



Legislation Passed January 15, 2013

The Tacoma City Council, at its regular City Council meeting of January 15, 2013, 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. 38603

Accepting grants from the Federal Highway Administration, in the amount of \$2,194,196, and the Washington State Transportation Improvement Board, in the amount of \$1,495,500, for a cumulative total of \$3,689,696; accepting and depositing said sum into the Streets Special Revenue Fund for asphalt overlay and other improvements on South Tacoma Way from South 43rd to South 47th Streets, and from South 56th to South 66th Streets; and authorizing the execution of the necessary documents with the Washington State Department of Transportation for the administration of the funding.

Purchase Resolution No. 38604

Awarding a contract to:

Western Peterbilt, Inc., on its bid of \$395,321, plus sales tax, budgeted from the Solid Waste Fund, for a hybrid-automated side-loader collection truck – Specification No. ES12-0698F.

Resolution No. 38605

Declaring surplus approximately 28,000-square-feet of City-owned property located at 1199 Dock Street, currently occupied by Johnny's Seafood; authorizing the conveyance of said property, pursuant to the Third Operating Agreement with the Foss Waterway Development Authority (FWDA), to the FWDA; and authorizing the FWDA to execute the proper documents to convey said property to Pacific Seafood Washington Acquisition Co., Inc., for the amount of \$700,000.

Resolution No. 38606

Approving the Foss Waterway Development Authority Master Redevelopment Strategy.

Resolution No. 38607

Authorizing the execution of an agreement with the Tacoma-Pierce County Humane Society, in the amount of \$463,750, budgeted from the General Fund, for animal shelter, licensing, and related services for the year 2013.

Amended Ordinance No. 28116

Approving and confirming the Assessment Roll for LID No. 3967 for the construction of sanitary sewer mains located within the Town of Ruston and the City of Tacoma to serve the Point Ruston development.

Amended Ordinance No. 28117

Approving and confirming the Assessment Roll for LID No. 5728 for the construction of 12-inch water mains located within the Town of Ruston and the City of Tacoma to serve the Point Ruston development.

Amended Ordinance No. 28118

Approving and confirming the Assessment Roll for LID No. 6980 for the installation of street lighting located within the Town of Ruston and the City of Tacoma to serve the Point Ruston development.

Amended Ordinance No. 28119

Approving and confirming the Assessment Roll for LID No. 7726 for the installation of underground primary electrical distribution, utilities, telephone, and cable TV lines located within the City of Tacoma to serve the Point Ruston development.

Amended Ordinance No. 28120

Approving and confirming the Assessment Roll for LID No. 7727 for the installation of underground primary electrical and distribution feeder systems located within the Town of Ruston in the Point Ruston neighborhood.

Amended Ordinance No. 28121

Approving and confirming the Assessment Roll for LID No. 8656 for the installation of concrete curbs and gutters, storm drain lines and stormwater catch basins, sidewalks, and a multiuse path and landscaping located within the Town of Ruston and the City of Tacoma in the Point Ruston neighborhood.

Ordinance No. 28125

Amending Chapter 6B.165 of the Municipal Code, relating to provisional rental licenses, to require a provisional rental license for derelict buildings, align the rights of appeal with Titles 2 and 6 of the Municipal Code, remove the word "substantially" from determining when a property meets the conditions of a license, require completion of the City's Crime Free Housing Landlord training, reflect organizational changes in the City, and allow for a Certificate of Complaint to be filed; and adding Section 6B.165.085 to address first-time offenders.



RESOLUTION NO. 38603

1 A RESOLUTION relating to grant applications and awards; authorizing the
2 acceptance of a grant award from the Federal Highway Administration in
3 the amount of \$2,194,196, and a grant award from the Washington State
4 Transportation Improvement Board in the amount of \$1,495,500; and
5 accepting and depositing the total sum of \$3,689,696 into the Streets
6 Special Revenue Fund for the purpose of funding an asphalt overlay and
7 other improvements on South Tacoma Way, from South 43rd to
8 South 47th Streets and from South 56th to South 66th Streets.

9 WHEREAS the South Tacoma improvement project ("Project") will provide
10 for an asphalt overlay of South Tacoma Way from South 56th Street to South 66th
11 Street, and from South 43rd Street to South 47th Street; new transit stop pads
12 and transit shelters at existing stops; bike lanes; and landscaping, and

13 WHEREAS the Project will also replace hazardous sidewalks and add
14 gutters, sidewalks and amenities where necessary; add street lighting; upgrade
15 pedestrian traffic signals; construct a segment of the Historical Water Ditch Trail;
16 and reconstruct driveways and install curb ramps for ADA compliance; and

17 WHEREAS the Project will improve the driving surface for all modes of
18 transportation, improve traffic flow and safety, and improve pedestrian access and
19 equitable access for all citizens, and

20 WHEREAS total Project costs are estimated to be approximately
21 \$4,031,108, and

22 WHEREAS the City applied for and was awarded grant funding for the
23 Project from the Federal Highway Administration and the Washington State
24 Transportation Improvement Board, in the amounts of \$2,194,196 and
25 \$1,495,500, respectively, and
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WHEREAS, under the grant process guidelines, the City Council must approve acceptance of the grant funding; Now, Therefore,

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

Section 1. That the proper officers of the City are hereby authorized to accept Federal Highway Administration grant funding in the amount of \$2,194,196, and deposit said sum into the Streets Special Revenue Fund for the purpose of funding an asphalt overlay and other improvements on South Tacoma Way, from South 43rd to South 47th Streets and from South 56th to South 66th Streets.

Section 2. That the proper officers of the City are hereby authorized to accept Washington State Transportation Improvement Board grant funding in the amount of \$1,495,500, and deposit said sum into the Streets Special Revenue Fund for the purpose of funding an asphalt overlay and other improvements on South Tacoma Way, from South 43rd to South 47th Streets and from South 56th to South 66th Streets.

Section 3. That the proper officers of the City are hereby authorized to execute the necessary documents with the Washington State Department of Transportation for the administration of the federal funding accepted pursuant to Section 1, and to execute the necessary documents with the State of Washington Transportation Improvement Board ("TIB") for the administration of the TIB



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funding accepted pursuant to Section 2, said documents to be substantially in the form of the proposed documents on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 38604

1 A RESOLUTION related to the purchase of materials, supplies or equipment,
2 and the furnishing of services; authorizing the appropriate City officials to
3 enter into contracts and, where specified, waiving competitive bidding
4 requirements, authorizing sales of surplus property, or increasing or
5 extending existing agreements.

