



Legislation Passed June 11, 2013

The Tacoma City Council, at its regular City Council meeting of June 11, 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.

Purchase Resolution No. 38679

1. Totem Electric of Tacoma, Inc., on its bid of \$703,955.53, sales tax not applicable, plus a 10 percent contingency, for a cumulative total of \$774,351.08, budgeted from the Streets Special Revenue Fund, for traffic signals and pedestrian beacons located between South 56th and South 74th Streets for the Tacoma Water Ditch Trail Traffic Signals project – Specification No. PW13-0007F;
2. Totem Electric of Tacoma, Inc., on its bid of \$838,181.03, sales tax not applicable, plus a 10 percent contingency, for a cumulative total of \$921,999.13, budgeted from the Streets Special Revenue Fund, to install and upgrade traffic signal for the South 25th Street Corridor Signal Improvements project – Specification No. PW13-0012F;
3. Northwest Cascade, Inc., on its bid of \$1,253,849.24, including sales tax, plus a 10 percent contingency, for a cumulative total of \$1,379,234.16, budgeted from the Streets Special Revenue Fund, for Local Improvement District No. 8659 – Specification No. PW13-0108F; and
4. Tri-State Construction, in the amount of \$35,000.00, plus sales tax, for a cumulative total of \$1,927,511.50, budgeted from the Tacoma Rail Mountain Division Fund, to increase the contract for the Blakeslee Junction Track Realignment project – Specification No. PW11-0038F.

Resolution No. 38680

Amending the General Government Fee Schedule for Special and Miscellaneous Services, to include charges for housing providers who operate rental properties outside the city limits and attend the Crime Free Housing Program Phase I Landlord Training.

Resolution No. 38681

Authorizing the execution of a Memorandum of Understanding with the Metropolitan Park District of Tacoma, in the amount of \$375,000, budgeted from the 2009 LTGO Bond Series E Fund, for the City's portion of the replacement of approximately 3,300 linear feet of existing water main and the addition of seven fire hydrants to Fort Nisqually in Point Defiance Park, with an estimated project total of \$750,000.

Ordinance No. 28152

Vacating the west 200 feet of the alley right-of-way lying south of Puyallup Avenue and east of East L Street for a commercial fueling facility.
(Red Bull, LLC; File No. 124.1335)

Ordinance No. 28153

Amending Chapter 12.13 of the Municipal Code, relating to Click! Network Cable TV Products, to revise rates for cable television products and related services, effective August 1, 2013.

Ordinance No. 28154

Amending Chapter 6B.220 of the Municipal Code, relating to taxi regulations, to further specify digital security camera requirements, clarify additional taxicab vehicle and driver requirements, and update language consistent with other licensing sections of the Municipal Code.

Ordinance No. 28155

Repealing and reenacting Chapters 2.02, 2.06, 2.07, and 2.10 of the Municipal Code to implement the 2012 International Building, Residential, Existing Building, Mechanical, and Fuel Gas Codes; the 2012 Uniform Plumbing Code; and the 2012 Washington State Energy Code, to establish the minimum requirements for building construction to safeguard the public's health, safety, and welfare, effective July 1, 2013.

Ordinance No. 28156

Repealing and reenacting Chapter 3.02 of the Municipal Code, relating to the Fire Prevention Code; providing for the issuance of permits and penalties for violation; and adopting local amendments to the 2012 International Fire Code along with the State of Washington amendments, effective July 1, 2013.



RESOLUTION NO. 38679

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

21 (X) A. Procurement of those supplies, services, and public works
22 recommended for acceptance in the attached Exhibit "A";
23

24 () B. Rejection of those bids and/or proposals that are recommended
25 for rejection in the attached Exhibit "A";
26



1 () C. Entry into the proposed purchasing agreement with those
2 governmental entities identified in the attached Exhibit "A," which proposed
3 agreement is on file in the office of the City Clerk;
4

5 () D. Waiver of competitive bidding procedures in those instances, as
6 set forth in Exhibit "A," in which it is impracticable to obtain supplies or public
7 works improvements by competitive bid, or in those instances in which supplies
8 and/or public works are available from a single source.
9

10 Adopted _____
11

12 _____
13 Mayor

14 Attest:
15 _____
16 City Clerk

17 Approved as to form:
18 _____
19 City Attorney



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 38679

ITEM NO.: 1

MEETING DATE: JUNE 11, 2013

DATE: May 30, 2013
TO: Board of Contracts and Awards
SUBJECT: Tacoma Water Ditch Trail Traffic Signals
Budgeted from Streets Special Revenue Fund 1060
Request for Bids Specification No. PW13-0007F

RECOMMENDATION: The Public Works Engineering Division recommends a contract be awarded to low bidder **Totem Electric of Tacoma, Inc., Tacoma, WA**, for Tacoma Water Ditch Trail Traffic Signals. The contract amount reflects a base award of \$703,955.53, sales tax not applicable, plus a 10% contingency, for a cumulative amount of \$774,351.08, sales tax not applicable.

EXPLANATION: This project will install two traffic signals and three pedestrian crossing beacons along the Water Ditch Trail. Signals will be installed along the trail at South 56th Street and South 74th Street and beacons at South 54th Street, South 66th Street, and South 72nd Street. ADA compliant curb ramps, crosswalk markings, sidewalk improvements, signage and lighting will also be installed.

COMPETITIVE BIDDING: Request for Bids Specification No. PW13-0007F was opened April 16, 2013. Two submittals were received. The Historically Under-Utilized Business (HUB) participation level proposed by the bidder(s) are reflected as a credit (maximum applies) against the submitted base bid to arrive at an "evaluated bid" for ranking purposes. Totem Electric of Tacoma, Inc. submitted a bid that resulted in the lowest evaluated submittal after consideration of HUB participation goals. The table below reflects the amount of the base bid.

<u>Respondent</u>	<u>Location</u> <i>(city and state)</i>	<u>Submittal Amount</u> Sales tax not applicable	<u>Evaluated Submittal</u>
Totem Electric of Tacoma, Inc.	Tacoma, WA	\$ 703,955.53	\$ 621,257.75
Transportation Systems, Inc.	Sumner, WA	\$ 797,713.20	\$ 715,015.42
	Pre-bid Estimate	\$ 685,736.50	

The recommended award is 2.7 percent above the pre-bid estimate.

CONTRACT HISTORY: New contract.

FUNDING: Funds are budgeted in the Streets Special Revenue Fund 1060. Funding beyond the current biennium is subject to future availability of funds.

SUSTAINABILITY: This project will improve the safety and well-being of citizens by installing traffic signals and pedestrian flashing beacons, improving pedestrian crossings and access, and providing ADA compliant ramps. This upgrade to infrastructure will support economic development and improve livability within the City.

HUB/LEAP COMPLIANCE: The recommended contractor is in compliance with the Historically Under-utilized Business (HUB) Regulation requirements per memorandum dated May 17, 2013. The HUB goal for this project is 5 percent. The HUB participation level of the recommended contractor is 8.8 percent. Totem Electric of Tacoma, Inc. submitted the lowest evaluated bid per the HUB Regulation requirements. The Local Employment and Apprenticeship Training Program (LEAP) goal is 300 hours.

PROJECT ENGINEER/COORDINATOR: Chris E. Larson, P.E., Engineering Division Manager,
253-591-5538.

A handwritten signature in black ink, appearing to read 'Kurtis D. Kingsolver', with a long horizontal flourish extending to the right.

Kurtis D. Kingsolver, P.E.
Interim Public Works Director/City Engineer

cc: Chuck Blankenship, Senior Buyer, Finance/Purchasing
Charles Wilson, HUB Coordinator
Peter Guzman, LEAP Coordinator



TO: T.C. Broadnax
City Manager

FROM: Kurtis D. Kingsolver, P.E. *KDK*
Interim Public Works Director

SUBJECT: Council Action Memo – Purchase Resolution – June 11, 2013
Tacoma Water Ditch Trail Traffic Signals

DATE: June 4, 2013

The Public Works Engineering Division requests City Council award a contract to low bidder Totem Electric of Tacoma, Inc., of Tacoma, WA, for Tacoma Water Ditch Trail Traffic Signals. The contract amount reflects a base award of \$703,955.53, sales tax not applicable, plus a 10% contingency, for a cumulative amount of \$774,351.08, sales tax not applicable.

Background

This project will install two traffic signals and three pedestrian crossing beacons along the Water Ditch Trail. Signals will be installed along the trail at South 56th and South 74th Streets and beacons will be installed at South 54th, South 66th and South 72nd Streets. ADA compliant curb ramps, crosswalk markings, sidewalk improvements, signage and lighting will also be installed. Newly installed traffic control devices will provide sustainable and reliable protection for pedestrians and bicyclists where the trail crosses arterial streets.

Funding

Funds are budgeted in the Streets Special Revenue Fund 1060. The project received \$835,500.00 in grant funding through the Washington State Department of Transportation (WSDOT) Pedestrian & Bicycle Safety program. Grant funds will reimburse project expenditures.

Schedule

The project is expected to begin construction in July 2013 following contract award and execution. Construction will be complete by 2013 year end.

Bid/Purchase Process

This contract is the result of Bid Solicitation PW13-0007F which opened on April 16, 2013. Two bid proposals were received and reviewed for general form bid requirements and Historically Underutilized Business (HUB) participation. Totem Electric of Tacoma, Inc. was low bidder with a Base Bid of \$703,955.53. Contract documents required a HUB Goal of 5%. Totem Electric of Tacoma, Inc. submitted an 8.8% HUB participation.



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 38679

ITEM NO.: 2

MEETING DATE: JUNE 11, 2013

DATE: May 28, 2013
TO: Board of Contracts and Awards
SUBJECT: South 25th Street Corridor Signal Improvements
Budgeted from Streets Special Revenue Fund 1060
Request for Bids Specification No. PW13-0012F

RECOMMENDATION: The Public Works Engineering Division recommends a contract be awarded to low bidder **Totem Electric of Tacoma, Inc., Tacoma, WA**, for South 25th Street Corridor Signal Improvements. The contract amount reflects a base award, including Alternate B, of \$838,181.03, sales tax not applicable, plus a 10% contingency, for a cumulative amount of \$921,999.13, sales tax not applicable.

EXPLANATION: This project will install one new traffic signal at South 25th Street and J Street and upgrade two existing signals along South 25th Street at Yakima Avenue and Tacoma Avenue. Work at South 25th and J Streets will include vehicle and pedestrian signals, detection and ADA compliant ramps. Signal upgrades at Yakima Avenue and Tacoma Avenue will include vehicle detection and electronic signal controllers. Traffic signal interconnect will also be installed at South 25th Street and Yakima Avenue.

COMPETITIVE SOLICITATION: Request for Bids Specification No. PW13-0012F was opened April 16, 2013. Four submittals were received. The table below reflects the amount of the base bid, including Alternate B.

<u>Respondent</u>	<u>Location</u>	<u>Submittal Amount</u> (Sales tax not applicable)
Totem Electric of Tacoma, Inc.	Tacoma, WA	\$ 838,181.03
Transportation Systems, Inc.	Sumner, WA	\$ 840,654.95
Active Construction, Inc.	Puyallup, WA	\$ 874,372.00
Westwater Construction Company	Auburn, WA	\$ 1,021,545.00
Pre-bid estimate		\$ 711,013.03

The recommended award is 17.9 percent above the pre-bid estimate.

