-off or turn-on of service. For purposes of this chapter, normal City business hours means 8:00 a.m. to 5:00 p.m., Monday through Friday, except City recognized holidays. The service charge shall be the sum of the following applicable fees:

1. \$10.00 for collection or disconnection for nonpayment.
2. \$12.00 for service connection during normal City business hours.
3. \$60.00 for turn-on or turn-off during all other hours.
4. Plus an additional \$35.00 if a pole or vault cut-in or termination is necessary.
5. \$6.00 for failure to appear for utility turn-on.
6. \$20.00 for self cut-in.
7. \$5.00 for verification of meter reading at the customer's request after second reading within 12 consecutive months.
8. \$5.00 for lock-out during a reasonable attempt to read a meter.
9. \$5.00 for service provided to prepare information for collection on accounts closed over 30 days.
10. \$10.00 for service provided to prepare information for bankruptcy administration.

Effective January 1, 2021, a \$15.00 recurring billing cycle fee shall be charged for service provided for Opt Out of Advanced Metering Infrastructure. The low-income senior and/or disabled discount rate percentage, as specified in subsection 12.06.165.C, shall be applied to the Opt-Out fee for qualified eligible customers as determined by subsection 12.06.165.

There will not be a disconnection or connection fee charged if the action may ordinarily be performed remotely. Such adjustment charges will be allocated to and recorded as revenue for City tax purposes by each utility providing service.

C. Reconnection fees resulting from delinquency cut-offs shall be as follows:

1. \$12.00 during normal City business hours and \$60.00 during all other hours.
2. ~~\$40.00~~307.00 for a pole or underground reconnection during normal City business hours and ~~\$65.00~~433.00 for a pole or underground reconnection during all other hours.
- ~~3. \$75.00 for a URD reconnection during normal City business hours.~~
- ~~4. No URD reconnection after normal City business hours.~~

There will not be a reconnection fee charged if the action may ordinarily be performed remotely. Such reconnection fees will be allocated to and recorded as revenue for City tax purposes by each utility providing service.

The disconnection, reconnection, or collection fees set forth in subsections 12.01.010.B.1 and 12.01.010.B.2, subsection 12.01.010.C.1, and subsection 12.01.020 will not be charged if the fees are due to non-payment between March 17, 2020, and May 31, 2024, and the non-payment is connected to an extended payment arrangement for balances incurred by the utility customer prior to March 31, 2022.¹

The outside of normal business hours disconnection or reconnection fees set forth in subsections 12.01.010.B.3 and 12.01.010.C.1 will be waived one time per customer if the fees are due to non-payment between March 17, 2020, and May 31, 2024, and the non-payment is connected to an extended payment arrangement for balances incurred by the utility customer prior to March 31, 2022.²

* * *

* * *

¹ Code Reviser's note: The temporary, two-year waiver of certain disconnection and reconnection service fees is in effect through May 31, 2024 (Ord. 28812).

² Code Reviser's note: The temporary, two-year waiver of certain disconnection and reconnection service fees is in effect through May 31, 2024 (Ord. 28812).

CHAPTER 12.06A ELECTRICAL CODE

Sections:

- 12.06A.010 Title.
- 12.06A.020 Purpose.
- 12.06A.030 Scope of chapter.
- 12.06A.035 Adoption.
- 12.06A.040 Standards for installations.
- 12.06A.050 Severability.
- 12.06A.060 Enforcement of chapter.
- 12.06A.070 Definitions.
- 12.06A.080 Duties of Chief Electrical Inspector.
- 12.06A.090 Effective date of chapter.
- 12.06A.100 Inspection of new electrical installations.
- 12.06A.110 Inspection of existing electrical installations.
- 12.06A.120 Final inspection and service approval.
- 12.06A.130 Temporary wiring.
- 12.06A.135 Metering installations and labeling. *Repealed, effective April 1, 2023*
- 12.06A.140 New electrical installations.
- 12.06A.145 Overhead service drops.
- 12.06A.150 Unlawful to alter existing wiring.
- 12.06A.155 Variance from Code requirements.
- 12.06A.160 Move-on housing.
- 12.06A.170 Fusing and equipment protection.
- 12.06A.180 Explanation of chapter requirements.
- 12.06A.190 Right of entry.
- 12.06A.200 Non-liability of City for damages.
- 12.06A.210 Permits required.
- 12.06A.220 Permits and inspections.
- 12.06A.230 Permit to owner – conditions and affidavit. *Effective April 1, 2023*
- 12.06A.240 Filing of drawings and specifications.
- 12.06A.250 Permit fees. *Effective April 1, 2023*
- 12.06A.260 Penalty fees and fee adjustments. *Effective April 1, 2023*
- 12.06A.270 Penalty and adjustment fee appeals.
- 12.06A.300 Protection of electrical workers.
- 12.06A.350 License requirements.
- 12.06A.360 Appeal process.
- 12.06A.370 Additional rules may be made by Director.
- 12.06A.380 Classification of occupancies and wiring methods. *Effective April 1, 2023*
- 12.06A.400 Violations – Notification – Penalties.

* * *

12.06A.135 Metering installations and labeling. *Repealed*

~~A. Meter height. No meter shall be installed at a height greater than six feet from the front working surface or grade to the mid-point of the meter glass and no lower than five feet from the front working surface or grade to the mid-point of meter glass, except as stated in subsections 1-4 below and as provided in the Tacoma Power Electric Service Handbook and in the Tacoma Power Transmission and Distribution Construction Standards shall apply to all electric meter installations.~~

~~1. Commercial multi metering installed in a vertical configuration shall not be installed below 36 inches from the front working surface or grade to the mid-point of the meter.~~

~~2. Residential multi-metering installed in a vertical configuration shall not be installed below 28 inches from the front working surface or grade to the mid-point of the meter.~~

~~3. Listed service pedestals and packages containing integral meter sockets, installed according to the manufacturer's instructions, are allowed to be at the height for which they are designed.~~

~~4. Special permission is granted by the Chief Electrical Inspector.~~

~~B. All meters in a multiple occupancy Building shall be accurately marked to identify the units they serve. Labels must be of sufficient durability to withstand removal from rubbing, fading, or environmental exposure. Label characters must be a minimum 1/2 inch tall and of a contrasting color or shade from the surface to which they are affixed so that they are easily readable.~~

~~C. No customer meter sockets will be placed on a pole owned and maintained by Tacoma Power. Meters shall be located on the first customer owned structure which will be the Service Point from Tacoma Power as further specified in the customer requirements found in the Tacoma Power Electric Service Handbook and Tacoma Power Transmission & Distribution Construction Standards.~~

~~D. The meter location shall not be concealed by materials, structures or vegetation of any kind and must be readily accessible. A level workspace, measuring no less than 3 feet by 3 feet, must be maintained in front of the meter location at all times. Failure to meet these requirements may result in termination of service.~~

* * *

12.06A.230 Permit to owner – conditions ~~and affidavit.~~

A. Electrical permits to perform electrical work on a new or existing Building owned by the Permit applicant and not intended for rent, sale, or lease may be issued to the applicant, provided that:

1. The applicant provides documentation that he or she is the Owner of the Building where electrical work is to be performed, such as a copy of a deed, along with evidence of identity;

2. The applicant signs ~~an affidavit under penalty of perjury~~ [the permit application](#) affirming the Building where the electrical work is to be performed is not for rent, sale or lease at the time of Permit application and that he or she does not intend to rent, sell or lease all or any part of the Building for at least twenty-four months after the final electrical inspection;

3. If the Building where the electrical work is to be performed is used as a residence by any person other than the applicant at the time of Permit application, or will be so used at any time during the twenty-four months following final electrical inspection, the applicant's ~~affidavit must~~ further affirm ~~the~~ [his or her applicant's](#) residence at such Building and his or her intent to reside therein for at least two years after final inspection; and

4. The electrical work shall be done by the applicant and he or she, as well as any person(s) who gave assistance with the electrical installation, must be present during all inspections.

B. If it is apparent from the character of electrical work performed by or with the knowledge of the Owner, whether performed prior to or after Permit issuance, that the Owner and/or person assisting the Owner are not qualified to do the work under the Permit applied for or issued, an electrical inspector may require the work that is in violation of this chapter be changed, altered, or repaired by a licensed electrical contractor.

* * *

12.06A.250 Permit fees.

Current standard fees for connecting electrical services to the Tacoma Power system, as well as the Permit fees and any penalties previously assessed, must be paid before an Electrical Permit application will be processed. The Permit applicant is responsible to arrange for payment. Permit applications for which insufficient or no payment has been received will not be processed. Unpaid Permit applications will be discarded by Tacoma Power if payment has not been received within 10 business days of receipt of application. Unless otherwise noted, when multiple inspections are required, the Permit fee shall not be less than ~~\$40~~[\\$55](#) per 1/2 hour of inspection time. No inspection will be performed until the Permit application process is completed.

Current standard fees for Electrical Permits and inspections by Tacoma Power are as follows:

A. Residential.

1. Table A. Single-family dwelling and mobile home services, service changes, service upgrades, and solar photovoltaic (PV) system fees are set forth in Table A below, and include branch circuit wiring from the service(s) or feeder(s). All wiring by the same Permit Holder on single family dwellings of 400 amps/4000 sq. ft. or less is included under the fees from Table A unless otherwise noted below.

TABLE A			
Service/PV System/Feeder Ampacity and Square Footage	Permit Fees		
	Column 1	Column 2	Column 3
	Overhead Service or PV installation - up to 2 trips	Underground to Pole and Underground Service or PV installations with underground wiring - up to 4 trips	Feeder Only up to 2 trips
1-200A and up to 2500 sq. ft.	\$80 110	\$160 220	\$60 90
Up to 400A or up to 4000 sq. ft.	\$120 165	\$200 275	\$70 100
Over 400A or over 4000 sq. ft.	Use TABLE B		

2. Branch circuit alterations and repairs. The fee for 1 to 4 new circuits, circuit extensions, or alterations where the service or feeder is not modified, increased, relocated, or replaced~~\$50~~65

Use Table A if service or feeder work is included.

Each additional circuit~~\$5~~7

Fee includes two inspections.

3. Service and PV system alterations and repairs. Minor alterations and repairs to an electrical service or PV system, including, but not limited to, the repair or replacement of one of the following: service mast, service entrance conductors, weather head, service attachment bracket, meter socket, main breaker, PV array, production meter socket, or other service/PV system components~~\$40~~55

Use Table A Column 1 if more than one item listed above is altered or replaced, or if service panel, PV AC disconnect, or utility disconnect is repaired or replaced in combination with any of the above listed items.

Use Table A Column 2 if underground work is part of the repair or replacement work described above.

Fee includes one inspection.

4. Hardwired low voltage.

Single-family Dwellings—Fees for low voltage control panels and devices, such as fire alarm systems, data systems, intrusion alarms, HVAC systems, thermostats, and similar systems~~\$40~~55

Fee includes one inspection.

5. Temporary services 1-200 amps single phase~~\$40~~55

Fee includes one inspection.

Temporary services over 200 amps or three phase and systems with feeders Table B

Temporary services are permitted for use up to 90 days or the duration of a permitted construction project.

6. Residential swimming pool (In addition to any other fees listed).~~\$120~~165

Fee includes three inspections.

7. Generator transfer panel and equipment~~\$60~~75

Fee includes one inspection.

B. Commercial and industrial.

1. Table B. The Permit fee for all commercial and industrial work, multifamily dwelling installations, and single family dwellings exceeding 400 amps or 4000 square feet shall be derived from Table B. Proof of electrical work value must be submitted at the time of application. Proof may be established by presenting a signed contract or a priced itemization of the work to be performed. The electrical work value shall be the reasonably documented value of all labor, material, fittings, apparatus, and the like, whether actually paid for or not, supplied by the Permit Holder and/or installed by the Permit Holder as a part of, or in connection with, a complete electrical system, but which does not include the cost of utilizing equipment connected to the electrical system. If a signed contract or other substantial proof of value is not submitted at the time of Permit application, the value may be established by Tacoma Power's Electrical Inspection Office using modern construction cost-estimating techniques. If the reported work value is determined by Tacoma Power's electrical inspection office to be significantly less than what was reported at the time the Permit was purchased, the Permit fee amount will be increased to reflect the corrected actual value and a charge for the time to determine such value will be assessed to the Permit fee. A fee adjustment shall be made for all change orders and field changes that increase the value. All fees must be paid before final electrical inspection approval of the project.

TABLE B	
Value of Electrical Construction	Permit Fees
\$0-\$1,000	\$100 <u>105</u> for the first \$1,000 or fraction thereof.
\$1,001-\$5,000	\$100 <u>105</u> for the first \$1,000 plus \$44 <u>20</u> for each additional \$100 or fraction thereof.
\$5,001-\$50,000	\$260 <u>273</u> for the first \$5,000 plus \$22 <u>10</u> for each additional \$100 or fraction thereof.
\$50,001-\$100,000	\$1,160 <u>1,218</u> for the first \$50,000 plus \$1,501 <u>1,55</u> for each additional \$100 or fraction thereof.
\$100,001-\$250,000	\$1,910 <u>1,993</u> for the first \$100,000 plus \$99 <u>45</u> for each additional \$1,000 or fraction thereof.
\$250,001-\$500,000	\$3,260 <u>3,410</u> <u>50</u> for the first \$250,000 plus \$88 <u>40</u> for each additional \$1,000 or fraction thereof.
\$500,001-\$750,000	\$5,260 <u>5,510</u> <u>50</u> for the first \$500,000 plus \$77 <u>35</u> for each additional \$1,000 or fraction thereof.
\$750,001-\$1,000,000	\$7,010 <u>7,348</u> for the first \$750,000 plus \$66 <u>30</u> for each additional \$1,000 or fraction thereof.
\$1,000,001-\$2,000,000	\$8,510 <u>8,923</u> for the first \$1,000,000 plus \$5,505 <u>5.75</u> for each additional \$1,000 or fraction thereof.
\$2,000,001-\$3,000,000	\$14,010 <u>14,673</u> for the first \$2,000,000 plus \$55 <u>25</u> for each additional \$1,000 or fraction thereof.
\$3,000,001-\$4,000,000	\$19,010 <u>19,923</u> for the first \$3,000,000 plus \$4,504 <u>4.70</u> for each additional \$1,000 or fraction thereof.
\$4,000,001-\$5,000,000	\$23,510 <u>24,623</u> for the first \$4,000,000 plus \$44 <u>20</u> for each additional \$1,000 or fraction thereof.
\$5,000,001-\$50,000,000	\$27,510 <u>28,823</u> for the first \$5,000,000 plus \$3,503 <u>3.65</u> for each additional \$1,000 or fraction thereof.
\$50,000,001-\$100,000,000	\$185,010 <u>193,073</u> for the first \$50,000,000 plus \$33 <u>15</u> for each additional \$1,000 or fraction thereof.
\$100,000,001 and up	\$335,010 <u>350,573</u> for the first \$100,000,000 plus \$2,502 <u>2.60</u> for each additional \$1,000 or fraction thereof.

2. Lighting retrofit projects limited to the exchange of fixtures and/or ballasts.

Minimum fee per 5,000 sq. ft. of Building ~~\$80~~110
Each additional 1,000 sq. ft. or fraction of ~~\$8~~11

3. Traffic signals.

Traffic signal and street lighting service only

(If street lighting is inspected by authorized cities or WSDOT).....\$~~80~~110

All others Table B

4. Signs.

Each sign or first field installed neon transformer.....\$~~40~~55

Each additional sign or field installed neon transformer\$~~15~~20

Fee includes one inspection.

5. Carnival, circus, fair, trade shows, or similar events.

First ten of rides, generators, concessions, gaming shows, displays, or booths.....\$~~100~~130

Each additional\$~~5~~7

C. Hardwired low voltage – Commercial/Industrial.

Fees for low voltage control panels and devices, such as fire alarm systems, data systems, intrusion alarms, HVAC systems, thermostats, communication systems, emergency control systems, and similar systems are as follows:

Minimum fee per 10,000 sq. ft. of Building\$~~80~~110

Each additional 1,000 sq. ft. or fraction of\$~~8~~11

D. Overtime:

Overtime inspections including, but not limited to, call outs, weekend inspections, and after hours work must be scheduled with Tacoma Power's Electrical Inspection Office a minimum of three business days in advance. In addition to the regular Permit fee, a fee for an overtime inspection is required as follows:

1. **Unscheduled:** Outside of an electrical inspector's regular working hours, the minimum fee for an inspection shall be \$~~480~~660 for the first two hours, portal to portal, plus \$~~160~~220 for each hour thereafter. The fee must be paid the next business day.

2. **Scheduled:** Outside of an electrical inspector's regular working hours, the minimum fee for an inspection shall be \$~~320~~440 for the first two hours, portal to portal, plus \$~~160~~220 for each hour thereafter. The fee of \$~~320~~440 must be paid 48 hours in advance of the scheduled inspection, and any remaining fee must be paid the next business day.

3. Requested inspections that extend beyond the electrical inspector's regular working hours shall be at the minimum rate of \$160 per hour, portal to portal.

E. Annual Permit.

Pursuant to section 12.06A.350, annual Permits are available to commercial and industrial customers employing their own electrical maintenance staff. An annual Permit may be purchased in lieu of individual Permits for maintenance on each job performed. Annual Permits may be purchased by an electrical contractor to perform maintenance work at a commercial and industrial location if, at the time of application, a valid copy of the electrical contractor's yearly maintenance contract with the customer is submitted to Tacoma Power and the term and nature of work under such contract is consistent, as determined in the sole discretion of Tacoma Power, with the term and purpose of the annual Permit. Applications for annual Permits submitted without proof of required employment status or a valid maintenance contract will not be accepted. Work performed under an annual Permit is limited to the installation of not more than two new feeders or circuits rated 100 amps or less, and the maintenance, repair, retrofit, or replacement of conductors and equipment. Annual Permits do not include the installation of new, exchanged, or upgraded service equipment, electrical work installed as part of new or added square footage, facility expansion, remodel, or where, except as noted above, load is increased. The annual Permit fee is calculated per Table C.

TABLE C	
Number of one-hour Inspection units	Fee
12	\$960 <u>1,320</u>
13-24	\$1,920 <u>2,460</u>
25-36	\$2,880 <u>3,960</u>
37-52	\$4,160 <u>5,720</u>

F. Miscellaneous fees.

1. Wrong meter address or location.

A Permit is required to correct or inspect incorrect meter addressing by the Owner or Owner's agent..... ~~\$40~~55 per 1/2 hour

Overtime rates may apply.

2. Miscellaneous inspection (other).....~~\$40~~55 per 1/2 hour

3. Variance.

A processing fee for granting an electrical installation as outlined in Section 12.06A.155 of this chapter \$140

4. Required inspection on services off for one year or more ~~\$40~~55

Fee includes one inspection.

An additional Permit, fees, and inspections may be required if electrical deficiencies exist on the Premises.

12.06A.260 Penalty fees and fee adjustments.

The following-described penalties may be assessed, or the described fee adjustments may be determined appropriate, by order of the Chief Electrical Inspector:

A. Trip fee (per trip) when permit holder notifies Electrical Inspections Office that work is ready for inspection when it is not,..... ~~\$40~~55

B. The Permit Holder gives an incorrect inspection site address..... ~~\$40~~55

C. Inspections required as a result of carelessness, neglect, faulty workmanship, or materials ~~\$40~~55

D. Failing to complete corrections within 15 days as required by this chapter ~~\$40~~55

E. Removal of Stop Work Order ~~\$40~~55

F. Tampering with Stop Work Order penalty fee ~~\$40~~55

G. Occupying a Building, living unit, or business space without final electrical approval \$275

H. Work performed without a Permit 4X regular Permit fee

This provision does not pertain to emergency work where a permit is purchased the next business day.

I. Failure to provide or arrange access for requested inspection..... ~~\$40~~55

J. Late charge for nonpayment of penalty fees \$25

K. Permit cancellation administrative process fee ~~\$40~~55

* * *

12.06A.380 Classification of occupancies and wiring methods.

A. ~~200-ampere service capacity shall be required for all new single-family and duplex residential units of 500 square feet or more.~~ An entire service upgrade shall not be required when only replacing a meter base, or mast, or panel, unless the load requirement is greater than the rating of the existing service and/or specific electrical safety concerns associated with said equipment are detected.

B. Service entrance conductors for commercial occupancies shall have an ampacity not less than the rating of the service equipment they supply. For multiple-dwelling occupancies, the minimum service conductor ampacity shall not be less than the calculated service load.

C. Commissioning of all new Emergency Legally Required Standby, and/or Health Care systems fed by a 150 kw or larger generator shall be in compliance with NEC Sections 700, 701 and 517, respectively. A copy of the commissioning report shall be presented to the electrical inspector prior to the final electrical inspection.

D. Customer-owned systems that are metered at 12.5 kV or higher, known as primary metered systems, shall be installed as outlined in NEC 215.2(B)(3) and Tacoma Power's Transmission & Distribution Construction Standards. Such systems must be designed and certified by a Washington State Registered Electrical Engineer and reviewed by Tacoma Power's Electrical Inspection Office. These systems must be tested per manufacturers' published instructions and certified as free of short circuits and ground faults prior to approval for energizing.

E. Each newly constructed or remodeled dwelling unit, as defined in NEC 100, shall be independently metered by Tacoma Power.

* * *



ORDINANCE NO. 28847

1 AN ORDINANCE relating to Electric Energy; amending Chapter 12.06 of the
2 Municipal Code, "Electric Energy – Regulations and Rates," for two rate
3 adjustments of 3.5 percent, effective April 1, 2023, and 3.5 percent,
4 effective April 1, 2024; amending Section 12.06.225, to remove an out-
5 of-date contract requirement, effective April 1, 2023; and amending
6 Section 12.06.300, to adjust the cost for additional poles for private off-
7 street lighting, effective April 1, 2023.

8 WHEREAS Tacoma Power's revenue requirement analysis indicates
9 that retail revenue needs to increase by approximately \$41.4 million for the
10 twenty-four month rate period starting April 1, 2023, which translates to a
11 system-wide retail rate increase of 3.5 percent in 2023 and 3.5 percent in 2024,
12 and

13 WHEREAS Tacoma Public Utilities ("TPU") has experienced substantial
14 inflationary increases in operating and capital expenses such as materials,
15 personnel, city assessments, and technology upgrades, and the proposed rate
16 increase is designed to generate additional revenue to meet financial metrics
17 (debt service coverage and liquidity), operational needs, and to avoid future
18 rate shocks, and

19 WHEREAS Tacoma Power has made efforts to keep the rate increase at
20 a level that is as low as is consistent with the Public Utility Board's ("PUB")
21 Strategic Directive SD-3 regarding rate stability, and

22 WHEREAS Tacoma Power has prioritized new budget additions and
23 reduced its initial Operation and Maintenance and Capital planned spending to
24 mitigate increases in 2023/2024 biennial budget, and
25
26



1 WHEREAS Tacoma Power plans to use its current cash reserves and
2 anticipated wholesale sales revenue to ensure that the retail rate increases are
3 limited to the requested system-average increase of 3.5 percent in 2023 and
4 2024, and
5

6 WHEREAS additionally, Tacoma Power will increase investment in the
7 Bill Credit Assistance Plan ("BCAP") program and support enhancement of the
8 program to offer more financial assistance to income-constrained customers,
9 and
10

11 WHEREAS the enhanced BCAP program will significantly reduce bill
12 payments for participating income-qualified customers and more than offset the
13 proposed rate increases for participating customers, and is also designed to
14 help mitigate future rate increases for income-constrained power customers,
15 and
16

17 WHEREAS Tacoma Power conducted a Cost-of-Service Analysis for the
18 2023/2024 biennium to determine how to raise the \$41.4 million additional
19 revenue among different rate classes, which have different usage characteristics,
20 and, consequently, the cost of providing services to each class will differ, and
21

22 WHEREAS the proposed annual class rate adjustments effective April 1,
23 2023, and April 1, 2024, respectively, are the following: residential class,
24 3.9 percent; small general class, 1.5 percent; general class and Shore Power,
25 5.0 percent; and street and highway lighting class, 7.0 percent, and
26



1 WHEREAS there are no proposed rate adjustments for the following rate
2 classes: traffic signals and lights, private off-street lighting, high voltage general,
3 contract industrial, New Large Load, ElectroFuel and Electric Vehicle Fast
4 Charging, and
5

6 WHEREAS this proposal is in alignment with industry ratemaking
7 standards and best practices, as well as the PUB's Strategic Directives of
8 Financial Sustainability and Rates, and supports Tacoma Power's Long-Range
9 Financial Plan, and
10

11 WHEREAS Tacoma Power also proposes a change to the fee for
12 additional poles in Section 12.06.300, "Private off-street lighting service –
13 Schedule H-2," which will better reflect the current cost, and
14

15 WHEREAS in order to ease the fee increase for new poles, Tacoma
16 Power proposes a five-year transition to the cost-based fee, and at the end of
17 five years, the pole fees for private off-street lighting customers will be
18 comparable to the same fees for other customers, and
19

20 WHEREAS Tacoma Power also proposes to eliminate the out-of-date
21 contract requirement in Section 12.06.225, "High voltage general service –
22 Schedule HVG," ("HVG"), since HVG rate class is closed to new customers
23 after April 1, 2021, and the contract requirement is no longer needed to control
24 the access to this rate schedule, and
25
26



1 WHEREAS, in preparation for this request, Tacoma Power has actively
2 sought public input through public presentations with various neighborhood and
3 city councils in communities served by Tacoma Power, as well as interested
4 community organizations, and Tacoma Power has also presented overviews
5 and proposals on revenue, budget and rates to the PUB at different stages of
6 the budget and rate development since early 2022; Now, Therefore,

8 BE IT ORDAINED BY THE CITY OF TACOMA:

9 Section 1. That Chapter 12.06 of the Municipal Code, "Electric Energy -
10 Regulations and Rates," is hereby amended to include two rate adjustments of
11 3.5 percent, effective April 1, 2023, and 3.5 percent, effective April 1, 2024, to
12 read as set forth in the attached Exhibit "A."

14 Section 2. That Section 12.06.225, "High voltage general service –
15 Schedule HVG," is hereby amended to remove an out-of-date contract
16 requirement, effective April 1, 2023, to read as set forth in the attached Exhibit "A."

18 Section 3. That Section 12.06.300, "Private off-street lighting service –
19 Schedule H-2," is hereby amended to adjust the cost for additional poles for
20 private off-street lighting, effective April 1, 2023, to read as set forth in the
21 attached Exhibit "B."