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

10 WHEREAS the Board of Contracts and Awards has reviewed the
11 proposals and bids received by the City, and the Board has made its
12 recommendation as set forth in Exhibit "A," and

13 WHEREAS the Board of Contracts and Awards has also made its
14 recommendations as to entering into purchasing agreements with those
15 governmental entities identified in Exhibit "A"; Now, Therefore,

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

17 That the Council of the City of Tacoma does hereby concur in the
18 findings and recommendations of the Board of Contracts and Awards set forth
19 in the attached Exhibit "A," and does hereby approve and authorize the:

20 (X) A. Procurement of those supplies, services, and public works
21 recommended for acceptance in the attached Exhibit "A";

22 () B. Rejection of those bids and/or proposals that are recommended
23 for rejection in the attached Exhibit "A";
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() C. Entry into the proposed purchasing agreement with those governmental entities identified in the attached Exhibit "A," which proposed agreement is on file in the office of the City Clerk;

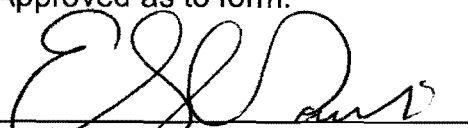
() D. Waiver of competitive bidding procedures in those instances, as set forth in Exhibit "A," in which it is impracticable to obtain supplies or public works improvements by competitive bid, or in those instances in which supplies and/or public works are available from a single source.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:


City Attorney



City of Tacoma
Environmental Services Department

EXHIBIT "A"
RESOLUTION NO.: 38604
ITEM NO.: 1
MEETING DATE: JANUARY 15, 2013

DATE: December 31, 2012
TO: Board of Contracts and Awards
SUBJECT: Purchase of One Hybrid-Automated Side-Loader Collection Truck
Budgeted from ES Solid Waste Fund 4200
Request for Bids Specification No. ES12-0698F

RECOMMENDATION: The Environmental Services Department, Solid Waste Management Division recommends that a one year contract be awarded to **Western Peterbilt, Inc., Seattle, WA**, for the purchase of one hybrid-automated side-loader collection truck in the amount of \$395,321.00, plus sales tax.

EXPLANATION: The proposed collection truck will replace a 2000 Western Peterbilt, Inc. automated side-loader that has exceeded its ten year life cycle, is significantly worn and is no longer cost effective to maintain and keep in service with an innovative, hybrid-powered collection truck that stores energy from braking to supplement the power of the diesel engine, provides up to 50% fuel savings, reduces brake wear, improves drivability and significantly reduces emissions (an estimated 55 fewer tons of CO2 annually).

COMPETITIVE SOLICITATION: Request for Bids Specification No. ES12-0698F was opened December 4, 2012. Three companies were invited to bid in addition to the normal advertising of the project. One submittal was received. The table below reflects the amount of the base award.

<u>Respondent</u>	<u>Location</u> <i>(City and State)</i>	<u>Submittal Amount</u> <i>Plus sales tax</i>
Western Peterbilt, Inc.	Seattle, WA	\$395,321.00
	Pre-Bid Estimate:	\$397,000.00


The recommended award is 0.4 percent below the pre-bid estimate.

CONTRACT HISTORY: New contract.

FUNDING: Funds are budgeted in the ES Solid Waste Fund 4200.

HUB/LEAP COMPLIANCE: Not applicable.

PROJECT COORDINATOR: Gary Kato, Acting Solid Waste Management Division Manager, (253) 593-7713.

for 
Michael P. Stevin III, P.E.
Interim Environmental Services Director

cc: Jim Wilkerson, Senior Buyer, Finance/Purchasing
Charles Wilson, HUB
Peter Guzman, LEAP



TO: T.C. Broadnax
City Manager

FROM: Michael P. Slevin III, P.E. *MPS*
Interim Environmental Services Director

SUBJECT: Council Action Memo – Purchase Resolution – January 15, 2013
Contract to Purchase One Hybrid-Automated Side-Loader Collection Truck

DATE: December 31, 2012

The Environmental Services Department, Solid Waste Management Division requests City Council award a contract to Western Peterbilt, Inc., of Seattle, WA, for the purchase of one hybrid-automated side-loader collection truck. The contract reflects a cumulative amount of \$395,321.00, plus sales tax.

Background

This contract is based on Request for Bids Specification No. ES12-0698F which was opened on December 4, 2012.

Funding

Funds are budgeted in the ES Solid Waste Fund 4200.

Reason for Action

The proposed collection truck will replace a 2000 Western Peterbilt, Inc. automated side-loader that has exceeded its 10 year life cycle, is significantly worn and no longer cost effective to maintain and keep in service with an innovative hybrid-powered collection truck that stores energy from braking to supplement the power of the diesel engine, provides up to 50% fuel savings, reduces brake wear, improves drivability and significantly reduces emissions. A unique hydrostatic drive, combined with brake energy recovery capabilities that recover more than 70% of otherwise lost braking energy, creates a truck that has lower operating costs, substantial fuel savings, improved vehicle performance, and lower carbon emissions and noise levels. The CO2 emissions are reduced up to 55 tons a year which is equivalent to removing 10 typical cars from the road or planting 1,300 trees and letting them grow for 10 years.



RESOLUTION NO. 38605

1 A RESOLUTION relating to surplus property; declaring certain real property
2 owned by the City located at 1199 Dock Street to be surplus; and
3 authorizing the conveyance of said property to the Foss Waterway
4 Development Authority ("FWDA"), pursuant to Section 3.7.1 of the Third
5 Operating Agreement between the City of Tacoma and the FWDA, and
6 authorizing FWDA to subsequently convey the same to Pacific Seafood
7 Washington Acquisition Co., Inc., a Washington corporation for the
8 amount of \$700,000.

9 WHEREAS, on December 14, 2010, the City Council passed Resolution
10 No. 38161, approving the Third Operating Agreement between the City of
11 Tacoma and the Foss Waterway Development Authority ("FWDA"), and

12 WHEREAS 1199 Dock St. is owned by the City of Tacoma and managed
13 by the FWDA, and consists of approximately 28,000 square feet of upland with
14 a 7,720 square foot cinder block building ("Subject Property"), and

15 WHEREAS the Subject Property is currently being used for retail and
16 commercial seafood operations and has been under a lease agreement with
17 Pacific Seafood Washington Acquisition Co., Inc. ("Pacific Seafood"), or its
18 predecessors, d/b/a Johnny's Seafood since 1975, and

19 WHEREAS Johnny's Seafood is currently a tenant in good standing on
20 the Subject Property, and

21 WHEREAS the Subject Property needs additional investment to remodel
22 the building, improve its efficiency, and expand its uses, and Pacific Seafood
23 desires to acquire this presently City-owned property for the purpose of making
24 improvements to the building and surrounding property and expanding the uses
25 to include a cafe/bistro in addition to the existing retail and wholesale
26 operations, and