CONTRACT HISTORY: New contract.

FUNDING: Funds are budgeted in the Streets Special Revenue Fund 1060. Funding beyond the current biennium is subject to future availability of funds.

SUSTAINABILITY: This project will improve the safety and well-being of citizens by installing and upgrading traffic signals, providing signal timing improvements, improving pedestrian crossings and access and providing ADA compliant ramps. This upgrade to infrastructure will support economic development and improve livability within the City.

DISADVANTAGED BUSINESS ENTERPRISE (DBE): The recommended contract is in compliance with 49 Code of Federal Regulations Part 26, per memorandum dated May 20, 2013. The Disadvantaged Business Enterprise goal for this project is 6 percent; the DBE participation is 7 percent. The Washington State Department of Transportation has designated zero training hours for this project.

PROJECT ENGINEER/COORDINATOR: Chris E. Larson, P.E., Engineering Division Manager,
253-591-5538.

A handwritten signature in black ink, appearing to read 'K. D. Kingsolver', followed by a long horizontal line.

Kurtis D. Kingsolver, P.E.
Interim Public Works Director/City Engineer

cc: Chuck Blankenship, Senior Buyer, Finance/Purchasing
Charles Wilson, HUB Coordinator
Peter Guzman, LEAP Coordinator



TO: T.C. Broadnax
City Manager

FROM: Kurtis D. Kingsolver, P.E. *KDK*
Interim Public Works Director

SUBJECT: Council Action Memo – Purchase Resolution – June 11, 2013
South 25th Street Corridor Signal Improvements

DATE: June 4, 2013

The Public Works Engineering Division requests City Council award a contract to low bidder Totem Electric of Tacoma, Inc., of Tacoma, WA, for South 25th Street Corridor Signal Improvements. The contract amount reflects a base award, including Alternate B, of \$838,181.03, sales tax not applicable, plus a 10% contingency, for a cumulative amount of \$921,999.13, sales tax not applicable.

Background

This project will install one new traffic signal at South 25th and J Streets and upgrade two existing signals along South 25th Street at Yakima and Tacoma Avenues. Work at South 25th and J Streets will include vehicle and pedestrian signals, detection and ADA compliant ramps. Signal upgrades at Yakima and Tacoma Avenues will include vehicle detection and electronic signal controllers. Traffic signal interconnect will also be installed at South 25th Street and Yakima Avenue.

This project will improve safety and pedestrian access by installing and upgrading traffic signals, providing signal timing improvements and improving pedestrian crossings and access. The new traffic signal at South 25th and J Streets will provide the control necessary to increase safety for bicyclists, pedestrians and other modes of transportation.

Funding

Funds are budgeted in the Streets Special Revenue Fund 1060. The project has received two grants through the Federal Highway Safety Improvement Program (HSIP) totaling \$1,131,097.00. Grant funds will reimburse project expenditures.

Schedule

The project is expected to begin construction in July 2013, following contract award and execution. Construction will be complete by 2013 year end.

Bid/Purchase Process

This contract is the result of Request for Bids Specification No. PW13-0012F, which opened on April 16, 2013. Four bid proposals were received and reviewed for general form bid requirements and DBE participation. Totem Electric of Tacoma, Inc. was the low bidder with a base bid, including Alternate B, of \$838,181.03, sales tax not applicable. Contract documents required a 6% DBE participation. Totem Electric of Tacoma, Inc. submitted a 7.2% DBE participation.



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 38679

ITEM NO.: 3

MEETING DATE: JUNE 11, 2013

DATE: May 30, 2013
TO: Board of Contracts and Awards
SUBJECT: Local Improvement District (LID) 8659
Budgeted from Streets Special Revenue Fund 1060
Request for Bids Specification No. PW13-0108F

RECOMMENDATION: The Public Works Engineering Division recommends a contract be awarded to low bidder **Northwest Cascade, Inc., Puyallup, WA**, for Local Improvement District (LID) 8659. The contract amount reflects a base award of \$1,253,849.24, including sales tax, plus a 10% contingency, for a cumulative amount of \$1,379,234.16, including sales tax.

EXPLANATION: This project will construct standard pavement for three alleys, a fourth alley with pervious pavement, and a temporary street segment. The work also includes construction of storm and sewers with associated structures. Work on private properties is also included in this LID project per property owner agreements including driveway construction, removal of vegetation and removal and construction of fences.

COMPETITIVE BIDDING: Request for Bids Specification No. PW13-0108F was opened April 30, 2013. Four submittals were received. The Historically Under-Utilized Business (HUB) participation level proposed by the bidder(s) are reflected as a credit (maximum applies) against the submitted base bid to arrive at an "evaluated bid" for ranking purposes. Northwest Cascade, Inc. submitted a bid that resulted in the lowest evaluated submittal after consideration of HUB participation goals. The table below reflects the amount of the base bid.

<u>Respondent</u>	<u>Location</u> <i>(city and state)</i>	<u>Submittal Amount</u> Including sales tax	<u>Evaluated Submittal</u>
Northwest Cascade, Inc.	Puyallup, WA	\$ 1,253,849.24	\$ 1,057,555.34
Titan Earthwork, LLC	Sumner, WA	\$ 1,419,677.25	\$ 1,218,616.34
Nova Contracting, Inc.	Olympia, WA	\$ 1,718,832.18	\$ 1,508,818.09
Ceccanti, Inc.	Tacoma, WA	\$ 1,996,122.58	\$ 1,805,080.09
	Pre-bid Estimate	\$ 1,372,886.08	

The recommended award is 8.7 percent below the pre-bid estimate.

CONTRACT HISTORY: New contract.

FUNDING: Funds are budgeted in the Streets Special Revenue Fund 1060, per Ordinance No. 28075. Funding beyond the current biennium is subject to future availability of funds.

SUSTAINABILITY: This project will install new asphalt pavement for three alleys reducing dust and providing stormwater management including pervious asphalt. The project also includes improving sewer systems and ADA compatible alley approaches at sidewalk crossings. The project will use City certified Historically Underutilized Businesses and will include the Local Employment and Apprenticeship Training Program.

HUB/LEAP COMPLIANCE: The recommended contractor is in compliance with the Historically Under-utilized Business (HUB) Regulation requirements per memorandum dated May 13, 2013. The HUB goal for this project is 13 percent. The HUB participation level of the recommended

contractor is 13 percent. Northwest Cascade, Inc. submitted the lowest evaluated bid per the HUB Regulation requirements. The Local Employment and Apprenticeship Training Program (LEAP) goal is 975 hours.

PROJECT ENGINEER/COORDINATOR: Chris E. Larson, P.E., Engineering Division Manager, 253-591-5538.

A handwritten signature in black ink, appearing to read 'Kurtis D. Kingsolver', with a long horizontal flourish extending to the right.

Kurtis D. Kingsolver, P.E.
Interim Public Works Director/City Engineer

cc: Chuck Blankenship, Senior Buyer, Finance/Purchasing
Charles Wilson, HUB Coordinator
Peter Guzman, LEAP Coordinator



TO: T.C. Broadnax
City Manager

FROM: Kurtis D. Kingsolver, P.E. *KDK*
Interim Public Works Director

SUBJECT: Council Action Memo – Purchase Resolution – June 11, 2013
Local Improvement District (LID) 8659

DATE: June 4, 2013

The Public Works Engineering Division requests City Council award a contract to low bidder Northwest Cascade, Inc., of Puyallup, WA, for Local Improvement District (LID) 8659. The contract amount reflects a base award of \$1,253,849.24, including sales tax, plus a 10% contingency, for a cumulative amount of \$1,379,234.16, including sales tax.

Background

This project will construct standard pavement for three alleys, a fourth alley with pervious pavement and a street asphalt surface treatment. The work also includes construction of storm and wastewater sewers with associated structures. Work on private properties is also included in this LID per property owner agreements including driveway construction, removal of vegetation, and removal and construction of fences.

This project will install new asphalt pavement for three alleys reducing dust and providing stormwater management including pervious asphalt. The project also includes improving wastewater sewer systems and ADA compatible alley approaches at sidewalk crossings.

Funding

Funds are budgeted in the Streets Special Revenue Fund 1060.

Schedule

The project is expected to begin construction in July 2013 following contract award and execution. Construction will be complete by 2013 year end.

Bid/Purchase Process

This contract is the result of Bid Solicitation No. PW13-0108F which opened on April 30, 2013. Four bid proposals were received and reviewed for general form bid requirements and Historically Underutilized Business (HUB) participation. Northwest Cascade, Inc. was low bidder with a Base Bid of \$1,253,849.24. Contract documents required a HUB Goal of 13%. Northwest Cascade, Inc. submitted a 13% HUB participation.

Local Improvement District No. 8659

for the construction of permanent pavement with the installation of storm drain lines and stormwater catch basins, where needed, at the following locations:

- Alley between Steele and Prospect Streets from South 8th to South 10th Streets;
- Alley between I and J Streets from South 25th Street south to the top of the slope;
- Alley between Tyler Street and Mason Avenue from South 36th Street south to the dead end;
- Alley between Pacific Avenue and D Street from South 40th to South 43rd Streets;

and a two-inch asphalt surface treatment on:

- 27th Street Northeast from 57th Avenue Northeast to 58th Avenue Northeast.



City of Tacoma
Public Works Department

EXHIBIT "A"

RESOLUTION NO.: 38679

ITEM NO.: 4

MEETING DATE: JUNE 11, 2013

DATE: May 28, 2013
TO: Board of Contracts and Awards
SUBJECT: Tri-State Construction – Blakeslee Junction Track Realignment 2nd Amendment
Budgeted from Tacoma Rail Mountain Division Fund 4120
Request for Bids PW11-0038F
Contract No. 4600007645

RECOMMENDATION: The Public Works Department requests approval to increase contract No. 4600007645 with **Tri-State Construction, Bellevue, WA**, by \$35,000.00, plus sales tax, for additional construction costs required to complete the project. This increase will bring the contract to a cumulative amount of \$1,927,511.50, plus sales tax.

EXPLANATION: The Washington State Department of Transportation (WSDOT) has been widening I-5 through Lewis County. As part of this construction, the highway bridge near Centralia is being reconfigured. In support of this work, the Tacoma Rail, Puget Sound & Pacific and Union Pacific railroad tracks at Blakeslee Junction needed to be reconfigured. Funding for the project is through an agreement with WSDOT totaling \$2,225,000.

The project is now complete and the City and the contractor (Tri-State Construction) are going through the closeout process. The contractor and the City have agreed to final quantities on the project and have negotiated material costs related to additional work required to complete the project.

COMPETITIVE BIDDING: This contract was originally awarded to Tri-State Construction as a result of Request for Bids Specification No. PW11-0038F in October 2011. The contractor has agreed to increase the contract at the same prices, terms, and conditions as the original contract to conduct this extra work.