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Section 4. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

EXHIBIT “A”

CHAPTER 12.06

ELECTRIC ENERGY – REGULATIONS AND RATES¹

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, ~~2022~~2023.*
- 12.06.165 Low-income/senior and/or low-income/disabled discount residential service – Schedule A-2. *Effective January 1, 2021.*
- 12.06.166 Prepaid residential service – Schedule PR. *Effective January 1, 2021.*
- 12.06.170 Small general service – Schedule B. *Effective April 1, ~~2022~~2023.*
- 12.06.180 *Repealed.*
- 12.06.190 *Repealed.*
- 12.06.210 *Repealed.*
- 12.06.215 General service – Schedule G. *Effective April 1, ~~2022~~2023.*
- 12.06.220 *Repealed.*
- 12.06.225 High voltage general service – Schedule HVG. *Effective April 1, ~~2022~~2023.*
- 12.06.240 *Repealed.*
- 12.06.250 *Repealed.*
- 12.06.260 Contract industrial service – Schedule CP. *Effective April 1, 2022.*
- 12.06.265 New large load service – Schedule NLL. *Effective April 1, 2022.*
- 12.06.270 *Repealed.*
- 12.06.280 *Repealed.*
- 12.06.290 Street lighting and traffic signal service – Schedule H-1. *Effective April 1, ~~2022~~2023.*
- 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, ~~2022~~2023.*
- 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.
- 12.06.371 Electric Vehicle Fast Charge – Schedule FC. *Effective January 1, 2019, to December 31, 2031.*
- 12.06.372 Shore power – Schedule SP. *Effective April 1, ~~2022~~2023.*

¹ Prior legislation: Ords. 16486, 16718, 16729, 16979, 17181, 17335, 17652, 17740, 18074, 18121, 18378, 18379, 18577, 18654, 18705 and 19120.

12.06.373 Electrofuel service pilot – Schedule EF. *Effective April 1, 2021.*

* * *

12.06.160 Residential service – Schedule A-1. *Effective April 1, ~~2022~~2023.*

A. Availability.

Available for domestic purposes in residences, apartments, duplex houses, multiple-family dwellings, and residential garages.

B. Applicability.

To single residences, individually metered apartments and per apartment for collectively metered apartments.

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 \$0.038207 per kWh.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$17.90~~21.60 per month, for all but collectively metered apartments; ~~\$14.65~~17.70 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 \$0.038207 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$17.90~~21.60 per month, for all but collectively metered apartments; ~~\$14.65~~17.70 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 \$0.038207 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$17.90~~21.60 per month, for all but collectively metered apartments; ~~\$14.65~~17.70 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 \$0.038207 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$17.90~~21.60 per month, for all but collectively metered apartments; ~~\$14.65~~17.70 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 \$0.038207 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$17.90~~21.60 per month, for all but collectively metered apartments; ~~\$14.65~~17.70 per month, for collectively metered apartments.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.048644 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.040981 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$19.20~~23.17 per month, for all but collectively metered apartments; ~~\$15.71~~18.99 per month, for collectively metered apartments.

D. Service Conditions.

1. Where load conditions warrant, three-phase electric service may be made available by prior written agreement.
2. Applicable provisions of the Tacoma Municipal Code, General Provisions, and Customer Service Policies governing the sale of electric energy shall apply.

* * *

12.06.170 Small general service – Schedule B. *Effective April 1, ~~2022~~2023.*

A. Availability.

For nonresidential lighting, heating, and incidental power uses where a demand meter may be installed. Also for nonresidential incidental power uses where a meter is not installed. The customer's actual demand as determined by Tacoma Power may not exceed 50 kilovolt amperes or total connected load as estimated by Tacoma Power may not exceed 65 kilowatts upon initial service energization.

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 \$0.038014 per kWh.
3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$24.35~~26.65 per month, for all but unmetered services; ~~\$18.95~~20.75 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 \$0.038014 per kWh.
 - (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$24.35~~26.65 per month, for all but unmetered services; ~~\$18.95~~20.75 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 \$0.038014 per kWh.
 - (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$24.35~~26.65 per month, for all but unmetered services; ~~\$18.95~~20.75 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 \$0.038014 per kWh.
 - (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$24.35~~26.65 per month, for all but unmetered services; ~~\$18.95~~20.75 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 \$0.038014 per kWh.
 - (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$24.35~~26.65 per month, for all but unmetered services; ~~\$18.95~~20.75 per month, for unmetered services.
 - (e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.047856 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.040774 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$26.12~~\$28.59 per month, for all but unmetered services; ~~\$20.33~~\$22.26 per month, for unmetered services.

C. Service Conditions.

1. The maximum allowable total connected motor rating is 7.5 horsepower (5.6 kilowatts) exclusive of motors of 1/4 horsepower and under for standard plug-in applications.

2. At the option of Tacoma Power, a customer may be transferred to a demand metered rate if the customer's actual demand has exceeded 50 kilovolt amperes at least three times in the prior 24-month period.

3. Power factor provision applicable.

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

* * *

12.06.215 General service – Schedule G. *Effective April 1, ~~2022~~2023.*²

A. Availability.

For general power use where a demand meter is installed, for standby capacity to customers generating all or a part of their electric power requirements, and for intermittent use. The customer's actual demand as determined by Tacoma Power must exceed 50 kilovolt amperes or total connected load as estimated by Tacoma Power must exceed 65 kilowatts upon initial service energization.

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.

B. Monthly Rate.

The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at ~~\$0.051726~~\$0.054780 per kWh.

2. Delivery: All kilowatts of Billing Demand delivered at ~~\$8.81~~\$9.12 per kW.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.051726~~\$0.054780 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$8.81~~\$9.12 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.051726~~\$0.054780 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$8.81~~\$9.12 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

(c) Within the City of Lakewood:

² Code Reviser's note: See 12.06.215.E for an exception to the effective date of Chapter 12.06.215.

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.051726~~ 0.054780 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$8.81~~ 9.12 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.051726~~ 0.054780 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$8.81~~ 9.12 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.055482~~ 0.058758 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$9.45~~ 9.78 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$88.81 per month.

C. Billing Demand.

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

1. The highest measured demand for the month adjusted for power factor;
2. 60 percent of the highest measured demand occurring during any of the preceding 11 months after adjustment for power factor; or
3. 100 percent of the standby capacity.

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).

D. Standby Capacity.

That amount of power requested by written application or estimated by the Director to be made continuously available for exclusive use of the customer.

E. Customer-Owned Generation: *Effective January 1, 2021.*

1. Any customer taking service under this schedule is eligible to sell to Tacoma Power the quantity of generation that exceeds its actual demand over an hour along with the generation's associated Renewable Energy Credits (REC), as defined by RCW 19.285.030, provided that such a customer:

- (a) utilizes solar photovoltaic (PV) arrays sized not greater than 2 MW, or
- (b) owns generation and has an agreement with Tacoma Power that provides for:
 - (i) compensation of excess generation under this rate schedule,
 - (ii) the purchase of Standby Capacity in the amount of no less than the expected energy output of the generator, and
 - (iii) the recovery of the cost of integration into Tacoma Power's system.

This section shall not apply to customer-owned generation facilities with a capacity less than 100 kW, which are subject to Tacoma Power's net metering requirements under RCW 80.60.030.

2. To participate, an eligible customer must comply with the following subsections (a), (b), and (c):

- (a) Enter into a generator interconnection agreement with Tacoma Power and comply with all its terms. Tacoma Power may adopt any generator interconnection requirements as necessary to protect public safety, system reliability, or other regulatory requirements.
- (b) Transfer to Tacoma Power ownership of all environmental, social, REC, and other non-power attributes of the electricity generated in excess of that consumed by the customer. The customer may retain ownership of all environmental, social, REC, and other non-power attributes of the electricity produced by the generator that is consumed on-site.

(c) Pay for a two-way advanced meter that is selected and installed by Tacoma Power at the generator that will be used to measure kilowatt-hours of inbound retail energy consumed by the customer's load and the outbound exported generation. Customers totalizing multiple meters may integrate customer-owned generation into their totalized service consistent with Tacoma Power's policies for meter totalization. Otherwise, meter aggregation across multiple customer premises shall not be permitted.

3. Any electricity produced by the customer's generation may be used to reduce inbound retail electricity consumption in accordance with this schedule.

4. The price Tacoma Power shall pay the customer for the quantity of excess generation delivered to Tacoma Power shall equal the quantity, as measured by the advanced meter over each hour, multiplied by:

(a) if available, the applicable Pricing Node of the Real-time Dispatch price of Energy Imbalance Market where the generator is located, as determined by the California Independent System Operator under its market tariff, or

(b) a published index price for firm energy at the Mid-Columbia applicable to the time in which energy was delivered;

(c) plus \$4.43 for each REC transferred to Tacoma Power.

If excess generation is provided during any hour in which the advanced meter fails to record generation, Tacoma Power shall estimate the quantity of excess generation.

F. Service Conditions.

1. At the option of Tacoma Power, primary metering may be installed where the service transformers aggregate 500 kVA or more.

2. At the option of Tacoma Power, a customer may be transferred to a non-demand metered rate if the customer's actual demand has not exceeded 50 kilovolt amperes in the prior 24-month period.

3. Power factor provision applicable.

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

* * *

12.06.225 High voltage general service – Schedule HVG. Effective April 1, ~~2022~~2023.

A. Availability.

For customers receiving service from Tacoma Power under this rate schedule prior to April 1, 2021. After April 1, 2021, customers served under this rate schedule who transition their service to another rate schedule shall no longer be eligible for service under this schedule. 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 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 20.00 percent will be applicable to the delivery charge.

B. Monthly Rate.

The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

2. Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

(c) Within the City of Lakewood:

(1) Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.049050 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.59 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,877.08 per month.

C. Billing Demand.

Determined by means of a demand meter, 30-minute interval. 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).

D. 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.

* * *

12.06.290 Street lighting and traffic signal service – Schedule H-1. *Effective April 1, ~~2022~~2023.*

A. Availability: Available for:

1. Public street lighting service where the lighting system is in operation during hours of darkness and where the street light system and equipment is owned by the customer, or there have been other suitable prior written arrangements agreed to by Tacoma Power and the applicant; and
2. Traffic controllers, signal lights, warning lights, danger lights, pedestrian lights and similar uses, where the traffic control system and equipment is owned and maintained by the customer.

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	\$3.47 <u>3.71</u>
151-220 Watts	\$5.09 <u>5.44</u>
221-320 Watts	\$7.40 <u>7.91</u>
321-520 Watts	\$12.03 <u>12.87</u>
521 & Over Watts	\$18.97 <u>20.29</u>

(b) High Intensity Discharge Lamps:

Energy Charge Per Unit			
Nominal Wattage	Continuous	Dusk to Dawn	Dusk to 2:20 a.m.
50 Watts	\$2.57 <u>2.75</u>	\$1.38 <u>1.48</u>	\$0.87 <u>0.93</u>
70 Watts	\$3.57 <u>3.82</u>	\$1.94 <u>2.08</u>	\$1.22 <u>1.30</u>
100 Watts	\$5.11 <u>5.47</u>	\$2.76 <u>2.95</u>	\$1.74 <u>1.86</u>
150 Watts	\$7.68 <u>8.21</u>	\$4.14 <u>4.43</u>	\$2.61 <u>2.79</u>
175 Watts	\$8.95 <u>9.57</u>	\$4.83 <u>5.17</u>	\$3.04 <u>3.25</u>
200 Watts	\$10.23 <u>10.94</u>	\$5.52 <u>5.90</u>	\$3.47 <u>3.71</u>
250 Watts	\$12.80 <u>13.69</u>	\$6.91 <u>7.39</u>	\$4.35 <u>4.65</u>
310 Watts	\$15.86 <u>16.96</u>	\$8.57 <u>9.17</u>	\$5.39 <u>5.77</u>
400 Watts	\$20.46 <u>21.88</u>	\$11.05 <u>11.82</u>	\$6.95 <u>7.43</u>
700 Watts	\$35.80 <u>38.29</u>	\$19.34 <u>20.69</u>	\$12.18 <u>13.03</u>
1000 Watts	\$46.89 <u>50.15</u>	\$25.32 <u>27.08</u>	\$15.95 <u>17.06</u>
1500 Watts	\$76.72 <u>82.06</u>	\$41.44 <u>44.32</u>	\$26.10 <u>27.92</u>

(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 ~~\$42.62~~45.59, ~~\$23.03~~24.63, and ~~\$14.50~~15.51 per month per kilowatt of total connected load for Continuous, Dusk to Dawn, and Dusk to 2:20 a.m. lamps, respectively.

2. Traffic Control Units (Unmetered):

(a)

Unit Type	Energy Charge Per Unit
(1) Red - Amber – Green	
Controllars	\$2.88
Heads	\$4.36
(2) Flashing	
Controllars	\$1.44
Heads	\$2.17

(1) Incandescent Lamps:

Unit Type	Energy Charge Per Unit					
	Red	Amber	Green	Flashing	Walk	Wait
8 Inch Bulb	\$2.39	\$0.13	\$1.83	\$2.17		
12 Inch Bulb	\$5.85	\$0.32	\$4.46	\$5.31		
Pedestrian Head					\$2.17	\$2.17

(2) Light Emitting Diodes (LED) Lamps:

Unit Type	Energy Charge Per Unit					
	Red	Amber	Green	Flashing	Walk	Wait
8 Inch LED	\$0.28	\$0.02	\$0.19	\$0.26		
12 Inch LED	\$0.45	\$0.02	\$0.37	\$0.40		
Pedestrian Head					\$0.26	\$0.26

(3) Neon Lamps:

Unit Type	Energy Charge Per Unit	
	Walk	Wait
Pedestrian Head	\$0.22	\$0.86

(4) Controllers:

Unit Type	Energy Charge Per Unit
Traffic	\$2.88
Flashing	\$1.44

(5) All lamps or controllers not listed above: Energy charge for lamp or controller installations not listed in the above tabulations shall be calculated by multiplying the unit wattage (in kW) x 730 hours x percent active x \$0.056900 per kWh per month.

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 ~~\$0.017704~~ \$0.015974 per kWh.

(c) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$10.35 per month.

4. Exception: Within the City of University Place.

Rates stated herein are for (1) unmetered installations [items (a) and (b)] 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 (c)].

(a) Street Lighting Units (Unmetered):

(i) Incandescent Lamps: Nominal Wattage	Energy Charge Per Unit
Up to 150 Watts	\$3.72 <u>3.98</u>
151-220 Watts	\$5.46 <u>5.84</u>
221-320 Watts	\$7.94 <u>8.49</u>
321-520 Watts	\$12.90 <u>13.80</u>
521 & Over Watts	\$20.35 <u>21.76</u>

(ii) High Intensity Discharge Lamps:

Energy Charge Per Unit			
Nominal Wattage	Continuous	Dusk to Dawn	Dusk to 2:20 a.m.
50 Watts	\$2.76 <u>2.95</u>	\$1.48 <u>1.58</u>	\$0.93 <u>1.00</u>
70 Watts	\$3.83 <u>4.10</u>	\$2.08 <u>2.23</u>	\$1.31 <u>1.40</u>
100 Watts	\$5.48 <u>5.86</u>	\$2.96 <u>3.17</u>	\$1.87 <u>2.00</u>
150 Watts	\$8.24 <u>8.81</u>	\$4.44 <u>4.75</u>	\$2.80 <u>2.99</u>
175 Watts	\$9.60 <u>10.27</u>	\$5.18 <u>5.54</u>	\$3.26 <u>3.49</u>
200 Watts	\$10.97 <u>11.74</u>	\$5.92 <u>6.33</u>	\$3.72 <u>3.98</u>
250 Watts	\$13.73 <u>14.68</u>	\$7.41 <u>7.93</u>	\$4.67 <u>4.99</u>
310 Watts	\$17.01 <u>18.20</u>	\$9.19 <u>9.83</u>	\$5.78 <u>6.18</u>
400 Watts	\$21.95 <u>23.47</u>	\$11.85 <u>12.68</u>	\$7.45 <u>7.97</u>
700 Watts	\$38.40 <u>41.07</u>	\$20.74 <u>22.19</u>	\$13.06 <u>13.97</u>
1000 Watts	\$50.29 <u>53.79</u>	\$27.16 <u>29.05</u>	\$17.11 <u>18.30</u>
1500 Watts	\$82.29 <u>88.02</u>	\$44.45 <u>47.54</u>	\$28.00 <u>29.94</u>

(iii) At the discretion of Tacoma Power, all lamps may be charged the following equivalent rate: Energy charge for lamp installations at the rate of ~~\$45.71~~48.90, ~~\$24.70~~26.42, and ~~\$15.55~~16.64 per month per kilowatt of total connected load for Continuous, Dusk to Dawn, and Dusk to 2:20 a.m. lamps, respectively.

(b) Traffic Control Units (Unmetered):

(i)

Unit Type	Energy Charge Per Unit
(1) Red - Amber – Green	
Controllers	\$3.09
Heads	\$4.68
(2) Flashing	
Controllers	\$1.54
Heads	\$2.33

(ii) Incandescent Lamps:

Unit Type	Energy Charge Per Unit					
	Red	Amber	Green	Flashing	Walk	Wait
8 Inch Bulb	\$2.56	\$0.14	\$1.96	\$2.33		
12 Inch Bulb	\$6.27	\$0.34	\$4.78	\$5.70		
Pedestrian Head					\$2.33	\$2.33

(iii) Light Emitting Diodes (LED) Lamps:

Unit Type	Energy Charge Per Unit					
	Red	Amber	Green	Flashing	Walk	Wait
8 Inch LED	\$0.30	\$0.02	\$0.20	\$0.28		
12 Inch LED	\$0.48	\$0.02	\$0.40	\$0.43		
Pedestrian Head					\$0.28	\$0.28

(iv) Neon Lamps:

Unit Type	Energy Charge Per Unit	
	Walk	Wait
Pedestrian Head	\$0.24	\$0.92

(v) Controllers:

Unit Type	Energy Charge Per Unit	
	Walk	Wait
Traffic	\$3.09	
Flashing	\$1.54	

(vi) All lamps or controllers not listed above: Energy charge for lamp or controller installations not listed in the above tabulations shall be calculated by multiplying the unit wattage (in kW) x 730 hours x percent active x \$0.061032 per kWh per month.

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

(i) Energy: All energy measured in kilowatt-hours at \$0.038282 per kWh.

(ii) Delivery: All energy delivered in kilowatt-hours at ~~\$0.018990~~0.017134 per kWh.

(iii) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$11.10 per month.

C. Service Conditions.

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

* * *

12.06.300 Private off-street lighting service – Schedule H-2. Effective April 1, ~~2022~~2023.³

A. Availability.

Available for outdoor lighting service along private street and roadways, over parking lots, and for general area lighting of private property, but excluding public streets within the City of Tacoma.

B. Character of Service.

³ Code Reviser's note: See 12.06.300.C.4 for an exception to the effective date of Chapter 12.06.300.

1. Lighting under this schedule shall be limited to the hours of darkness when street and highway lights are normally in use. The hours of use shall be regulated by a photoelectric control.

2. Tacoma Power will install, own, and maintain the equipment.

3. Energy will be provided on an unmetered basis.

C. Monthly Rate.

1. High Pressure Sodium Lamps:

Lamp Rating (Watts/Lamp)	Type	Rental Charge
100-Watt	Sodium Vapor	\$14.50
200-Watt	Sodium Vapor	\$18.66
400-Watt	Sodium Vapor	\$37.31

2. All Other Lamps:

Lamp Rating (Watts-Equivalent/Lamp)	Rental Charge
0-200 Watt Equivalent	\$16.59
201-400 Watt Equivalent	\$37.31
401-800 Watt Equivalent	\$58.05
801-1000 Watt Equivalent	\$78.78
1001-1500 Watt Equivalent	\$99.51

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 [specified in the following table](#). Ancillary materials will be an additional expense. The customer shall pay the entire installation cost prior to installation.

Effective Date	Cost for Each Additional Pole
April 1, 2023	1,120.00
April 1, 2024	1,616.00
April 1, 2025	2,112.00
April 1, 2026	2,608.00
April 1, 2027	3,104.00

4. Exception: Within the City of University Place.

(a) High Pressure Sodium Lamps:

Lamp Rating (Watts/Lamp)	Type	Rental Charge
100-Watt	Sodium Vapor	\$15.55
200-Watt	Sodium Vapor	\$20.02
400-Watt	Sodium Vapor	\$40.02

(b) All Other Lamps:

Lamp Rating (Watts-Equivalent/Lamp)	Rental Charge
0-200 Watt Equivalent	\$17.79
201-400 Watt Equivalent	\$40.02

401-800 Watt Equivalent	\$62.27
801-1000 Watt Equivalent	\$84.50
1001-1500 Watt Equivalent	\$106.74

(c) 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 \$669.56~~ per pole specified in the following table. Ancillary materials will be an additional expense. The customer shall pay the entire installation cost prior to installation.

	<u>Cost for Each Additional Pole</u>
<u>2023</u>	<u>1,201.33</u>
<u>2024</u>	<u>1,733.35</u>
<u>2025</u>	<u>2,265.36</u>
<u>2026</u>	<u>2,797.38</u>
<u>2027</u>	<u>3,329.40</u>

5. Effective January 1, 2021⁴, 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 35 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.

* * *

12.06.372 Shore power – Schedule SP. Effective April 1, ~~2022~~2023.

A. Applicability.

Service under this schedule is applicable to electric service connections to marine vessels with systems that can accept power from shore rather than use onboard power generation systems while in dock and are metered separately from all other commercial loads. To receive service under this schedule, a customer must execute a Power Service Agreement (Contract) with Tacoma Power which shall, at a minimum, include provisions regarding scheduling and curtailments of loads. Tacoma Power reserves the right to curtail service under this schedule due to maintenance or emergency conditions on the Tacoma Power electrical system.

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.

B. Monthly Rate.

The sum of the following energy supply, delivery, and customer charges:

1. Energy Supply and Delivery: All energy supplied and delivered in kilowatt-hours at ~~\$0.11944~~0.125412 per kWh.

2. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$83.25 per month.

C. Service Conditions.

1. Customer account holders receiving energy under this rate schedule shall be authorized to recover amounts billed under this schedule from third parties without being held to be in violation of Tacoma Municipal Code 12.06.120.

2. Power factor provision applicable.

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

* * *

⁴ Code Reviser's note: A scrivener's error related to the effective date of 12.06.300.C.4 was corrected, to reflect an effective date of January 1, 2021.

EXHIBIT “B”

CHAPTER 12.06

ELECTRIC ENERGY – REGULATIONS AND RATES¹

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, ~~2023~~2024.*
- 12.06.165 Low-income/senior and/or low-income/disabled discount residential service – Schedule A-2. *Effective January 1, 2021.*
- 12.06.166 Prepaid residential service – Schedule PR. *Effective January 1, 2021.*
- 12.06.170 Small general service – Schedule B. *Effective April 1, ~~2023~~2024.*
- 12.06.180 *Repealed.*
- 12.06.190 *Repealed.*
- 12.06.210 *Repealed.*
- 12.06.215 General service – Schedule G. *Effective April 1, ~~2023~~2024.*
- 12.06.220 *Repealed.*
- 12.06.225 High voltage general service – Schedule HVG. *Effective April 1, 2023.*
- 12.06.240 *Repealed.*
- 12.06.250 *Repealed.*
- 12.06.260 Contract industrial service – Schedule CP. *Effective April 1, 2022.*
- 12.06.265 New large load service – Schedule NLL. *Effective April 1, 2022.*
- 12.06.270 *Repealed.*
- 12.06.280 *Repealed.*
- 12.06.290 Street lighting and traffic signal service – Schedule H-1. *Effective April 1, ~~2023~~2024.*
- 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, 2023.*
- 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.
- 12.06.371 Electric Vehicle Fast Charge – Schedule FC. *Effective January 1, 2019, to December 31, 2031.*
- 12.06.372 Shore power – Schedule SP. *Effective April 1, ~~2023~~2024.*

¹ Prior legislation: Ords. 16486, 16718, 16729, 16979, 17181, 17335, 17652, 17740, 18074, 18121, 18378, 18379, 18577, 18654, 18705 and 19120.

12.06.373 Electrofuel service pilot – Schedule EF. *Effective April 1, 2021.*

* * *

12.06.160 Residential service – Schedule A-1. *Effective April 1, ~~2023~~2024.*

A. Availability.

Available for domestic purposes in residences, apartments, duplex houses, multiple-family dwellings, and residential garages.

B. Applicability.

To single residences, individually metered apartments and per apartment for collectively metered apartments.

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 \$0.038207 per kWh.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$21.60~~25.30 per month, for all but collectively metered apartments; ~~\$17.70~~20.70 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 \$0.038207 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$21.60~~25.30 per month, for all but collectively metered apartments; ~~\$17.70~~20.70 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 \$0.038207 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$21.60~~25.30 per month, for all but collectively metered apartments; ~~\$17.70~~20.70 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 \$0.038207 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$21.60~~25.30 per month, for all but collectively metered apartments; ~~\$17.70~~20.70 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 \$0.038207 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$21.60~~25.30 per month, for all but collectively metered apartments; ~~\$17.70~~20.70 per month, for collectively metered apartments.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.048644 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.040981 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$23.17~~27.14 per month, for all but collectively metered apartments; ~~\$18.99~~22.20 per month, for collectively metered apartments.

D. Service Conditions.

1. Where load conditions warrant, three-phase electric service may be made available by prior written agreement.
2. Applicable provisions of the Tacoma Municipal Code, General Provisions, and Customer Service Policies governing the sale of electric energy shall apply.

* * *

12.06.170 Small general service – Schedule B. *Effective April 1, ~~2023~~2024.*

A. Availability.

For nonresidential lighting, heating, and incidental power uses where a demand meter may be installed. Also for nonresidential incidental power uses where a meter is not installed. The customer's actual demand as determined by Tacoma Power may not exceed 50 kilovolt amperes or total connected load as estimated by Tacoma Power may not exceed 65 kilowatts upon initial service energization.

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 \$0.038014 per kWh.
3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$26.65~~28.95 per month, for all but unmetered services; ~~\$20.75~~22.55 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 \$0.038014 per kWh.
 - (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$26.65~~28.95 per month, for all but unmetered services; ~~\$20.75~~22.55 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 \$0.038014 per kWh.
 - (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$26.65~~28.95 per month, for all but unmetered services; ~~\$20.75~~22.55 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 \$0.038014 per kWh.
 - (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$26.65~~28.95 per month, for all but unmetered services; ~~\$20.75~~22.55 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 \$0.038014 per kWh.
 - (3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$26.65~~28.95 per month, for all but unmetered services; ~~\$20.75~~22.55 per month, for unmetered services.
 - (e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.047856 per kWh.

(2) Delivery: All energy delivered in kilowatt-hours at \$0.040774 per kWh.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: ~~\$28.59~~\$31.05 per month, for all but unmetered services; ~~\$22.26~~\$24.19 per month, for unmetered services.

C. Service Conditions.

1. The maximum allowable total connected motor rating is 7.5 horsepower (5.6 kilowatts) exclusive of motors of 1/4 horsepower and under for standard plug-in applications.

2. At the option of Tacoma Power, a customer may be transferred to a demand metered rate if the customer's actual demand has exceeded 50 kilovolt amperes at least three times in the prior 24-month period.

3. Power factor provision applicable.

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

* * *

12.06.215 General service – Schedule G. Effective April 1, ~~2023~~2024.²

A. Availability.

For general power use where a demand meter is installed, for standby capacity to customers generating all or a part of their electric power requirements, and for intermittent use. The customer's actual demand as determined by Tacoma Power must exceed 50 kilovolt amperes or total connected load as estimated by Tacoma Power must exceed 65 kilowatts upon initial service energization.

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.

B. Monthly Rate.

The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at ~~\$0.054780~~\$0.058014 per kWh.