1 WHEREAS, as part of an accompanying development agreement to be
2 entered into between the FWDA and Pacific Seafood, Pacific Seafood will
3 complete the public esplanade in front of the building, which esplanade will
4 remain in City ownership as a public amenity, and

5 WHEREAS Pacific Seafood also intends to increase staff for the retail
6 component with the intent of hiring Pierce County residents, and

7 WHEREAS the FWDA currently manages the Subject Property and has
8 negotiated sale and development agreements as part of its responsibilities
9 under the Third Operating Agreement between the City and the FWDA, and
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11 WHEREAS, under the terms of purchase and sale and development
12 agreements negotiated by the FWDA, Pacific Seafood has agreed to pay a
13 purchase price in the amount of \$700,000, and

14 WHEREAS, there being no foreseeable need for continued ownership of
15 the Subject Property, and in furtherance of investment and economic
16 development along the Foss Waterway, a declaration of surplus and negotiated
17 disposition now appear to be in the best interests of the City, and the FWDA
18 and Pacific Seafood seek final approval from the City Council; Now, Therefore,
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20 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

21 Section 1. That the City-owned and FWDA-managed real property
22 located at 1199 Dock Street, consisting of approximately 28,000 square feet of
23 upland with a 7,720 square foot cinder block building ("Subject Property"), is not
24 essential to the needs of the City and is hereby declared surplus property
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pursuant to RCW 35.22.020 and Article I., Section 1.2, and Article IX of the
1 Tacoma City Charter.

2 Section 2. That City staff is hereby authorized to convey the Subject
3 Property to the FWDA, and the FWDA is thereafter authorized to convey the
4 Subject Property to Pacific Seafood for a purchase price of \$700,000.
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6 Section 3. That the proposed sale and development agreements
7 between the FWDA and Pacific Seafood, negotiated by the FWDA as part of its
8 responsibilities under the Third Operating Agreement, are hereby approved.
9

10 Section 4. That the proper officers of the City are hereby authorized to
11 execute the necessary documents for this transaction, said documents to be
12 substantially in the form of the proposed quit claim deeds, purchase and sale,
13 and development agreements on file in the office of the City Clerk.
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15 Adopted _____

16 _____
17 Mayor

18 Attest:
19 _____
20 City Clerk

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22 Approved as to form:
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24 _____
25 Deputy City Attorney
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RESOLUTION NO. 38606

1 A RESOLUTION relating to community and economic development; approving
2 The Foss Waterway Development Authority Master Redevelopment
3 Strategy.

4 WHEREAS, on December 14, 2010, the City Council passed Resolution No.
5 38161, approving the Third Operating Agreement ("Agreement") between the City
6 of Tacoma and the Foss Waterway Development Authority ("FWDA"), and

7 WHEREAS, the Agreement reflects changes in general principles and
8 objectives and among other things outlines a process for updating redevelopment
9 objectives, and

10 WHEREAS, the agreement requires updating the Master Redevelopment
11 Strategy ("MRS") which will guide future development, and

12 WHEREAS, according to Section 3.1 of the Agreement, the MRS shall
13 include: (1) preferred uses and environmental remediation plans for possible
14 development sites; (2) a range of preferred uses within the four districts of the
15 waterway; (3) development objectives for each property; and (4) detailed financial
16 plan for FWDA operations, and

17 WHEREAS, as the MRS was being developed, the FWDA made several
18 presentations to the Economic Development Committee in 2011 and 2012, and

19 WHEREAS a presentation at the Study Session on the final draft document
20 was provided to City Council at its December 18, 2012 meeting; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the Foss Waterway Development Authority Master Redevelopment Strategy is hereby approved.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 38607

1 A RESOLUTION relating to animal control; authorizing the execution of an
2 agreement with the Tacoma-Pierce County Humane Society, in the
3 amount of \$463,750, to be budgeted from the General Fund, for animal
4 shelter, licensing, and related services to the City for the year 2013.

5 WHEREAS, from 1992 through 2005, the City contracted with the
6 Tacoma-Pierce County Humane Society ("Humane Society") for animal shelter
7 and animal control services, and

8 WHEREAS, beginning January 1, 2006, the City assumed responsibility
9 for animal control services, and

10 WHEREAS, pursuant to Resolution Nos. 36753, 37094, 37349, 37698,
11 37953, 38165, and 38461, the City entered into agreements with the Humane
12 Society for animal shelter and related services, for the calendar years of 2006,
13 2007, 2008, 2009, 2010, 2011, and 2012, respectively, and

14 WHEREAS, while animal licensing services are available at City offices,
15 such services have also been provided on the City's behalf at Humane Society
16 facilities each year under said agreements since 2006, and

17 WHEREAS animal shelter and related services are vital to City residents
18 and to the City's Animal Control staff for the boarding, keeping, and care of lost,
19 abandoned, and injured pets, and the Humane Society possesses expertise in
20 such areas, and
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WHEREAS the City does not possess any animal shelter facilities, and the Humane Society's shelter is the only facility in the area adequately equipped to handle the City's animal sheltering needs, and

WHEREAS the Humane Society is willing to continue providing animal licensing, shelter, and related services to the City for the year 2013; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute an agreement with the Tacoma-Pierce County Humane Society, in the amount of \$463,750, to be budgeted from the General Fund, for animal licensing, shelter, and related services for the year 2013, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28116

L.I.D. No. 3967

1 AN ORDINANCE relating to Local Improvement Districts; approving and confirming
 2 the assessment and assessment roll certified to the City Council by the
 3 Director of Public Works on December 3, 2012, for the cost of the
 4 improvements in Local Improvement District No. 3967 in the City of Tacoma,
 pursuant to Ordinance No. 27900 of the City, passed June 29, 2011; and
 providing for the disposition of the moneys collected upon said assessment.

5 WHEREAS the assessment roll for Local Improvement District No. 3967 has
 6 been prepared and filed with the City Clerk on or about September 10, 2012, and a
 7 public hearing thereon has been held before the Hearing Examiner of the City on
 8 October 18, 2012, as required by law, and

9 WHEREAS the Hearing Examiner has reported her recommendation to the
 10 City Council that any objections presented at the public hearing be overruled and
 11 that the assessment and assessment roll be confirmed, and the City Council
 12 hereby adopts the Hearing Examiner's recommendation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