CONTRACT HISTORY: The contract was originally awarded to Tri-State Construction and was approved by Council Resolution No. 38344 on October 11, 2011 for \$1,292,511.50. The contract was first supplemented by \$600,000.00 and was approved by Council Resolution No. 38485 on May 15, 2012. This second increase will bring the contract to a cumulative amount of \$1,927,511.50, plus sales tax. This is the second amendment to the contract.

FUNDING: Funds are budgeted in the Tacoma Rail Mountain Division Fund 4120. Funding beyond the current biennium is subject to future availability of funds.

PROJECT ENGINEER/COORDINATOR: Chris E. Larson, P.E., Engineering Division Manager, 253-591-5538.

Kurtis D. Kingsolver, P.E.
Interim Public Works Director/City Engineer

cc: Chuck Blankenship, Purchasing Analyst, Finance/Purchasing
Charles Wilson, SBE
Peter Guzman, LEAP



TO: T.C. Broadnax
City Manager

FROM: Kurtis D. Kingsolver, P.E. *WOK*
Interim Public Works Director

SUBJECT: Council Action Memorandum – Purchase Resolution – June 11, 2013
Blakeslee Junction Track Reconfiguration 2nd Amendment

DATE: June 5, 2013

The Public Works Department requests City Council approve an increase to contract No. 4600007645 with Tri-State Construction, of Bellevue, WA, by \$35,000, plus sales tax, for additional construction costs required to complete the project. This increase will bring the contract to a cumulative amount of \$1,927,511.50, plus sales tax.

Background

The Washington State Department of Transportation (WSDOT) has been widening I-5 through Lewis County. As part of this construction, the highway bridge near Centralia is being reconfigured. In support of this work Tacoma Rail, Puget Sound & Pacific and Union Pacific railroad tracks at Blakeslee Junction needed to be reconfigured. Funding for the project is through an agreement with WSDOT totaling \$2,225,000.

The project is now complete and the City and the contractor (Tri-State Construction) are going through the closeout process. The contractor and the City have agreed to final quantities on the project and have negotiated material costs related to additional work required to complete the project.

Prior Council Action

On December 12, 2006, City Council authorized funding for this project through Resolution No. 37059.

August 17, 2010, City Council authorized WSDOT to acquire property in Tacoma Rail's name whereby said property was directly vested with the Tacoma Rail Mountain Division. (Resolution No. 38095)

On October 11, 2011, the City entered into a contract with Tri-State Construction to reconfigure portions of the Tacoma Rail Mountain line, a portion of Puget Sound & Pacific's line and a portion of Union Pacific's line in the project area. (Council Resolution No. 38344)

On May 15, 2012, the City increased the contract with Tri-State Construction by \$600,000, plus sales tax, to account for additional construction services. (Council Resolution No. 38485)

Funding Source

Funding is budgeted in the Tacoma Rail Mountain Division Capital Projects Fund 4120-CAPTL. Funds will be reimbursed through an agreement with WSDOT.

Schedule

Construction is now complete and the project is in the closeout phase.



RESOLUTION NO. 38680

1 A RESOLUTION relating to fee schedule rates; approving the General
2 Government Fee Schedule for special and miscellaneous services to
3 include charges for housing providers who operate rental properties
4 outside the city limits of Tacoma and attend the Crime Free Housing
5 Program Phase I Landlord Training.

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

8 WHEREAS the cost and description of such services are set forth in a
9 Fee Schedule, which was approved pursuant to prior resolutions and last
10 amended by Resolution No. 38588, adopted December 18, 2012, and

11 WHEREAS the Neighborhood and Community Services Department
12 ("NCS") is requesting to amend the General Government Fee Schedule for
13 Special and Miscellaneous Services to add a \$50.00 fee associated with the
14 Crime Free Housing Program Phase I Landlord Training, and

15 WHEREAS the new fee would only be charged to housing providers who
16 operate rental properties outside the city limits of Tacoma, and

17 WHEREAS on May 20, 2013 City staff met with board members of the
18 Rental Housing Association ("RHA") to seek their input on the proposed fee, and

19 WHEREAS the RHA members present at the meeting agreed that the
20 proposed fee was reasonable, and

21 WHEREAS the proposed charges came before the Government
22 Performance and Finance Committee at their meeting on May 29, 2013, and the
23 Committee recommended that the fee schedule amendment be forwarded to the
24 City County for consideration and adoption; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the City of Tacoma General Government Fee Schedule ("Fee Schedule") for special and miscellaneous services which includes charges to the public for various departmental services and reflects the organization structure, attached hereto and by this reference incorporated herein as though fully set forth, is hereby approved by the City Council for use in accordance with the terms thereof by the General Government departments, and such Fee Schedule replaces and supersedes the prior schedule adopted and last amended by Resolution No. 38588.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 38681

1 A RESOLUTION relating to parks operations and maintenance; authorizing the
2 execution of a Memorandum of Understanding with the Metropolitan Park
3 District of Tacoma, in the estimated amount of \$750,000, of which
4 approximately \$375,000 will be the City's portion, budgeted from the
5 2009 LTGO Bond Series E Fund, to provide for the replacement of
6 approximately 3,300 linear feet of existing water main and the addition of
7 seven new fire hydrants to Fort Nisqually in Point Defiance Park.

8 WHEREAS, on November 6, 2008, the City and Metropolitan Park District of
9 Tacoma (the "Parties") entered into an Interlocal Agreement, establishing mutually
10 acceptable rules and responsibilities relating to recreation and park services within
11 the Parties' identified jurisdictions, and

12 WHEREAS the Parties, recognizing that it is of mutual benefit and in the
13 public interest to work collaboratively, established an interlocal policy team to
14 develop a transition plan supporting the shared goal of developing sustainable
15 funding for parks operations and maintenance, and

16 WHEREAS, in support of the transition plan to transfer the Point Defiance
17 Park water system ownership to Tacoma Water, the Parties have agreed to move
18 forward on the most critical phase of the project, which is the replacement of the
19 water line at Fort Nisqually, and

20 WHEREAS the proposed Memorandum of Understanding will provide for
21 the replacement of approximately 3,300 linear feet of existing water main and the
22 addition of seven new fire hydrants at Fort Nisqually in Point Defiance, and

23 WHEREAS project costs, estimated in the amount of \$750,000, are to be
24 split equally between the Parties, and
25
26



WHEREAS the City will be responsible for approximately \$375,000 of the project costs, budgeted from the 2009 LTGO Bond Series E Fund; 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 a Memorandum of Understanding with the Metropolitan Park District of Tacoma, in the estimated amount of \$750,000, of which approximately \$375,000 will be the City's portion, budgeted from the 2009 LTGO Bond Series E Fund, for the replacement of approximately 3,300 linear feet of existing water main and the addition of seven new fire hydrants to Fort Nisqually in Point Defiance Park, said document to be substantially in the form of the proposed Memorandum of Understanding on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

ORDINANCE NO. 28152

AN ORDINANCE related to the vacation of City right-of-way; vacating the westerly 200 feet of the alley right-of-way lying southerly of Puyallup Avenue and easterly of East L Street for the purpose of developing a commercial fuel facility; and adopting the Hearing Examiner's Findings, Conclusions, and Recommendations related thereto.

WHEREAS all steps and proceedings required by law and by resolution of the City Council to vacate the portion of the street hereinafter named have been duly taken and performed; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Hearing Examiner's Findings, Conclusions, and Recommendations as contained in the Hearing Examiner's Report and Recommendation to the City Council bearing File No. 124.1335 and dated April 12, 2013, which Report is on file in the office of the City Clerk.

Section 2. That the westerly 200 feet of the alley right-of-way lying southerly of Puyallup Avenue and easterly of East L Street, described as follows:

A 20-foot wide alley abutting Lots 1 through 8, inclusive, Block 7438 and 7537 of Map of the Indian Addition to the City of Tacoma, according to the plat thereof recorded in Volume 7 of Plats, Pages 30 and 31, records of Pierce County Auditor and Lot 1, Block 7537, The Tacoma Land Company's Seventh Addition to the City of Tacoma, Washington, according to the Plat thereof recorded in Volume 6 of Plats, Page 79, records of the Pierce County Auditor.

All lands situate in the Northwest Quarter of Section 10, Township 20 North, Range 3 East, W.M.

Situate in the City of Tacoma, County of Pierce, state of Washington;

is hereby vacated, and the land so vacated is hereby surrendered and attached to the property bordering thereon, as a part thereof, and all right or title of the City in and to the portion of the streets so vacated does hereby vest in the owners of the property abutting thereon, all in the manner provided by law; provided, however, that there is hereby retained and reserved, pursuant to the statutes of the state of Washington, the following easements and/or special conditions, to-wit:

A. SPECIAL CONDITIONS

1. PUBLIC WORKS/TRAFFIC ENGINEERING

To avoid any impact to traffic, the Petitioner has agreed to close off the existing driveway accessing the site from East L Street. The Petition shall install typical frontage improvements to match the existing curb, gutter, sidewalk, etc. along the affected frontage and shall install a fence, or similar barrier, to fully block driveway access from East L Street.

Passed _____

Mayor

Attest:

City Clerk

Location: The westerly 200 feet of the alley right-of-way lying southerly of Puyallup Avenue and easterly of East L Street

Petitioner: APP (Associated Petroleum Products) aka Red Bull, LLC

Vacation Request File No. 124.1335

Approved as to form:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department



ORDINANCE NO. 28153

1 AN ORDINANCE relating to Tacoma Power; amending Chapter 12.13 of the
2 Tacoma Municipal Code to increase rates for Click! Network cable
television products and related services.

3 WHEREAS the City of Tacoma, Department of Public Utilities, Power
4 Division, Telecommunications Section (d.b.a. Click! Network "Click!") desires to
5 adjust pricing for its cable television products and services offered inside and
6 outside of the City to generate sufficient revenue for commercial
7 telecommunication operations and to assist in recovering costs as represented
8 in the 2013-2014 budget, and
9

10 WHEREAS rates for cable television are updated periodically as costs to
11 provide service increase and market pricing analysis is updated, and
12

13 WHEREAS licensing fees for programming continue to rise and market
14 prices for service in Tacoma are still below or at the level of the competition,
15 and

16 WHEREAS this rate increase is reflected in the Click! proposed revenue
17 and expense budget for 2013-2014, and
18

19 WHEREAS the proposed adjustments will become effective August 1,
20 2013, and result in an additional \$1,643,000 in revenue in the 2013-2014
21 biennium, and were approved by the Public Utility Board on May 15, 2013, and

22 WHEREAS the proposed adjustments are just, fair, and reasonable; Now,
23 Therefore,
24



BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 12.13 of the Tacoma Municipal Code is amended,
as set forth in the attached Exhibit "A," as if fully set forth herein.