2. Delivery: All kilowatts of Billing Demand delivered at ~~\$9.12~~\$9.44 per kW.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.054780~~\$0.058014 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$9.12~~\$9.44 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.054780~~\$0.058014 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$9.12~~\$9.44 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

(c) Within the City of Lakewood:

² Code Reviser's note: See 12.06.215.E for an exception to the effective date of Chapter 12.06.215.

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.054780~~0.058014 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$9.12~~9.44 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.054780~~0.058014 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$9.12~~9.44 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$82.80 per month.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at ~~\$0.058758~~0.062227 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at ~~\$9.78~~10.13 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$88.81 per month.

C. Billing Demand.

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

1. The highest measured demand for the month adjusted for power factor;
2. 60 percent of the highest measured demand occurring during any of the preceding 11 months after adjustment for power factor; or
3. 100 percent of the standby capacity.

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).

D. Standby Capacity.

That amount of power requested by written application or estimated by the Director to be made continuously available for exclusive use of the customer.

E. Customer-Owned Generation: *Effective January 1, 2021.*

1. Any customer taking service under this schedule is eligible to sell to Tacoma Power the quantity of generation that exceeds its actual demand over an hour along with the generation's associated Renewable Energy Credits (REC), as defined by RCW 19.285.030, provided that such a customer:

- (a) utilizes solar photovoltaic (PV) arrays sized not greater than 2 MW, or
- (b) owns generation and has an agreement with Tacoma Power that provides for:
 - (i) compensation of excess generation under this rate schedule,
 - (ii) the purchase of Standby Capacity in the amount of no less than the expected energy output of the generator, and
 - (iii) the recovery of the cost of integration into Tacoma Power's system.

This section shall not apply to customer-owned generation facilities with a capacity less than 100 kW, which are subject to Tacoma Power's net metering requirements under RCW 80.60.030.

2. To participate, an eligible customer must comply with the following subsections (a), (b), and (c):

- (a) Enter into a generator interconnection agreement with Tacoma Power and comply with all its terms. Tacoma Power may adopt any generator interconnection requirements as necessary to protect public safety, system reliability, or other regulatory requirements.
- (b) Transfer to Tacoma Power ownership of all environmental, social, REC, and other non-power attributes of the electricity generated in excess of that consumed by the customer. The customer may retain ownership of all environmental, social, REC, and other non-power attributes of the electricity produced by the generator that is consumed on-site.

(c) Pay for a two-way advanced meter that is selected and installed by Tacoma Power at the generator that will be used to measure kilowatt-hours of inbound retail energy consumed by the customer's load and the outbound exported generation. Customers totalizing multiple meters may integrate customer-owned generation into their totalized service consistent with Tacoma Power's policies for meter totalization. Otherwise, meter aggregation across multiple customer premises shall not be permitted.

3. Any electricity produced by the customer's generation may be used to reduce inbound retail electricity consumption in accordance with this schedule.

4. The price Tacoma Power shall pay the customer for the quantity of excess generation delivered to Tacoma Power shall equal the quantity, as measured by the advanced meter over each hour, multiplied by:

(a) if available, the applicable Pricing Node of the Real-time Dispatch price of Energy Imbalance Market where the generator is located, as determined by the California Independent System Operator under its market tariff, or

(b) a published index price for firm energy at the Mid-Columbia applicable to the time in which energy was delivered;

(c) plus \$4.43 for each REC transferred to Tacoma Power.

If excess generation is provided during any hour in which the advanced meter fails to record generation, Tacoma Power shall estimate the quantity of excess generation.

F. Service Conditions.

1. At the option of Tacoma Power, primary metering may be installed where the service transformers aggregate 500 kVA or more.

2. At the option of Tacoma Power, a customer may be transferred to a non-demand metered rate if the customer's actual demand has not exceeded 50 kilovolt amperes in the prior 24-month period.

3. Power factor provision applicable.

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

* * *

12.06.225 High voltage general service – Schedule HVG. *Effective April 1, 2023.*

A. Availability.

For customers receiving service from Tacoma Power under this rate schedule prior to April 1, 2021. After April 1, 2021, customers served under this rate schedule who transition their service to another rate schedule shall no longer be eligible for service under this schedule. 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. For customers who provide all of their own transformation from Tacoma Power's transmission system voltage, a credit of 20.00 percent will be applicable to the delivery charge.

B. Monthly Rate.

The sum of the following energy, delivery, and customer charges:

1. Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

2. Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

3. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

4. Exceptions:

(a) Within the City of Fife:

(1) Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

(b) Within the City of Fircrest:

(1) Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

(c) Within the City of Lakewood:

(1) Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

(d) Within the City of Steilacoom:

(1) Energy: All energy measured in kilowatt-hours at \$0.045729 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.21 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,750.00 per month.

(e) Within the City of University Place:

(1) Energy: All energy measured in kilowatt-hours at \$0.049050 per kWh.

(2) Delivery: All kilowatts of Billing Demand delivered at \$5.59 per kW.

(3) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$1,877.08 per month.

C. Billing Demand.

Determined by means of a demand meter, 30-minute interval. 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).

D. 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.

* * *

12.06.290 Street lighting and traffic signal service – Schedule H-1. *Effective April 1, ~~2023~~2024.*

A. Availability: Available for:

1. Public street lighting service where the lighting system is in operation during hours of darkness and where the street light system and equipment is owned by the customer, or there have been other suitable prior written arrangements agreed to by Tacoma Power and the applicant; and
2. Traffic controllers, signal lights, warning lights, danger lights, pedestrian lights and similar uses, where the traffic control system and equipment is owned and maintained by the customer.

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	\$3.71 <u>3.97</u>
151-220 Watts	\$5.44 <u>5.82</u>
221-320 Watts	\$7.91 <u>8.47</u>
321-520 Watts	\$12.87 <u>13.76</u>
521 & Over Watts	\$20.29 <u>21.70</u>

(b) High Intensity Discharge Lamps:

Energy Charge Per Unit			
Nominal Wattage	Continuous	Dusk to Dawn	Dusk to 2:20 a.m.
50 Watts	\$2.75 <u>2.94</u>	\$1.48 <u>1.58</u>	\$0.93 <u>1.00</u>
70 Watts	\$3.82 <u>4.08</u>	\$2.08 <u>2.22</u>	\$1.30 <u>1.40</u>
100 Watts	\$5.47 <u>5.85</u>	\$2.95 <u>3.16</u>	\$1.86 <u>1.99</u>
150 Watts	\$8.21 <u>8.79</u>	\$4.43 <u>4.74</u>	\$2.79 <u>2.99</u>
175 Watts	\$9.57 <u>10.24</u>	\$5.17 <u>5.53</u>	\$3.25 <u>3.48</u>
200 Watts	\$10.94 <u>11.70</u>	\$5.90 <u>6.31</u>	\$3.71 <u>3.97</u>
250 Watts	\$13.69 <u>14.64</u>	\$7.39 <u>7.91</u>	\$4.65 <u>4.98</u>
310 Watts	\$16.96 <u>18.14</u>	\$9.17 <u>9.80</u>	\$5.77 <u>6.17</u>
400 Watts	\$21.88 <u>23.41</u>	\$11.82 <u>12.64</u>	\$7.43 <u>7.95</u>
700 Watts	\$38.29 <u>40.96</u>	\$20.69 <u>22.13</u>	\$13.03 <u>13.93</u>
1000 Watts	\$50.15 <u>53.64</u>	\$27.08 <u>28.97</u>	\$17.06 <u>18.25</u>
1500 Watts	\$82.06 <u>87.77</u>	\$44.32 <u>47.41</u>	\$27.92 <u>29.86</u>

(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 ~~\$45.59~~48.76, ~~\$24.63~~26.35, and ~~\$15.51~~16.59 per month per kilowatt of total connected load for Continuous, Dusk to Dawn, and Dusk to 2:20 a.m. lamps, respectively.

2. Traffic Control Units (Unmetered):

(a)

Unit Type	Energy Charge Per Unit
(1) Red - Amber – Green	
Controllers	\$2.88
Heads	\$4.36
(2) Flashing	
Controllers	\$1.44
Heads	\$2.17

(1) Incandescent Lamps:

Unit Type	Energy Charge Per Unit					
	Red	Amber	Green	Flashing	Walk	Wait
8 Inch Bulb	\$2.39	\$0.13	\$1.83	\$2.17		
12 Inch Bulb	\$5.85	\$0.32	\$4.46	\$5.31		
Pedestrian Head					\$2.17	\$2.17

(2) Light Emitting Diodes (LED) Lamps:

Unit Type	Energy Charge Per Unit					
	Red	Amber	Green	Flashing	Walk	Wait
8 Inch LED	\$0.28	\$0.02	\$0.19	\$0.26		
12 Inch LED	\$0.45	\$0.02	\$0.37	\$0.40		
Pedestrian Head					\$0.26	\$0.26

(3) Neon Lamps:

Unit Type	Energy Charge Per Unit	
	Walk	Wait
Pedestrian Head	\$0.22	\$0.86

(4) Controllers:

Unit Type	Energy Charge Per Unit
Traffic	\$2.88
Flashing	\$1.44

(5) All lamps or controllers not listed above: Energy charge for lamp or controller installations not listed in the above tabulations shall be calculated by multiplying the unit wattage (in kW) x 730 hours x percent active x \$0.056900 per kWh per month.

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 ~~\$0.015974~~ 0.014413 per kWh.

(c) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$10.35 per month.

4. Exception: Within the City of University Place.

Rates stated herein are for (1) unmetered installations [items (a) and (b)] 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 (c)].

(a) Street Lighting Units (Unmetered):

(i) Incandescent Lamps:

Nominal Wattage	Energy Charge Per Unit
Up to 150 Watts	\$3.98 <u>4.26</u>
151-220 Watts	\$5.84 <u>6.25</u>
221-320 Watts	\$8.49 <u>9.08</u>
321-520 Watts	\$13.80 <u>14.76</u>
521 & Over Watts	\$21.76 <u>23.28</u>

(ii) High Intensity Discharge Lamps:

Energy Charge Per Unit			
Nominal Wattage	Continuous	Dusk to Dawn	Dusk to 2:20 a.m.
50 Watts	\$2.95 3.15	\$1.58 1.69	\$1.00 1.07
70 Watts	\$4.10 4.38	\$2.23 2.38	\$1.40 1.50
100 Watts	\$5.86 6.27	\$3.17 3.39	\$2.00 2.14
150 Watts	\$8.81 9.42	\$4.75 5.08	\$2.99 3.20
175 Watts	\$10.27 10.98	\$5.54 5.93	\$3.49 3.73
200 Watts	\$11.74 12.55	\$6.33 6.77	\$3.98 4.26
250 Watts	\$14.68 15.71	\$7.93 8.48	\$4.99 5.34
310 Watts	\$18.20 19.46	\$9.83 10.52	\$6.18 6.61
400 Watts	\$23.47 25.11	\$12.68 13.56	\$7.97 8.53
700 Watts	\$41.07 43.93	\$22.19 23.73	\$13.97 14.95
1000 Watts	\$53.79 57.54	\$29.05 31.07	\$18.30 19.57
1500 Watts	\$88.02 94.14	\$47.54 50.85	\$29.94 32.03

(iii) At the discretion of Tacoma Power, all lamps may be charged the following equivalent rate: Energy charge for lamp installations at the rate of ~~\$48.90~~52.30, ~~\$26.42~~28.26, and ~~\$16.64~~17.79 per month per kilowatt of total connected load for Continuous, Dusk to Dawn, and Dusk to 2:20 a.m. lamps, respectively.

(b) Traffic Control Units (Unmetered):

(i)

Unit Type	Energy Charge Per Unit
(1) Red - Amber – Green	
Controllers	\$3.09
Heads	\$4.68
(2) Flashing	
Controllers	\$1.54
Heads	\$2.33

(ii) Incandescent Lamps:

Unit Type	Energy Charge Per Unit					
	Red	Amber	Green	Flashing	Walk	Wait
8 Inch Bulb	\$2.56	\$0.14	\$1.96	\$2.33		
12 Inch Bulb	\$6.27	\$0.34	\$4.78	\$5.70		
Pedestrian Head					\$2.33	\$2.33

(iii) Light Emitting Diodes (LED) Lamps:

Unit Type	Energy Charge Per Unit					
	Red	Amber	Green	Flashing	Walk	Wait
8 Inch LED	\$0.30	\$0.02	\$0.20	\$0.28		
12 Inch LED	\$0.48	\$0.02	\$0.40	\$0.43		
Pedestrian Head					\$0.28	\$0.28

(iv) Neon Lamps:

Unit Type	Energy Charge Per Unit	
	Walk	Wait
Pedestrian Head	\$0.24	\$0.92

(v) Controllers:

Unit Type	Energy Charge Per Unit
Traffic	\$3.09
Flashing	\$1.54

(vi) All lamps or controllers not listed above: Energy charge for lamp or controller installations not listed in the above tabulations shall be calculated by multiplying the unit wattage (in kW) x 730 hours x percent active x \$0.061032 per kWh per month.

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

(i) Energy: All energy measured in kilowatt-hours at \$0.038282 per kWh.

(ii) Delivery: All energy delivered in kilowatt-hours at ~~\$0.017134~~ \$0.015460 per kWh.

(iii) Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$11.10 per month.

C. Service Conditions.

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

* * *

12.06.300 Private off-street lighting service – Schedule H-2. *Effective April 1, 2023.*³

A. Availability.

Available for outdoor lighting service along private street and roadways, over parking lots, and for general area lighting of private property, but excluding public streets within the City of Tacoma.

B. Character of Service.

1. Lighting under this schedule shall be limited to the hours of darkness when street and highway lights are normally in use. The hours of use shall be regulated by a photoelectric control.

2. Tacoma Power will install, own, and maintain the equipment.

3. Energy will be provided on an unmetered basis.

C. Monthly Rate.

1. High Pressure Sodium Lamps:

Lamp Rating (Watts/Lamp)	Type	Rental Charge
100-Watt	Sodium Vapor	\$14.50
200-Watt	Sodium Vapor	\$18.66
400-Watt	Sodium Vapor	\$37.31

2. All Other Lamps:

Lamp Rating (Watts-Equivalent/Lamp)	Rental Charge
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³ Code Reviser's note: See 12.06.300.C.4 for an exception to the effective date of Chapter 12.06.300.

0-200 Watt Equivalent	\$16.59
201-400 Watt Equivalent	\$37.31
401-800 Watt Equivalent	\$58.05
801-1000 Watt Equivalent	\$78.78
1001-1500 Watt Equivalent	\$99.51

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 per pole specified in the following table. Ancillary materials will be an additional expense. The customer shall pay the entire installation cost prior to installation.

Effective Date	Cost for Each Additional Pole
April 1, 2023	1,120.00
April 1, 2024	1,616.00
April 1, 2025	2,112.00
April 1, 2026	2,608.00
April 1, 2027	3,104.00

4. Exception: Within the City of University Place.

(a) High Pressure Sodium Lamps:

Lamp Rating (Watts/Lamp)	Type	Rental Charge
100-Watt	Sodium Vapor	\$15.55
200-Watt	Sodium Vapor	\$20.02
400-Watt	Sodium Vapor	\$40.02

(b) All Other Lamps:

Lamp Rating (Watts-Equivalent/Lamp)	Rental Charge
0-200 Watt Equivalent	\$17.79
201-400 Watt Equivalent	\$40.02
401-800 Watt Equivalent	\$62.27
801-1000 Watt Equivalent	\$84.50
1001-1500 Watt Equivalent	\$106.74

(c) 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 per pole specified in the following table. Ancillary materials will be an additional expense. The customer shall pay the entire installation cost prior to installation.

Effective Date	Cost for Each Additional Pole
April 1, 2023	1,201.33
April 1, 2024	1,733.35
April 1, 2025	2,265.36
April 1, 2026	2,797.38
April 1, 2027	3,329.40

5. Effective January 1, 2021⁴, 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 35 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.

* * *

12.06.372 Shore power – Schedule SP. Effective April 1, ~~2023~~2024.

A. Applicability.

Service under this schedule is applicable to electric service connections to marine vessels with systems that can accept power from shore rather than use onboard power generation systems while in dock and are metered separately from all other commercial loads. To receive service under this schedule, a customer must execute a Power Service Agreement (Contract) with Tacoma Power which shall, at a minimum, include provisions regarding scheduling and curtailments of loads. Tacoma Power reserves the right to curtail service under this schedule due to maintenance or emergency conditions on the Tacoma Power electrical system.

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.

B. Monthly Rate.

The sum of the following energy supply, delivery, and customer charges:

1. Energy Supply and Delivery: All energy supplied and delivered in kilowatt-hours at ~~\$0.125412~~0.131683 per kWh.
2. Customer Charge: Calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies: \$83.25 per month.

C. Service Conditions.

1. Customer account holders receiving energy under this rate schedule shall be authorized to recover amounts billed under this schedule from third parties without being held to be in violation of Tacoma Municipal Code 12.06.120.
2. Power factor provision applicable.
3. Applicable provisions of the Tacoma Municipal Code, General Provisions, and Customer Service Policies governing the sale of electric energy shall apply.

* * *

⁴ Code Reviser's note: A scrivener's error related to the effective date of 12.06.300.C.4 was corrected, to reflect an effective date of January 1, 2021.



ORDINANCE NO. 28848

1 AN ORDINANCE relating to Water; amending Chapter 12.10 of the Municipal
2 Code, "Water - Regulations and Rates," for two rate system average
3 adjustments, effective January 1, 2023, and January 1, 2024.

4 WHEREAS Tacoma Water directly serves a population of over 350,000
5 customers in the greater Tacoma metropolitan area, and in 2021, the utility
6 delivered approximately 54 million gallons of water a day and generated about
7 \$99 million in water sales, and

8 WHEREAS, while overall water consumption has remained steady, ongoing
9 costs to maintain the utility have increased, and

10 WHEREAS in the development of this proposal, Tacoma Water conducted
11 a revenue requirement cost-of-service analysis, and performed rate-design that
12 incorporates its 2023-2024 budget request, and

13 WHEREAS this proposal is in alignment with industry ratemaking standards
14 and best practices, Tacoma Water's Rate and Financial Policy, as well as the
15 Public Utility Board's ("PUB") Strategic Directives of Financial Sustainability and
16 Rates, and maintains long-term financial stability for the utility and gradual rate
17 adjustments for customers, and

18 WHEREAS in addition to rate proposals, Tacoma Water is recommending
19 the following minor modifications: (1) to update the language in Tacoma Municipal
20 Code ("TMC") 12.10.400.E from "RockTenn CP, LLC" to "Westrock CP, LLC", and
21 (2) remove Hyada Mutual Service Company from TMC 12.10.400.I due to the
22 payoff of balances associated with the acquisition, and
23
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1 WHEREAS in preparation for this request, Tacoma Water sought input
2 from customers, policymakers, and members of the public through various
3 meetings such as: franchise city council meetings, neighborhood council
4 meetings, PUB study sessions and meetings, and meetings of the Government
5 Performance and Finance Committee, and
6

7 WHEREAS, based on customer research on affordability, many of
8 Tacoma Water's customers are able to afford low, stable rate adjustments,
9 however, there are customers that are more negatively impacted by rate
10 increases, and
11

12 WHEREAS this proposal also includes adjustments to Tacoma Water's
13 Bill Credit Assistance Program ("BCAP"), by providing a portion of the available
14 credit to all income-qualified customers who apply, with the remainder of the
15 credit provided to those who are able to maintain their account in a current
16 status, and the automatic credit alone is enough to offset both rate adjustments
17 for the average participating income-qualified residential customer, and
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19 WHEREAS the adjustments to BCAP will also provide immediate
20 assistance to those participating income-qualified residential customers who
21 have struggled to remain current on their utility bills; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 12.10 of the Tacoma Municipal Code (“TMC”), “Water - Regulations and Rates,” is hereby amended, to include the minor modifications to TMC 12.10.301 and TMC 12.10.400, and the two rate system average adjustments of 4 percent, effective January 1, 2023, and 4 percent, effective January 1, 2024, to read as set forth in the attached Exhibit “A.”

Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener’s/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

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.
- 12.10.302 System capacity flow testing.
- 12.10.303 *Repealed.*
- 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.

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12.10.301 Fire hydrant services fee.

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 from the customers, “Residential Service,” “Commercial and Industrial – General Service,” and “Commercial and Industrial – Large Volume Service” rate categories, following the rate schedules below:

Hydrant Service Fee		
Inside City of Tacoma	Outside City of Tacoma	City of University Place
Rate Effective Dates		

1/1/2021	1/1/2022	1/1/2021	1/1/2022	1/1/2021	4/1/2021	1/1/2022	4/1/2022
\$2.94	\$3.00	\$3.81	\$3.88	\$3.81	\$3.94	\$4.02	\$4.17

<u>Hydrant Service Fee</u>					
<u>Inside City of Tacoma</u>		<u>Outside City of Tacoma</u>		<u>City of University Place</u>	
<u>Rate Effective Dates</u>					
<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>\$2.94</u>	<u>\$2.88</u>	<u>\$3.79</u>	<u>\$3.65</u>	<u>\$4.07</u>	<u>\$3.92</u>

The 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.

* * *

12.10.400 Rates – Inside and outside City limits.

The standard charge for water supplied inside and outside the City for residential, and commercial/industrial 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. The standard charge for wholesale shall consist of a monthly ready to serve charge based on contracted peak capacity together with a rate for the quantity of water used.

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 calculated on a monthly basis, invoiced, and collected pursuant to the applicable customer service policies 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 Tacoma		Outside City of Tacoma		City of University Place			
	Rate Effective Dates							
	1/1/2021	1/1/2022	1/1/2021	1/1/2022	1/1/2021	4/1/2021	1/1/2022	4/1/2022
5/8	\$25.32	\$25.83	\$30.67	\$31.28	\$30.67	\$31.76	\$32.40	\$33.60
3/4	\$36.51	\$37.25	\$44.09	\$44.98	\$44.09	\$45.66	\$46.59	\$48.32
1	\$58.89	\$60.08	\$70.95	\$72.38	\$70.95	\$73.48	\$74.97	\$77.75
1.5	\$114.84	\$117.15	\$138.09	\$140.86	\$138.09	\$143.02	\$145.89	\$151.30
2	\$181.98	\$185.64	\$218.66	\$223.05	\$218.66	\$226.47	\$231.02	\$239.58
3	\$338.64	\$345.45	\$406.65	\$414.82	\$406.65	\$421.17	\$429.64	\$445.56
4	\$562.44	\$573.75	\$675.21	\$688.78	\$675.21	\$699.33	\$713.39	\$739.82
6	\$1,121.94	\$1,144.50	\$1,346.61	\$1,373.68	\$1,346.61	\$1,394.72	\$1,422.76	\$1,475.47
8	\$1,793.34	\$1,829.40	\$2,152.29	\$2,195.56	\$2,152.29	\$2,229.18	\$2,274.00	\$2,358.25
10	\$2,576.64	\$2,628.45	\$3,092.25	\$3,154.42	\$3,092.25	\$3,202.72	\$3,267.12	\$3,388.17
12	\$3,779.57	\$3,855.56	\$4,535.77	\$4,626.95	\$4,535.77	\$4,697.81	\$4,792.26	\$4,969.81

Residential, Commercial & Large Volume - Ready to Serve Charge						
Meter Size (Inches)	Inside City of Tacoma		Outside City of Tacoma		City of University Place	
	Rate Effective Dates					
	1/1/2023	1/1/2024	1/1/2023	1/1/2024	1/1/2023	1/1/2024
5/8	\$26.68	\$27.57	\$32.28	\$33.28	\$34.67	\$35.74
3/4	\$38.55	\$39.92	\$46.52	\$48.10	\$49.97	\$51.66
1	\$62.29	\$64.61	\$75.01	\$77.73	\$80.57	\$83.49
1.5	\$121.64	\$126.33	\$146.23	\$151.79	\$157.06	\$163.04
2	\$192.86	\$200.40	\$231.69	\$240.67	\$248.86	\$258.51
3	\$359.04	\$373.23	\$431.11	\$448.07	\$463.05	\$481.27
4	\$596.44	\$620.13	\$715.99	\$744.35	\$769.04	\$799.51
6	\$1,189.94	\$1,237.38	\$1,428.19	\$1,485.05	\$1,534.02	\$1,595.09
8	\$1,902.14	\$1,978.08	\$2,282.83	\$2,373.89	\$2,451.99	\$2,549.80
10	\$2,733.04	\$2,842.23	\$3,279.91	\$3,410.87	\$3,522.95	\$3,663.62
12	\$4,009.07	\$4,169.32	\$4,811.15	\$5,003.38	\$5,167.65	\$5,374.13

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)	Inside City of Tacoma		Outside City of Tacoma		City of University Place			
	Rate Effective Dates							
	1/1/2021	1/1/2022	1/1/2021	1/1/2022	1/1/2021	4/1/2021	1/1/2022	4/1/2022
5/8	\$3.68	\$0.00	\$4.42	\$0.00	\$4.42	\$4.57	\$0.00	\$0.00
3/4	\$5.51	\$0.00	\$6.61	\$0.00	\$6.61	\$6.85	\$0.00	\$0.00
1	\$9.19	\$0.00	\$11.03	\$0.00	\$11.03	\$11.42	\$0.00	\$0.00
1.5	\$18.38	\$0.00	\$22.06	\$0.00	\$22.06	\$22.84	\$0.00	\$0.00
2	\$29.40	\$0.00	\$35.28	\$0.00	\$35.28	\$36.54	\$0.00	\$0.00
3	\$55.13	\$0.00	\$66.16	\$0.00	\$66.16	\$68.52	\$0.00	\$0.00
4	\$91.88	\$0.00	\$110.26	\$0.00	\$110.26	\$114.20	\$0.00	\$0.00
6	\$183.75	\$0.00	\$220.50	\$0.00	\$220.50	\$228.38	\$0.00	\$0.00
8	\$294.00	\$0.00	\$352.80	\$0.00	\$352.80	\$365.40	\$0.00	\$0.00
10	\$422.63	\$0.00	\$507.16	\$0.00	\$507.16	\$525.27	\$0.00	\$0.00
12	\$620.16	\$0.00	\$744.19	\$0.00	\$744.19	\$770.78	\$0.00	\$0.00

<u>Parks & Irrigation - Ready to Serve Charge</u>						
<u>Meter Size (Inches)</u>	<u>Inside City of Tacoma</u>		<u>Outside City of Tacoma</u>		<u>City of University Place</u>	
	<u>Rate Effective Dates</u>					
	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>All</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>

The monthly ready to serve charge shall be in accordance with a wholesale customer's contracted peak capacity in MGD times the monthly rate.