13 Section 1. That any objections to the assessment or assessment roll are
 14 overruled and that the assessment and assessment roll certified to the City Council
 15 by the Director of Public Works on December 3, 2012, for the relocation and
 16 construction of sanitary sewer mains of various diameters to serve the Point
 17 Ruston development within the City of Tacoma and the Town of Ruston, as
 18 follows: (1) relocate a 30-inch sanitary sewer in Ruston Way from North 49th
 19 Street northwesterly 710 feet, more or less; (2) construct a 30-inch sanitary sewer
 20 main in a public sanitary sewer easement within a private roadway referred to as
 21 "Main Street"; (3) construct a 24-inch sanitary sewer main in the proposed Yacht
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Club Road from a private roadway referred to "Cascade Avenue" southerly 405 feet, more or less, to proposed Ruston Way; (4) construct a 12-inch sanitary sewer main from the intersection of the proposed Ruston Way and proposed Yacht Club Road southerly 300 feet to connect to an existing sanitary sewer main in Baltimore Street; (5) construct an 8-inch sanitary sewer main in the proposed Yacht Club Road from a private roadway referred to "Cascade Avenue," 185 feet, more or less, also in Ruston Way from the intersection of North 51st Street and proposed Ruston Way southeasterly 310 feet, more or less, together with all the necessary appurtenance equipment, including gate valves, fire hydrants and laterals, connections, and other work necessary to complete the same, constituting Local Improvement District No. 3967 in the City, pursuant to Ordinance No. 27900, passed June 29, 2011, and the levy and charge of the cost of the improvement as shown upon the assessment roll and thereby apportioned upon the adjoining, contiguous, and proximate lots and parcels of land specially benefited, in accordance with the laws of the state of Washington and ordinances of the City, are hereby approved and confirmed in all respects and the City Treasurer is hereby directed to collect the assessment, which may be paid without interest, penalty, or cost within 30 days after due notice shall have been given to the owners of the property within the assessment district by publication, in the manner provided by law; and, if the assessment is not paid within 30 days from the date of the first publication of the notice, the same shall bear interest thereafter at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district.



1 Section 2. That the moneys collected upon the assessment, approved and
 2 confirmed by this ordinance, are hereby ordered to be placed in Local
 3 Improvement Fund, District No. 3967, the special fund created by Ordinance
 4 No. 27900. Under the provisions of the laws of the state of Washington and
 5 amendments thereto, and this ordinance, there shall be issued a warrant, or
 6 warrants, or installment note, or notes, in payment of the cost and expense of
 7 District No. 3967 payable out of said local improvement district fund. Such
 8 warrants or notes shall bear interest at the estimated rate of 7 percent per annum,
 9 the actual interest rate to be fixed by the ordinance authorizing the issuance and
 10 sale of bonds for this district; and shall be redeemed in cash from said local
 11 improvement district fund or by other warrants or notes, and the warrants or notes
 12 shall be sold, as provided by law, by the proper officers of the
 13 City of Tacoma at private sale, and the proceeds thereof shall be applied in
 14 payment of the cost and expense of the improvement.
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17 Passed _____

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 19 _____
 Mayor

20 Attest:
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 City Clerk

23 Approved as to form:
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 Deputy City Attorney
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ORDINANCE NO. 28117

L.I.D. No. 5728

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AN ORDINANCE relating to Local Improvement Districts; approving and confirming the assessment and assessment roll certified to the City Council by the Director of Public Works on December 3, 2012, for the cost of the improvements in Local Improvement District No. 5728 in the City of Tacoma, pursuant to Ordinance No. 27987 of the City, passed June 7, 2011; and providing for the disposition of the moneys collected upon said assessment.

WHEREAS the assessment roll for Local Improvement District No. 5728 has been prepared and filed with the City Clerk on or about September 10, 2012, and a public hearing thereon has been held before the Hearing Examiner of the City on October 18, 2012, as required by law, and

WHEREAS the Hearing Examiner has reported her recommendation to the City Council that any objections presented at the public hearing be overruled and that the assessment and assessment roll be confirmed, and the City Council hereby adopts the Hearing Examiner’s recommendation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That any objections to the assessment or assessment roll are overruled and that the assessment and assessment roll certified to the City Council by the Director of Public Works on December 3, 2012, for (1) replacement of a 12-inch ductile iron water main in Ruston Way from North 49th Street northwesterly 700 feet, more or less, to a private roadway referred to as “Main Street”; (2) construction of a 12-inch water main within a public utility easement in a private roadway referred to as “Main Street” northeasterly 200 feet, more or less, from Ruston Way, thence continuing in a private roadway referred to as “Main Street”



1 northwesterly 1,980 feet, more or less, to another private roadway referred to as
2 "Cascade Avenue," thence westerly In Cascade Avenue 240 feet, more or less, to
3 proposed Yacht Club Road; (3) construction of a 12-inch water main in proposed
4 Yacht Club Road from the private roadway referred to as "Cascade Avenue"
5 southerly 440 feet, more or less, to the intersection of proposed Ruston Way, and
6 proposed North 51st Street, thence westerly 280 feet, more or less, in said
7 North 51st Street; (4) construction of a 12-inch water main in a private roadway
8 referred to as "Bayview Corridor" northeasterly from the intersections of "Bayview
9 Corridor" and a private roadway referred to as "Main Street" 235 feet, more or less;
10 and (5) construction of a 12-inch water main in a private roadway referred to as
11 "Island View Corridor" northeasterly from the intersections of "Island View Corridor"
12 and a private roadway referred to as "Main Street" 255 feet, more or less, together
13 with all the necessary appurtenance equipment, including gate valves, fire
14 hydrants and laterals, connections, and other work necessary to complete the
15 same, constituting Local Improvement District No. 5728 in the City, pursuant to
16 Ordinance No. 27987, passed June 7, 2011, and the levy and charge of the cost of
17 the improvement as shown upon the assessment roll and thereby apportioned
18 upon the adjoining, contiguous, and proximate lots and parcels of land specially
19 benefited, in accordance with the laws of the state of Washington and ordinances
20 of the City, are hereby approved and confirmed in all respects and the City
21 Treasurer is hereby directed to collect the assessment, which may be paid without
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interest, penalty, or cost within 30 days after due notice shall have been given to the owners of the property within the assessment district by publication, in the manner provided by law; and, if the assessment is not paid within 30 days from the date of the first publication of the notice, the same shall bear interest thereafter at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district.

Section 2. That the moneys collected upon the assessment, approved and confirmed by this ordinance, are hereby ordered to be placed in Local Improvement Fund, District No. 5728, the special fund created by Ordinance No. 27987. Under the provisions of the laws of the state of Washington and amendments thereto, and this ordinance, there shall be issued a warrant, or warrants, or installment note, or notes, in payment of the cost and expense of District No. 5728 payable out of said local improvement district fund. Such warrants or notes shall bear interest at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district; and shall be redeemed in cash from said local improvement district fund or by other warrants or notes, and the warrants or notes shall be sold, as provided by law, by the proper officers of the City of



1 Tacoma at private sale, and the proceeds thereof shall be applied in payment of
2 the cost and expense of the improvement.