Section 2. That Exhibit "A" shall become effective August 1, 2013.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10626



EXHIBIT "A"

Chapter 12.13

CLICK! NETWORK CABLE TV PRODUCTS

Sections:

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

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

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

Click! Cable TV Products	Recurring Monthly Price
Broadcast--Includes broadcast, local, and PEG channels	\$16.39 \$14.90
Basic--Includes a variety of satellite, broadcast, PEG, and local channels	\$21.29 \$19.60
Standard--Includes a large variety of satellite, broadcast, basic, local channels, and PEG	\$48.29 \$44.25

Click! Special Products	Recurring Monthly Price
Premium Channels (e.g., HBO, Showtime, Cinemax, Starz, commercial digital music, and others)	\$2.00 – \$29.95
Pay-per-View VOD Movies, Events, and Specials (e.g., NBA and NHL package subscriptions)	\$.99 – \$300.00
Set-top Receivers, Adjunct Equipment	\$0.00 – \$19.00
Low-income/Disabled and Senior Discount (Must meet Tacoma Power customer requirements for eligibility)	20% discount on basic or standard service
Cable TV Guide (Paper Magazine; subject to annual 5% adjustment for mailing costs)	\$4.99

Bulk Rates for Apartment Complexes	Recurring Monthly Price
1 – 25 Units (full retail rate)	Broadcast \$14.90
	Basic \$19.60
	Standard \$44.25
26 – 150 Units (5% discount on broadcast; 10% discount on basic and standard)	Broadcast \$14.15
	Basic \$17.64
	Standard \$39.82
151 – 300 Units (5% discount on broadcast; 15% discount on basic and standard)	Broadcast \$14.15
	Basic \$16.65
	Standard \$37.61
300 Units and Above (5% discount on broadcast; 20% discount on basic and standard)	Broadcast \$14.15
	Basic \$15.68
	Standard \$35.40



Other Fees	Non- recurring Price
Hourly Service Charge	\$40.00
Connect – Install new wiring	\$50.00
Connect – Using existing wiring	\$40.00
Install Additional Outlet	\$20.00
Unreturned Remote Control	\$10.00
Nonstandard Installation	Hourly service charge plus materials
Unreturned Rented Equipment	\$50.00 – 600.00
Miscellaneous Adjunct Equipment	\$ 5.00 – 150.00
Late Payment Charges	\$ 6.99 5.99
Credit Card Misuse Fee	\$20.00
Miscellaneous Customer Premise Visit (VCR connection, late payment pick-up fee, install A/B switch, and nonpayment reconnection fee)	Hourly service charge
Returned Item Fee (NSF check)	\$20.00

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

Click! Cable TV Products	Recurring Monthly Price
Broadcast—Includes broadcast, local, and PEG channels	\$17.69 16.20
Basic--Includes a variety of satellite, broadcast, PEG, and local channels	\$22.99 21.25
Standard--Includes a large variety of satellite, broadcast, basic, local channels, and PEG	\$49.99 47.75

Click! Special Products	Recurring Monthly Price
Premium Channels (e.g., HBO, Showtime, Cinemax, Starz, commercial digital music, and others)	\$2.00 - 29.95
Pay-per-View VOD Movies, Events, and Specials (e.g., NBA and NHL package subscriptions)	\$.99 - 300.00
Set-top Receivers, Adjunct Equipment	\$0.00 - 19.00
Low-income/Disabled and Senior Discount (Must meet Tacoma Power customer requirements for eligibility)	20% discount on basic or standard service
Cable TV Guide (Paper Magazine; subject to annual 5% adjustment for mailing costs)	\$4.99



Bulk Rates for Apartment Complexes		Recurring Monthly Price	
1 – 25 Units (full retail rate)		Broadcast	\$16.20
		Basic	\$21.25
		Standard	\$47.75
26 - 150 Units (5% discount on broadcast; 10% discount on basic and standard)		Broadcast	\$15.39
		Basic	\$19.12
		Standard	\$42.98
151 - 300 Units (5% discount on broadcast; 15% discount on basic and standard)		Broadcast	\$15.39
		Basic	\$18.06
		Standard	\$40.59
300 Units and Above (5% discount on broadcast; 20% discount on basic and standard)		Broadcast	\$15.39
		Basic	\$17.00
		Standard	\$38.20

Other Fees		Nonrecurring Monthly Price
Hourly Service Charge		\$40.00
Connect--Install new wiring		\$50.00
Connect--Using existing wiring		\$40.00
Install Additional Outlet		\$20.00
Unreturned Remote Control		\$10.00
Nonstandard Installation		Hourly service charge plus materials
Unreturned Rented Equipment		\$50.00 - 600.00
Miscellaneous Adjunct Equipment		\$ 5.00 - 50.00
Late Payment Charges		\$ 6.99 5.99
Credit Card Misuse Fee		\$20.00
Miscellaneous Customer Premise Visit (VCR connection, late payment pick-up fee, install A/B switch, and nonpayment reconnection fee)		Hourly service charge
Returned Item Fee (NSF check)		\$20.00

* * *



ORDINANCE NO. 28154

1 AN ORDINANCE relating to taxicab regulations; amending Chapter 6B.220 of the
2 Tacoma Municipal Code ("TMC"), "Taxi Regulations," to further specify
3 digital security camera requirements; clarify additional taxicab vehicle and
4 driver requirements; and update language consistent with other licensing
5 sections of the TMC.

6 WHEREAS taxicab service is a vital part of the City's transportation system,
7 providing services to City residents, tourists, and out-of-state business people, and

8 WHEREAS ensuring the safety of taxicab drivers and citizens is necessary,
9 as is providing for the efficient operation of taxicabs, and

10 WHEREAS, in 2007, additional requirements were added to taxicab vehicle
11 and taxi driver licenses to improve the safety, reliability, and economic viability of
12 privately operated taxicab services in the City, including requirements for digital
13 security cameras, and

14 WHEREAS clarification was needed in order to enforce the digital security
15 camera requirements, and

16 WHEREAS City staff and representatives from the taxi industry met to
17 discuss specific language relating to image retention; restrictions on access to
18 images; define what the image is required to capture in the taxicab, and provide for
19 signage in vehicles to notify the public of the camera's presence, and

20 WHEREAS the proposed changes will further specify image retention
21 requirements, clarify other taxicab vehicle and driver requirements, and update
22 Tacoma Municipal Code ("TMC") language to be consistent with other licensing
23 sections in the TMC, and
24
25
26



1 WHEREAS the taxicab and tourism industries support the creation and
2 enforcement of a regulatory framework that provides for the safe, fair, and efficient
3 operation of taxicabs; Now, Therefore,

4 BE IT ORDAINED BY THE CITY OF TACOMA:

5 That Chapter 6B.220 of the Tacoma Municipal Code, "Taxi Regulations," is
6 hereby amended as set forth in the attached Exhibit "A."
7

8
9 Passed _____

10
11 _____
12 Mayor

13 Attest:

14 _____
15 City Clerk

16 Approved as to form:

17 _____
18 Deputy City Attorney
19
20
21
22
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EXHIBIT "A"

Chapter 6B.220

TAXICAB REGULATIONS

(REPEALED AND REENACTED BY ORD. 26701 EX. A, PASSED APR. 3, 2007)

Sections:

- 6B.220.100 Scope, authority and purpose.
- 6B.220.105 License required – Taxicab vehicle and taxicab driver.
- 6B.220.110 License inspection.
- 6B.220.115 Definitions.
- 6B.220.120 Fees – License and inspection.
- 6B.220.125 Financial and operating data.
- 6B.220.130 Reports to the Director.
- 6B.220.200 Taxicab – Vehicle license application.
- 6B.220.205 Taxicab and owners– Criminal background check and fingerprints.
- 6B.220.210 Taxicab vehicle license – Standards for license denial.
- 6B.220.215 Taxicab vehicle license – Fees, expiration and renewal.
- 6B.220.220 Transfer of taxicab vehicle license.
- 6B.220.225 Taxicab – Owner surrender of taxicab vehicle license.
- 6B.220.300 Taxicab driver license application.
- 6B.220.305 Criminal background check/Fingerprints/Photograph.
- 6B.220.310 Taxicab driver – Requirements.
- 6B.220.312 Taxicab driver – Medical certification requirement.
- 6B.220.313 Taxicab driver – Training program.
- 6B.220.314 Taxicab driver – Written and oral examination.
- 6B.220.315 Form of taxicab driver's license.
- 6B.220.320 Taxicab driver – Standards for license denial.
- 6B.220.325 Taxicab driver license expiration and renewal.
- 6B.220.330 Taxicab driver temporary license.
- 6B.220.335 Taxicab driver's license – Application & renewal fee.
- 6B.220.400 Taxicab owner – Operating responsibilities.
- ~~6B.220.405 Refusal of service.~~
- 6B.220.410 Taxicab owner – Approval of color scheme and uniform.
- 6B.220.415 Identification of taxicab.
- 6B.220.420 Complaints.
- 6B.220.425 Taxicab – Vehicle operating requirements.
- 6B.220.430 Destruction, replacement, retirement or inactivity of a taxicab.
- 6B.220.435 Taxicab owner responsibilities.
- 6B.220.500 Taxicab driver operating standards.
- 6B.220.505 Conduct of drivers.
- 6B.220.510 Items lost and found.
- 6B.220.515 Taxicab driver-passenger relations standards.
- 6B.220.520 Taxicab driver soliciting and cruising standards.
- 6B.220.600 Taxicab driver taxicab meter/Rates standards.
- 6B.220.605 Establishment of taxicab stands.
- 6B.220.610 Taxicab driver taxi stand standards.
- 6B.220.615 Taxicab stand licenses.



6B.220.620 Parking.

6B.220.700 Rates.

6B.220.800 License suspension & revocation – Taxicab owner, taxicab vehicle, and taxicab driver.

6B.220.805 License violations and penalties – Taxicab owner, taxicab vehicle, and taxicab driver.

* * *

6B.220.105 License required – Taxicab vehicle and taxicab driver.

~~A. Except as provided in Subsections B and C below, i~~It shall be unlawful for any person, firm or corporation to hold out, advertise, solicit, operate, drive or use any vehicle as a taxicab in the City of Tacoma without having first obtained the licenses required pursuant to the provisions of this chapter.

~~B. All taxicab driver's licenses issued prior to the effective date of this ordinance shall become temporary licenses upon the effective date of this ordinance and shall expire 180 days thereafter unless an extension is granted by the Director for good cause shown. Taxicab drivers may continue to operate taxicabs in the City of Tacoma under authority of such unexpired temporary licenses unless such license is suspended or revoked by the Director for good cause shown.~~

~~C. All taxicabs, in order to continue operating in conformance with this chapter, shall be in compliance with and licensed pursuant to the provisions of this chapter within 180 days after the effective date of this ordinance, unless an extension is granted by the Director for good cause shown. Such extension may apply to all or any part of this chapter as determined by the Director.~~

* * *

6B.220.115 Definitions.

For the purposes of this chapter 6B.220 of the Tacoma Municipal Code, the following terms, phrases, words, and their derivations shall have the meaning given herein; words not defined herein which are defined in Title 6, shall have the same meaning or be interpreted as provided in Title 6 and if not defined there shall have their ordinary and common meaning; when not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include the plural number, and the use of any gender shall be applicable to all genders whenever the sense requires; the words “shall” and “will” are mandatory and the word “may” is permissive; a reference to this chapter shall mean this Chapter 6B.220 of the official code of the City as amended from time to time; if specific provisions of law referred to herein are renumbered, then the reference shall be read to refer to the renumbered provision:

A. “Affiliated taxicab” means a taxicab licensed or associated to a particular taxicab owner by using their approved color scheme and trade name.