Wholesale—Ready to Serve Charge		
Range in MGD (million gallons per day)	Rate Effective Dates	
	1/1/2021	1/1/2022
For each MGD of contracted peak capacity	\$2,584.40	\$2,636.09

<u>Wholesale – Ready to Serve Charge</u>		
<u>Range in MGD (million gallons per day)</u>	<u>Rate Effective Dates</u>	
	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>For each MGD of contracted peak capacity</u>	<u>\$ 2,741.53</u>	<u>\$2,851.19</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—Rate per CCF								
Range in CCF (100 cubic feet)	Inside City of Tacoma		Outside City of Tacoma		City of University Place			
	Rate Effective Dates							
	1/1/2021	1/1/2022	1/1/2021	1/1/2022	1/1/2021	4/1/2021	1/1/2022	4/1/2022
Winter Tier: For each CCF of water consumption during the winter months of October through and including May	\$2.164	\$2.207	\$2.597	\$2.648	\$2.597	\$2.690	\$2.743	\$2.844
Summer Tier 1: For the first five CCF of water consumption per month during the summer months of June through and including September	\$2.164	\$2.207	\$2.597	\$2.648	N/A	\$2.690	N/A	\$2.844
Summer Tier 2: For each CCF of water consumption over five CCF during the summer months of June through and including September	\$2.705	\$2.759	\$3.246	\$3.310	N/A	\$3.362	N/A	\$3.555

<u>Residential Service</u>						
<u>Range in CCF (100 cubic feet)</u>	<u>Inside City of Tacoma</u>		<u>Outside City of Tacoma</u>		<u>City of University Place</u>	
	<u>Rate Effective Dates</u>					
	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>For each CCF of water consumption during the winter months of October through and including May</u>	<u>\$2.327</u>	<u>\$2.452</u>	<u>\$2.792</u>	<u>\$2.942</u>	<u>\$2.999</u>	<u>\$3.160</u>
<u>For the first five CCF of water consumption per month during the summer months of June through and including September</u>	<u>\$2.327</u>	<u>\$2.452</u>	<u>\$2.792</u>	<u>\$2.942</u>	<u>\$2.999</u>	<u>\$3.160</u>
<u>For each CCF of water consumption over five CCF during the summer months of June through and including September</u>	<u>\$2.909</u>	<u>\$3.065</u>	<u>\$3.490</u>	<u>\$3.678</u>	<u>\$3.749</u>	<u>\$3.950</u>

Commercial and Industrial—General Service—Rate per CCF								
Range in CCF (100 cubic feet)	Inside City of Tacoma		Outside City of Tacoma		City of University Place			
	Rate Effective Dates							
	1/1/2021	1/1/2022	1/1/2021	1/1/2022	1/1/2021	4/1/2021	1/1/2022	4/1/2022
For each CCF of water consumption	\$2.333	\$2.379	\$2.800	\$2.855	\$2.800	\$2.900	\$2.957	\$3.067

<u>Commercial and Industrial - General Service</u>						
<u>Range in CCF (100 cubic feet)</u>	<u>Inside City of Tacoma</u>		<u>Outside City of Tacoma</u>		<u>City of University Place</u>	
	<u>Rate Effective Dates</u>					
	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>For each CCF of water consumption</u>	<u>\$2.430</u>	<u>\$2.482</u>	<u>\$2.916</u>	<u>\$2.978</u>	<u>\$3.132</u>	<u>\$3.199</u>

Commercial and Industrial—Large Volume Service—Rate per CCF *								
Range in CCF (100 cubic feet)	Inside City of Tacoma		Outside City of Tacoma		City of University Place			
	Rate Effective Dates							
	1/1/2021	1/1/2022	1/1/2021	1/1/2022	1/1/2021	4/1/2021	1/1/2022	4/1/2022
For each CCF of water consumption	\$1.814	\$1.850	\$2.177	\$2.220	\$2.177	\$2.255	\$2.299	\$2.385
Customers may qualify for this rate based on an established consumption history greater than 65,000 CCF annually.								

<u>Commercial and Industrial - Large Volume Service *</u>						
<u>Range in CCF</u> <u>(100 cubic feet)</u>	<u>Inside City of Tacoma</u>		<u>Outside City of Tacoma</u>		<u>City of University Place</u>	
	<u>Rate Effective Dates</u>					
	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>For each CCF of</u> <u>water consumption</u>	<u>\$1.890</u>	<u>\$1.930</u>	<u>\$2.268</u>	<u>\$2.316</u>	<u>\$2.436</u>	<u>\$2.488</u>
* Customers may qualify for this rate based on an established consumption history greater than 65,000 CCF annually.						

Parks and Irrigation Service—Rate per CCF								
Range in CCF (100 cubic feet)	Inside City of Tacoma		Outside City of Tacoma		City of University Place			
	Rate Effective Dates							
	1/1/2021	1/1/2022	1/1/2021	1/1/2022	1/1/2021	4/1/2021	1/1/2022	4/1/2022
For each CCF of water consumption	\$4.296	\$4.628	\$5.155	\$5.554	\$5.155	\$5.339	\$5.752	\$5.966

<u>Parks and Irrigation Service</u>						
<u>Range in CCF</u> <u>(100 cubic feet)</u>	<u>Inside City of Tacoma</u>		<u>Outside City of Tacoma</u>		<u>City of University Place</u>	
	<u>Rate Effective Dates</u>					
	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>For each CCF of</u> <u>water consumption</u>	<u>\$4.844</u>	<u>\$5.069</u>	<u>\$5.813</u>	<u>\$6.083</u>	<u>\$6.244</u>	<u>\$6.534</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. All wholesale contractual agreements with market-based pricing shall be approved by the Tacoma Public Utility Board and Tacoma City Council.

a. Constant Use Customer:

Wholesale Constant Use Customer—Rate per CCF		
Range in CCF (100 cubic feet)	Rate Effective Dates	
	1/1/2021	1/1/2022
Per CCF for winter months (October—May)	-\$1.335	-\$1.362
Per CCF for summer months (June—September)	-\$1.668	-\$1.702

<u>Wholesale Constant Use Customer</u>		
<u>Range in CCF (100 cubic feet)</u>	<u>Rate Effective Dates</u>	
	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>Per CCF for winter months (October - May)</u>	<u>\$1.370</u>	<u>\$1.377</u>
<u>Per CCF for summer months (June - September)</u>	<u>\$1.713</u>	<u>\$1.721</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)	Rate Effective Dates	
	1/1/2021	1/1/2022
For each CCF of water consumption	\$2.503	\$2.553

<u>Wholesale Summer Season, Peaking</u>		
<u>Range in CCF (100 cubic feet)</u>	<u>Rate Effective Dates</u>	
	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>For each CCF of water consumption</u>	<u>\$2.569</u>	<u>\$2.582</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.

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

- a. 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.
- b. 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.
- c. 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.

C. 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.

D. 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)	Inside City of Tacoma		Outside City of Tacoma		City of University Place				Maximum Allowable Monthly Water Usage for Testing and Leakage, CCF
	Rate Effective Dates								
	1/1/2021	1/1/2022	1/1/2021	1/1/2022	1/1/2021	4/1/2021	1/1/2022	4/1/2022	
2	\$29.21	\$29.79	\$35.05	\$35.75	\$35.05	\$36.30	\$37.03	\$38.40	2.99
3	\$42.54	\$43.39	\$51.05	\$52.07	\$51.05	\$52.87	\$53.93	\$55.93	2.99
4	\$71.06	\$72.48	\$85.27	\$86.98	\$85.27	\$88.32	\$90.09	\$93.43	2.99
6	\$159.40	\$162.59	\$191.28	\$195.11	\$191.28	\$198.11	\$202.08	\$209.57	2.99
8	\$283.76	\$289.44	\$340.51	\$347.33	\$340.51	\$352.68	\$359.74	\$373.07	2.99
10	\$443.84	\$452.72	\$532.61	\$543.26	\$532.61	\$551.64	\$562.67	\$583.52	2.99
12	\$709.92	\$724.12	\$851.90	\$868.94	\$851.90	\$882.34	\$899.98	\$933.33	2.99

Fire Protection Service - Ready to Serve Charge							
Meter Size (Inches)	Inside City of Tacoma		Outside City of Tacoma		City of University Place		Maximum Allowable Monthly Water Usage for Testing and Leakage, CCF
	Rate Effective Dates						
	1/1/2023	1/1/2024	1/1/2023	1/1/2024	1/1/2023	1/1/2024	
2	\$29.99	\$30.19	\$35.99	\$36.23	\$38.65	\$38.91	2.99
3	\$43.68	\$43.97	\$52.42	\$52.76	\$56.30	\$56.67	2.99
4	\$72.97	\$73.46	\$87.56	\$88.15	\$94.05	\$94.68	2.99
6	\$163.68	\$164.78	\$196.42	\$197.74	\$210.97	\$212.39	2.99
8	\$291.38	\$293.33	\$349.66	\$352.00	\$375.57	\$378.08	2.99
10	\$455.75	\$458.80	\$546.90	\$550.56	\$587.43	\$591.36	2.99
12	\$728.97	\$733.85	\$874.76	\$880.62	\$939.58	\$945.87	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)	Inside City of Tacoma		Outside City of Tacoma		City of University Place			
	Rate Effective Dates							
	1/1/2021	1/1/2022	1/1/2021	1/1/2022	1/1/2021	4/1/2021	1/1/2022	4/1/2022
For each CCF of water consumption	\$3.960	\$3.960	\$4.752	\$4.752	\$4.752	\$4.922	\$4.922	\$5.104

<u>Fire Protection Service</u>						
<u>Range in CCF</u> <u>(100 cubic feet)</u>	<u>Inside City of Tacoma</u>		<u>Outside City of Tacoma</u>		<u>City of University Place</u>	
	<u>Rate Effective Dates</u>					
	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>For each CCF of</u> <u>water consumption</u>	<u>\$3.960</u>	<u>\$3.960</u>	<u>\$4.752</u>	<u>\$4.752</u>	<u>\$5.104</u>	<u>\$5.104</u>

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.

E. The Pulp Mill Contract.

The rates, terms, and conditions in the contract ~~originally entered~~ between the City and ~~RockTenn~~ WestRock 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.

Pulp Mill		
Billing Components	Rate Effective Dates	
	1/1/2021	1/1/2022
Distribution Charge per Month	\$85,619.69	\$87,332.08
Supply Charge/CCF	\$0.7927923	\$0.8086481
Daily or Monthly Excess Water Usage Charge (Commercial and Industrial - Large Volume Rate) per CCF	\$1.814	\$1.850

<u>Pulp Mill</u>		
<u>Billing Components</u>	<u>1/1/2023</u>	<u>1/1/2024</u>
<u>Distribution Charge per Month</u>	<u>\$90,825.36</u>	<u>\$94,458.37</u>
<u>Supply Charge/CCF</u>	<u>\$0.8409940</u>	<u>\$0.8746338</u>
<u>Daily or Monthly Excess Water Usage Charge (Commercial and Industrial - Large Volume Rate) per CCF</u>	<u>\$1.890</u>	<u>\$1.930</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.

F. 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.

G. 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.

H. 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 35 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.

I. 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. 28849

1 AN ORDINANCE relating to Solid Waste, Recycling, and Hazardous Waste;
2 amending Chapter 12.09 of the Municipal Code, "Solid Waste,
3 Recycling, and Hazardous Waste," to adjust the rates and charges to
4 include an increase effective January 1, 2023, and an increase effective
January 1, 2024; providing for severability; and, establishing an effective
date.

5 WHEREAS the proper handling of solid waste helps to keep the City
6 clean and maintain the quality of life for all residents, and

7 WHEREAS by ensuring adequate solid waste management is in place to
8 provide necessary services to businesses and residents, this utility promotes
9 the growth and development of a vibrant economy, and

10 WHEREAS the guiding strategy for these rate adjustments is to maintain
11 the lowest responsible cost increase for customers, while maintaining long-term
12 financial sustainability of the utilities, and

13 WHEREAS the proposed rate increases are driven by operating expenses
14 and construction inflation, and additional investments in Solid Waste utility
15 employees are also needed to support customer growth, and

16 WHEREAS proposed overall revenue increases are 4 percent, and
17 included in the proposed revenue plan is increased financial assistance for
18 income-qualifying residential customers, and

19 WHEREAS the revenue proposal is supported by the Environmental
20 Services Commission ("ESC"), which represents a cross-section of interests in
21 the City and provides input to the rate making process for Environmental
22 Services utilities, and through presentations and discussions, ESC members
23
24
25
26



1 share their insights and concerns as staff address operational and capital
2 plans, and the resulting supporting rates, and

3 WHEREAS outreach to City Neighborhood Councils and other
4 community groups has been coordinated with Tacoma Public Utilities' utility
5 outreach and communications activities, and staff has engaged with several
6 community organizations, neighborhood councils, and local governments, and

7
8 WHEREAS these engagements have been productive, and Environmental
9 Services has received valuable feedback, comments, and questions on a wide
10 range of utility-related topics, however the department has not received significant
11 feedback on rates proposals; Now, Therefore,

12
13 BE IT ORDAINED BY THE CITY OF TACOMA:

14 Section 1. That Chapter 12.09 of the Municipal Code, "Solid Waste,
15 Recycling, and Hazardous Waste," is hereby amended, to adjust the rates and
16 charges to include an increase effective January 1, 2023, and an increase
17 effective January 1, 2024, to read as set forth in the attached Exhibit "A."

18
19 Section 2. That this ordinance shall become effective on January 1, 2023.

20 Section 3. That if any section, subsection, sentence, clause, or phrase of this
21 ordinance is for any reason held to be invalid or unconstitutional by a decision of
22 any court of competent jurisdiction, such decision shall not affect the validity of the
23 remaining portions of this ordinance. The City Council hereby declares that it would
24 have passed this ordinance and each and every section, subsection, sentence,
25 clause, or phrase not declared invalid or unconstitutional without regard to whether
26



1 any portion of the ordinance would be subsequently declared invalid or
2 unconstitutional.

3 Section 4. That the City Clerk, in consultation with the City Attorney, is
4 authorized to make necessary corrections to this ordinance, including, but not
5 limited to, the correction of scrivener's/clerical errors, references, ordinance
6 numbering, section/subsection numbers, and any references thereto.
7

8 Passed _____
9

10 _____
11 Mayor

12 Attest:
13

14 _____
15 City Clerk

16 Approved as to form:
17

18 _____
19 Chief Deputy City Attorney
20
21
22
23
24
25
26

EXHIBIT “A”

CHAPTER 12.09

SOLID WASTE, RECYCLING, AND HAZARDOUS WASTE

Sections:

- 12.09.010 Purpose.
- 12.09.020 Authority.
- 12.09.030 Definitions.
- 12.09.040 General requirements.
- 12.09.050 Transportation.
- 12.09.060 Requirements for containers.
- 12.09.070 Special permits.
- 12.09.080 Assistance to elderly and/or disabled individuals.
- 12.09.090 Rate reduction for low-income senior and low-income disabled individuals.
- 12.09.092 Authority to allow residential or commercial service.
- 12.09.095 Disposal rate reduction for qualifying nonprofit materials salvage/recycling corporation(s).
- 12.09.100 Collection.
- 12.09.105 Pilot Projects.
- 12.09.110 Residential automated and semi-automated services.
- 12.09.120 Commercial services.
- 12.09.130 Use of Recovery and Transfer Center Facility (disposal site) – General.
- 12.09.140 Disposal rates.
- 12.09.150 *Repealed.*
- 12.09.160 Billing periods, payments and collections.
- 12.09.170 Disposal area automated scale system cards.
- 12.09.180 State tax.
- 12.09.190 Prohibited material.
- 12.09.200 Disposal of asbestos-containing material.
- 12.09.210 Recycling – General.
- 12.09.215 *Preempted.*
- 12.09.220 Enforcement.
- 12.09.230 Violations – Penalties.
- 12.09.240 Notice of violations – Civil penalties.
- 12.09.250 Appeals of special permits.

* * *

12.09.110 Residential automated and semi-automated services.

A. Minimum Monthly Service.

	Effective Years	
	2021 2023	2022 2024
Once every other week pick-up 30-gallon (supplied by City)	\$24.06 25.64	\$24.55 26.77

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:

20212023 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	\$24.06 <u>25.64</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
45 gallon	\$36.07 <u>38.41</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
60 gallon	\$48.09 <u>51.21</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
90 gallon	\$72.14 <u>76.82</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
2-60 gallon	\$96.18 <u>102.42</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
60 + 90 gallon	\$120.23 <u>128.03</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
2-90 gallon	\$144.28 <u>153.64</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00

20222024 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	\$24.55 <u>26.77</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
45 gallon	\$36.79 <u>40.11</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
60 gallon	\$49.05 <u>53.47</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
90 gallon	\$73.58 <u>80.21</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
2-60 gallon	\$98.10 <u>106.94</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
60 + 90 gallon	\$122.63 <u>133.68</u>	\$10.00	\$15.00 <u>17.50</u>	\$3.00
2-90 gallon	\$147.16 <u>160.42</u>	\$10.00	\$15.00 <u>17.50</u>	\$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

3. An additional charge of \$5.55 per garbage, recycle, and yard waste container per month shall be added when containers are not reasonably accessible, regardless of carrying distance.

4. Residential 300-gallon containers shall initially be placed in position by Solid Waste Management to facilitate the collection operation. Once so placed into service, the containers shall not be removed or relocated by the customer. Each customer sharing a 300-gallon container shall pay a rate commensurate with the services received as determined by Solid Waste Management.

5. There will be no charge for initial delivery or change of containers supplied by Solid Waste Management for new customers. In addition, there will be no charge for delivery or change of containers for existing customers once per premise, per year. Additional deliveries of containers and changes in service due to customer request after the first

delivery or change in any calendar year to a premise will be billed at \$30.00 per delivery. Replacement of containers damaged by the normal collection process are not subject to the \$30.00 container delivery or exchange fee.

6. a. A surcharge of \$2.32 per residential account per month shall be added to offset system program cost increases for processing and shipping for recyclable materials resulting from market conditions.

b. A surcharge of \$0.50 per residential account per month shall be added to offset system program costs of increased recycling education programming made necessary as a result of market conditions.¹

B. If a residential automated collection container is not in place by 7:00 a.m. or is otherwise inaccessible the day of the regularly scheduled pickup and the customer requests that the collection vehicle return to the premises to collect the contents of the container, a return trip charge of ~~\$10.00~~ 17.50 may be assessed to the customer. Such charge shall be applied on a per-trip basis without consideration of the size or number of containers collected from the customer. For each additional nonscheduled pickup requested by the customer, a return fee of ~~\$10.00~~ 17.50 plus additional container fee may be assessed.

C. Any residential customer in possession of any City-owned container shall pay the cost of repair or replacement of any damaged container, if it is the determination of Solid Waste Management that such damage is the result of the negligence or abuse by the customer. The charge shall be the actual cost of repair or replacement as determined by the City and shall be added to the customer's utility bill.

D. No dwelling unit of a multi-family dwelling (triplex or larger) may receive individual residential solid waste service 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.

E. Upon approval by Solid Waste Management, residential collection service may be stopped during temporary vacancy of the premises no more than twice per calendar year. Service shall not be discontinued for a period of less than two weeks. A charge of \$15.00 shall be added to the utility bill for each approved temporary stop-service order. Service shall resume no later than the date specified by the customer in the stop order. An alternative mailing address must be provided if requested by Solid Waste Management.

F. Use of an enclosure built for a container is subject to prior approval by Solid Waste Management and may be revoked upon inspection if not built as per originally approved.

G. Recycling or yard waste containers contaminated with garbage may be dumped as solid waste. When they are, the customer will be charged the "Each Additional Reload" fee identified in the rate table for that class and frequency of service. Recycling containers that are repeatedly contaminated with garbage may be removed at the discretion of Solid Waste Management. A \$30.00 service charge will be assessed for redelivery of each container.

H. Overload charges may be charged when the condition of the container meets the definition of "Overloaded" in TMC 12.09.030. Extra bags of garbage will be charged the "Applicable Charge for Overload." If the overload condition, or number of extra bags requires the driver to reload and re-dump the container, the customer will be charged the "Each Reload" fee identified in the rate table for that class and frequency of service.

I. City of Tacoma solid waste ratepayers living in a single-family home or duplex may request two "Call-2 Haul" service appointments per year. No more than three large items, consisting of appliances, furniture, or items of a similar size and weight, and 15 bags or boxes of unusable household items will be picked up by Solid Waste Management at each Call-2 Haul service appointment. No additional charge to the ratepayer will be made for this service. A charge of \$10.00 ~~will~~ may be assessed for late cancellations or if items are not set out by 7:00 a.m. on the scheduled date.

12.09.120 Commercial services.

Solid Waste Management reserves the right to establish the appropriate level of service. No single unit of a multibusiness 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

¹ Code Reviser's note: the surcharge rate set forth in TMC 12.09.110.A.6.b, for recycling education programming, shall sunset, and no longer be in force or effect, at 11:59 p.m. on December 31, 2023, per Ordinance No. 28623 § 3.

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	
	2021 2023	2022 2024
Minimum Monthly Service (20-Gallon):	\$30.22 33.64	\$31.73 35.66

2021 2023 RATES COMMERCIAL BARRELS				
Commercial Category	Monthly Container Rent *	Monthly Rate (times pickups per week)	Each Additional Pickup	Overload Charge
Regular Service				
20 gallon	na	\$30.22 33.64	\$15.00 17.50	\$10.00
30 gallon	na	\$39.60 44.08	\$15.00 17.50	\$10.00
60 gallon	na	\$59.51	\$15.00 17.50	\$10.00
90 gallon	na	\$81.88	\$15.00 17.50	\$10.00
300 gallon	\$4.20 41	\$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 10.00
30 gallon	na	\$15.00	na	\$5 10.00
60 gallon	na	\$15.00	na	\$5 10.00
90 gallon	na	\$15.00	na	\$5 10.00
300 gallon	\$1.00	\$38.35	\$15.00	\$25.00

*Excluding Washington State Sales Tax

2022 2024 RATES COMMERCIAL BARRELS				
Commercial Category	Monthly Container Rent *	Monthly Rate (times pickups per week)	Each Additional Pickup	Overload Charge
Regular Service				
20 gallon	na	\$31.73 35.66	\$15.00 17.50	\$10.00
30 gallon	na	\$41.58 46.73	\$15.00 17.50	\$10.00
60 gallon	na	\$59.51	\$15.00 17.50	\$10.00
90 gallon	na	\$81.88	\$15.00 17.50	\$10.00
300 gallon	\$4.41	\$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 10.00
30 gallon	na	\$15.00	na	\$5 10.00
60 gallon	na	\$15.00	na	\$5 10.00
90 gallon	na	\$15.00	na	\$5 10.00
300 gallon	\$1.00	\$38.35	\$15.00	\$25.00

*Excluding Washington State Sales Tax

B. If a commercial 20-, 30-, 60-, 90-, or 300-gallon container is not in place or is otherwise inaccessible at the time the collection vehicle arrives for regularly scheduled pickup and it is necessary for the collection vehicle to return to the premises at a later time to collect and load the contents of the container, a return trip charge of ~~\$10.00~~17.50 may be assessed to the customer. Regularly scheduled pickups will begin at 6:00 a.m. Such charge shall be applied on a per-trip basis, without consideration for the size or number of containers collected from the customer. For each additional nonscheduled pickup requested by the customer, a return fee of ~~\$10.00~~17.50 plus additional container fee may be assessed.

C. An additional \$10.00 charge per haul for 300-gallon container for same day service

~~E~~D. Commercial container rates for noncompacted solid waste shall consist of a minimum monthly charge, which includes all scheduled weekly pickups within any given month. Additional pickups shall be at the request of the customer and shall be subject to the applicable service charge.

~~D~~E. Collection personnel shall not be required to negotiate steep ramps or stairs or remove 20-, 30-, 60-, and 90-gallon containers from storage bins in the performance of their duties. Where 20-, 30-, 60-, and 90-gallon containers are accessible on ground level not in the location designated by Solid Waste Management, the following carry service charge shall apply to each container:

Over 5 feet to 25 feet	\$8.90 per month
Each additional 25 feet or portion thereof	\$11.10 per month

~~E~~F. The following carry service charge shall apply per pick-up for each 300 gallon container (barrel).

Each 300-gallon container	\$27.00 per pick-up
---------------------------	---------------------

~~F~~G. 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.

<div>20212023 RATES</div> <div>FRONT LOAD CONTAINERS</div>				
Commercial Category	Monthly Container Rent*	Monthly Rate (times pickups per week)	Each Additional Pickup	Overload Charge
Regular Service				
2 Cubic yard	\$7.80 8.28	\$230.25 234.86	\$53.14 54.20	\$25.00
3 Cubic yard	\$8.90 9.45	\$291.17 297.00	\$67.20 68.54	\$30.00
4 Cubic yard	\$10.60 11.26	\$353.40 360.47	\$81.56 83.19	\$35.00
6 Cubic yard	\$13.85 14.70	\$475.78 485.30	\$109.80 111.99	\$40.00
8 Cubic yard	\$15.30 16.24	\$600.26 612.27	\$138.53 141.29	\$45.00
Temporary Service				
Commercial Category	Daily Container Rent*	Each Haul Container	Placement Fee	Overload Charge
2 Cubic yard	\$1.00	\$53.14 54.20	\$15.00	\$25.00
3 Cubic yard	\$1.00	\$67.20 68.54	\$15.00	\$30.00
4 Cubic yard	\$1.00	\$81.56 83.19	\$15.00	\$35.00
6 Cubic yard	\$1.00	\$109.80 111.99	\$15.00	\$40.00
8 Cubic yard	\$1.00	\$138.53 141.29	\$15.00	\$45.00

*Excluding Washington State Sales Tax

<div>20222024 RATES</div> <div>FRONT LOAD CONTAINERS</div>				
Commercial Category	Monthly Container Rent*	Monthly Rate (times pickups per week)	Each Additional Pickup	Overload Charge
Regular Service				
2 Cubic yard	\$7.96 8.62	\$230.25 239.56	\$53.14 55.28	\$25.00
3 Cubic yard	\$9.08 9.83	\$291.17 302.94	\$67.20 69.91	\$30.00
4 Cubic yard	\$10.82 11.72	\$353.40 367.68	\$81.56 84.85	\$35.00
6 Cubic yard	\$14.13 15.29	\$475.78 495.01	\$109.80 114.23	\$40.00
8 Cubic yard	\$15.61 16.89	\$600.26 624.52	\$138.53 144.12	\$45.00
Temporary Service				
Commercial Category	Daily Container Rent*	Each Haul Container	Placement Fee	Overload Charge
2 Cubic yard	\$1.00	\$53.14 55.28	\$15.00	\$25.00
3 Cubic yard	\$1.00	\$67.20 69.91	\$15.00	\$30.00
4 Cubic yard	\$1.00	\$81.56 84.85	\$15.00	\$35.00
6 Cubic yard	\$1.00	\$109.80 114.23	\$15.00	\$40.00
8 Cubic yard	\$1.00	\$138.53 144.12	\$15.00	\$45.00

*Excluding Washington State Sales Tax

2021 2023 RATES DROP OFF BOX			
Commercial Category	Monthly Container Rent*	Each Haul per Container	
Regular Service			
15 Cubic Yard	\$38.90 41.27	\$599.04 641.58	
20 Cubic Yard	\$42.45 45.04	\$684.84 733.48	
25 Cubic Yard	\$43.25 45.89	\$781.10 836.57	
30 Cubic Yard	\$46.05 48.86	\$885.46 948.34	
40 Cubic Yard	\$52.15 55.33	\$1,086.31 1,163.45	
Temporary Service			
	Daily Container Rent*	Each Haul per Container	Placement Fee
15 Cubic Yard	\$1.50	\$599.04 641.58	\$50.00
20 Cubic Yard	\$1.50	\$684.84 733.48	\$50.00
25 Cubic Yard	\$1.50	\$781.10 836.57	\$50.00
30 Cubic Yard	\$1.50	\$885.46 948.34	\$50.00
40 Cubic Yard	\$1.50	\$1,086.31 1,163.45	\$50.00

*Excluding Washington State Sales Tax

2022 2024 RATES DROP OFF BOX			
Commercial Category	Monthly Container Rent*	Each Haul per Container	
Regular Service			
15 Cubic Yard	\$39.68 42.93	\$629.00 654.42	
20 Cubic Yard	\$43.30 46.85	\$719.09 748.15	
25 Cubic Yard	\$44.12 47.73	\$820.16 853.31	
30 Cubic Yard	\$46.98 50.82	\$929.74 967.31	
40 Cubic Yard	\$53.20 57.55	\$1,140.63 1,186.72	
Temporary Service			
	Daily Container Rent*	Each Haul per Container	Placement Fee
15 Cubic Yard	\$1.50	\$629.00 654.42	\$50.00
20 Cubic Yard	\$1.50	\$719.09 748.15	\$50.00
25 Cubic Yard	\$1.50	\$820.16 853.31	\$50.00
30 Cubic Yard	\$1.50	\$929.74 967.31	\$50.00
40 Cubic Yard	\$1.50	\$1,140.63 1,186.72	\$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.