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4 Passed _____

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6 _____
Mayor

7 Attest:
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9 _____
City Clerk

10 Approved as to form:
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12 _____
13 Deputy City Attorney

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ORDINANCE NO. 28118

L.I.D. No. 6980

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AN ORDINANCE relating to Local Improvement Districts; approving and confirming the assessment and assessment roll certified to the City Council by the Director of Public Works on December 3, 2012 for the cost of the improvements in Local Improvement District No. 6980 in the City of Tacoma, pursuant to Ordinance No. 27988 of the City, passed June 7, 2011; and providing for the disposition of the moneys collected upon said assessment.

WHEREAS the assessment roll for Local Improvement District No. 6980 has been prepared and filed with the City Clerk on or about September 10, 2012, and a public hearing thereon has been held before the Hearing Examiner of the City on October 18, 2012, as required by law, and

WHEREAS the Hearing Examiner has reported her recommendation to the City Council that any objections presented at the public hearing be overruled and that the assessment and assessment roll be confirmed, and the City Council hereby adopts the Hearing Examiner’s recommendation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That any objections to the assessment or assessment roll are overruled and that the assessment and assessment roll certified to the City Council by the Director of Public Works on December 3, 2012, for the cost of installation of street lighting on 28-foot standards at approximately 150-foot intervals, together with related installations within both the Town of Ruston and the City of Tacoma from: (1) Ruston Way from North 49th Street to North 51st Street approximately 2,640 feet; (2) Yacht Club Road from proposed Ruston Way northerly 600 feet, more or less; (3) North 51st Street from proposed Ruston Way westerly 280 feet, more or less, and (3) Baltimore Street, from proposed Ruston Way southerly 480



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feet more or less, constituting Local Improvement District No. 6980 in the City, pursuant to Ordinance No. 27988, passed June 7, 2011, and the levy and charge of the cost of the improvement as shown upon the assessment roll and thereby apportioned upon the adjoining, contiguous, and proximate lots and parcels of land specially benefited, in accordance with the laws of the state of Washington and ordinances of the City, are hereby approved and confirmed in all respects and the City Treasurer is hereby directed to collect the assessment, which may be paid without interest, penalty, or cost within 30 days after due notice shall have been given to the owners of the property within the assessment district by publication, in the manner provided by law; and, if the assessment is not paid within 30 days from the date of the first publication of the notice, the same shall bear interest thereafter at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district.

Section 2. That the moneys collected upon the assessment, approved and confirmed by this ordinance, are hereby ordered to be placed in Local Improvement Fund, District No. 6980, the special fund created by Ordinance No. 27988. Under the provisions of the laws of the state of Washington and amendments thereto, and this ordinance, there shall be issued a warrant, or warrants, or installment note, or notes, in payment of the cost and expense of District No. 6980 payable out of said local improvement district fund. Such warrants or notes shall bear interest at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district; and shall be redeemed in cash from said local



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improvement district fund or by other warrants or notes, and the warrants or notes shall be sold, as provided by law, by the proper officers of the City of Tacoma at private sale, and the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28119

L.I.D. No. 7726

1 AN ORDINANCE relating to Local Improvement Districts; approving and confirming
 2 the assessment and assessment roll certified to the City Council by the
 3 Director of Public Works on December 3, 2012, for the cost of the
 4 improvements in Local Improvement District No. 7726 in the City of
 5 Tacoma, pursuant to Ordinance No. 27989 of the City, passed June 11,
 6 2011; and providing for the disposition of the moneys collected upon said
 7 assessment.

8 WHEREAS the assessment roll for Local Improvement District No. 7726 has
 9 been prepared and filed with the City Clerk on or about September 10, 2012 and a
 10 public hearing thereon has been held before the Hearing Examiner of the City on
 11 October 18, 2012, as required by law, and

12 WHEREAS the Hearing Examiner has reported her recommendation to the
 13 City Council that any objections presented at the public hearing be overruled and
 14 that the assessment and assessment roll be confirmed, and the City Council
 15 hereby adopts the Hearing Examiner's recommendation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

16 Section 1. That any objections to the assessment or assessment roll are
 17 overruled and that the assessment and assessment roll certified to the City Council
 18 by the Director of Public Works on December 3, 2012, for the cost of installation of:
 19 (1) Tacoma Public utilities Power-Primary electrical distribution, utilities, telephone
 20 and cable TV lines; (2) installation of an underground primary electrical distribution
 21 feeder system in a public electrical utility easement parallel with the proposed
 22 realignment of Ruston Way from North 49th Street northwesterly to the Tacoma
 23 City limits; (3) installation of an underground primary electrical distribution feeder
 24 system In a public electrical utility easement parallel with the City limits and a
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 26



1 private roadway referred to as "Grand Avenue," northerly from Ruston Way
2 480 feet, more or less; (4) installation of an underground primary electrical
3 distribution feeder system in a public electrical utility easement from the
4 intersection of the realigned Ruston Way and a private roadway referred to as
5 "Grand Avenue" northeast approximately 650 feet northeast in a public electrical
6 utility easement parallel with the private roadway referred to as "Island View
7 Corridor", and (5) installation of an underground primary electrical distribution
8 feeder system in a public electrical utility easement along the northeasterly side of
9 building 2-B to a private roadway referred to as "Bayview Corridor" southeasterly
10 460 feet, more or less, thence southerly 50 feet, more or less within said "Bayview
11 Corridor" roadway, constituting Local Improvement District No. 7726 in the City,
12 pursuant to Ordinance No. 27989, passed June 7, 2011, and the levy and charge
13 of the cost of the improvement as shown upon the assessment roll and thereby
14 apportioned upon the adjoining, contiguous, and proximate lots and parcels of land
15 specially benefited, in accordance with the laws of the state of Washington and
16 ordinances of the City, are hereby approved and confirmed in all respects and the
17 City Treasurer is hereby directed to collect the assessment, which may be paid
18 without interest, penalty, or cost within 30 days after due notice shall have been
19 given to the owners of the property within the assessment district by publication, in
20 the manner provided by law; and, if the assessment is not paid within 30 days from
21 the date of the first publication of the notice, the same shall bear interest thereafter
22 at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by
23 the ordinance authorizing the issuance and sale of bonds for this district.
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Section 2. That the moneys collected upon the assessment, approved and confirmed by this ordinance, are hereby ordered to be placed in Local Improvement Fund, District No. 7726, the special fund created by Ordinance No. 27989. Under the provisions of the laws of the state of Washington and amendments thereto, and this ordinance, there shall be issued a warrant, or warrants, or installment note, or notes, in payment of the cost and expense of District No. 7726 payable out of said local improvement district fund. Such warrants or notes shall bear interest at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district; and shall be redeemed in cash from said local improvement district fund or by other warrants or notes, and the warrants or notes shall be sold, as provided by law, by the proper officers of the City of Tacoma at private sale, and the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28120

L.I.D. No. 7727

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AN ORDINANCE relating to Local Improvement Districts; approving and confirming the assessment and assessment roll certified to the City Council by the Director of Public Works on December 3, 2012, for the cost of the improvements in Local Improvement District No. 7727 in the City of Tacoma, pursuant to Ordinance No. 27990 of the City, passed June 7, 2011; and providing for the disposition of the moneys collected upon said assessment.