B. “Approved Mechanic” means a mechanic who 1) has met the automotive requirements of the National Institute for Automotive Service Excellence, 2) does not own, lease or drive a taxicab, and 3) has no financial interest, including any employment interest, in any taxicab or in any owner that owns or leases taxicabs.

C. “Certificate of Camera Operation” means a prescribed document, provided by the City or provided from the camera's testing software, and completed by the taxicab owner who owns the taxicab trade name and approved color scheme, certifying that a particular digital security camera



system is operational, the triggers operate properly, the test image provides a clear picture, the date on the image is accurate, and the camera lens is properly aimed.

1 CD. “Certificate of Safety” means a prescribed document provided by the City completed by an
2 approved mechanic certifying that a particular vehicle meets all vehicle safety standards set forth in
this chapter and in regulations adopted pursuant to this chapter.

3 DE. “Classic car” means an automobile that was high priced when new, is currently of superior
4 appearance, is a fine or distinctive automobile, that has been restored or maintained to current
5 maximum professional standards of quality in every area, with components operating and appearing
as new, and showing very minimal wear.

6 EF. “Committed a violation” or any derivation thereof means that a licensee has been issued a
7 Notice of Violation and either has not contested the violation or did contest the violation and did
not prevail.

8 FG. “Contract rate” means the rate specified in a written contract signed by both parties before the
9 dispatch of a taxicab for the services identified in the contract. Contracts for package delivery may
be made on an oral basis.

10 GH. “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.

11 HI. “Driver” and “Operator” shall mean the person physically engaged in driving a taxicab, whether
or not said person is the owner of or has any financial interest in the ownership of said taxicab.

12 I. “Handicapped Person” means any person who, by reason of illness, injury, age, congenital
13 malfunction, or other permanent or temporary incapacity or disability, is unable without special
14 facilities or special planning or design to use mass transportation facilities and services as
15 efficiently as persons who are not so affected. Handicapped persons include ambulatory persons
16 whose capacities are hindered by sensory disabilities such as blindness or deafness, such mental
17 disabilities as mental retardation or emotional illness, and physical disabilities that still permit the
18 person to walk comfortably, or a combination of these disabilities. It also includes a semi-
19 ambulatory person who requires such special aids to travel as canes, crutches, walkers, respirators,
20 or human assistance, and a non-ambulatory person who must use wheelchairs or wheelchair-like
21 equipment to travel.

22 J. “Licensee” means any person or entity licensed under this chapter.

23 K. “Operating a taxicab” means having a passenger in a taxicab, the taxicab is parked in a taxi zone,
24 the taximeter is engaged, the office dispatch records show the vehicle has been dispatched, the
taxicab top light is illuminated, the trip sheet shows that the vehicle has started a shift and there is
no entry for ending a shift or the taxicab driver has offered transportation services to a passenger.

25 L. “Operating in the City of Tacoma” means owning, leasing, advertising, driving, occupying
26 and/or otherwise operating a taxicab that at any time transports any passenger or item for
compensation from a point within the geographical confines of the City of Tacoma. The taxicab is
considered to be operating during the administering of inspections at a City inspection facility and
while parked in a taxicab stand. The term does not include being in control of a taxicab that is
physically inoperable.

M. “Person with disabilities” means any individual with a disability who has a sensory, mental, or
physical impairment that substantially limits one of more of life’s major activities; is medically
cognizable or diagnosable; has a record or history of such impairment; or is regarded as having
such an impairment. People with disabilities include ambulatory persons whose capacities are



hindered by sensory disabilities such as blindness or deafness, such mental disabilities as cognitive impairments or emotional illness, and physical disabilities that still permit the person to walk comfortably, or a combination of these disabilities. It also includes a semi-ambulatory person who requires such special aids to travel as canes, crutches, walkers, respirators, or human assistance, and a non-ambulatory person who must use wheelchairs or wheelchair-like equipment to travel.

~~MN~~. “Taxicab owner” means a person who owns and operates a taxicab(s) using an approved color scheme, trade name and dispatch services or a person who allows other people to affiliate a taxicab to the taxicab owner’s color scheme, trade name and dispatch services.

~~NO~~. “Taxicab” shall mean every motor vehicle held out to the public for hire as a common carrier, that carries signs or indicia of a taxicab, including the words “taxi,” “taxicab,” or “cab”; for transportation of individuals or articles, subject to call by the public generally, where the route traveled or destination is controlled by the customer, the fare is calculated on the basis of an amount recorded and indicated on a taximeter, or by a special contract rate permitted under this chapter, or based on an initial fee, distance traveled, waiting time, or any combination thereof as permitted under this chapter, and which is duly licensed by the City of Tacoma under the terms of this chapter; provided that, taxicab shall not mean:

1. School buses operating exclusively under a contract to a school district;
2. Ride-sharing vehicles under chapter 46.74 RCW;
3. Limousine carriers licensed under chapter 46.72A RCW;
4. Vehicles used by nonprofit transportation providers solely for elderly or ~~handicapped~~ persons with disabilities and their attendants under chapter 81.66 RCW;
5. Vehicles used by auto transportation companies licensed under chapter 81.68 RCW;
6. Vehicles used to provide courtesy transportation at no charge to and from parking lots, hotels, and rental offices; and,
7. Vehicles licensed under, and used to provide “charter party carrier” and “excursion service carrier” services as defined in, and required by, Chapter 81.70 RCW.

~~OP~~. “Taxicab driver” means any person operating taxicabs as a driver for any owner and who is duly authorized by the City of Tacoma as a taxicab driver under the terms of this chapter.

~~PQ~~. “Taxicab Plate” means a numbered metal identification plate, issued by the City, permanently affixed to and prominently displayed on the rear of a taxicab.

~~QR~~. “Taxicab Stand” shall mean that portion of any street set aside and designated as parking or standing space to be occupied by taxicabs;

~~RS~~. “Taximeter” means any mechanical or electronic device or instrument which, based upon a predetermined rate or rates, automatically calculates and displays, by means of figures, a fare based on distance traveled, time elapsed, or any combination thereof.

~~ST~~. “Waiting Time” means time during which the taxicab is under the direction of a passenger and the taxicab is not moving.

~~TU~~. “Wheelchair accessible taxicab” means a taxicab designed or modified to transport passengers in wheelchairs or other mobility devices where passengers can board the taxicab via a ramp or lift.



6B.220.120 Fees – License and inspection.

The fees are hereby fixed as follows:

Description	Fees
For-hire taxi driver license	\$ 50
For-hire driver replacement license	\$ 5
Taxi stand	\$ 175
Taxicab	\$ 175
Taxicab vehicle transfer fee	\$ 50
Replace taxicab plate fee	\$ 25
Inspection rescheduling fee	\$ 25
Vehicle re-inspection fee	\$ 25
Wheelchair accessible taxicab annual license fee	Waived

* * *

6B.220.200 Taxicab – Vehicle license application.

A. The taxicab owner is responsible for filing with the City a taxicab vehicle license application, on forms approved by the Director, for each affiliated taxicab that is operated in Tacoma. The taxicab owner must sign and swear to the application, which shall include the information specified in subsection B of this section.

B. The taxicab vehicle license application shall include the following information:

1. Ownership type:

a. If the owner is an individual, the owner's full name, home address, home and business telephone number and date of birth (which shall be at least eighteen years prior to the date of application), or

b. If the owner is a corporation, partnership or other legal entity, the names, home addresses, telephone numbers and date of birth (which must be at least eighteen years before the date of application) for the corporation's or entity's officers, directors, general and managing partners, registered agents, and each person vested with authority to manage or direct the affairs of the legal entity or to bind the legal entity in dealings with third parties; the corporation's, partnership's or entity's true legal name, state of incorporation or partnership registration (if any), business address and telephone and facsimile numbers and State of Washington business license number, and any other information that the Director may reasonably require.

2. Vehicle information, including the taxicab vehicle number assigned by any regulatory agency, the make, model, year, vehicle identification number, Washington State vehicle license plate number, and any other vehicle information required by rule or regulation promulgated under this chapter;

3. Information as requested by the Director pertaining to any driver's, for-hire vehicle or taxicab license suspension, denial, non-renewable or revocation, imposed in connection with a taxicab or for-hire vehicle owned or leased by the owner within the last three (3) years;

4. Criminal history, as requested by the Department, of the owner, or if the owner is a business entity, of the persons specified in subsection 6B.220.200.B.1.b above;



5. An insurance policy or proving compliance with this chapter and chapter 46.72 RCW, as now or hereafter amended, for each taxicab vehicle for which a license is sought. The insurance policy shall:

a. Be issued by an admitted carrier in the State of Washington with an A.M. Best's Rating of not less than A- and not be less than A.M. Best's Financial Size Category VII: provided however, that the Director may temporarily suspend any or all of these requirements if no other viable insurance options are available to the industry,

b. Name the City of Tacoma as an additional insured, and

c. Provide that the insurer will notify the Director, in writing, of any cancellation at least thirty (30) days before that cancellation takes effect;

6. An insurance policy of underinsured motorist coverage indicating a minimum coverage of one hundred thousand dollars (\$100,000) per person, and three hundred thousand dollars (\$300,000) per accident, or a certificate of self-insurance issued pursuant to RCW 46.29.630;

7. State of Washington vehicle registration;

8. Certificate of Ssafety as required pursuant to Subsection 6B.220.425 D;

9. The color scheme the applicant taxicab owner proposes to require for each affiliated taxicab, and two (2) 2" X 2" sample color chips;

10. A detailed description of the uniform the applicant taxicab owner proposes to require for drivers of affiliated taxicabs, including the style, fabric and color;

11. Copy of State of Washington For-hire vehicle certificate:-

12. Certificate of Camera Operation as required pursuant to Subsection 6B.220.425.O.

~~123.~~ Any other documents required by regulations promulgated under this chapter.

~~134.~~ The above application and information must also be completed and supplied during any annual license renewal.

C. The taxicab owner applicant must inform the Director in writing within seven (7) days if any of the information provided pursuant to subsection (B) changes, ceases to be true or is superseded in any way by new information.

* * *

6B.220.305 Criminal background check/Fingerprints/Photograph.

All applicants for a taxicab driver's license must consent to be fingerprinted for a state and federal criminal background check and shall submit with his or her application, ~~in triplicate, two~~ a current full face photographs of the applicant and ~~one~~ a current right profile photograph of the applicant, each of said photographs to be of the size of two inches square. One full face and one right profile ~~set of~~ set of photographs shall become a part of the applicant's license, if issued; ~~one set shall be filed with the Police Department,~~ and the other full face photograph ~~set~~ shall be filed with the application. Applicants previously licensed and fingerprinted ~~by the Police Department~~ under Chapter 6B.220 ~~may will not~~ be required to again be fingerprinted if reapplication is not received within five years of initial licensing.



6B.220.310 Taxicab driver – Requirements.

- A. Must be twenty-one years of age or over at the time the application is filed with the Director;
- B. Must have a valid Washington State Drivers License and social security number;
- C. Must submit a physician's certification certifying his fitness as a taxicab driver upon initial application and every three years thereafter;
- D. Must submit a letter from the taxicab owner which indicates which taxicabs the applicant is authorized to operate;
- E. Must have completed a training program offered or approved by the Director;
- F. Must successfully complete an exam as further defined in this chapter; and
- G. Must submit proof that the applicant is a United States citizen or has documentation, as required by the United States Department of Homeland Security, Justice, Citizenship and Immigration ~~and Naturalization Services~~, that the applicant is authorized to work in the United States.