G. 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.

2021 <u>2023</u> RATES FRONT LOAD COMPACTOR CONTAINER	
Commercial Category	Each Container Each Pickup
Regular Service	
2 Cubic Yard	\$ 103.07 <u>109.26</u>
3 Cubic Yard	\$ 210.58 <u>227.69</u>
4 Cubic Yard	\$ 273.48 <u>295.69</u>
5 Cubic Yard	\$ 336.87 <u>364.25</u>

2022 <u>2024</u> RATES FRONT LOAD COMPACTOR CONTAINER	
Commercial Category	Each Container Each Pickup
Regular Service	
2 Cubic Yard	\$ 103.07 <u>115.82</u>
3 Cubic Yard	\$ 214.80 <u>241.36</u>
4 Cubic Yard	\$ 278.95 <u>313.44</u>
5 Cubic Yard	\$ 343.63 <u>386.11</u>

2021 2023 RATES DROP OFF BOX COMPACTOR	
Commercial Category	Each Container Each Pickup
Regular Service	
10 Cubic Yard	\$ 737.25 <u>781.49</u>
12 Cubic Yard	\$ 1,081.39 <u>1,203.59</u>
15 Cubic Yard	\$ 1,358.03 <u>1,511.49</u>
16 Cubic Yard	\$ 1,421.71 <u>1,582.37</u>
17 Cubic Yard	\$ 1,496.63 <u>1,665.76</u>
18 Cubic Yard	\$ 1,566.96 <u>1,744.03</u>
20 Cubic Yard	\$ 1,705.97 <u>1,898.75</u>
24 Cubic Yard	\$ 1,987.29 <u>2,211.86</u>
25 Cubic Yard	\$ 2,057.00 <u>2,289.44</u>
26 Cubic Yard	\$ 2,130.92 <u>2,371.72</u>
27 Cubic Yard	\$ 2,194.25 <u>2,442.21</u>
30 Cubic Yard	\$ 2,411.14 <u>2,683.60</u>
33 Cubic Yard	\$ 2,628.07 <u>2,925.05</u>
34 Cubic Yard	\$ 2,703.21 <u>3,008.68</u>
40 Cubic Yard	\$ 3,114.14 <u>3,466.05</u>

2022 2024 RATES DROP OFF BOX COMPACTOR	
Commercial Category	Each Container Each Pickup
Regular Service	
10 Cubic Yard	\$ 737.25 <u>828.38</u>
12 Cubic Yard	\$ 1,135.46 <u>1,275.81</u>
15 Cubic Yard	\$ 1,425.93 <u>1,602.18</u>
16 Cubic Yard	\$ 1,492.80 <u>1,677.32</u>
17 Cubic Yard	\$ 1,571.46 <u>1,765.71</u>
18 Cubic Yard	\$ 1,645.31 <u>1,848.68</u>
20 Cubic Yard	\$ 1,791.27 <u>2,012.68</u>
24 Cubic Yard	\$ 2,086.66 <u>2,344.58</u>
25 Cubic Yard	\$ 2,159.84 <u>2,426.81</u>
26 Cubic Yard	\$ 2,237.46 <u>2,514.03</u>
27 Cubic Yard	\$ 2,303.97 <u>2,588.75</u>
30 Cubic Yard	\$ 2,531.69 <u>2,844.62</u>
33 Cubic Yard	\$ 2,759.47 <u>3,100.56</u>
34 Cubic Yard	\$ 2,838.37 <u>3,189.21</u>
40 Cubic Yard	\$ 3,269.85 <u>3,674.02</u>

2. The service charge for other compactor container sizes that may become available shall be determined by Solid Waste Management.
3. When the weight of the contents of a compacted container 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.
4. Uncontained loads that are determined to be “Dusty Loads” by Solid Waste Management are subject to rejection or assessment of additional processing fees.
5. The following carry service charge shall apply per pick-up for front load compactor (not to exceed two cubic yards).

Each front-load compactor	\$27.00 per pick-up
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H. Recyclable Material Collection Fees.

If requested, Solid Waste Management may, at its option, agree to collect recyclable materials from commercial customers at the curb or premises. The fees for this service are typically lower than garbage collection service, but are subject to fluctuations in the value or cost of the recyclable material.

The Director is delegated the authority to assign and charge a rate for the collection of recyclable material from commercial customers. The Director shall assign such a rate in accordance with the following criteria and process:

1. The rate shall reflect the cost of service, to the extent reasonably possible, given the constantly fluctuating value and/or costs of recyclable material.
2. The rate shall include cost items related to the service including, but not limited to, labor and benefits, equipment, maintenance and operations of equipment and containers, processing fees, direct and indirect overhead charges, and other related costs. In addition, revenues received from the sales or marketing of the collected recyclable material and the collection service levels shall be included with the assigned rate.
3. The Director may adjust the assigned rate up to four times per year.
4. Solid Waste Management shall notify the affected parties a minimum of 45 days prior to implementing rate changes.

Application of the assigned rate shall be through the normal billing and invoicing process. In the event a customer cancels service covered under this policy and wishes to initiate similar service within one year’s time, a \$50.00 service charge may be applied to the restart of the service.

Due to potential cost savings of collecting all recyclables from an individual customer, the Director is further delegated the authority to negotiate a bundled rate with individual commercial customers for collection of all recyclable materials from that customer for an agreed period of time.

I. Recyclable Materials Bulk Container.

1. Drop-off Box Recycling Service.

Container Placement	\$50.00
Haul Charge	\$50.00 per haul
Mileage Charge	\$2.50 <u>\$5.50</u> per mile one-way
Daily Rental Charge	\$1.50 per day (excluding Washington State sales tax)

Disposal costs shall be the responsibility of the customer. The customer shall arrange for an account at the recycling facility for billing disposal costs directly to the customer. In the event that the customer fails to make proper arrangements for an account at the recycling facility, Solid Waste Management may add the cost of recycling or disposal of the material to the customer’s hauling charges.

If the drop-off box is not hauled by the customer within 60 days, Solid Waste Management may remove and haul the drop-off box and charge the customer applicable transportation and disposal costs.

J. Containers shall not be longer than 22 feet, or larger than a 25 yard self-contained compactor, or a 30 cubic yard disconnect-type compactor without the prior written approval of Solid Waste Management.

K. It shall be the responsibility of any customer in possession of any City-owned bulk container to pay the cost of repair to, or replacement of any such container damaged while in his or her possession. The charge shall be the actual cost of repair or replacement as determined by the City and shall be added to the customer's utility bill.

L. The service charge for other container sizes that may become available will be at a rate sufficient to recover the cost of providing the service.

M. In addition to the charges for commercial and residential rates set forth above, when unscheduled services are requested or required, Solid Waste Management shall charge for such services as set forth in this chapter.

N. The siting of a compactor's location shall be coordinated with and specifically approved by Solid Waste Management before installation. If a compactor is placed prior to Solid Waste Management's specific approval and Solid Waste Management deems the placement unacceptable, Solid Waste Management may elect to refuse service. The customer shall relocate and bear all costs incurred for the relocation of the compactor. Such customers shall, among other things, be required to hold the City harmless from any and all liability resulting from the improper placement and/or relocation of the compactor. Siting of the compactor and construction of any compactor enclosure shall be in conformance with all applicable City and state regulations.

O. It is the responsibility of the owner of a customer-owned container to keep the container maintained and serviceable, including all doors, lids, fork pockets, wheels, bail hooks, bottom rails, or any part of the container needed for dumping or hauling of the container. Solid Waste Management shall not be held liable for damage to privately owned containers. Solid Waste Management is not obligated to service improperly maintained containers. Customer-owned containers must also be kept graffiti free.

P. An enclosure provided for a solid waste container shall be used only for the solid waste container. If items other than a solid waste container are placed in an enclosure, Solid Waste Management shall be held harmless for any and all loss or damage to such items, whether occasioned by Solid Waste Management's negligence or otherwise. It shall be the responsibility of the customer to keep the enclosure in an acceptable sanitary condition including the area in the vicinity of the enclosure.

Q. If an enclosure is gated, the gates shall have the ability to be pinned in the open position. If gated, the gates shall have at least a 180-degree swing. When gates are in the open position, they shall not block or infringe on any traffic aisles.

1. Drop-off box enclosures shall have a minimum opening width of 12'0" and the depth must extend a minimum of 3'0" beyond the end of the container.

2. Front load box enclosures shall have a minimum opening width of 12'0" and a minimum depth of 10'0". If two front load box containers are placed, the enclosure shall allow for a minimum of a three-foot clearance between enclosure and front load box, as well as a two-foot clearance between each front load box.

3. Automated 300-gallon container enclosures shall have a minimum opening width of 10'0" and a minimum depth of 7'0". In addition, for two or more containers, a three-foot clearance between enclosure and barrels is required, as well as a two-foot clearance between each barrel.

4. All enclosures shall be designed so the solid waste collection vehicle that services the enclosed container can maneuver and safely service the container. A service charge of \$10.00 for 300-gallon containers and \$25.00 for front-load containers and drop-off box containers may be charged when Solid Waste Management is unable to service a commercial customer's container on the scheduled pickup and Solid Waste Management has to make a return trip to service the container. This charge may be applied if the container access is blocked, the gates to the enclosure are not in the open position, or Solid Waste Management is, for any reason, unable to service the container.

R. Construction of an enclosure for disposal containers shall not commence prior to plan approval by Solid Waste Management. Failure to obtain plan approval prior to construction may require alterations, relocation, or complete reconstruction of the enclosure at the owner's expense. Solid Waste Management may refuse to provide service to a customer who has enclosed a disposal container improperly.

S. City-owned recycling containers that are repeatedly contaminated with garbage may be removed at the discretion

of Solid Waste Management. A \$30.00 service charge will be assessed for redelivery of each container.

T. All compactors which may contain liquids are to be equipped with a drain and a connection to the sanitary sewer. The connection to the sanitary sewer must meet the requirements of both Solid Waste Management and the City's Wastewater Management Division.

U. The Director is delegated the authority to assign a rate for the disposal of a particular opportunity fuel as long as the rate does not exceed \$90.00 per ton for disposal of "opportunity fuels," as that term is defined in TMC 12.09.030. If Solid Waste Management requires a purchase of a particular opportunity fuel, Solid Waste Management shall purchase said fuel pursuant to those procedures set forth in the Administrative Policies and Procedures Manual.

V. City of Tacoma Solid Waste Commercial customers may request "Call-2-Haul" service appointments. No more than three large items, consisting of appliances, furniture, or items of a similar size and weight, and 15 bags or boxes of unusable household items will be picked up by Solid Waste Management at each Call-2-Haul service appointment. A charge of \$75.00 will be charged for each commercial Call-2-Haul. A charge of \$10.00 ~~will~~ may be assessed for late cancellations or if items are not set out by 7:00 a.m. on the scheduled date.

* * *

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	
	2021 <u>2023</u>	2022 <u>2024</u>	2021 <u>2023</u>	2022 <u>2024</u>
0 - 400	\$20.00	\$20.00	\$8.50 per 100 pounds - minimum charge \$40.00	\$8.50 per 100 pounds - minimum charge \$40.00
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	\$8.50 per each 100 pounds exceeding the initial 400-pound load	\$8.50 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	
2021 <u>2023</u>	2022 <u>2024</u>
\$8.50 per 100 pounds; minimum charge of \$40.00	\$8.50 per 100 pounds; minimum charge of \$40.00

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

Pounds per load	
2021 <u>2023</u>	2022 <u>2024</u>
\$4.25 per 100 pounds; minimum charge of \$40.00	\$4.25 per 100 pounds; minimum charge of \$40.00

5. Special handling:

a. A minimum special handling fee of \$100.00 will be charged per load, plus tonnage charges, unless otherwise specified.

b. Other special handling fees shall be applied as follows:

Material from:

	Within City of Tacoma	Outside City of Tacoma
Asbestos	\$20.00 minimum plus \$150.00 per ton	Not accepted
(Refer to Section 12.09.200, Disposal of asbestos-containing material)		
Appliances with compressors	\$20 each plus tonnage	\$40 each plus tonnage
Tires –		
Passenger Cars and light trucks	\$3.25 each plus tonnage	\$6.75 each plus tonnage
On rims	\$6.75 each plus tonnage	\$13.00 each plus tonnage
Larger than 10:00 x 20	\$16.50 each plus tonnage	\$33.00 each plus tonnage
No large tires accepted on rims		
Car seats	\$3.25 each plus tonnage	\$6.75 each plus tonnage
Large furniture	\$11.00 for the first 4 pieces, plus \$11.00 for each additional, plus tonnage	\$40.00 for the first 4 pieces, plus \$11.00 for each additional, plus tonnage
Special handling fees shall not be limited to the items specified above.		

c. All of the above rates are based on one-half hour unloading time. When unloading time exceeds one-half hour, an additional fee of \$12.25 for each additional one-half hour or part thereof will be assessed. Time shall be determined by the automated scale system.

d. Any vehicle still being unloaded past closing time may be assessed an additional fee.

e. Every person with waste material that requires special handling shall pay such additional fees as will fairly compensate Solid Waste Management for any added expense of properly disposing of such materials, unless otherwise specified. Loads that are determined to be “Dusty Loads” by Solid Waste Management are subject to rejection or assessment of additional special handling fees. Appliances that have Freon compressors removed will still be charged the special handling fee.

6. Service Charge. A customer who is unable to pay for disposal at the time of disposal at the Tacoma Landfill shall be charged for that disposal along with an additional service charge of \$10.00.

A. Disposal Area Open Accounts.

Solid Waste Management may establish open accounts for the benefit of regular customers licensed to do business in the State of Washington and utilizing the City’s public disposal area for disposal of solid waste. Eligibility for open accounts will be determined based on frequency of use, amount of material requiring disposal, and evidence of a satisfactory credit history. Such open accounts will be subject to a set-up fee of \$25.00 for each disposal account card issued, said fee to be collected at the time the account is established. Solid Waste Management reserves the right to approve or disapprove the establishment and maintenance of open accounts. Solid Waste Management may restrict use of the public disposal area to any customer with a delinquent City public disposal area account until the delinquent balance is paid in full.

Disposal account cards issued to customers shall remain the property of Solid Waste Management. Lost or stolen cards shall be immediately reported in writing to Solid Waste Management. Customers are liable for all charges on lost or stolen cards until written notification is received by Solid Waste Management. There will be a fee of \$25.00 charged to replace each card lost, stolen, or damaged. Cards which fail as a result of normal wear will be replaced at no expense to the customer.

B. A qualifying nonprofit materials salvage/recycling corporation, upon application and approval, may be granted a reduced disposal rate for material hauled in accordance with TMC 12.09.070, and under the following conditions:

1. All waste must have been generated from within the City.
2. Only those wastes generated from the operation of the corporation within the City will be eligible for the reduced disposal fee. All other wastes shall be subject to the applicable rate set forth herein.
3. The waste cannot contain any putrescible materials.
4. The waste must not contain any hazardous materials and must be in accordance with guidelines as to what is normally acceptable by Solid Waste Management.
5. The waste cannot contain any recyclable materials.

C. If the City Council finds that a neighborhood has a blighted condition caused by excessive refuse and/or solid waste and that such a condition is detrimental to the public health and welfare, the City Council may adjust the solid waste rates to fund appropriate programs to remediate such conditions. An example of an appropriate program is a qualifying City neighborhood group conducting a cleanup campaign approved by Solid Waste Management.

A qualifying neighborhood group may be granted disposal privileges at the Tacoma Landfill at no charge, or disposal privileges in a solid waste container supplied by Solid Waste Management at no charge, for material complying with the following conditions:

1. All waste must have been generated from within the City and collected pursuant to the cleanup campaign of the neighborhood group.
2. The waste cannot contain any putrescible materials.
3. The waste must not contain any hazardous materials and must be in accordance with the guidelines as to what is normally acceptable by Solid Waste Management.
4. The waste cannot contain any recyclable materials.
5. The aforementioned disposal privilege may be revoked at any time.²

* * *

12.09.215 Bring Your Own Bag. *Preempted by RCW 70A.530.*

Code Reviser's note: Chapter 12.09.215 was preempted per Revised Code of Washington 70A.530, effective January 1, ~~2021~~[2023](#) (70A.530.050 RCW, ESSB 5323, Chapter 138, Laws of 2020. Prior to this preemption, enforcement of the City's Bring Your Own Bag ordinance was suspended per Ordinance No. 28664.

* * *

² Code reviser's note: Ord. 25583 contained two sections numbered 6. The other is codified at Section 12.09.130.



ORDINANCE NO. 28850

1 AN ORDINANCE relating to Wastewater and Stormwater; amending the Official
2 Schedule of Stormwater Utility and Wastewater Utility Service Rates and
Fees, effective January 1, 2023, and January 1, 2024.

3 WHEREAS the Stormwater Utility and Wastewater Utility ("Utilities")
4 provide infrastructure and services to manage wastewater and stormwater for
5 the protection of health, property, and quality of life for all residents, promote
6 the growth and development of a vibrant economy, and help sustain a healthy
7 environment, and
8

9 WHEREAS the proper operation and adequate funding of the Utilities
10 produces direct benefits in cleaner water discharges into Commencement Bay,
11 and
12

13 WHEREAS the guiding strategy for these rate adjustments is to maintain
14 the lowest responsible cost increase for customers, while maintaining long-term
15 financial sustainability of the Utilities, and
16

17 WHEREAS the proposed rate increases are driven by the continuing
18 impacts of the COVID-19 pandemic, resulting in lower than historical revenues, as
19 well as operating expenses and construction inflation, and
20

21 WHEREAS proposed overall revenue increases are 8 percent for
22 wastewater and 6 percent for stormwater, and also an increase in financial
23 assistance for income-qualifying residential customers in the proposed plan, and
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25 WHEREAS staff engaged in outreach to City Neighborhood Councils,
26 several community groups, as well as local governments, and did not receive
significant feedback on rate proposals; Now, Therefore,



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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the Official Schedule of Stormwater Utility and Wastewater Utility Service Rates and Fees, is hereby amended, resulting in annual revenue increases of approximately 8 percent for Wastewater, to be effective January 1, 2023, and January 1, 2024, to read as set forth in the attached Exhibit "A."

Section 2. That the Official Schedule of Stormwater Utility and Wastewater Utility Service Rates and Fees, is hereby amended, resulting in annual revenue increases of approximately 6 percent for Stormwater, to be effective January 1, 2023, and January 1, 2024, to read as set forth in the attached Exhibit "B."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

EXHIBIT “A”
(TMC 12.08B – USE OF SANITARY SEWER)

Wastewater Rate and Fee Table								
TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate		Effective Date
12.08B.210	Residential Fixed Fee	per month, per single-family residence		\$27.32 30.09	January 1, 2021 2023		\$27.73 32.50	January 1, 2022 2024
12.08B.210	Residential Flow Rate	per month, per ccf		\$5.15 5.65	January 1, 2021 2023		\$5.23 6.05	January 1, 2022 2024
12.08B.210.D	Low Income Residential Rate and Fee Reduction	per month	35 percent reduction		January 1, 2021			
12.08B.220.C	Outside City Residential Fixed Fee	per month, per ccf	110 percent	\$30.05 33.10	January 1, 2021 2023	110 percent	\$30.50 35.75	January 1, 2022 2024
12.08B.220.C	Outside City Residential Flow Rate	per month, per ccf	110 percent	\$5.66 6.22	January 1, 2021 2023	110 percent	\$5.75 6.66	January 1, 2022 2024
12.08B.220.B	Outside City Connection Fee (Fixed Fee portion only – Connection charge in lieu of assessment also applies per TMC 12.08B.220.D)	Per connection		\$1,250.00	January 1, 2021			
12.08B.220. D	Outside City Connection Charge-in-lieu-of-Assessment	per Assessable Unit of Frontage		\$55.00	January 1, 2021			
12.08B.220.J	Contributing Jurisdiction Rate	per month		Rate calculated by control authority in accordance with TMC 12.08B.220.J				

Wastewater Rate and Fee Table

TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate		Effective Date
12.08B.230.B.1	Connection Fee (Fixed Fee portion only – Connection charge in lieu of assessment also applies per TMC 12.08B.230)	per connection		\$1,250.00	January 1, 2021			
12.08B.230	Connection Charge-in-lieu-of-Assessment	per connection		Rate calculated by control authority in accordance with TMC 12.08B.230	January 2, 2021			
12.08B.250.A	Special Approved Discharge Annual Fixed Administration Fee	per permit, per 365 days		\$650	January 1, 2021		\$	
12.08B.250.B	Special Approved Discharge Rate	per sampling event, per ccf	FL = Flow rate	\$5.01 33	January 1, 2021 2023	FL = Flow rate	\$5.17 73	January 1, 2022 2024
		per mg/l, per ccf,	X = TSS	\$0.01 007510		X = TSS	\$0.01 008112	
		per mg/l, per ccf	Y = BOD	\$0.01 008262		Y = BOD	\$0.01 009088	
12.08B.270.B	Holding Tank Waste Discharge Rate	per 100 gallons discharged	From Within the City	\$15.26	January 1, 2021	From Within the City	\$16.15 7926	January 1, 2024
			From Outside the City	\$15.26 16.79	January 1, 2021 2023	From Outside the City	\$16.79	January 1, 2024
12.08B.280	TAGRO	per product or service		Established by Director based on Market Conditions				

Wastewater Rate and Fee Table								
TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate		Effective Date
12.08B.290	Pilot Rate Program for Commercial/ Industrial Users			Established by Control Authority in accordance with TMC 12.08B.290				
12.08B.320 12.08B.330	Commercial and/or Industrial User Fixed Fee	per month	MF = Monthly fixed fee	\$13.30 15.46	January 1, 2021 2023	MF = Monthly fixed fee	\$13.80 16.70	January 1, 2022 2024
12.08B.320	Monitored Commercial and/or Industrial User Rate	per sampling event, per ccf	FL = Flow rate	\$5. 01 33	January 1, 2021 2023	FL = Flow rate	\$5. 17 73	January 1, 2022 2024
		per mg/l, per ccf	X = TSS	\$0. 01 007510		X = TSS	\$0. 01 008112	
		per mg/l, per ccf	Y = BOD	\$0. 01 008262		Y = BOD	\$0. 01 009088	
12.08B.330	Industrial Wastewater Discharge Permit Fee	annual		\$700.00	January 1, 1997		\$	
12.08B.330	Industrial Wastewater Zero-Discharge Permit Fee	annual		\$480.00	January 1, 1997		\$	
12.08B.330	Commercial and/or Industrial User Flow Rate	per month, per ccf	Category 1	\$7.24 7.84	January 1, 2021 2023	Category 1	\$7.46 8.47	January 1, 2022 2024
			Category 2	\$7.53 8.46		Category 2	\$7.76 9.14	
			Category 3	\$9.48 10.65		Category 3	\$9.77 11.51	
			Category 4	\$11.13 12.51		Category 4	\$11.47 13.52	
			Category 5	\$11.31 12.70		Category 5	\$11.65 13.72	
			Category 6	\$12.96 14.56		Category 6	\$13.35 15.73	
			Category 7	\$14.65 16.45		Category 7	\$15.09 17.77	
			Category 8	\$15.15 17.02		Category 8	\$15.61 18.39	

History of legislation related to this document: Ordinance No. 28850, passed 11/22/2022; Ordinance No. 28762, Passed 5/25/2021. *Previously codified in Tacoma Municipal Code Title 12.08.*

EXHIBIT “B”
(TMC 12.08D – STORMWATER MANAGEMENT)

STORMWATER RATE AND FEE TABLE								
TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate		Effective Date
12.08D.140.A	Special Approved Stormwater Discharge Permit Application Fee (to Stormwater System)	At time of application for each discharge location	\$500.00		January 1, 2021			
12.08D.140.A	Special Approved Stormwater Discharge Permit Quantity Rate (to Stormwater System)	Per gallon discharged	\$0.00		January 1, 2021	\$0.00		January 1, 2022
12.08D.210	Stormwater Fixed Fee	Per Month, per parcel	\$8.61 10.67		January 1, 2021 2023	\$9.00 11.42		January 1, 2022 2024
12.08D.210	Stormwater Rate – All parcels except Waterfront/Direct discharge	Per Month, per 500 square foot of parcel area	Undeveloped – First Acre or Less	\$0.30	January 1, 2021 2023	Undeveloped – First Acre or Less	\$0.30 32	January 1, 2022 2024
			Undeveloped – Area in Excess of One Acre	\$0.06 07		Undeveloped – Area in Excess of One Acre	\$0.06 07	
			Light	\$0.94 97		Light	\$0.95 1.03	
			Moderate	\$1.30 33		Moderate	\$1.31 41	
			Heavy	\$1.90 96		Heavy	\$1.92 2.08	
			Very Heavy	\$2.55 65		Very Heavy	\$2.57 81	
			Open Space with forested land cover	NA		Open Space with forested land cover	NA	

STORMWATER RATE AND FEE TABLE								
TMC Reference Section	Type of Rate or Fee	Frequency or Measure	Fee and Rate		Effective Date	Fee and Rate		Effective Date
12.08D.210	Stormwater Rate – Waterfront/Direct discharge parcels	Per Month, per 500 square foot of parcel area	Undeveloped – First Acre or Less	\$0. 45 ¹⁶	January 1, 2021 ²⁰²³	Undeveloped – First Acre or Less	\$0. 45 ¹⁷	January 1. 2022 ²⁰²⁴
			Undeveloped – Area in Excess of One Acre	\$0.06		Undeveloped – Area in Excess of One Acre	\$0. 06 ⁰⁷	
			Light	\$0. 48 ⁵²		Light	\$0. 49 ⁵⁵	
			Moderate	\$0. 68 ⁷¹		Moderate	\$0. 68 ⁷⁵	
			Heavy	\$ 0.97 ^{1.04}		Heavy	\$ 0.98 ^{1.11}	
			Very Heavy	\$ 1.29 ^{1.41}		Very Heavy	\$ 1.31 ^{1.50}	
			Open Space with forested land cover	NA		Open Space with forested land cover	NA	
			12.08D.210	Low-income senior and low-income disabled percentage reduction		Percentage Reduction of Stormwater Fixed Fee and Stormwater Rate	35%	
12.08A.260.A&C	System Development Charge	Per square foot of surface area to be mitigated	Established by separate ordinance based on the location of the benefited parcel and the regional stormwater facility					
12.08A.260.A&E	Maintenance Surcharge	Per square foot of surface area to be mitigated	Established by separate ordinance based on the location of the benefited parcel and the regional stormwater facility					

History of legislation related to this document: Ordinance No. 28850, passed 11/22/2022; Ordinance No. 28762, Passed 5/25/2021. *Previously codified in Tacoma Municipal Code Title 12.08.*



ORDINANCE NO. 28851

1 AN ORDINANCE relating to taxation and revenue; amending Subtitle 6A of the
2 Tacoma Municipal Code, "Tax Code," by adding a new Chapter 6A.130
3 entitled, "Local Solid Waste Customer Excise Tax," imposing a local
4 solid waste excise tax, and by amending Section 6A.10.020, entitled
5 "Tax definitions"; and providing for severability; effective April 1, 2023.