WHEREAS the assessment roll for Local Improvement District No. 7727 has been prepared and filed with the City Clerk on or about September 10, 2012, and a public hearing thereon has been held before the Hearing Examiner of the City on October 18, 2012, as required by law, and

WHEREAS the Hearing Examiner has reported her recommendation to the City Council that any objections presented at the public hearing be overruled and that the assessment and assessment roll be confirmed, and the City Council hereby adopts the Hearing Examiner's recommendation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That any objections to the assessment or assessment roll are overruled and that the assessment and assessment roll certified to the City Council by the Director of Public Works on on December 3, 2012, for the cost of installation of primary electrical distribution, utilities, telephone and cable TV lines, including: (1) installation of an underground primary electrical distribution feeder in a 15-foot public electrical utility easement parallel with proposed Ruston Way from North 51st Street southeasterly 660 feet, more or less; (2) installation of a 15-foot public electrical utility easement parallel with proposed Baltimore Street from Ruston Way southerly 340 feet, more or less; (3) installation of a 15-foot public electrical utility



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easement parallel with proposed Yacht Club Road from proposed Ruston Way northerly 550 feet, more or less, and (4) installation from the intersection of proposed Ruston Way and proposed North 51st Street northwesterly 110 feet, more or less, to the true point of beginning, thence northerly from proposed North 51st Street 160 feet, more or less, to a point within Tract 15, BLA 08.01 within the Town of Ruston, recorded under Auditor's File Number 200902065003, thence westerly 100 feet, more or less, constituting Local Improvement District No. 7727 in the City, pursuant to Ordinance No. 27990, passed June 7, 2011, and the levy and charge of the cost of the improvement as shown upon the assessment roll and thereby apportioned upon the adjoining, contiguous, and proximate lots and parcels of land specially benefited, in accordance with the laws of the state of Washington and ordinances of the City, are hereby approved and confirmed in all respects and the City Treasurer is hereby directed to collect the assessment, which may be paid without interest, penalty, or cost within 30 days after due notice shall have been given to the owners of the property within the assessment district by publication, in the manner provided by law; and, if the assessment is not paid within 30 days from the date of the first publication of the notice, the same shall bear interest thereafter at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district.

Section 2. That the moneys collected upon the assessment, approved and confirmed by this ordinance, are hereby ordered to be placed in Local Improvement Fund, District No. 7727, the special fund created by Ordinance No. 27990. Under the provisions of the laws of the state of Washington and amendments thereto, and



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this ordinance, there shall be issued a warrant, or warrants, or installment note, or notes, in payment of the cost and expense of District No. 7727 payable out of said local improvement district fund. Such warrants or notes shall bear interest at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district; and shall be redeemed in cash from said local improvement district fund or by other warrants or notes, and the warrants or notes shall be sold, as provided by law, by the proper officers of the City of Tacoma at private sale, and the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28121

L.I.D. No. 8656

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AN ORDINANCE relating to Local Improvement Districts; approving and confirming the assessment and assessment roll certified to the City Council by the Director of Public Works on December 3, 2012, for the cost of the improvements in Local Improvement District No. 8656 in the City of Tacoma, pursuant to Ordinance No. 27991 of the City, passed June 7, 2011; and providing for the disposition of the moneys collected upon said assessment.

WHEREAS the assessment roll for Local Improvement District No. 8656 has been prepared and filed with the City Clerk on or about September 10, 2012, and a public hearing thereon has been held before the Hearing Examiner of the City on October 18, 2012, as required by law, and

WHEREAS the Hearing Examiner has reported her recommendation to the City Council that any objections presented at the public hearing be overruled and that the assessment and assessment roll be confirmed, and the City Council hereby adopts the Hearing Examiner’s recommendation; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That any objections to the assessment or assessment roll are overruled and that the assessment and assessment roll certified to the City Council by the Director of Public Works on December 3, 2012, for installation of concrete curbs and gutters, storm drain lines and storm water catch basins where required, sidewalks, and a multi-use path and landscaping within both the Town of Ruston and the City of Tacoma, together with a pedestrian walkway abutting the water frontage at the following: (1) Ruston Way (existing and proposed) from North 49th Street to North 51st Street, approximately 2,640 feet; (2) Yacht Club Road from proposed Ruston Way northerly 600 feet, more or less, with curb;



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gutter; asphalt paving with structural section to a width of 32 feet, including storm drainage; landscaping; and a multi-use path; (3) North 51st Street from proposed Ruston Way westerly 280 feet, more or less, with curb; gutter; asphalt paving with structural section to a width of 32 feet, including storm drainage; and sidewalk; and (4) Baltimore Street from proposed Ruston Way southerly 480 feet, more or less, with curb; gutter; asphalt paving with structural section to a width of 32 feet, including storm drainage; and sidewalk, including a pedestrian walkway abutting the shoreline, constituting Local Improvement District No. 8656 in the City, pursuant to Ordinance No. 27991, passed June 7, 2011, and the levy and charge of the cost of the improvement as shown upon the assessment roll and thereby apportioned upon the adjoining, contiguous, and proximate lots and parcels of land specially benefited, in accordance with the laws of the state of Washington and ordinances of the City, are hereby approved and confirmed in all respects and the City Treasurer is hereby directed to collect the assessment, which may be paid without interest, penalty, or cost within 30 days after due notice shall have been given to the owners of the property within the assessment district by publication, in the manner provided by law; and, if the assessment is not paid within 30 days from the date of the first publication of the notice, the same shall bear interest thereafter at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district.

Section 2. That the moneys collected upon the assessment, approved and confirmed by this ordinance, are hereby ordered to be placed in Local



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Improvement Fund, District No. 8656, the special fund created by Ordinance No. 27991. Under the provisions of the laws of the state of Washington and amendments thereto, and this ordinance, there shall be issued a warrant, or warrants, or installment note, or notes, in payment of the cost and expense of District No. 8656 payable out of said local improvement district fund. Such warrants or notes shall bear interest at the estimated rate of 7 percent per annum, the actual interest rate to be fixed by the ordinance authorizing the issuance and sale of bonds for this district; and shall be redeemed in cash from said local improvement district fund or by other warrants or notes, and the warrants or notes shall be sold, as provided by law, by the proper officers of the City of Tacoma at private sale, and the proceeds thereof shall be applied in payment of the cost and expense of the improvement.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28125

1 AN ORDINANCE relating to the provisional rental license code; amending
 2 Chapter 6B.165 of the Tacoma Municipal Code by amending
 3 Sections 6B.165.050, 6B.165.070, 6B.165.090, 6B.165.110, 6B.165.120,
 4 and 6B.165.140 to provide that a provisional rental license will be required
 5 for derelict buildings, align the rights of appeal with Titles 2 and 6, remove
 6 the word “substantially” from determining when a property meets the
 7 conditions of a license, require completion of the City’s Crime Free Housing
 8 Landlord Training, reflect organizational changes in the City, and allow for a
 9 Certificate of Complaint to be filed; and adding a new section, designated as
 10 Section 6B.165.085, entitled “Provisional rental property license fee--
 11 shortened term,” to address some first-time offenders.