6B.220.312 Taxicab driver – Medical certification requirement.

All taxicab drivers' licenses issued prior to the effective date of this ordinance will be required to submit a medical certification with their first application for renewal of their taxicab driver's license after the effective date of this ordinance.

No taxicab driver shall be issued a taxicab driver's license who is not of sound physique or is and ~~not~~ subject to epilepsy, vertigo, heart trouble, or any other infirmity of body or mind which might render him unfit for the safe operation of any taxicab.

A. A medical examination and certification shall be required upon initial application, and every three (3) years thereafter, on the anniversary date of the license; provided, however, the Director may at any time require any taxicab driver licensee or applicant to be reexamined if it appears that the licensee has become physically or mentally unfit to be a taxicab driver.

B. An examination shall be performed by a physician licensed to practice in Washington State under Chapter 18.71 RCW and the required medical certification shall be completed following that physician's physical examination of the applicant.

C. The scope of the certificate form and the examination shall be prescribed by the Director.

D. A Washington State Department of Transportation medical certification meets the requirements of this section, as long as it was signed no more than three (3) months prior to the date of initial application, or in case of the three (3) year renewal certification no more than three (3) months prior to the date of renewal.

* * *

6B.220.314 Taxicab driver – Written and oral examination.

All taxicab drivers' licenses issued prior to the effective date of this ordinance will be required to pass the written and or oral examination within 60 days of submitting their first application for renewal of their taxicab driver's license after the effective date of this ordinance.

A. An applicant for an initial taxicab driver's license shall be required to successfully pass a written and or oral examination.

B. The written examination shall test the applicant's knowledge of the chapter requirements dealing with fare determination, driver-passenger relations, and conduct including the applicant's ability to



understand oral and written directions in the English language, vehicle safety requirements and driver regulations, risk factors for crimes against for-hire drivers, emergency procedures and taxicab equipment for driver's personal safety. The written examination shall also test the applicant's geographical knowledge of the City of Tacoma and surrounding areas and local public and tourist destinations and attractions. The Director shall prescribe the content of the examination.

C. The oral examination shall test the applicant's ability to speak and understand English sufficiently to perform the responsibilities of a taxicab driver.

D. The written or oral examination is not required for the renewal of a taxicab driver's license unless the applicant's license has remained expired for more than one year.

6B.220.315 Form of taxicab driver's license.

The taxicab driver's license shall be in form as determined by the Director and shall be approximately five and one half inches in height and eight and one half inches in length and shall have contained under a sealed transparent cover, in such manner that the contents cannot be altered or substituted, one set of the photographs of the licensee, together with a physical description of the licensee and his or her signature. The license shall contain the words "Taxicab Driver's License, City of Tacoma," the number of the license and the name of the licensee. Such license shall show the date of expiration thereof and shall be displayed on the vehicle's dashboard in a conspicuous place inside each taxicab in such location that the same license is clearly visible from the passenger compartment at all times that the licensee is operating, driving or using said taxicab.

* * *

6B.220.325 Taxicab driver license expiration and renewal.

A. All taxicab driver's licenses issued pursuant to the provisions of this subtitle shall be effective as of the first day of the month of issuance regardless of the actual date of issue and shall expire one (1) year from the date of issuance.

B. Each taxicab driver must renew the taxicab driver's license every year. No taxicab driver's license may be renewed unless all outstanding penalties against the taxicab driver are paid in full to the Director and the taxicab driver has, within ~~thirty~~30 days prior to or after expiration of the taxicab driver's license, filed a renewal application with the Director and paid the renewal fee. All taxicab drivers' licenses may be renewed annually by the Director after initial issuance by the City ~~for four successive years, with new photographs supplied yearly. On expiration of the license and four successive renewals authorized herein, a new license shall be required which shall be issued only on application, with new photographs supplied,~~ and new criminal background check.

Whenever the license furnished by the City shall become worn out, damaged, faded or otherwise unfit for use, the City may require that such license be destroyed and the licensee shall furnish ~~three additional sets of recent~~new photographs as required by this chapter and purchase a new license.

C. The Director shall deny any renewal application if grounds exist for the Director to deny a license pursuant to 6B.220.320. If no such grounds exist, the Director shall examine all Department records on the taxicab driver and may deny the renewal if grounds exist that would justify denial under 6B.10.

D. Denial of renewal of a taxicab driver license is subject to appeal pursuant to Chapter 6B.10 of the Tacoma Municipal Code.

* * *



6B.220.400 Taxicab owner – Operating responsibilities.

In addition to meeting the license application requirements set forth in 6B.220.200, any owner of a taxicab licensed and operating under this chapter, shall comply with the following minimum standards:

A. Maintain a business office that,

1. Has a business telephone number that is listed in the telephone book and can be answered during all hours of operation;

2. Has a mailing address where the taxicab owner representative will accept mail; and

3. Stores all records that this chapter requires the taxicab owner to maintain;

B. Ensure that each affiliated taxicab is insured as required pursuant to this chapter;

C. Ensure that each affiliated taxicab maintains the taxicab owner's color scheme and identification and that each taxicab driver while operating an affiliated taxicab maintains and wears approved uniforms and adheres to the taxicab passenger relations standards pursuant to 6B.220.515;

D. Maintain on file at the taxicab owner's place of business proof of insurance required pursuant to this chapter;

E. Accept on behalf of any owner or driver of an affiliated taxicab all correspondence from the Director to that owner or driver;

F. Deliver to the owner and taxicab driver of an affiliated taxicab any correspondence from the Director to that owner or driver as soon as reasonably possible after the taxicab owner receives such correspondence;

G. Collect and store for at least two (2) years, trip sheet records of every trip for affiliated taxicabs, including daily logs of taxicabs in service, together with the driver's name, taxicab number and summary of trip sheet totals, all in a form as prescribed by the Director and required pursuant to Subsection 6B.220.600.J;

H. Collect and provide the following service information to the Director annually, at a time set by regulation adopted pursuant to this chapter:

1. Number of service requests (trips),

2. Average number of taxicabs operating during the year,

3. Average number of operating hours per week per taxicab,

4. Total paid trip miles for the past year per taxicab, and;

I. Maintain a dispatch system in operation during the taxicab companies' hours of operation each day, utilizing two-way radios or ~~wireless devicecellular phone~~ communication and capable of providing reasonably prompt service in response to requests received by telephone. The use of wireless communication devices while driving shall be utilized according to RCW 46.61.667, which prohibits the holding of a wireless communications device while driving. By no later than December 31, 2010, all taxicab companies shall maintain a dispatch system in operation during the taxicab companies' hours of operation each day, utilizing two-way radios communicating with taxicabs equipped and operated so that it can be contacted continuously by two-way radio communication using a central dispatch radio base station ~~and a noncell frequency assigned and licensed by the Federal Communications Commission (FCC) to an association~~ or contracted dispatch service in response to a telephone, internet, or other request for service by a prospective



passenger. The dispatch system shall be located at the business office of the taxicab owner, unless otherwise authorized by the Director;

J. Comply with all regulations promulgated pursuant to this chapter;

K. Permit the Director to carry out inspections without notice of all taxicab records required to be kept under this chapter;

L. Pay all penalties imposed by the Department that are either not contested or are upheld after review; and

M. Maintain facilities and personnel sufficient to insure that every taxicab operated by the taxicab owner complies with the requirements of this chapter.

~~6B.220.405 — Refusal of service.~~

~~A taxicab owner shall not refuse to respond to any request for taxicab service received from a location within the City.~~

6B.220.410 Taxicab owner— Approval of color scheme and uniform.

A. The Director shall have final approval over the taxicab owner's color scheme and uniform for each of its affiliated taxicabs, in order to ensure that there is no risk of confusion between the colors of different taxicab owners, and to ensure that the color scheme and uniform meet the requirements of this chapter. ~~and to ensure that the uniform meets the description contained in the taxicab owner's.~~ Once a color scheme and uniform have been approved by the Director, the taxicab owner must submit a vehicle license application according to the requirements in 6B.220.200 within 90 days of notification of color scheme approval.

B. Uniforms shall include full length pants (hemmed slack material), collared shirt, and shoes. Summer uniforms can include Bermuda shorts (hemmed slack material) that extend down to within two (2) inches of the top of the knee cap and which are of a similar color and pattern to the uniform full-length pants. Winter uniforms can include a sweater or jacket which is of a similar color to the uniform pants or shirt. The uniform may be modified in individual cases as necessary to 1) avoid interfering with the taxicab driver's religious beliefs and/or 2) accommodate the taxicab driver's disability or disabilities. Drivers shall not wear as an outer garment any of the following: undershirt or underwear, tank tops, body shirts (see-through mesh), swimwear, jogging or warm-up suits or sweatshirts or similar attire, shorts or trunks (jogging or bathing), sandals, or any similar clothing.

C. No two taxicab owners shall have the same colors, unless the owners provide evidence to the satisfaction of the Director that they have the right under a franchise, license, lease or other similar agreement with a taxicab company to use the color scheme of such taxicab company. If there exists any conflict or apparent conflict between color schemes presented by a taxicab owner in its application for a taxicab license with any other licensee(s) or applicant(s), the Director shall, after notice to all interested parties, and hearing of their respective contentions, find the true facts and determine the matter and advise all interested parties. The Director's decision shall be final.

D. Nothing herein contained shall be construed as prohibiting the same licensee from using several different colors, designs, or dresses, provided that the same have been in actual bona fide use prior to the passage of this chapter and that they do not conflict with those of any other licensee having a prior claim thereto.

No such license shall be issued if the color scheme, design or dress to be used upon the vehicle is the same or similar to that being used by another licensee and as set forth in such licensee's application, unless the use of such color scheme, design or dress be consented to in writing by all



other licensees who use or adopt such similar or same color scheme, design or dress, which agreement shall be filed with the City.

6B.220.415 Identification of taxicab.

A. Every taxicab shall be equipped with and maintain an operating top light.

B. Taxicabs shall prominently and uniformly display on the outside of each such taxicab, on both sides, the full name of the taxicab owner, the cab number, the telephone number of that owner where service can be requested, and the word “taxi,” “taxicab,” or “cab.”

C. The cab number shall be issued by the Director and will be coordinated with the taxicab license plate number. Each cab number shall be at least 3” x 2” in size.

D. Every affiliated taxicab shall be painted in the colors of the taxicab owner as approved by the Director.

* * *

6B.220.425 Taxicab – Vehicle operating requirements.