6 WHEREAS the City of Tacoma is a first-class charter city, and pursuant to
7 Revised Code of Washington ("RCW") 35.22.570 is granted all powers conferred
8 upon incorporated cities and towns pursuant to Title 35 RCW and other laws of the
9 state (Title 35A RCW), and all such powers as are usually exercised by municipal
10 corporations of like character and degree, and

11 WHEREAS RCW 35A.11.020 and 35A.82.020 grant to code cities a general
12 grant of taxing power to raise revenue for local purposes which power and
13 authority may be exercised by first class charter cities pursuant to RCW 35.22.570,
14 and

15 WHEREAS the City desires to create a sustained local revenue source to
16 fund programs focused on public health and safety, and

17 WHEREAS all residences and businesses within the City receive substantial
18 and essential public services by having the operational availability of healthful, safe
19 and reliable solid waste collection and disposal services on a continuing basis, and

20 WHEREAS a local excise tax imposed on the privilege of residing or
21 engaging in business in the City limits and measured by solid waste collection and
22 disposal services received would provide a sustained local revenue source; Now,
23
24 Therefore,
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1 BE IT ORDAINED BY THE CITY OF TACOMA:

2 Section 1. That Subtitle 6A of the Tacoma Municipal Code ("TMC"),
3 "Tax Code," is hereby amended by adding a new chapter, to be known and
4 designated as Chapter 6A.130, "Local Solid Waste Customer Excise Tax,"
5 consisting of five subsections, to read as set forth in the attached Exhibit "A."
6

7 Section 2. That Section 6A.10.020 TMC Tax Definitions is hereby
8 amended, to read as set forth in the attached Exhibit "B."
9

10 Section 3. That if any section, subsection, sentence, clause, or phrase
11 of this ordinance is for any reason held to be invalid or unconstitutional by a
12 decision of any court of competent jurisdiction, such decision shall not affect
13 the validity of the remaining portions of this ordinance. The City Council hereby
14 declares that it would have passed this ordinance, and each and every section,
15 subsection, sentence, clause, or phrase not declared invalid or unconstitutional
16 without regard to whether any portion of the ordinance would be subsequently
17 declared invalid or unconstitutional.
18

19 Section 4. That this ordinance shall be effective at 12:01 a.m. on the
20 first day of April, 2023.
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Section 5. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



EXHIBIT "A"

CHAPTER 6A.130 LOCAL SOLID WASTE CUSTOMER EXCISE TAX

Sections:

6A.130.010 Authority

6A.130.020 Definitions

6A.130.030 Imposition of local solid waste customer excise tax

6A.130.040 Exemptions

6A.130.010 Authority

The local solid waste excise tax imposed pursuant to this chapter is authorized pursuant to the laws of the state of Washington, including but not limited to, Article VII § 9 of the Washington Constitution, RCW 35.22.570, RCW 35.22.900, RCW 35A.11.020 and RCW 35A.82.020.

6A.130.020 Definitions

The following definitions apply to each section in this chapter of the Tacoma Municipal Code:

Commercial customer. "Commercial Customer" shall have the same meaning as that term is given pursuant to Chapter 12.09 of the Tacoma Municipal Code, as now, or may hereafter be amended.

Local solid waste customer excise tax. "Local solid waste customer excise tax" shall mean and refer to the excise privilege tax imposed pursuant to this chapter.

Private solid waste collection and disposal services. "Private Solid Waste Collection and Disposal Services" shall mean all services provided by a solid waste collection business to customers in the City of Tacoma for the collection and for disposal of solid waste.

Public disposal services. "Public disposal services" shall mean the customer use of the City of Tacoma recovery and transfer center for disposal of solid waste.

Public solid waste collection and disposal services. "Public solid waste collection and disposal services" shall mean all services provided by the Solid Waste Management Division to commercial and residential customers for the collection and disposal of solid waste under authority of Chapter 12.09 of the Tacoma Municipal Code; provided that, public solid waste collection and disposal services shall not include public disposal services.

Residential customer. "Residential customer" shall have the same meaning as that term is given pursuant to Chapter 12.09 of the Tacoma Municipal Code, as now, or may hereafter be amended.

Solid waste. "Solid waste" shall have the same meaning as that term is given pursuant to Chapter 12.09 of the Tacoma Municipal Code, as now, or may hereafter be amended.

Solid waste collection business. "Solid waste collection business" means every person, other than the City, who receives solid waste for transfer, storage, or disposal including but not limited to all solid waste collection services.



6A.130.030 Imposition of Local Solid Waste Customer Excise Tax.

A. Imposition of local solid waste customer excise tax. There is hereby imposed a local solid waste customer excise tax upon the privilege of doing business in or residing in the City

B. Rate. The rate for the local solid waste customer excise tax imposed pursuant to this chapter shall be equal to six percent (6%) of the charges paid for public solid waste collection and disposal services, the availability of public solid waste collection and disposal services, and private solid waste collection and disposal services.

C. When due. The local solid waste excise tax shall be due and payable at the time of payment of the charges for public solid waste collection and disposal services, availability of public solid waste collection and disposal services, and private solid waste collection and disposal services.

D. Collection and remittance of tax by City. The local solid waste customer excise tax imposed upon charges for public solid waste collection and disposal services and the availability of public solid waste collection and disposal service, shall be collected by the City at the time of payment of charges for such services.

E. Collection and remittance of tax by solid waste collection business. Any person who receives any payment for private solid waste collection and disposal services shall collect the amount of the local solid waste customer excise tax imposed from the person making the payment and shall remit the same as herein provided. The local solid waste customer excise tax amount required to be collected under this chapter shall be deemed to be held in trust by the one required to collect the same until remitted to the City as herein provided.

Any person required under this chapter to collect the local solid waste customer tax imposed upon charges paid for private solid waste collection and disposal services, that fails to collect the same, or having collected the same, fails to remit the same to the City in the manner prescribed by this chapter, whether such failure be the result of the person's own act or the result of acts or conditions beyond their control, shall nevertheless be personally liable to the City for the amount of such tax.

The local solid waste customer excise tax imposed hereunder upon charges for private solid waste collection and disposal services collected at the time the charge is paid by the person receiving private solid waste collection and disposal services shall be reported and remitted by the person receiving the tax to the Director in quarterly or monthly installments as determined by the Director.

6A.130.040 Exemptions.

The local solid waste excise tax imposed pursuant to this chapter shall not apply to:

(a) rates and fees charged for private and public solid waste collection and disposal services when received by any agency, division, or branch of the federal government or to services rendered under a contract therewith.

(b) rates and fees charged by the City to a county, city or town for public solid waste collection or disposal services received under a solid waste services agreement.

(c) rates and fees charged customers with a residence or place of business located outside of the corporate boundaries of City to collect and dispose of solid waste generated and collected outside of the corporate boundaries of the City.

* * *



EXHIBIT "B"

TMC 6A.10 General Tax Provisions

* * *

6A.10.020 Tax definitions.

The following definitions apply to each section in this subtitle of the Tacoma Municipal Code ("TMC"):

"Calendar year" means January 1 through December 31 of each year.

"Cash basis" means a basis of accounting which recognizes revenues and expenses as occurring in the reporting period when they were actually either received or paid.

"Certificate" means "license certificate" as defined in Subtitle 6B.10.

"Charitable organization" means any organization recognized as a nonprofit corporation under the provisions of Chapter 24.03 of the Revised Code of Washington ("RCW")¹ and exempt from the Washington State business and occupation tax pursuant to RCW 82.04.3651.

"City" means the City of Tacoma and all of its departments, including Tacoma Public Libraries and Tacoma Public Utilities. It does not include the Metropolitan Park District of Tacoma, Port of Tacoma, Tacoma School District, or Tacoma Housing Authority, which are separate municipal corporations.

"Department" means the Tax and License Division of the Finance Department of the City or any successor department.

"Director" means the Director of the Finance Department of the City or any officer, agent, or employee of the City designated to act on the Director's behalf.

"Gambling" means any activity included in the provisions of RCW 9.46.0237.

"Generally accepted accounting principles" means those national accounting standards promulgated by the Financial Accounting Standards Board for businesses and nonprofit associations or by the Governmental Accounting Standards Board for state agencies or local governments.

"Gross income" means the value proceeding or accruing by reason of the transaction of business engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidence of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments, however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued without any deduction on account of losses.

"Gross receipts" has the same meaning as gross income.

"Liquor" shall have the same meaning as RCW 66.04.010.

"Person" means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the state of Washington, corporation, limited liability company,



association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, and the United States or any instrumentality thereof.

“Records” means the books of accounts and other business-related records of a taxpayer subject to the City’s Tax Code or License Code. Such records include ledgers, subsidiary ledgers, invoices, receipts, registration and incorporation documents, federal, state and local tax returns, and any other records necessary to establish the amounts due under the provisions of the City’s Code.

“Reporting period” means:

1. A one-month period beginning the first day of each calendar month (monthly reporting period); or
2. A three-month period beginning the first day of January, April, July, or October of each year (quarterly reporting period); or
3. A twelve-month period beginning the first day of January of each year (annual reporting period).

“Return” means any document a person is required by the City to file to satisfy or establish a tax obligation that is administered or collected by the City and that has a statutorily defined due date.

“Successor” means any person to whom a taxpayer quitting, selling out, exchanging, or disposing of a business sells or otherwise conveys, directly or indirectly, in bulk and not in the ordinary course of business of the taxpayer’s business, any part of the materials, supplies, merchandise, inventory, fixtures, or equipment of the taxpayer. Any person obligated to fulfill the terms of a contract shall be deemed a successor to any contractor defaulting in the performance of any contract as to which such person is a surety or guarantor.

“Tax” means the amount, usually based upon gross income, assessed upon a person doing business under the provisions of Subtitle 6A of the TMC for the privilege of doing business in the City or assessed upon the privilege of residing in the City.

“Tax Code” means the Subtitle 6A of the TMC.

“Tax year” or “taxable year” means the calendar year.

“Taxpayer” means any person subject to the provisions of Subtitles 6A and/or 6B of the TMC, regardless of whether they owe or have previously paid taxes to the City.

* * *



ORDINANCE NO. 28852

1 AN ORDINANCE relating to property tax levies; authorizing an increase in the
2 2022 general property tax revenue collection in terms of both dollars and
percentage for the general property tax levy in 2023.

3 WHEREAS, pursuant to RCW 84.55.120, the City is requesting an increase
4 in the amount collected for the 2022 property tax levy, and

5 WHEREAS it is necessary to identify the amount of estimated revenues
6 from property tax levies to match the estimated expenditures for debt service and
7 other funding requirements, and

8 WHEREAS, this ordinance will authorize the property tax levy to be set at
9 the highest allowable amount over last year's actual levy of \$70,549,040.44,
10 which is an increase of 0.94045 percent, which is a \$663,477.34 increase over the
11 previous year's actual levy, exclusive of additional revenue derived from new
12 construction, improvements to property, newly constructed wind turbines, any
13 annexations that have occurred and administrative refunds made, and any
14 increase in the value of state-assessed property, and

15 WHEREAS the population of the City of Tacoma is more than 10,000, Now,
16 Therefore,



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BE IT ORDAINED BY THE CITY OF TACOMA:

That the 2022 property tax levy is hereby authorized to increase by 0.94045 percent, and by \$663,477.34 representing an increase to the City’s actual levy from 2022, exclusive of additional revenue derived from new construction, improvements to property, newly constructed wind turbines, any annexations that have occurred and administrative refunds made, and any increase in the value of state-assessed property.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28853

1 AN ORDINANCE relating to property tax levies; fixing the amount of the Ad
2 Valorem tax levies necessary to identify the amount of the estimated
3 revenues from property tax levies to match estimated expenditures for
debt service and other funding requirements.

4 WHEREAS, pursuant to RCW 84.52.020 and RCW 84.52.070, the City
5 of Tacoma is requesting property taxes in the amount as described below and
6 as certified to Pierce County, and

7 WHEREAS the City must take two actions to set the regular property tax
8 levy for 2022: (1) approve the total regular levy amount to be collected; and (2)
9 approve the percentage and dollar increase over the prior year's actual levy,
10 and
11

12 WHEREAS the estimated 2023 general property tax revenue collection is
13 set at \$71,212,517.78, exclusive of the amount derived from new construction
14 and improvements to property, new constructed wind turbines, and any
15 increase in the value of state-assessed utility property, and
16

17 WHEREAS the City anticipates that it can collect an additional
18 \$1,064,536.55 due to the value of new construction and improvements, and
19 \$190,367.94 in state assessed valuation and the refund levy, and
20

21 WHEREAS the total estimated property tax of \$72,467,422.27 is consistent
22 with the property tax projected in the 2023-2024 Proposed Budget, and

23 WHEREAS jurisdictions with populations of 10,000 or greater are limited
24 to increasing the City's levy by the lower of 1 percent or the rate of inflation, and
25
26



1 WHEREAS the population of the City of Tacoma is more than 10,000;
2 Now, Therefore,

3 BE IT ORDAINED BY THE CITY OF TACOMA:

4
5 Section 1. That the City of Tacoma hereby certifies to Pierce County
6 ("County") the total levy amount of \$71,212,517.78, exclusive of the amount
7 derived from new construction, improvements to property, newly constructed
8 wind turbines, any increase in the value of state-assessed property, and any
9 annexations that have occurred and refunds made, to be collected in 2023.

10
11 Section 2. That the taxes herein provided for are levied to match the
12 estimated expenditures for debt service and other funding requirements and
13 are hereby levied upon all real and personal property as shown by the
14 assessment in the County, as finally and hereafter fixed by the County and
15 State Board of Equalization, and as finally extended upon the books of the
16 County Assessor showing the property within the City subject to taxation for
17 municipal purposes and upon the amount of said real and personal property in
18 accordance with certified assessed valuation of all taxable property within the
19 City of Tacoma as fixed in 2022 for collection in 2023, as provided by the
20 Pierce County Assessor.
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Section 3. That the taxes collected from levies hereby fixed and made, together with the estimated revenues from sources other than Ad Valorem taxation, which will constitute the appropriations of the City for the fiscal year 2023 are hereby available for appropriation, all as itemized and classified in the Biennial Budget for fiscal years 2023-2024, as adopted, pursuant to the laws of the state of Washington.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28854

1 AN ORDINANCE relating to property tax levies; authorizing an increase for the
2 Emergency Medical Services property tax levy in terms of both dollars
and percentage.

3 WHEREAS, pursuant to RCW 84.55.120, the City is requesting an increase
4 in the amount collected in 2023 for the Tacoma Emergency Medical Services
5 ("EMS") property tax levy, and

6 WHEREAS it is necessary to identify the amount of estimated revenues
7 from property tax levies to match the estimated expenditures for debt service and
8 other funding requirements, and

9 WHEREAS this ordinance will authorize the property tax levy to be
10 collected in the 2023 tax year to be set at the highest allowable amount over last
11 year's actual levy including refunds of \$11,960,557.79, which is a 0.94045 percent
12 increase, representing a \$112,483.62 increase over the previous year's actual
13 levy, exclusive of additional revenue derived from new construction,
14 improvements to property, newly constructed wind turbines, any annexations that
15 may have occurred and administrative refunds made, and any increase in the
16 value of state-assessed property, and

17 WHEREAS the assessed values in the EMS property tax boundary have
18 increased since 2012, with the current valuation at \$43,554,587,891.00, and

19 WHEREAS the current EMS levy rate is \$0.28 per \$1,000 in assessed
20 value, which is lower than the maximum of \$0.50 per \$1,000, and the revenue
21 amount proposed is consistent with revenues budgeted in 2023, and



WHEREAS the population of the City of Tacoma is more than 10,000;

Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That the Emergency Medical Services property tax levy for collection in 2023 is hereby authorized to increase by 0.94045 percent and \$112,483.62 from the previous year's actual levy including refunds of \$11,960,557.79, exclusive of the increase due to new construction, improvements to property, newly constructed wind turbines, any annexations that have occurred and administrative refunds made, and any increases in the value of state-assessed property.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28855

1 AN ORDINANCE relating to property tax levies; fixing the amount of the
2 Emergency Medical Services levy necessary to identify the amount of
3 the estimated revenues from the property tax levy to match estimated
4 expenditures for debt service and other funding requirements.

5 WHEREAS, pursuant to RCW 84.52.020 and RCW 84.52.070, the City of
6 Tacoma is requesting property taxes for Emergency Medical Services ("EMS") in
7 the amount as described below and as certified to Pierce County, and

8 WHEREAS property tax levies are limited by RCW 84.55.0101, to an
9 increase of 1 percent on the highest levy since 1985, and by RCW 84.52.069, to
10 \$0.50 per \$1,000 of assessed property value in the taxing district, and

11 WHEREAS the 2023 levy is limited to \$12,073,041.41, exclusive of the
12 amount derived from new construction and improvements to property,
13 newly constructed wind turbines, any increase in the value of state assessed
14 utility property, and

15 WHEREAS the City anticipates that it can collect an additional
16 \$180,476.60 due to the value of new construction, \$15,594.66 in changed in
17 assessed valuation, and \$22,453.51 in a refund levy, and

18 WHEREAS the total estimated property tax of \$12,291,566.18 is
19 consistent with the property tax projected in the 2023-2024 Proposed Budget,
20 and

21 WHEREAS jurisdictions with populations of 10,000 or greater are limited
22 to increasing the City's levy by the lower of 1 percent or the rate of inflation, and
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the implicit price deflator used to measure inflation is 6.457 percent; Now,

Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City of Tacoma hereby certifies to Pierce County the total levy for Emergency Medical Services in the amount of \$12,291,566.18, exclusive of the amount derived from new construction, improvements to property, newly constructed wind turbines, any increase in the value of state-assessed utility property, and any annexations that have occurred and refunds made, to be collected in 2023.

Section 2. That the taxes herein provided for are levied to match the estimated expenditures for debt service and other funding requirements and are hereby levied upon all the real and personal property as shown by the assessment in Pierce County ("County") as finally and hereafter fixed by the County and State Board of Equalization, and as finally extended upon the books of the County Assessor showing the property within said City, subject to taxation for municipal purposes and upon the amount of said real and personal property in accordance with certified assessed valuation of all taxable property within the City of Tacoma as fixed in 2022 for collection in 2023, as provided by the Pierce County Assessor.

Section 3. That the taxes collected from the levy hereby fixed and made, together with the estimated revenues from sources other than Ad Valorem taxation, which will constitute the appropriations of the City for the fiscal year 2023, are



1 hereby available for appropriation, all as itemized and classified in the Biennial
2 Budget for the fiscal years 2023-2024, as adopted, pursuant to the laws of the state
3 of Washington.
4

5 Passed _____

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Mayor

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9 Attest:

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City Clerk

12 Approved as to form:

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Deputy City Attorney

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SUBSTITUTE ORDINANCE NO. 28856

1 AN ORDINANCE relating to the Biennial Operating Budget; adopting the
2 2023-2024 Biennial Operating Budget of the City of Tacoma.

3 WHEREAS the City Council desires to adopt the proposed 2023-2024
4 Biennial Operating Budget, and

5 WHEREAS on October 4, 2022, the City Manager presented to the City
6 Council the 2023-2024 Proposed Biennial Operating Budget ("Budget"), and
7 staff hosted a series of engagement sessions, work sessions, and tools to
8 receive feedback from the community, and

9 WHEREAS in October, 2022, the Office of Management and Budget
10 launched an interactive budgeting tool for community members to submit
11 feedback on redirecting General Fund resources between programs in the
12 Budget, and

13 WHEREAS in October and November, 2022, three virtual Community
14 Town Halls were held where staff gave a presentation on the Budget and
15 provided attendees an opportunity to offer comments and feedback, and

16 WHEREAS to further inform both the City Council and the public, four
17 Budget work sessions were held between October 11 and November 1, 2022,
18 which provided more detailed information on the Budget as it relates to the City
19 Council priorities of Community Safety, Health, Affordable Housing, Access,
20 Livable Wage Jobs, Belief and Trust, and Culture and Effectiveness, and

21 WHEREAS two public hearings were held on November 1, and
22 November 15, 2022, and
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1 WHEREAS budgets, estimates, notices of hearings, hearings, and
2 adoption of the Budget are processed and accomplished in accordance with the
3 requirements of RCW 35.34; Now, Therefore,

4
5 BE IT ORDAINED BY THE CITY OF TACOMA:

6 That the Biennial Operating Budget of the City of Tacoma for 2023-2024
7 and each and every item thereof, as fixed, determined, and set out in
8 Exhibit "A," attached hereto and by this reference incorporated herein as
9 though fully set forth, is hereby adopted as the Biennial Operating Budget of
10 the City of Tacoma for 2023-2024.
11

12 Passed _____

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14 _____
15 Mayor

16 Attest:

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18 _____
19 City Clerk

20 Approved as to form:

21 _____
22 Deputy City Attorney
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SUBSTITUTE

EXHIBIT A

City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Contracts, Transfers, other Obligations

Fund No.	Fund Name	Baseline Budget	Proposed Adjustment	Amendment	Proposed Budget
0010	General Fund	585,397,503	29,777,783		615,175,286
Special Revenue Funds					
1020	Courts Special Revenue	126,939	19,561		146,500
1030	Contingency Fund	550,785	(50,000)		500,785
1050	PWS Transportation Revenues	9,096,020	72,728		9,168,748
1065	PW Street Fund (Street Ops, Eng, Transp)	60,972,390	2,757,134		63,729,524
1085	Voted Streets Initiative	48,215,329	2,061,280		50,276,609
1090	TFD Special Revenue	1,327,484	361,924		1,689,408
1100	PWF Property Management	238,655	229,583		468,238
1110	Local Improvement Guaranty	37,068	18,479		55,547
1145	PWB Building & Land Use Services	1,226,494	274,536		1,501,030
1155	TFD EMS Special Revenue	79,613,606	10,805,108		90,418,714
1180	PAF Tourism & Conventions	8,635,791	828,136		9,463,927
1185	NCS Special Revenue	16,763,330	9,049,834		25,813,164
1195	CED Economic Development Grants	45,268,497	8,049,542		53,318,039
1200	Library Special Revenue	822,083			822,083
1236	CED Small Business Enterprise	835,818	81,777		917,595
1267	TPD Special Revenue	1,390,139	548,636		1,938,775
1431	CMO Municipal Cable TV	500,000	873,285		1,373,285
1500	CED Local Employment Apprenticeship Program	627,615	619		628,234
1650	Traffic Enforcement, Engineering & Education	6,972,168	14,553		6,986,721
1700	American Rescue Plan	4,010,637	26,484,816		30,495,453
Total Special Revenue Funds		287,230,848	62,481,531	-	349,712,379
Debt Service Funds					
2035	LTD GO Bonds 1997 A & B	1,541,100			1,541,100
2038	Public Works Trust Fund Loan	1,149,442			1,149,442
2040	LTGO 2009 Series A-F Bond Redemption	13,514,753			13,514,753
2041	2010 LTGO Bonds Series 2010B - 2010E	5,923,466			5,923,466
2043	LTGO Bond Issuances	4,110,739	55,861		4,166,600
Total Debt Service Funds		26,239,500	55,861	-	26,295,361
Capital Project Funds					
3210	Real Estate Excise Tax	8,276,222	30,553,324		38,829,546
Total Capital Project Funds		8,276,222	30,553,324	-	38,829,546

EXHIBIT A

**City of Tacoma, Washington
2023-2024 Biennial Operating Budget
Contracts, Transfers, other Obligations**

Fund No.	Fund Name	Baseline Budget	Proposed Adjustment	Amendment	Proposed Budget
Enterprise Funds					
4110	Permit Services Fund	42,581,336	3,730,213		46,311,549
4120	PW Tacoma Rail Mountain Division	4,450,964	(9,199)		4,441,765
4140	PWE Parking Operating	15,677,038	(563,029)		15,114,009
4165	Convention Center	26,191,183	(909,537)		25,281,646
4170	Cheney Stadium	3,201,635	2,041		3,203,676
4180	Tacoma Dome	25,462,097	(44,473)		25,417,624
4190	Performing Arts	3,604,319	682		3,605,001
4200	Solid Waste	185,430,001	2,766,559		188,196,560
4300	Wastewater	252,990,781	1,005,577		253,996,358
4301	Surface Water	155,874,079	1,033,218		156,907,297
4450	Union Station	11,140			11,140
4500	Tacoma Rail	64,505,094	5,752,521		70,257,615
4600	Water Utility	276,023,156	55,148,292	(33,802,942)	297,368,506
4700	Power	1,009,708,153	178,318,784		1,188,026,937
4800	TPU Self Insurance Claims	5,678,200			5,678,200
4805	Low Income Assistance		7,000,000		7,000,000
Total Enterprise Funds		2,071,389,176	253,231,649	(33,802,942)	2,290,817,883
Internal Service Funds					
5050	TPU Fleet Service	11,817,456	17,920		11,835,376
5086	Tacoma Training & Employment Program	833,173	52,777		885,950
5400	PW Fleet Equipment Rental	21,888,888	7,215,138		29,104,026
5453	PWS Asphalt Plant	2,741,168	1,086		2,742,254
5540	Comms Equipment - Replacement Reserve	5,297,481	10,313		5,307,794
5550	Third Party Liability Claims	12,047,288	331,386		12,378,674
5560	Unemployment Compensation	475,875			475,875
5570	Worker's Compensation	13,028,059	487		13,028,546
5700	Municipal Building Acquisition & Oper	19,742,936	(1,478,318)		18,264,618
5800	General Governmental Internal Services	161,770,456	15,640,371		177,410,827
Total Internal Service Funds		249,642,780	21,791,160	-	271,433,940
Trust & Agency Funds					
6050	Deferred Compensation Trust	534,413	903		535,316
6100	Employees Retirement	231,921,416	240,953,341		472,874,757
6120	Relief & Pension Police	10,458,919	837		10,459,756
6150	Relief & Pension Firefighters	12,825,862	3,838		12,829,700
6240	Tacoma Community Redevelopment Authority	0	40,205		40,205
6430	Health Care Trust Labor Management	167,901,545	1,557,524		169,459,069
6440	Group Life Trust	1,834,697	11,760		1,846,457
6460	Dental Care Labor Management	12,052,865	1,512		12,054,377
6470	Health Care Trust Firefighters	8,362,000			8,362,000
6480	Health Care Trust Police	7,662,000			7,662,000
6795	Public Facilities Districts	12,142,814	(60,789)		12,082,025
Total Trust & Agency Funds		465,696,531	242,509,131	-	708,205,662
Total City of Tacoma Operating Budget		3,693,872,560	640,400,439	(33,802,942.00)	4,300,470,057



ORDINANCE NO. 28857

1 AN ORDINANCE relating to the Comprehensive Plan and Capital Budget;
2 adopting the 2023-2028 Capital Facilities Program of the Comprehensive
Plan, and adopting the 2023-2024 Capital Budget.