12 WHEREAS, to ensure the public health, safety, and welfare of its citizens
 13 and to maintain quality rental housing for Tacoma citizens, the City Council
 14 established a residential provisional rental property license program to prevent and
 15 correct conditions in residential rental units that adversely affect or are likely to
 16 adversely affect the health, safety, and welfare of the public, and

17 WHEREAS the Rental Housing Association was a valuable partner, both
 18 during the creation of this license and in the review of the recommended
 19 amendments, and

20 WHEREAS the license has been in effect since January 1, 2012, and during
 21 the license implementation, areas in the new regulation have been identified as
 22 needing to be amended in order to effectively regulate this activity, and

23 WHEREAS the Neighborhoods and Housing Committee gave the
 24 amendments a “Do Pass” at its meeting of November 5, 2012; Now, Therefore,

25 BE IT ORDAINED BY THE CITY OF TACOMA:

26 Section 1. That Chapter 6B.165 of the Tacoma Municipal Code is hereby
 amended by amending Section 6B.165.050 to 140 to provide that a provisional



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rental license will be required for derelict buildings, align the rights of appeal with Title 2 and Title 6 procedures, and remove the word “substantially” from determining when a property meets the conditions of a license; amending Section 6B.165.070 to address the license fee for the original license period; adding a new section, to be known and designated as Section 6B.165.085, entitled “Provisional rental property license fee and shortened term,” to address some first-time offenders; amending Section 6B.165.090 to provide that submitting a false certificate may be punishable by a fine; amending Section 6B.165.110 to require completion of the City’s Crime Free Housing Landlord training as a condition of the license; amending Section 6B.165.120 to reflect organizational changes in the City; and amending Section 6B.165.140 to allow for a Certificate of Complaint to be filed, all as set forth in the attached Exhibit “A.”

Passed _____

Mayor _____

Attest:

City Clerk

Approved as to form

Deputy City Attorney



EXHIBIT "A"

Chapter 6B.165

PROVISIONAL RENTAL PROPERTY LICENSE

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Sections:

- 6B.165.010 Purpose.
- 6B.165.020 Effective date of ordinance.
- 6B.165.030 Definitions.
- 6B.165.040 Annual business license and Certification required.
- 6B.165.050 Provisional rental property license required.
- 6B.165.060 Exemptions.
- 6B.165.070 Provisional License fees.
- 6B.165.080 Provisional rental property license term.
- [6B.165.085 Provisional rental property license fee and shortened term.](#)
- 6B.165.090 Inspection.
- 6B.165.100 Inspection appeal.
- 6B.165.110 Compliance with provisions.
- 6B.165.120 Sale of property – New owner compliance with provisions.
- 6B.165.130 Revocation of annual business license.
- 6B.165.140 Violations, penalties, and appeals.

* * *

6B.165.050 Provisional rental property license required.

A. To ensure compliance with the state Landlord Tenant law, RCW 59.18.060, related to conditions of rental housing, the City will use TMC 2.01.060, the Minimum Buildings and Structures Code, and Chapter 3.02, the Fire Prevention Code, to make a threshold determination as to the condition of rental property. Accordingly, a provisional rental property license will be required for a rental property when a condition exists that ~~substantially~~ endangers or impairs the health or safety of a tenant and when:

- 1. Under Chapter 2.01.060 Minimum Buildings and Structures Code violations exceed 24 points, [or](#)
- [2. Under Chapter 2.01.060 Minimum Buildings and Structures Code, it is determined to be a Derelict Building or Structure,](#) or
- ~~3.~~ [Violations of the International Fire Code, Chapter 3.02, exist.](#)

B. Notice of a violation stating that a provisional rental license is required shall be given and mailed pursuant to TMC 6B.10.120, Mailing of Notices.

C. A person who receives notice that a provisional rental property license is required [due to violations of Chapter 2.01.060 may request an administrative review by the Building Official as provided in Chapter 2.01.060.F.5.b.](#) ~~may appeal such a determination, as provided in General License Provisions 6B.10.140, Suspension or revocation — Appeal.~~

[D. A person who receives notice that a provisional rental property license is required due to violations of Chapter 3.02 only may appeal such a determination as provided in General License Provisions 6B.10.140, Suspension or Revocation Appeal.](#)

* * *



6B.165.070 Provisional License Fees.

1	Provisional rental property license <u>under section 6B.165.080</u>	\$250
2	Provisional rental property license – 2nd notice of violation <u>under section 6B.165.080</u> for same property and the same owner	\$500
3	Provisional rental property license – 3rd and subsequent notice of violation <u>under section</u> <u>6B.165.080</u> for same property and the same owner	\$1,000
4	Public corporation provisional rental property license	\$0.00

License fee is due within 30 days of date of the notification provided under TMC 6B.165.050.

The City shall charge no license fee for units owned by or leased and operated by a Public Corporation, so long as such units have also been individually certified to the City as low-income rental property by the Public Corporation, and such certification is valid at the time the fee would otherwise be due.

* * *

6B.165.085 Provisional rental property license fee and shortened term.

A. In lieu of the requirements set forth in 6B.165.070 and 6B.165.080, any person meeting all of the following conditions may remit a \$125 fee and be licensed for ninety (90) days.

1. Under TMC 2.01.060 (Minimum Buildings and Structures Code), when violation points are between 25 and 49 points; and

2. No prior notifications of Chapter 6B.165 have been sent to the rental property owner for any rental properties located inside the City; and

3. A person provides a certificate of inspection to the City, in accordance with TMC 6B.165.090, within ninety (90) days following notice by the City that this chapter applies to the rental property or who provides a work plan to bring the property into compliance with RCW 59.18.060 to the City for approval and who adheres to the repair schedule agreed to under the Minimum Building and Structures Code, Chapter 2.01.060, for repairs to the property; and

4. The property owner, or their designated local agent responsible for managing the property, attends the Crime Free Housing Landlord Training offered by the City, and pay the appropriate fee, within ninety (90) days following notice by the City.

* * *

6B.165.090 Inspection.