In addition to the minimum requirements set forth herein, the Director may recommend to the City Council and the City Council may establish such safety and quality requirements applicable to the operation of all taxicabs as are necessary to ensure a standard of excellence for the operation of taxicabs in the City of Tacoma. No taxicab licensed by the City may lawfully operate within the City of Tacoma unless the following minimum vehicle requirements are met:

A. All applicable licenses required pursuant to this chapter are in force for the taxicab;

B. The affiliated taxicab complies with the approved color scheme of the taxicab owner;

C. The vehicle has insurance as required by this chapter provided, that if an insurance policy is canceled, or a vehicle is deleted from the policy, proof of a new policy including the vehicle must be filed with the Director before the vehicle is canceled or deleted from the previous policy;

D. An approved mechanic has issued a valid Certificate of Safety for the vehicle within the last license year. Attached to this Certificate of Safety must be a certification stating that the taxicab has passed an emissions tests conducted by an Authorized Emission Specialist who has been certified by the Washington State Department of Ecology. The Certificate of Safety and emission certification remain valid, if the vehicle is sold, until the next renewal date;

E. The taxicab displays a taxicab plate with a current year decal issued by the Director;

F. All rates, including discounts or special rates, and all taxicab numbers and letters are displayed in the manner prescribed pursuant to Subsection 6B.220.700.H.;

G. The vehicle contains a map of Tacoma and the region published within the past two (2) years, which will be displayed to any passenger upon request;

H. The taxicab is equipped with a taximeter meeting the requirements of Subsection 6B.220.600.

By no later than December 31, 2010, the taxicab shall be equipped with a properly sealed, working, and accurate receipt-issuing taximeter or receipt-issuing mobile data terminal;

I. The taxicab contains no scanner or other type of receiver that is capable of monitoring another taxicab company’s assigned frequency, except as otherwise permitted by the Director;

J. The taxicab is equipped and operated so that it can be contacted continuously by two-way radio or ~~cellular phone~~wireless communication device. The use of wireless communication devices while



1 driving shall be utilized according to RCW 46.61.667, which prohibits the holding of a wireless
2 communications device while driving. By no later than December 31, 2010, all taxicabs shall be
3 equipped and operated so that it can be contacted continuously by two-way radio communication
4 using a central dispatch radio base station ~~and a noncell frequency assigned and licensed by the~~
5 ~~FCC to an association~~ or contracted dispatch service in response to a telephone, internet, or other
6 request for service by a prospective passenger;

7 K. Every taxicab will be equipped with such safety equipment as is required by state or federal law,
8 or this chapter.

9 L. Every taxicab shall be equipped with seat belts or other restraining devices for every passenger;

10 M. By no later than December 31, 2010, all taxicabs and all taxicab companies shall be equipped
11 with a global positioning system capable at all times of readily identifying the location of each
12 affiliated taxicab cab. Such system must be capable of recording the locations and times and
13 maintaining records and making them available to law enforcement, and has to be transmitting
14 information to someone;

15 N. By no later than December 31, 2010, all taxicabs and all taxicab companies shall be equipped
16 with a monitored silent alarm system that sends a silent alarm to the taxicab dispatch office;

17 O. ~~By no later than December 31, 2010 a~~ All taxicabs must be equipped with an operable digital
18 security camera system. The digital security camera system shall be capable of retaining images for
19 at least five calendar days, shall provide a clear view of the driver and passenger that is
20 unobstructed, and shall have status indicator light(s) so the driver knows whether the camera is
21 functioning properly and when images are being taken.

22 The taxicab owner must perform inspection and testing of the cameras and shall provide a
23 Certificate of Camera Operation completed within the previous 10 days of the inspection date.

24 Access to images shall be limited to the taxicab owner who owns the taxicab trade name and color
25 scheme. Images shall also be provided ~~made by any digital security camera is restricted~~ to law
26 enforcement personnel ~~solely~~ for the investigation and prosecution of crimes. Nothing in this
subsection O shall be construed to remove a law enforcement agency's obligation to comply with
~~all applicable laws the Fourth Amendment of the United States Constitution and article I, section 7~~
~~of the Washington Constitution~~ in obtaining access to digital security camera images, including the
requirement to obtain a search warrant if needed.

A sign must be affixed to the outside of both rear doors, plainly visible to passengers upon entering
the vehicle, stating that images of passengers will be made by the security camera system. These
signs shall contain the following wording:

VEHICLE EQUIPPED WITH SECURITY CAMERA. ALL OCCUPANTS
WILL BE PHOTOGRAPHED.

Equivalent wording or symbols may be approved by the Director. In addition, a privacy notice
must be displayed in the rear seating area of the vehicle that contains the following wording:

DIGITAL CAMERA IMAGES OF ALL PASSENGERS ARE BEING
RECORDED IN ORDER TO IMPROVE DRIVER SAFETY. IMAGES ARE
PERIODICALLY RECORDED OVER AND ARE NOT RETAINED EXCEPT
WHEN USED FOR THE INVESTIGATION OF CRIMES;

P. A taxicab must maintain a continuous connection between the taximeter and the computer
dispatch system, if such system is installed;



Q. Vehicle age requirements:

~~(1.)~~ The vehicle's model year shall be no more than nine (9) years prior to the date of applications. For example, vehicles licensed on July 31 of 2009, must be 2000 models or newer. All vehicles purchased and licensed after September 1, 2007, must meet this 9-year age limit. ~~The following transition periods will apply to taxicab companies for all affiliated taxicabs purchased on or before that date:~~

~~Percent of fleet that must meet 9-year or newer requirement:~~

~~October 1, 2008: at least 33%;~~

~~April 1 2009: at least 66%, and~~

~~October 1, 2009: 100%.~~

Replacement of vehicles under this subsection shall be on an oldest vehicle first basis unless permission is granted by the Director, and

R. Any other requirements set forth in regulations adopted pursuant to this chapter.

* * *

6B.220.505 Conduct of drivers.

No taxicab driver shall:

A. Allow another person to use his taxicab driver's license or temporary license;

B. Operate any taxicab while consuming, or while under the influence of alcohol, or in a ~~careless~~ negligent or reckless manner or in a manner contrary to the laws of the City or the State of Washington;

C. Operate any taxicab while consuming, or while under the influence of drugs, unless such drugs are available commercially over the counter, or are being taken pursuant to a doctor's prescription, and, in any case, such drug usage does not impair the driver's ability to operate the taxicab;

D. Use a taxicab in the commission of any crime; nor

E. Sleep in the taxicab.

* * *

6B.220.515 Taxicab driver-passenger relations standards.

A. A taxicab driver shall wear the uniform adopted by the taxicab owner and approved by the Director;

B. A taxicab driver's clothes shall be neat and clean at all times that the driver is on the driver's shift. The term "neat and clean" as it relates to clothes shall mean that all clothing is un-wrinkled, clean, free from soil, grease and dirt and without un-repaired rips or tears;

C. A taxicab driver shall be clean and well groomed at all times while on duty. "Clean" means that state of personal hygiene, body, hair and scalp cleanliness, absence of excessive perfumes or colognes, and absence of offensive body odor normally associated with frequent clothes laundering and bathing or showering. "Well groomed" means beards and mustaches are groomed and neatly trimmed, and scalp and facial hair is neatly trimmed, and combed or brushed;

D. A taxicab driver shall provide customers with professional and courteous service at all times;



E. A taxicab driver shall not engage in threatening or disruptive conduct, or use loud, profane, abusive or obscene language offensive to the passenger, while operating a taxicab;

F. A taxicab driver shall not smoke in a Taxicab. "Smoke" or "smoking" means the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other lighted smoking equipment;

G. A taxicab driver shall not refuse a request for service because of the driver's position in line at a taxicab stand; a passenger may select any taxicab in line.

~~H. A taxicab driver shall not refuse to issue a receipt for a fare paid if one is requested;~~

~~I~~H. A taxicab driver shall not drive a passenger to his destination by any other than the most direct and safe route, unless requested to do so by the passenger;

~~J~~I. A taxicab driver shall at all times assist a passenger by placing luggage or packages (under fifty (50) pounds) in and out of the taxicab;

~~K~~J. A taxicab driver shall not refuse to transport in the taxicab any passenger's wheelchair which can be folded and placed in either the passenger, driver, or trunk compartment of the taxicab, an assist dog or guide dog to assist disabled or ~~handicapped~~ persons with disabilities, groceries, packages or luggage when accompanied by a passenger;

~~L~~K. A taxicab driver shall effective December 31, 2010, upon request, provide each passenger a receipt upon payment of the fare. The receipt shall accurately show the date and time, place of pickup and delivery, the amount of the fare, the taxicab name, number and association, and the printed name and taxicab driver's license number of the taxicab driver;

~~M~~L. A taxicab driver shall not permit any person or pet to ride in the taxicab unless that person or pet accompanies, or is in the vehicle at the request of, a fare-paying individual. This requirement shall not apply to uniformed driver trainees;

~~N~~M. It shall be unlawful for any person to engage in any work or employment for more than 12 hours in any 24-hour period of time during any part of which he is engaged in the occupation of driver for a taxicab;

~~O~~N. A taxicab driver shall not refuse to transport any person except when:

1. The taxicab driver has already been dispatched on another call;
2. The passenger is acting in a suspicious, disorderly or threatening manner, or otherwise causes the taxicab driver to reasonably believe that the taxicab driver's health or safety, or that of others, may be endangered;
3. The passenger cannot, upon request, show ability to pay the fare;
4. The passenger refuses to state a specific destination upon entering the taxicab.

~~P~~Q. A taxicab driver shall be able to provide a reasonable amount of change, and if correct change is not available, no additional charge will be made to the passenger in attempting to secure the change;

~~Q~~P. A taxicab driver shall not charge a fare higher than that authorized by this chapter for passenger transportation or defraud a passenger; and

~~R~~Q. A taxicab driver shall not in any way make any discriminatory charges to any person, or make any rebate or in any manner reduce the charge to any person unless such is in conformity with the discounts or surcharges contained in the filed rates.



* * *

6B.220.700 Rates.

A. Every taxicab owner shall file with the Director a schedule of rates to be charged for the services of affiliated taxicabs it operates.

B. The rate schedule filed with the Director may contain special rates for zone fares, ride sharing, taxi pooling, fixed route service, or any other special services offered by the owner. Each rate schedule shall also include a meter-based fare that shall not exceed the maximum fare as may be established pursuant to Subsection 6B.220.700.C.

C. If the Director determines that a maximum fare should be established, the Director shall recommend to the City Council, and upon such recommendation, the City Council may adopt, a schedule for the following rates which shall be the maximum fare which shall be charged and collected for the transportation of passengers in taxicabs for trips within the City:

1. An initial charge for which one passenger shall be entitled to transportation for a distance not less than 1/18 mile or fraction thereof;

2. A charge for waiting time on a per hour basis or proportionate fraction thereof;

3. Subsequent to the initial charge provided for in Subsection 6B.220.700.C.1., the maximum rate to be charged for each 1/18 mile or fraction thereof, and the hourly rate or proportionate fraction thereof for waiting time subsequent to the initial charge provided in Subsection 6B.220.700.C.1;

4. An additional charge for each extra passenger; and

5. The Director shall develop an index for considering the raising or lowering of maximum meter-based rates no less frequently than every two years.

D. Except as otherwise specified in the rate schedule, where passengers board or leave the cab at different points, the last person leaving the cab is responsible for the entire fare. Passengers may make whatever arrangements for payment of the fare between themselves that they desire. One flag drop shall be made at the beginning of the trip but not again until all passengers have been delivered to their respective destinations.