3 WHEREAS in compliance with the Growth Management Act, the City
4 Council periodically adopts an updated Capital Facilities Program ("CFP") that
5 indicates existing and proposed capital facilities projects throughout the City,
6 and

7 WHEREAS a draft of the 2023-2028 CFP was presented to the Planning
8 Commission and recommended for approval on May 4 and 18, 2022, and a
9 public hearing was held on June 15, 2022, and
10

11 WHEREAS public hearings on the CFP were held at the City Council on
12 November 1 and 15, 2022, and

13 WHEREAS the CFP helps inform development of the City's Capital
14 Budget, and the budget was presented at a City Council work session on
15 November 1 and 8, 2022, and
16

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

19 WHEREAS funds within the Capital Budget are provided with multi-year
20 appropriation and are adopted separately from the City's Biennial Operating
21 Budget; Now, Therefore,
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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the 2023-2028 Capital Facilities Program, amending the Comprehensive Plan, is hereby approved, 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 2023-2024 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 2023 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
2023-2024 Capital Budget Ordinance
Project Balances, Transfers, other Obligations**

Fund No.	Fund Name	Proposed Appropriation	Adjustments	Proposed Budget
Special Capital Funds				
1060	Transportation Capital and Engineering	17,495,012		17,495,012
1140	PWE Paths & Trails Reserve	4,582,836		4,582,836
3211	Capital Projects Fund	3,010,420		3,010,420
Total City of Tacoma Capital Budget		\$ 25,088,268	\$ -	\$ 25,088,268

Exhibit B

City of Tacoma, Washington
2023-2024 Capital Budget Ordinance
Project Balances, Transfers, other Obligations

WBS	Project Title	Capital Project Budget Adjustments
Fund No.	Fund Name	
1060	Transportation Capital and Engineering	
662000	Preliminary Design and Grant Preparation for Fishing Wars Memorial Bridge	500,000
662000	Site Reclamation	600,000
662010	Assistance for Local Improvement District Projects	400,000
PWK-00720	38th and Cedar Street Crossing	400,000
PWK-00720	Accessible Pedestrian Signal Project	150,000
PWK-00719	Housing Equity - Accessibility Infrastructure	500,000
PWK-00442	Maintain Bridge Operations	1,700,000
PWK-00714	Unfit/Unsafe Sidewalks Improvement Program	2,900,000
PWK-00800	I-5 Crossing Improvements - Project Recommendations	400,000
PWK-00800	Active Transportation Infrastructure Improvement Program	900,000
PWK-00801	Neighborhood Traffic Calming Infrastructure Improvement Program	100,000
PWK-00802	Safe Routes to School Infrastructure Improvement Program	1,100,000
PWK-00804	Install New Streetlights	200,000
PWK-00807	Traffic Enhancements Infrastructure Improvement Program	75,000
PWK-00808	Vision Zero Infrastructure Improvement Program	900,000
PWK-00808	Portland Avenue Safety & Active Transportation	1,000,000
PWK-01017	Escalation Funding - Railroad Crossing Improvements	500,000
PWK-G0032	Escalation Funding - Brewery District Revitalization	320,000
PWK-G0035	Escalation Funding - Portland Ave	250,000
PWK-G0041	Grant Match Funding - Links to Opportunity	1,000,000
PWK-G0042	Escalation Funding - East 64th Phase II	400,000
PWK-G0042	Grant Match Funding - East 64th Phase II	3,000,000
PWK-G0047	Escalation Funding - Safe Routes to Schools	100,000
661300	Ending Cash	100,012
		<hr/> 17,495,012 <hr/>
1140	PWE Paths & Trails Reserve	
668000	Scott Pierson Trail Enhancement Phase 1	250,000
PWK-G0014	Grant Match Funding - Prairie Line Trail	200,000
PWK-00561	Grant Match Funding - Water Flume Line Trail	3,000,000
PWK-00561	Escalation Funding - Water Flume Line Trail	450,000
PWK-00561	Rebuild Traffic Signal at South Tacoma Way and Wilkerson	650,000
668000	Capital Reserves	32,836
		<hr/> 4,582,836 <hr/>

Exhibit B

**City of Tacoma, Washington
2023-2024 Capital Budget Ordinance
Project Balances, Transfers, other Obligations**

		Capital Project Budget Adjustments
WBS	Project Title	
Fund No.	Fund Name	
3211	Capital Projects Fund	
TFD-00026	Fire Department Facilities Security Improvements	750,000
FAC-00018	Public Works New Maintenance Facility - Property & Initial Design	200,000
LIB-00011	Reimagining Main Library	2,000,000
Multiple	Ending Cash	60,420
		3,010,420
		25,088,268



ORDINANCE NO. 28858

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR USHKA, AND
2 COUNCIL MEMBERS DIAZ AND RUMBAUGH

3 AN ORDINANCE relating to the City's "Public Safety" code; amending Title 8 of
4 the Tacoma Municipal Code, "Public Safety," by adding a new Chapter
5 8.180, entitled "Interference with Health Care Facilities or Providers," to
6 ensure public health and safety for persons seeking health care
7 services, and adopting the related Revised Code of Washington by
8 reference.

9 WHEREAS, in 1991, the people of Washington initiated the Reproductive
10 Privacy Act, which affirms the fundamental right of persons in Washington State to
11 privacy with respect to personal reproductive decisions and proscribes the
12 authority of the state to deny or interfere with a "pregnant individual's right to
13 choose or refuse to have an abortion," and

14 WHEREAS, in 1993 the legislature codified Chapter 9A.50, Interference
15 with Health Care Facilities or Providers, in the Revised Code of Washington
16 ("RCW"), and

17 WHEREAS Chapter 9A.50 RCW finds that "seeking or obtaining health care
18 is fundamental to public health and safety" and creates criminal penalties for
19 persons who interfere with access to health care facilities, and

20 WHEREAS, on June 24, 2022, the U.S. Supreme Court issued a decision in
21 *Dobbs v. Jackson Women's Health Organization* (No. 19-1392) overruling the
22 constitutional right to an abortion established by *Roe v. Wade*, 410 U.S. 113, and
23 *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S. 833, and repudiating
24 a constitutional right to privacy, and
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1 WHEREAS *The New York Times* estimates that after the *Dobbs* decision,
2 with current and likely trigger laws banning abortions in up to 24 states, as many
3 as 17 million persons capable of being pregnant would not have access to local
4 abortion services, and

5
6 WHEREAS reproductive health organizations estimate that, after *Dobbs*,
7 Washington State will see an increase in persons traveling to the state to seek
8 abortion services, and

9
10 WHEREAS the City has an interest in ensuring public health and safety and
11 protecting the privacy interests and personal safety of Tacoma residents and
12 persons who travel to Tacoma to seek health care services not offered in their
13 state, such as abortion services and gender-affirming care, and

14 WHEREAS, adopting Chapter 9A.50 RCW into Tacoma's "Public Safety"
15 code will authorize the City Attorney to prosecute the offense in Tacoma Municipal
16 Court; Now, Therefore,

17
18 BE IT ORDAINED BY THE CITY OF TACOMA:

19 Section 1. That Title 8 of the Tacoma Municipal Code, "Public Safety," is
20 hereby amended to add a new Chapter 8.180, entitled "Interference with Health
21 Care Facilities or Providers," to read as set forth in the attached Exhibit "A."
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Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

TITLE 8 PUBLIC SAFETY

Chapter 8.110 Inhaling Toxic Fumes
Chapter 8.120 Graffiti
Chapter 8.122 Noise Enforcement
Chapter 8.130 Sale Or Distribution Of Deactivated Hand Grenades To Minors
Chapter 8.140 Regulation Of Purchase/Sale of Ephedrine
Chapter 8.150 Prohibition Of Sexual Encounter Establishments
Chapter 8.160 Stay Out Of Drug Areas (SODA) Orders – Violation
Chapter 8.170 Stay Out Of Areas Of Prostitution (SOAP) Orders – Violation
[Chapter 8.180 Interference With Health Care Facilities Or Providers](#)

* * *

Chapter 8.180

INTERFERENCE WITH HEALTH CARE FACILITIES OR PROVIDERS

Sections:

[8.180.110](#)

[8.180.020](#)

8.180.010 Purpose and Findings.

The City of Tacoma finds that seeking or obtaining health care is fundamental to public health and safety.

8.180.020 Adoption of State law by Reference.

The following RCW sections as amended are adopted by reference:

[9A.50.010 – Definitions](#)

[9A.50.020 – Interference with health care facility](#)

[9A.50.030 – Penalty](#)

[9A.50.070 – Protection of health care patients and providers](#)

[9A.50.900 – Construction](#)

* * *



ORDINANCE NO. 28859

1 BY REQUEST OF MAYOR WOODARDS, DEPUTY MAYOR USHKA, AND
2 COUNCIL MEMBERS DIAZ AND RUMBAUGH

3 AN ORDINANCE relating to human rights; including protections against
4 discrimination based on an individual's actual, potential, perceived, or
5 alleged pregnancy outcomes; and amending Chapters 1.07, 1.24, 1.29,
6 1.45, 6B.220, and 16A.03.080 of the Tacoma Municipal Code.

7 WHEREAS, on June 24, 2022, the U.S. Supreme Court issued a
8 decision in *Dobbs v. Jackson Women's Health Organization* (No. 19-1392)
9 overruling the constitutional right to an abortion established by *Roe v. Wade*,
10 410 U.S. 113, and *Planned Parenthood of Southeastern Pa. v. Casey*, 505 U.S.
11 833, and repudiating a constitutional right to privacy, and

12 WHEREAS the majority opinion in *Dobbs* returns the issue of whether
13 and to what extent to provide access to abortion to the states, and

14 WHEREAS, in 1991, the people of Washington initiated the Reproductive
15 Privacy Act, which affirms the fundamental right of persons in Washington to
16 privacy with respect to personal reproductive decisions and proscribes the
17 authority of the state to deny or interfere "with a pregnant individual's right to
18 choose or refuse to have an abortion," and

19 WHEREAS The New York Times estimates that after *Dobbs*, with current
20 and likely trigger laws banning abortions in up to 24 states, as many as 17 million
21 persons capable of being pregnant would not have access to local abortion
22 services, and
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WHEREAS sexual and reproductive health and rights organizations estimate that after *Dobbs* Washington will see an increase in persons traveling to the state to seek abortion services, and

WHEREAS, through Chapter 65, Laws of 2022, the State amended chapter 9.02 of the Revised Code of Washington (RCW) declaring: "The state shall not penalize, prosecute, or otherwise take adverse action against an individual based on their actual, potential, perceived, or alleged pregnancy outcomes," and

WHEREAS, restricting and/or denying access to abortion services will have a disproportionate impact on poor communities and Black, Indigenous, or People of Color (BIPOC) communities, and

WHEREAS the City of Tacoma values being an open, welcoming, and inclusive city of opportunity for all its residents, workers, and visitors, and

WHEREAS the City recognizes that everyone has a fundamental right to bodily autonomy including transgender and gender diverse communities, and

WHEREAS the City recognizes that transgender and gender diverse people with the capacity to become pregnant face increased barriers and stigma when accessing abortion services, and

WHEREAS the City of Tacoma is committed to recognizing the dignity of all its residents, workers, and visitors, including the right to reside, work, and visit a City that does not subject them to prejudicial treatment or discrimination;
Now, Therefore,



BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapters 1.07, 1.24, 1.29, 1.45, 6B.220, and 16A.03.080 of the Tacoma Municipal Code, are hereby amended as set forth in the attached Exhibit "A."

Section 2. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 1.07
EQUITY IN CONTRACTING

* * *

1.07.030 Discrimination prohibited.

A. No person that is engaged in the construction of public works for the City, engaged in the furnishing of laborers or craftspeople for public works of the City, or is engaged for compensation in the provision of non-public works and improvements supplies and/or services to the City, shall discriminate against any other person on the basis of race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, or the presence of any sensory, mental or physical disability, or "pregnancy outcomes" under TMC 1.29.040, in employment. Such discrimination includes the unfair treatment or denial of normal privileges to a person as manifested in employment upgrades, demotions, transfers, layoffs, termination, rates of pay, recruitment of employees, or advertisement for employment.

B. The violation of the terms of RCW 49.60 or Chapter 1.29 TMC by any person that is engaged in the construction of public works for the City, is engaged in the furnishing of laborers or craftspeople for public works of the City, or is engaged for compensation in the provision of non-public works and improvements supplies and/or services shall result in the rebuttable presumption that the terms of this chapter have also been violated. Such violation may result in termination of any City contract the violator may have with the City and/or the violator's ineligibility for further City Contracts.

* * *



CHAPTER 1.24 PERSONNEL RULES

* * *

1.24.820 Employee complaints.

STATEMENT OF POLICY:

It shall be the policy of the City of Tacoma to adjust complaints of employees promptly and fairly. Within the framework of existing laws and regulations, every effort shall be made to adjust complaints in a manner mutually satisfactory to employees and management without any interference or subsequent discrimination against employees who may seek to adjust a complaint.

It shall be the policy of the City to make every attempt to resolve complaints within the department at the lowest possible level. An employee is expected to discuss any complaint initially with the employee's immediate supervisor. If the informal answer given by the employee's supervisor is not satisfactory, the employee may appeal in the following manner:

Step 1. Within 10 days following the initial contact with the employee's supervisor the employee or the employee's designated representative will present the employee's specific complaint to the employee's supervisor in writing. The supervisor will, within five working days, render to the employee the decision and the reasons for it in writing. If the employee is not satisfied with the answer given, the employee may appeal as follows:

Step 2. Within five working days of receipt of the supervisor's answer, the employee (or designated representative) will forward the complaint in writing to the employee's division head or the head of the department. The division or department head will, within five working days, render to the employee the decision and the reasons for it in writing. If the employee is not satisfied with the answer given, the employee may present the complaint to the Civil Service Board as follows:

Step 3. Within five working days of receipt of the division or department head's answer, the employee (or designated representative) will forward the complaint in writing to the Human Resources Director who shall, within 10 working days, file a report with the Civil Service Board stating the nature of the complaint, the procedures utilized thus far in an attempt to resolve it and the issues unresolved. The Civil Service Board shall then act as a complaint board and in appropriate circumstances set a time and place for hearing such complaint.

At the conclusion of a hearing on a complaint, the Board shall render its findings.

GENERAL PROCEDURES:

A. The Board may call as witnesses at a complaint hearing any persons whose testimony will contribute to the adjustment of the complaint.

B. All parties to the complaint shall be notified and have the right to be heard at the hearing or to be represented by a person of their own choosing.

C. Hearings shall be held at such times and in such manner as may be determined by the Board.

D. Failure by management to reply to the employee's complaint within the time limits specified automatically processes the complaint to the next level.

E. If an employee fails to submit a complaint from one level to the next level within the time limits established in this complaint procedure, the complaint shall be considered settled on the basis of the last decision.

F. Any level of review or any time limits established in this procedure may be waived or extended by mutual agreement confirmed in writing or by action of the Civil Service Board.



G. A complaint must clearly state the basis thereof and the nature of the remedy sought by the employee or employee's representative. Complaints which the Board determines are without merit shall be rejected.

H. None of the above provisions are intended to prevent or dissuade an employee from processing a complaint which the employee believes to involve discrimination based on race, sex, religion, color, national origin, age, marital status, ~~or~~ presence of a handicap, or "pregnancy outcomes" under TMC 1.29.040, through the employee's departmental Equal Employment Opportunity Representative or through the City Human Relations Department. The Board shall dismiss any complaint or portions of a complaint which has been filed with a city, state or federal agency or court having authority to order remedy in the case.

* * *

1.24.830 Prohibition.

No person in the City Service or person seeking admission to the City Service shall be appointed, promoted, reduced, or removed, or in any way favored or discriminated against because of religion, race, sex, age, marital status, national origin, politic affiliation or the presence of mental, physical or sensory handicap, or "pregnancy outcomes" under TMC 1.29.040, that does not prevent proper performance of the job. No person shall willfully or knowingly make any false statement, certificate, mark, rating, or report in regard to any test, certificate or appointment held or made under the municipal personnel system or in any manner commit or attempt to commit any fraud preventing the impartial execution of the Personnel Rules. No person seeking appointment to or promotion in the City Service shall either directly or indirectly give, render, or pay any money, service, or other valuable thing to any person for or on account of or in connection with the test, appointment, proposed appointment, promotion, or proposed promotion.



CHAPTER 1.29 HUMAN RIGHTS COMMISSION

Sections:

- 1.29.010 Findings.
- 1.29.020 Creation of a Human Rights Commission.
- 1.29.030 Commission Responsibilities of the Office of Equity and Human Rights.
- 1.29.040 Definitions.
- 1.29.050 Unlawful discriminatory employment practices.
- 1.29.060 Additional unlawful discriminatory practices.
- 1.29.070 Liberal construction.
- 1.29.080 Severability.
- 1.29.090 Savings clause.
- 1.29.100 Unlawful discriminatory housing practices.
- 1.29.110 Discrimination in residential real estate-related transactions.
- 1.29.120 Prohibition against discrimination because of disability.
- 1.29.130 Housing for older persons.
- 1.29.140 Interference, coercion or intimidation.
- 1.29.150 Adjustment and settlement of complaints.
- 1.29.160 Election for civil action in lieu of hearing for housing cases.
- 1.29.170 Enforcement of fair housing provisions by private persons.
- 1.29.180 Labeling of single-occupant restrooms
- 1.29.190 Provision of Universal Closed Captioning.

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, disability, ~~or~~ source of income, or "pregnancy outcomes," 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.

1.29.020 Creation of a Human Rights Commission.

There is hereby established a commission, to be known as the Human Rights Commission of the City of Tacoma (hereinafter referred to as the "Commission"), consisting of 15 members representative of the general public, such as students; employer groups; the housing industry; and labor, religious, racial, ethnic, disabled, and women's groups in the City, to be nominated and appointed in accordance with City Council rules and procedures.

A. Duties and Powers of the Commission.

The Commission shall have the duty and power to:



1. Initiate complaints charging unlawful practices as set forth in this chapter; provided, that no such action shall be taken with respect to any complaint within the exclusive jurisdiction of any state or federal agency. Each Commissioner shall have the power to initiate a complaint, whether or not such Commissioner is aggrieved, subject to approval by the Commission.

2. Review and act upon case closures as recommended by the Office of Equity and Human Rights staff, petitions for reconsideration, and/or conciliation agreements.

3. Study, investigate, mediate, and hold public meetings on communitywide problems arising in the City of Tacoma which may result in intergroup tensions or discrimination, including 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 "pregnancy outcomes," and make such technical studies as are appropriate to effectuate the purpose and policies of this chapter.

4. 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.

5. Cooperate with and make written recommendations to the Mayor, City Council, City Manager, and City department heads toward the development and implementation of programs and practices for the purpose of furthering the objectives of this chapter.

6. Form committees and subcommittees and appoint persons, in addition to members of the Commission, to such committees and subcommittees in order to assist the Commission in effectuating the purposes of this chapter.

7. Perform such other functions and duties as may be directed by the City Council or prescribed or authorized by any resolution or ordinance of the City.

In prescribing the above duties and functions of the Commission, it is not the intent of the City Council to duplicate or overlap the functions, duties, or responsibilities heretofore or hereafter assigned to any department, board, or committee of the City or the responsibilities of the City Manager. Upon request, the Commission shall cooperate with and render assistance and make recommendations to all public officials, departments, and public or private organizations or citizens.

8. The Commission is specifically authorized to adopt and promulgate interpretive rules, regulations, and guidelines to properly implement and administer the provisions hereof. Rules, regulations, and guidelines thus adopted shall be approved by resolution of the City Council of the City of Tacoma prior to their becoming effective.

9. The Commission is specifically authorized to make rules and regulations governing its organization and procedures which are not inconsistent with this chapter or any other chapter or section of the Tacoma Municipal Code.

B. Terms of Office of Commissioners.

The term of office of all members of the Commission shall be three years, except for the student member whose term of office shall be for a period no longer than two years or until no longer a student or until attainment of age 24, whichever occurs first; provided, that any individual appointed to fill a vacancy other than a student member shall be appointed only for the unexpired term of the member whom he or she succeeds. Each member of the Commission shall serve only until the expiration of his or her individual term of office. Failure to maintain his or her status as a student shall act as a forfeiture of the student member's Commission position. Any member of the Commission may be removed by the Mayor and City Council for misconduct or malfeasance in office after being given a written statement outlining such behavior and an opportunity to be heard thereon.

C. Termination of Commissioners for Absence.



The appointment of any member of the Commission who has been absent from three consecutive regular or special meetings of the Commission without approval of said Commission shall automatically terminate. The City Clerk shall notify any member whose appointment has automatically ended and report to the appointing authority that a vacancy exists on said Commission and that an appointment should be made for the unexpired term. The Commission shall have the power and authority to excuse any member from attendance at any regular business meeting or study session for good cause. The Commission shall also have the power and authority to create and execute a more rigid standard of attendance should a majority of Commission members deem such standard necessary for the effective functioning of the Commission.

D. Commission Officers.

The Commission shall elect one of its members as Chairperson and one of its members as Vice-Chairperson, each of whom shall hold office for a period of two years or until his or her successor is duly elected, unless his or her term as a member of the Commission expires sooner.

E. Commission Meetings and Procedures.

The Commission shall establish a regular time and place of meeting and shall hold at least one regular meeting each month. Special study sessions may be called by the Chairperson or by a simple majority of the Commission members. Personal notice of all special study sessions shall be given to all Commission members by mail or by telephone at least 24 hours prior to the start of such study session.

1. Quorum of the Commission.

A simple majority of those Commission members duly appointed and acting in office at any given time shall constitute a quorum of the Commission at that time. An affirmative vote of at least a majority of those Commissioners present at any given meeting is required to take any official action at such meeting; provided, that a majority vote of the entire Commission shall be required for a finding or decision of the Commission.

2. Commission Public Meetings.

All regular, special, and business meetings of the Commission shall be held in strict accordance with and pursuant to any and all applicable state laws as the same now exist, or as hereafter amended, with respect to open and public meetings.

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, disability, ~~or~~ source of income, or "pregnancy outcomes"; 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.

B. The Director shall send all notices to Commission members; keep and maintain all minutes, documents, and other papers of the Commission; comply with all assignments the Commission may make in the conduct of its business; and perform such other specific tasks and assignments concerning human rights as may be requested by the City Manager. Unless specifically provided otherwise, all duties and powers assigned to the Director may be delegated by the Director.

C. Subpoena power.

Subpoenas issued under this section shall be prepared and signed under the direction of the City Attorney's Office. No person shall be excused from attending fact-finding conferences and testifying or from producing records, correspondence, documents, or other evidence in obedience to the subpoena on the ground that the testimony or evidence required may tend to incriminate or to subject such person to a penalty or forfeiture. However, no person shall be prosecuted or subjected to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which testimony is compelled after such person has claimed a privilege against self-incrimination, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying. The immunity herein provided shall extend only to natural persons compelled to testify.

In case of contumacy or refusal to obey a subpoena issued to any person, the Office of Equity and Human Rights may, through the City Attorney's Office, petition the Superior Court to issue to such person a subpoena requiring such person to appear before the Commission, its member, agent, or staff, there to produce evidence if so ordered, or there to give testimony touching the matter under investigation or in question. Failure to obey a subpoena of the Superior Court may be punished by the Court as a contempt thereof.

1.29.040 Definitions.

As used in this chapter:

"Age" refers to the number of years since one's birth and only individuals over the age of 40 are considered as a protected class.

"Bona fide occupational qualification (BFOQ)" refers to an exception when discrimination is legal where it is reasonably necessary to the normal operation of the employer's business (e.g., a Methodist church would not be discriminating if it refused to hire a Lutheran minister).

"Business necessity" refers to a policy or practice of screening potential employees on a criterion necessary for the safe and efficient operation of the business. Such a policy or practice is legal if it can be demonstrated to be job-related, to be effective in predicting employee performance, and if there is no acceptable alternative which would have less adverse impact on the class protected by law.



1 “Charging party” shall include any individual alleging on his or her own behalf to have been personally
aggrieved by an unlawful discriminatory practice. Additionally, the Commission may initiate a charge
alleging that an unlawful discriminatory act has been committed against a class of persons.

2 “Commission” means the Human Rights Commission of the City of Tacoma, Washington, herein created.

3 “Conciliation” means a written settlement generally providing full relief for the charging party after a
determination of reasonable cause has been accepted. Such agreement requires the signatures of the
respondent and a Commission representative. The charging party shall be signatory to such an agreement.

4 “Director” means the Director of the Office of Equity and Human Rights.

5 “Disability” means the presence of a sensory, mental, or physical impairment that:

6 (i) Is medically cognizable or diagnosable; or

7 (ii) Exists as a record or history; or

(iii) Is perceived to exist whether or not it exists in fact.

8 (a) A disability exists whether it is temporary or permanent, common or uncommon, mitigated or
unmitigated, or whether or not it limits the ability to work generally or work at a particular job or whether
or not it limits any other activity within the scope of this chapter.

10 (b) For purposes of the definition of “disability”, “impairment” includes, but is not limited to:

11 (i) Any physiological disorder, or condition, cosmetic disfigurement, or anatomical loss affecting one or
more of the following body systems: Neurological, musculoskeletal, special sense organs, respiratory,
including speech organs, cardiovascular, reproductive, digestive, genitor-urinary, hemic and lymphatic,
skin, and endocrine; or

13 (ii) Any mental, developmental, traumatic, or psychological disorder, including but not limited to
cognitive limitation, organic brain syndrome, emotional or mental illness, and specific learning
disabilities.

14 (c) Only for the purposes of qualifying for reasonable accommodation in employment, an impairment
must be known or shown through an interactive process to exist in fact and:

16 (i) The impairment must have a substantially limiting effect upon the individual's ability to perform his or
her job, the individual's ability to apply or be considered for a job, or the individual's access to equal
benefits, privileges, or terms or conditions of employment; or

18 (ii) The employee must have put the employer on notice of the existence of an impairment, and medical
documentation must establish a reasonable likelihood that engaging in job functions without an
accommodation would aggravate the impairment to the extent that it would create a substantially limiting
effect. A limitation is not substantial if it has only a trivial effect.

20 “Dwelling” means any building, structure, or portion thereof that is occupied as, or designed or intended
for occupancy as, a residence by one or more families, and any vacant land that is offered for sale or lease
for the construction or location thereon of any such building, structure, or portion thereof.

22 “Educational institution” includes any private school or training center, except those affiliated with a
nonprofit religious institution, which may give preference to members of that religious group in selecting
its students.