A. As a condition for the issuance of a provisional rental property license provided by this chapter, the owner shall provide a certificate of inspection, on forms provided by the city, that the owner’s rental property complies with State Title 59 Landlord and Tenant section 59.18.060 and does not present conditions that endanger or impair the health or safety of a tenant.

1. A rental property owner may choose to inspect one hundred percent of the units on the rental property and provide only the certificate of inspection for all units to the city. However, if a rental property owner chooses to inspect only a sampling of the units, the owner must send written notice of the inspection to all units at the property. The notice must advise tenants that some of the units at the property will be inspected and that the tenants whose units need repairs or maintenance should send written notification to the landlord as provided in RCW 59.18.070. The notice must also advise tenants that if the landlord fails to adequately respond to the request for repairs or maintenance, the tenants may contact city officials. A copy of the notice must be provided to the inspector upon request on the day of inspection.

a. If a rental property has twenty or fewer dwelling units, no more than four dwelling units at the rental property may be selected by the city to provide a certificate of inspection as long as the initial inspection reveals that no conditions exist that endanger or impair the health or safety of a tenant.



1 b. If a rental property has twenty-one or more units, no more than twenty percent of the units, rounded up
 2 to the next whole number, on the rental property, and up to a maximum of fifty units at any one property,
 3 may be selected by the city to provide a certificate of inspection as long as the initial inspection reveals
 4 that no conditions exist that endanger or impair the health or safety of a tenant.

5 c. If a rental property owner is asked to provide a certificate of inspection for a sample of units on the
 6 property and a selected unit fails the initial inspection, the city may require up to one hundred percent of
 7 the units on the rental property to provide a certificate of inspection.

8 d. If a rental property has had conditions that endanger or impair the health or safety of a tenant reported
 9 since the last required inspection, the city may require one hundred percent of the units on the rental
 10 property to provide a certificate of inspection.

11 e. If a rental property owner chooses to hire a qualified inspector other than a city code enforcement
 12 officer, and a selected unit of the rental property fails the initial inspection, both the results of the initial
 13 inspection and any certificate of inspection must be provided to the city.

14 B. 1. The landlord shall provide written notification of his or her intent to enter an individual unit for the
 15 purposes of providing the city a certificate of inspection in accordance with RCW 59.18.150(6). The
 16 written notice must indicate the date and approximate time of the inspection and the company or person
 17 performing the inspection, and that the tenant has the right to see the inspector's identification before the
 18 inspector enters the individual unit. A copy of this notice must be provided to the inspector upon request
 19 on the day of inspection.

20 2. A tenant who continues to deny access to his or her unit is subject to RCW 59.18.150(8).

21 C. The owner shall submit a certificate of inspection based upon the physical inspection of the rental
 22 property which was conducted after the City of Tacoma's date of inspection which caused the notice of
 23 violation sent to the owner, pursuant to TMC 6B.165.050, stating that a provisional rental property
 24 license is required.

25 D. Any person who knowingly submits or assists in the submission of a falsified certificate of inspection,
 26 or knowingly submits falsified information upon which a certificate of inspection is issued, is, in addition
 to the penalties provided for in TMC 6B.10.260, guilty of a gross misdemeanor and ~~must~~ may be punished
 by a fine of not more than \$5,000. Any inspector convicted of, admitting to or submitting a falsified
 certificate of inspection, will no longer be a qualified inspector as defined under TMC 6B.165.030

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6B.165.110 Compliance with provisions.

18 A. Any person required ~~by this article~~ to have a provisional rental property license who files a complete
 19 application, ~~and pays the license fee for any required license within thirty (30) days, following notice~~
 20 ~~from the city that this article applies to the rental property and files a certificate of inspection for any~~
 21 ~~required license within ninety (90) days following that same~~ the initial ~~notice from the city that this article~~
 22 ~~applies to the rental property shall be deemed compliant with this article~~ chapter ~~unless and until the~~
 23 ~~application is denied; provided however that such person, or their designated local agent responsible for~~
 24 ~~managing the property, shall also be required to attend the City's Crime Free Housing Landlord Training~~
 25 ~~and pay the appropriate fee for such, within one hundred eighty (180) days following the initial notice.~~

26 B. Any person required to have a provisional rental property license who provides and adheres to an
acceptable work plan to bring the property into compliance with RCW 59.18.060 ~~within forty-five (45)~~
~~days following notice from the City shall be deemed compliant upon approval by the City; provided,~~
however, that such person, or their designated local agent responsible for managing the property, shall
also be required to attend the City's Crime Free Housing Landlord Training and pay the appropriate fee
for such, within one hundred eighty (180) days following the initial notice. ~~upon approval of the plan by~~
~~the City. The owner is deemed to be in compliance with this chapter as long as he/she complies with the~~
~~approved work plan.~~



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C. It shall be unlawful to rent, to receive rental income from, or to offer for rent a dwelling subject to the license requirements of this ~~article~~[chapter](#) beginning ninety (90) days after service of notice by the City that a license is required under this part unless a complete application and a certificate of inspection for a provisional rental property license has been submitted for the rental property, or a work plan has been provided and approved pursuant to TMC 6B.165.110(B).

6B.165.120 Sale of property – New owner compliance with provisions.

Where a property has an existing provisional rental property license requirement and conditions exist that are in violation of RCW 59.18.060 and there is a change of ownership, the new owner will be subject to the provisions of this chapter upon notice of violation. The new owner shall provide a plan to bring the property into compliance with RCW 59.18.060 to the ~~Public Works Director~~[City](#) for approval within 30 days from the date of the notice of violation. An approved plan by the ~~director~~[City](#) will exempt the new owner from the license fee requirement as long as the plan requirements are met. If the plan is deemed unapproved or withdrawn by the ~~Public Works Director~~[City](#) the license fee due under TMC 6B.165.070 shall become immediately due.

A new owner required to obtain a provisional rental license may appeal such a determination as provided in General License Provisions 6B.10.140 Suspension or revocation – Appeal.

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6B.165.140 Violations, penalties, and appeals.

If the city finds that a violation of any provision of this chapter exists, the City, after notice to the owner, may take any one or more of the following actions to remedy the violation:

1. Impose a civil penalty in accordance with General License Provisions TMC 6B.10.260 Violations – Penalties [or](#);
2. Revoke or deny the provisional rental property license; ~~and~~[or](#)
3. Revoke or deny the Annual Business License [or](#);
4. [File a Certificate of Complaint as defined in TMC 2.01.](#)

Violations and penalties [in this section](#) may be appealed as provided in TMC 6B.10.265 Administrative reviews by the director of Notice of Penalty – Appeal.

Revocation or denial of license may be appealed as provided in General License Provisions TMC 6B.10.140 Suspension or Revocation – Appeal.