23 “Employee” shall mean any person acting in the employ of an employer as herein defined, but such term
shall not include any individual employed by his or her parent, spouse, or child.

25 “Employer” shall have the same meaning as set forth in the current Revised Code of Washington
Section 49.60.040(3) and as hereafter amended.

26 “Employment agency” includes any person undertaking, with or without compensation, to recruit,
procure, refer, or place employees for an employer.



“Familial status” means one or more individuals (who have not attained the age of 18 years) being domiciled with:

1. A parent or another person having legal custody of such individual or individuals; or
2. The designee of such parent or other person having such custody, with the written permission of such parent or other person.

The protections afforded against discrimination on the basis of familial status shall apply to any person who is pregnant or is in the process of securing legal custody of any individual who has not attained the age of 18 years.

“Financial institution” includes any person or organization which participates in any open-end or closed-end credit transaction, whether in the nature of a loan, retail installment transaction, credit card issue or charge, or otherwise, and whether for personal or for business purposes, in which a service, finance, or interest charge is imposed, or which provides for repayment in scheduled payments, when such credit is extended in the regular course of any trade or commerce, including but not limited to: banks, savings and loan associations, or other financial lending institutions of whatever nature; stockbrokers; merchant or mercantile establishments; or owners of real property who, as part of their ordinary business, permit or provide that payment for purchases of property or service therefrom may be deferred.

“Gender identity” shall mean the status or perception of being transsexual, intersexed, transvestite, or transgendered. As used in this definition, the term “intersexed” refers to individuals who are born with some combination of both male and female genitalia.

“Honorably discharged veteran or military status” means a person who is:

A veteran, as defined in RCW 41.04.007 or

An active or reserve member in any branch of the armed forces of the United States, including the national guard, coast guard, and armed forces reserves.

“Labor organization” includes any organization which exists, in whole or in part, for the purpose of dealing with employers concerning grievances or the terms and conditions of employment, or for other mutual interests or protection in connection with any employment.

“Marital status” means the state of being unmarried, married, divorced, separated, or widowed.

“National origin” refers to one's real or perceived ancestry, heritage, background, or customs that indicate an individual or the individual's forbears came from a particular country.

“Negotiated settlement” means a signed agreement between the charging party and the respondent in a particular case prior to a finding on the merits of the charge. The Commission may also be signatory to such an agreement.

“No reasonable cause” means that a determination has been made that there was insufficient evidence produced by the staff's investigation to support a reasonable conclusion that unlawful discrimination has occurred or is occurring. Such determination completes the administrative process unless the charging party petitions the commission for reconsideration in writing and provides new evidence not previously considered in the course of the investigation.

“Pregnancy outcomes” means the results of a fertilization event and the results of the ensuing pregnancy as experienced by the individual who is or was pregnant. Examples of outcomes that are the results of a fertilization event includes, but are not limited to, live birth, stillbirth, miscarriage, and abortion. Examples of outcomes that are the result of an ensuing pregnancy include, but are not limited to, hyperemesis gravidarum (morning sickness), pregnancy-related anemia, preeclampsia, and perinatal depression, and includes an individual's actual, potential, perceived or alleged “pregnancy outcome.”

“Owner” means any person, including managing agents, having the right of ownership or possession, or the right to sell, rent, lease, or sublease any real property.



1 “Person” includes one or more individuals, partnerships, associations, organizations, corporations, labor
organizations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, or any group
of persons; it includes any owner, lessee, proprietor, manager, agent, or employee, whether one or more
natural persons; and further includes any agency or instrumentality of the City.

2 “People with disabilities” means the presence of any physical, sensory, or mental impairment which
substantially limits one or more major life activities (e.g., self-care, ambulation, communication,
3 transportation, education, socialization, and employment) but does not prevent the proper performance of
the particular worker's job duties.

4 “Public accommodation” includes any establishment which caters or offers its services, facilities, or
5 goods to the general public.

6 “Real estate transaction” includes the sale, exchange, purchase, rental, lease, or sublease of real property.

7 “Real property” includes buildings, structures, dwellings, real estate, lands, tenements, leaseholds,
interests in real estate cooperatives, condominiums, or any interest in such real property as defined herein;
provided, however, that nothing herein contained shall be construed to include or apply to any
8 columbarium, mausoleum, or cemetery operated or maintained by a nonprofit religious or sectarian
institution.

9 “Reasonable cause” means that a determination has been made that the evidence produced by the staff's
investigation is sufficient to support a reasonable conclusion that unlawful discrimination has occurred or
10 is occurring. Such determination allows for the continuance of the administrative process including, but
not limited to, attempts at conciliation.

11 “Respondent” includes any person or entity against whom a complaint or charge of unlawful practice is
12 filed with the Commission.

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

14 “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
15 entity. “Source of income” does not include income derived in an illegal manner.

16 “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
17 and who is an enrolled student at the high school or college level.

18 “Staff” shall mean the staff of the Office of Equity and Human Rights.

19 **1.29.050 Unlawful discriminatory employment practices.**

20 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 is hereby declared to
21 be an unlawful discriminatory practice. Unlawful discriminatory practices shall include, but are not
limited to, the following:

22 **A. Employers.**

23 It is an unlawful discriminatory practice for any employer to:

24 1. Fail or refuse to hire or to discharge an individual, or otherwise discriminate against an individual with
respect to compensation, terms, conditions, or privileges of employment because of race, religion, color,
national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status,
25 honorably discharged veteran or military status, ~~or~~ disability, or “pregnancy outcomes,” unless based
upon a bona fide occupational qualification; provided, however, that the prohibition against
26 discrimination because of a sensory, mental, or physical disability shall not apply if such disability
prevents the safe and competent job performance of the particular worker involved; provided further, that



it shall not be an unlawful practice for a nonprofit religious organization or institution to limit the hiring of employees who will perform religious duties to those persons who are members or followers of such religious organization, denomination, institution, or faith; provided further, that the prohibition against discrimination shall not prevent employers from establishing and enforcing job-related dress code policies.

2. Limit, segregate, or classify employees in any way which would deprive or tend to deprive an individual of employment opportunities, or otherwise adversely affect that individual's status as an employee 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 "pregnancy outcomes"; provided, however that it shall not be an unlawful practice for an employer to segregate washrooms or locker facilities on the basis of sex, unless there is only one such facility on the premises.

3. Confine or limit recruitment or hiring of employees, with intent to circumvent the spirit and purpose of this chapter, to any employment agency, employment service, labor organization, training school, training center, or any other employee-referring source which serves persons who are predominantly of the same race, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, honorably discharged veteran or military status, ~~or~~ free of any disability, or "pregnancy outcomes."

4. Require of any applicant for employment any information concerning 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 "pregnancy outcomes," unless based upon a bona fide occupational qualification; provided, however, that this section shall not be construed in any way to preclude or limit the applicability of any federal affirmative action programs to the extent to which such information may be required by these programs. Nothing in this section shall be interpreted to mean that employers shall be required to grant preferential treatment to any person 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 "pregnancy outcomes."

1.29.060 Additional unlawful discriminatory 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 "pregnancy outcomes," is hereby declared to be an unlawful discriminatory practice. Unlawful discriminatory practices shall include, but are not limited to, the following:

A. Financial Institutions.

It is an unlawful discriminatory practice for a financial institution or any person employed by or acting on behalf of a financial institution:

1. To discriminate against any person 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 "pregnancy outcomes," in granting, withholding, extending, modifying, or renewing the rates, terms, conditions, privileges, or other provisions of financial assistance or in the extension of credit or services in connection therewith.

2. To use a form of application for financial assistance or credit or make or keep a record of inquiry in connection with applications for financial assistance or credit which indicates directly or indirectly a limitation, specification, or discrimination as to 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 "pregnancy outcomes," or an intent to make such a limitation, specification, or discrimination.



For purposes of this subsection A, rates and terms of financial assistance or credit may vary from the norm for persons possessing a sensory, mental, or physical disability, if the variance is based upon bona fide differentials derived from legitimate actuarial data.

B. Credit Transactions.

It is an unfair practice for any person, whether acting for himself or another, in connection with any credit transaction, 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 "pregnancy outcomes," to:

1. Deny credit to any person.
2. Increase the charges or fees for or collateral required to secure any credit extended to any person.
3. Restrict the amount or use of credit extended or to impose different terms or conditions with respect to the credit extended to any person or any item or service related thereto.

Nothing in this subsection B shall prohibit any party to a credit transaction from considering the credit history of any individual applicant or the application of the community property law to the individual case, or from taking reasonable action thereon.

C. Labor Organizations.

It is an unlawful discriminatory practice for a labor organization to:

1. Exclude or expel from its membership or otherwise to discriminate against any member or applicant for membership 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 "pregnancy outcomes,"
2. Limit, segregate, or classify its membership or to classify or fail or refuse to refer for employment any person in any way which would deprive or tend to deprive that person of employment opportunities or otherwise adversely affect that person's status as an employee or as an applicant for employment 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 "pregnancy outcomes,"
3. Cause or attempt to cause an employer to discriminate against any person in violation of this section.
4. Discriminate against any person or to limit, segregate, or qualify its membership in any way which would adversely affect that person's hours, tenure, compensation, promotion, discharge, or any other terms, conditions, or privileges directly or indirectly related to employment 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 "pregnancy outcomes,"
5. Deny to, or withhold from, any person the right to be admitted to or to participate in a guidance program, apprenticeship program, on-the-job training program, or any other occupational training program 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 "pregnancy outcomes,"; provided, however, that the prohibition against discrimination because of a sensory, mental, or physical disability shall not apply if such disability prevents competent and safe participation in such training programs.

D. Employment Agencies.

It is an unlawful discriminatory practice for an employment agency to refuse to refer for employment or otherwise discriminate against any person 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 "pregnancy outcomes,"

E. Advertising.



It shall be an unlawful discriminatory practice for an employer, labor organization, employment agency, or joint labor-management committee controlling apprenticeship or other training programs to print or publish or cause to be published any notice or advertisement relating to employment, training, or apprenticeship opportunities which indicates any preference, limitation, or discrimination based on 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 "pregnancy outcomes"; unless based upon a bona fide occupational qualification; provided, however that nothing herein contained shall be construed to prohibit advertising in a foreign language.

F. Educational Institutions.

It is an unlawful discriminatory practice for any educational institution to deny admittance to any prospective student or enrollee, or to deny any service offered by such institution to any person otherwise qualified for such service on the grounds 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 "pregnancy outcomes"; provided, however, that any private school or training center affiliated with a nonprofit religious or sectarian organization, in the selecting of students, may give preference to members of the religious faith or denomination associated with said institution.

G. Insurance Transactions.

It is an unlawful practice for any person, whether acting for themselves or another, in connection with any insurance transaction, to fail or refuse to issue or renew insurance to any person 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 "pregnancy outcomes"; provided, however that for the purposes of this subsection G, it shall not be an unlawful discriminatory practice to differentiate in the availability, terms, and rates based upon the above-listed characteristics if such differentiation is derived from legitimate actuarial data.

H. Public Accommodations.

It is an unlawful discriminatory practice for a person to deny to any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation, resort, or amusement, on the grounds 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 "pregnancy outcomes"; provided, however, that nothing herein contained shall be construed to include or apply to a club or place of accommodation which, by its nature, is distinctly private, including fraternal organizations, although where public use or service is involved, the provisions of this chapter shall apply; nor shall anything herein contained apply to any nonprofit religious or sectarian organization, although where public use or service is involved, the provisions of this chapter shall apply.

I. Retaliation.

It is an unlawful practice for any employer, employment agency, labor union, property owner, or financial institution to discharge, expel, penalize, or otherwise discriminate against any person because that person has opposed any practice forbidden by this chapter, whether or not such practice in fact exists, or because that person has filed a charge, testified, or assisted in any proceeding under this chapter.

J. Discrimination by Association.

It is an unlawful practice to discriminate against any person due to his or her relationship or association with another person protected by this chapter.

K. Americans with Disabilities Act.

It is an unlawful practice to discriminate in employment, public accommodation or housing against qualified individuals with disabilities.

* * *



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, disability, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, or source of income, or discrimination in the sale or rental of a dwelling because of disability, or "pregnancy outcomes,";

(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, national origin, ~~or~~ source of income, or "pregnancy outcomes,";

(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, national origin, ~~or~~ source of income, or "pregnancy outcomes,";

(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, national origin, source of income, ~~or~~ "pregnancy outcomes,", 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, national origin, ~~or~~ source of income, or "pregnancy outcomes,", 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, national origin, ~~or~~ source of income, or "pregnancy outcomes,"; 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, national origin, ~~or~~ source of income, or "pregnancy outcomes,";

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, 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, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, ~~or~~ source of income, or "pregnancy outcomes,"

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, national origin, ~~or~~ source of income, or "pregnancy outcomes,"

3. Because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, ~~or~~ source of income, or "pregnancy outcomes,"

5. Evicting tenants because of their race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, age, national origin, ~~or~~ source of income, or "pregnancy outcomes," or because of the race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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:

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 race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital



status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or
"pregnancy outcomes."

b. Failing or delaying maintenance or repairs of sale or rental dwellings because of race, color, religion,
sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged
veteran or military status, age, national origin, ~~or~~ source of income, or "pregnancy outcomes."

c. Failing to process an offer for the sale or rental of a dwelling or to communicate an offer accurately
because of race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital
status, honorably discharged veteran or military status, age, national origin, ~~or~~ source of income, or
"pregnancy outcomes."

d. Limiting privileges or the use of services or facilities associated with a dwelling because of race, color,
religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably
discharged veteran or military status, age, national origin, ~~or~~ source of income, or "pregnancy outcomes,"
of an owner, tenant or a person associated with him or her.

e. Denying or limiting services or facilities in connection with the sale or rental of a dwelling, because a
person failed or refused to provide sexual favors.

D. Other Prohibited Sale and Rental Conduct.

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, national origin, ~~or~~
source of income, or "pregnancy outcomes," to restrict or attempt to restrict, by word or conduct, the
choices of a person in connection with seeking, negotiating for, buying or renting a dwelling so as to
perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct choices in a
community, neighborhood or development.

2. 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, national origin, ~~or~~
source of income, or "pregnancy outcomes," to engage in any conduct relating to the provision of
housing, or of services and facilities in 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, national origin, ~~or~~ source of income, or "pregnancy
outcomes," or because of the race, color, religion, sex, gender identity, sexual orientation, disability,
familial status, marital status, age, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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,
national origin, ~~or~~ source of income, or "pregnancy outcomes."

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, national origin, ~~or~~ source of income, or "pregnancy outcomes."

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, national
origin, ~~or~~ source of income, or "pregnancy outcomes."



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, national origin, ~~or~~ source of income, or "pregnancy outcomes"; 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, national origin, ~~or~~ source of income, or "pregnancy outcomes."
- 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, national origin, ~~or~~ source of income, or "pregnancy outcomes."
- 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, national origin, ~~or~~ source of income, or "pregnancy outcomes."

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, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, ~~or~~ source of income, or "pregnancy outcomes."
 - 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, national origin, ~~or~~ source of income, or "pregnancy outcomes."



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, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, ~~or~~ source of income, or "pregnancy outcomes,"

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, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, national origin, ~~or~~ source of income, or "pregnancy outcomes,"

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, national origin, ~~or~~ source of income, or "pregnancy outcomes,"

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, national origin, ~~or~~ source of income, or "pregnancy outcomes,"

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, national origin, or source of income, ~~or~~ with a disability, or "pregnancy outcomes,"

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, national origin, ~~or~~ source of income, or "pregnancy outcomes," 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, familial status, marital status, honorably discharged veteran or military status, age, national origin, or source of income, ~~or~~ with disabilities, or "pregnancy outcomes," 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.

H. Discrimination in the Provision of Brokerage Services.

1. It shall be unlawful to deny any person access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization, or facility relating to the business of selling or renting dwellings, or to discriminate against any person in the terms or conditions of such access, 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 "pregnancy outcomes."

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

a. Setting different fees for access to or membership in a multiple-listing service 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 "pregnancy outcomes."

b. Denying or limiting benefits accruing to members in a real estate brokers' organization 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 "pregnancy outcomes."

c. Imposing different standards or criteria for membership in a real estate sales or rental organization 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 "pregnancy outcomes."

d. Establishing geographic boundaries or office location or residence requirements for access to or membership or participation in any multiple-listing service, real estate brokers' organization or other service, organization or facility relating to the business of selling or renting 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 "pregnancy outcomes."

1.29.110 Discrimination in residential real estate-related transactions.

A. Discriminatory Practices in Residential Real Estate-Related Transactions.

It shall be unlawful for any person or other entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available such a transaction, or in the terms or conditions of such a 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 "pregnancy outcomes."

B. Residential Real Estate-Related Transactions.

The term "residential real estate-related transactions" means:

1. The making or purchasing of loans or providing other financial assistance:

- a. For purchasing, constructing, improving, repairing or maintaining a dwelling; or
- b. Secured by residential real estate; or

2. The selling, brokering or appraising of residential real property.

C. Discrimination in the Making of Loans and in the Provision of Other Financial Assistance.

1. It shall be unlawful for any person or entity whose business includes engaging in residential real estate-related transactions to discriminate against any person in making available loans or other financial assistance for a dwelling, or which is or is to be secured by 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 "pregnancy outcomes."



2. Prohibited practices under this section include, but are not limited to, failing or refusing to provide to any person, in connection with a residential real estate-related transaction, information regarding the availability of loans or other financial assistance, application requirements, procedures or standards for the review and approval of loans or financial assistance, or providing information which is inaccurate or different from that provided others, 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 "pregnancy outcomes.";

D. Discrimination in the Purchasing of Loans.

1. It shall be unlawful for any person or entity engaged in the purchasing of loans or other debts or securities which support the purchase, construction, improvement, repair or maintenance of a dwelling, or which are secured by residential real estate, to refuse to purchase such loans, debts, or securities or to impose different terms or conditions for such purchases, 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 "pregnancy outcomes.";

2. Unlawful conduct under this section includes, but is not limited to:

a. Purchasing loans or other debts or securities which relate to, or which are secured by dwellings in certain communities or neighborhoods but not in others 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 "pregnancy outcomes.";

b. 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 "pregnancy outcomes," pooling or packaging differently loans or other debts or securities which relate to, or which are secured by, dwellings.

c. Imposing or using different terms or conditions for the marketing or sale of securities issued on the basis of loans or other debts or securities which relate to, or which are secured by, 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 "pregnancy outcomes.";

3. This section does not prevent consideration, in the purchasing of loans, of factors justified by business necessity, including requirements of Federal law, relating to a transaction's financial security or to protection against default or reduction of the value of the security. Thus, this provision would not preclude considerations employed in normal and prudent transactions; provided, that no such factor may in any way relate to race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or "pregnancy outcomes.";

E. Discrimination in the Terms and Conditions for Making Available Loans or Other Financial Assistance.

1. It shall be unlawful for any person or entity engaged in the making of loans or in the provision of other financial assistance relating to the purchase, construction, improvement, repair or maintenance of dwellings or which are secured by residential real estate to impose different terms or conditions for the availability of such loans or other financial assistance, 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 "pregnancy outcomes.";

2. Unlawful conduct under this section includes, but is not limited to:

a. Using different policies, practices or procedures in evaluating or in determining creditworthiness of any person in connection with the provision of any loan or other financial assistance for a dwelling or for any loan or other financial assistance which is secured by residential real estate because of race, residential real estate 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 “pregnancy outcomes.”:-

b. Determining the type of loan or other financial assistance to be provided with respect to a dwelling, or fixing the amount, interest rate, duration or other terms for a loan or other financial assistance for a dwelling or which is secured by residential real estate, 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 “pregnancy outcomes.”:-

F. Unlawful Practices in the Selling, Brokering, or Appraising of Residential Real Property.

1. It shall be unlawful for any person or other entity whose business includes engaging in the selling, brokering or appraising of residential real property to discriminate against any person in making available such services, or in the performance of such services, 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 “pregnancy outcomes.”:-

2. For the purposes of this section, the term "appraisal" means an estimate or opinion of the value of a specified residential real property made in a business context in connection with the sale, rental, financing or refinancing of a dwelling or in connection with any activity that otherwise affects the availability of a residential real estate-related transaction, whether the appraisal is oral or written, or transmitted formally or informally.

The appraisal includes all written comments and other documents submitted as support for the estimate or opinion of value.

3. Nothing in this section prohibits a person engaged in the business of making or furnishing appraisals of residential real property from taking into consideration factors other than race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or “pregnancy outcomes.”:-

4. Practices which are unlawful under this section include, but are not limited to, using an appraisal of residential real property in connection with the sale, rental, or financing of any dwelling where the person knows or reasonably should know that the appraisal improperly takes into consideration race, color, religion, sex, gender identity, sexual orientation, disability, familial status, marital status, honorably discharged veteran or military status, age, ~~or~~ national origin, or “pregnancy outcomes.”:-

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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, national origin, ~~or~~ source of income, or “pregnancy outcomes.”:-

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, national origin, ~~or~~ source of income, or “pregnancy outcomes.” of such persons, or of visitors or associates of such persons.



1 c. Threatening an employee or agent with dismissal or an adverse employment action, or taking such
2 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, national origin, ~~or~~ source of income, or "pregnancy outcomes,"
of that person or any person associated with that person.

3 d. Intimidating or threatening any person because that person is engaging in activities designed to make
4 other persons aware of, or encouraging such other persons to exercise, rights granted or protected by this
section.

5 e. Retaliating against any person because that person has made a complaint, testified, assisted, or
6 participated in any manner in a proceeding under Chapter 1.29 of the City of Tacoma Law Against
Discrimination, as amended.

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CHAPTER 1.45 NEIGHBORHOOD COUNCILS

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1.45.050 Neighborhood Council boundaries and participation.

A. Neighborhood Council boundaries.

The City Council shall determine the boundaries of the Neighborhood Councils and shall set those boundaries by resolution. The Community Council may propose boundary adjustments for consideration by the City Council, so long as there is written agreement by any affected existing Neighborhood Councils prior to request for consideration by the City Council, and no boundaries overlap. Individual Neighborhood Councils shall not submit proposed boundary changes to the City Council directly. The Community Council shall not reject any proposals by Neighborhood Councils to adjust boundaries as long as the proposal meets the above requirements, but may note its support or opposition to a proposal.

B. Formation of New Neighborhood Councils.

The Community Council of Tacoma must consult with City staff prior to approval in order to create new Neighborhood Councils. New Neighborhood Councils may be considered to better represent diverse interests, provide fair and equitable representation, and better advocate for the needs of the neighborhood, but must meet the following requirements.

1. No more than two Neighborhood Councils will be created by the City Council in a calendar year.

2. There may be no more than five Neighborhood Councils per City Council District.

3. Neighborhood Council boundaries must have a population of at least three percent of the total population of Tacoma.

In order to create a new Neighborhood Council, both the affected Neighborhood Councils and the new proposed Neighborhood Council must affirm, in writing, their consent to changing their boundaries so that no Neighborhood Council boundaries overlap. The proposed Neighborhood Council must hold a public meeting in the proposed boundary area to get public input on whether to form a new Neighborhood Council, and what form of governance the new body will take prior to submitting their proposal to the Community Council. The public meeting must be announced and advertised at a minimum two weeks in advance, and have at least 30 attendees signed in and/or have a petition with 80 unique signatures, including addresses from the proposed boundary area supporting the proposed Neighborhood Council.

After the public meeting, the Community Council of Tacoma must submit the public meeting notes, proposed boundaries of affected Neighborhood Councils, proposed leadership and governance of the new Neighborhood Council, and their recommendation to City staff for review. Following City staff review, the proposal will be submitted and go to the City Council for consideration. The City Council must adopt by resolution the new Neighborhood Council and adjusted boundaries before they can operate. Following adoption, the Neighborhood Council will be in a one-year probationary period where they must operate in compliance with the City Code and Standards and Guidelines. Should the Neighborhood Council fail to comply or fail to establish a governing board and regular meetings within this period, staff will propose a resolution to the City Council, revoking the Neighborhood Council's status and reinstating the boundaries that existed prior to the New Neighborhood Council forming.

C. Neighborhood Council participation.

Any resident, renter, or owner of property, business, or nonprofit and their employees, who live or work within a Neighborhood Council Boundary, may participate fully in that Neighborhood Council without conditions. Participation means attending meetings and events, voting, engaging in the creation of annual reports, budgets, and plans, and utilizing Neighborhood Council resources. Individual Neighborhood Councils may choose to adopt bylaws that limit members of the governing board to residents that live within the Neighborhood Council boundaries. No Neighborhood Council may discriminate against any



individual nor limit participation based on race, ethnicity, religion, color, national origin or ancestry, sex, gender identity, sexual orientation, age, marital status, familial status, ~~or~~ the presence or perceived presence of any sensory, mental or physical disability [or “pregnancy outcomes” under TMC 1.29.040](#).

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CHAPTER 6B.220 FOR HIRE REGULATIONS

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6B.220.340 For-hire driver – Passenger relations standards.

A. A for-hire driver shall be clean and neat in dress and person and present a professional appearance to the public;

B. A for-hire driver shall provide customers with professional and courteous service at all times;

C. A for-hire driver shall not engage in threatening or disruptive conduct, or use loud, profane, abusive or obscene language offensive with or around the passenger, while operating a for-hire vehicle;

D. A for-hire driver shall not smoke in a for-hire vehicle while operating a for-hire vehicle. "Smoke" or "smoking" means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, electronic cigarette or any other lighted smoking equipment;

E. A for-hire driver shall not refuse a request for service because of the for-hire driver's position in line at a for-hire stand; a passenger may select any for-hire vehicle in line;

F. A for-hire driver shall not drive a passenger to his destination by any other than the most direct and safe route and may be aided by a global position system ("GPS") unless requested to do so by the passenger;

G. A for-hire driver shall assist passengers placing luggage or packages in and out of the for-hire vehicle;

H. A for-hire driver shall not refuse to transport in the for-hire vehicle any passenger's wheelchair which can be folded and placed in either the passenger, driver, or trunk compartment of the vehicle or a service animal used to assist persons with disabilities, groceries, packages or luggage when accompanied by a passenger;

I. A for-hire driver shall not discriminate against passengers or potential passengers on the basis of race, color, national origin or ancestry, religious belief or affiliation, sex, disability, age, sexual orientation, marital status, gender identity, familial status, ~~or~~ honorably discharged veteran or military status, or "pregnancy outcomes" under TMC 1.29.040, as identified in Tacoma Municipal Code Chapter 1.29.040;

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CHAPTER 16A.03
ADDITIONAL RULES APPLICABLE TO CABLE SYSTEMS

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16A.03.080 Discrimination prohibited.

A. A Cable Operator shall not discriminate among persons or the City or take any retaliatory action against a person or the City because of that entity's exercise of any right it may have under federal, state, or local law, nor may the Operator require a person or the City to waive such rights as a condition of taking service.

B. A Cable Operator shall not refuse to employ, discharge from employment, or discriminate against any person in compensation or in terms, conditions, or privileges of employment because of race, color, creed, national origin, sex, age, disability, religion, ethnic background, ~~or~~ marital status, or "pregnancy outcomes" under TMC 1.29.040. A Cable Operator shall comply with all federal, state, and local laws and regulations governing equal employment opportunities, as the same may be from time to time amended.

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