E. Where a passenger is being transported, no extra charge is to be made for transporting any items belonging to that passenger, including personal luggage and aids necessary for travel by ~~handicapped~~ persons with disabilities, if those items fit within the interior of the taxicab, including the trunk, each item can be carried by a single person, and all such items can be carried by the passenger or passengers and the driver in a single trip to the taxicab.

F. No charge is to be made for time lost or distance traveled while the taxicab is disabled. No charge is to be made for traveling empty while en route to pick up a passenger, unless the person requesting the taxicab refuses to hire it after it arrives, in which case an amount equal to the minimum charge on file as specified in Subsection 6B.220.700.C.1 of this Section may be made.

G. A taxicab owner may make written contractual arrangements to charge contract rates other than those specified in the filed rate schedules, provided that these contracts not be made effective prior to filing with the Director in the same manner as prescribed for rate schedules.

H. A clear and complete summary of the rate schedule filed with the Director shall be printed on a rate card to be posted in a conspicuous place in the passenger compartment of every taxicab, and a summary of the meter rate in a form approved by the Director shall be placed in a manner to be visible from the outside of every taxicab. The form of the rate summaries shall be subject to the



review and approval of the Director prior to their being posted. When a change of rate schedule is filed with the Director, the taximeter, rate card, and rates posted shall be converted for every taxicab as soon as practicable. The rates posted shall not vary from those used in the taximeter in any taxicab in service.

I. No person shall charge, or cause or allow any person to charge any fare other than the applicable fare from rate schedules posted on the taxicab or from contracts approved by the Director.

J. Every driver of a taxicab shall have the right to demand payment of the legal fare in advance and may refuse to carry a passenger unless such legal fee is prepaid. No driver of a taxicab shall carry any other person other than the passenger first employing the taxicab without the consent of such passenger.

K. In the event of a dispute over a fare, the passenger shall pay the fare demanded by the driver. The driver shall give the passenger a receipt noting the amount of the fare and a description of the trip. The passenger may apply to the Director for a refund of any overcharge and ask that the driver be disciplined.

* * *

6B.220.805 License violations and penalties – Taxicab owner, taxicab vehicle, and taxicab driver.

A. Any person found with violations as provided in 6B.220.805 shall be subject to a civil penalty as described below. It is the responsibility of the taxicab owner to contact appropriate city staff to request inspection for compliance with this code.

B. Class ‘A’ violations include but are not limited to:

1. Driving without a valid taxicab driver’s license;
2. Driving without a valid taxicab vehicle license plate;
3. Driving without valid insurance as required in 6B.220.200;
4. Operating a taxicab with a revoked or suspended taxicab vehicle or and/or driver’s license;

5. Using a taxicab in the commission of a crime.

Class ‘B’ violations are related to vehicle safety standards that include not having one or more of the following:

1. The vehicle equipment found not to be up to safety standards, including, but not limited to, windshield, tires, spare tire/jack, headlights, four-ways, blinkers, brake light, tail/back up lights, horn, windshield wipers, glass/window operate, door handle, seat belts, brake, accelerator emergency brake, mirrors, speedometer, taxi meter;
2. Failure to appear for inspection scheduled by the Director;
3. Allowing vehicle insurance to lapse; or
4. Any other vehicle safety standard identified on the Vehicle Safety Checklist.

Class ‘C’ violations are vehicle and driver standards that include not having one or more of the following:

1. Taxicab drivers license displayed on the vehicle’s dashboard clearly visible to passengers, exterior phone number on cab, cab number on both sides of vehicle, exterior rates posted on cab, interior rates posted, consumer complaint form, map of Tacoma (not older than 2 years), trip sheets,



vehicle safety checklist, upholstery, mats, carpet, driver in uniform, dirt, stains or litter in vehicle, trunk clean with liner, body defects, interior lights.

C. Penalties for violations shall be as follows:

Violation	Penalty
A	\$500
B	\$75
C	\$25

D. Any penalty issued under this subsection may be appealed pursuant to the process in Section 6B.10.265.



ORDINANCE NO. 28155

1 AN ORDINANCE relating to the City's Building Code; amending Title 2 of the Tacoma
2 Municipal Code by repealing and reenacting Chapters 2.02, 2.06, 2.07, and 2.10
3 thereof to implement the 2012 International Building, Residential, Existing
4 Building, Mechanical, and Fuel Gas Codes; the 2012 Uniform Plumbing Code;
5 and the 2012 Washington State Energy Code, to establish the minimum
6 requirements for building construction to safeguard the public health, safety, and
7 welfare, to take effect on July 1, 2013.

8 WHEREAS the City is responsible for establishing requirements to safeguard
9 the public health, safety, and welfare of its citizens from hazards attributable to the built
10 environment, which is done through the adoption and enforcement of building codes,
11 and

12 WHEREAS the International building codes are updated on a three-year cycle,
13 and

14 WHEREAS the Washington State Building Code Council adopts and amends
15 the 2012 editions of the international building codes, and

16 WHEREAS this ordinance proposes to adopt and amend the 2012 editions of
17 the International Code Council Codes and International Association of Plumbing and
18 Mechanical Officials code with the Washington State amendments, and

19 WHEREAS Planning and Development Services staff streamlined local code
20 requirements and eliminated those that are no longer necessary or do not align with the
21 City's current needs, and

22 WHEREAS, working with a regional code committee, staff developed and
23 incorporated changes relating to sustainability into the City's local codes, which
24 amendments were reviewed and approved by the Sustainability Commission, and
25
26



1 WHEREAS the proposed amendments have been reviewed and recommended
2 for adoption by the Board of Building Appeals and, on May 8, 2013, the Infrastructure,
3 Planning, and Sustainability Committee reviewed and recommended that the proposed
4 amendments be forwarded to the City Council for consideration and passage, and
5

6 WHEREAS this action is necessary at this time to have City amendments in
7 place by the effective date of July 1, 2013 to coincide with the effective date of adoption
8 of these codes by the state building code council; Now, Therefore,

9 BE IT ORDAINED BY THE CITY OF TACOMA:

10 Section 1. That Title 2 of the Tacoma Municipal Code is amended by repealing
11 and reenacting Chapters 2.02, 2.06, 2.07, and 2.10, as set forth in the attached
12 Exhibit "A."
13

14 Section 2. That Section 1 of this ordinance shall take effect on July 1, 2013.

15 Section 3. Severability. If any provision of this ordinance or its application to
16 any person or circumstances is held invalid, the remainder of the ordinance or
17 application of the provisions to other persons or circumstances shall be unaffected.
18

19 Passed _____

Mayor

20 Attest:

21 _____
22 City Clerk

23 Approved as to form:

24 _____
25 City Attorney
26

EXHIBIT “A”

Chapter 2.02 BUILDING CODE

Sections:

- 2.02.010 Adoption of International Building, Residential, and Existing Building Codes.
- 2.02.020 Title.
- 2.02.030 International Plumbing Code.
- 2.02.040 Amendment by deletion from the 2012 IBC and deletion of Washington State Building Code Council amendments from City of Tacoma Adoption of the 2012 International Building Code.
- 2.02.050 General amendments.
- 2.02.060 Washington State Building Code Council amendments.
- 2.02.070 Amendment to IBC Section 102.4 – Referenced codes and standards.
- 2.02.080 Amendment to IBC Section 105.1 – Permits by addition of a new Section 105.1.3 – Business Licensing.
- 2.02.090 Amendment to IBC Section 105.2 – Work exempt from permit.
- 2.02.100 Amendment to IBC Section 202 – Definitions – D.
- 2.02.110 Amendment to IBC Section 111 – Certificate of occupancy or certificate of completion.
- 2.02.120 Amendment to IBC Section 113 – Board of Appeals.
- 2.02.130 Amendment to IBC Section 114 – Violations.
- 2.02.140 Amendment to IBC Section 504.2 – Automatic sprinkler system increase.
- 2.02.150 Amendment to IBC Section 510.2 – Horizontal building separation allowance.
- 2.02.160 Amendment to IBC Section 1503.4.0 – Roof Drainage.
- 2.02.170 Amendment to IBC Section 1510.7 – Energy code requirements for re-roofing.
- 2.02.180 Amendment to IBC Section 1608—Snow loads.
- 2.02.190 Amendment to IBC Section 1613 by addition of a new subsection 1613.8 – Tension-only bracing.
- 2.02.200 Amendment to IBC Section 2405 by addition of a new subsection 2405.6 – Location of sloped glazing and skylights.
- 2.02.210 Amendment to IBC Section 3202.3 – Encroachments eight feet or more above grade.
- 2.02.500 Amendment by deletion from the 2012 International Residential Code.
- 2.02.510 General amendments.
- 2.02.520 Chapters and sections of the Code deleted by the Washington State Building Code Council.
- 2.02.530 Washington State Building Code Council amendments.
- 2.02.540 Amendment to IRC Section R105.2 – Work Exempt From Permit.
- 2.02.550 Amendment to IRC Section R105.3.1.1 – Determination of substantially improved or substantially damaged existing buildings in flood hazard areas.
- 2.02.560 Amendment to IRC Section 105.3.1 by addition of a new Section R105.3.1.2 - Criteria for issuance of a variance for flood hazard areas.
- 2.02.570 Amendment to Section R112 – Board of Appeals.
- 2.02.580 Amendment to IRC Section R113 – Violations.
- 2.02.590 Amendment to IRC Table R301.2 (1) – Climatic and geographic design criteria.
- 2.02.600 Amendment to IRC Section R301.2.3 – Snow loads.
- 2.02.610 Amendment to IRC Chapter 3 by addition of Section R324 – Fire sprinkler systems.
- 2.02.620 Manufactured homes.
- 2.02.700 General amendments.
- 2.02.710 Washington State Building Code Council amendments deleted from the City of Tacoma Adoption of the 2012 International Existing Building Code.
- 2.02.720 Washington State Building Code Council amendments.
- 2.02.730 Amendment to IEBC Section 105.2 – Work exempt from permit.
- 2.02.740 Amendment to IEBC Section 112 – Board of Appeals.
- 2.02.750 Amendment to IEBC Section 113 – Violations.

- 2.02.760 Amendment to IEBC Section 202 – General Definitions – by addition of a definition of substantial renovation or construction.
- 2.02.770 Amendment to IEBC Section 407.1 – Change of Occupancy.
- 2.02.780 Amendment to IEBC Section 603 – Fire Protection – by addition of a new subsection EB 603.2.
- 2.02.790 Amendment to IEBC Section 703 – Fire Protection – by addition of a new subsection EB 703.2.
- 2.02.800 Amendment to IEBC Section 1007.1 – Change of occupancy – Structural.
- 2.02.810 Amendment to IEBC Section 1007 – Change of occupancy—Structural – by addition of a new Table 1007.1.
- 2.02.820 Amendment to IEBC Chapter 13 – Relocated or moved buildings.
- 2.02.830 Amendment to IEBC Appendix Section A113.9 – Secondary load paths – by addition of a new Section A113.9.1

2.02.010 Adoption of International Building, Residential, and Existing Building Codes.

The 2012 Edition of the International Building Code (“IBC”), along with A117.1-2012 and IBC Appendix E, the 2012 International Residential Code (“IRC”), along with IRC Appendices G and R (Note: Appendix R is in the State amendments and not in the 2012 IRC), and the 2012 International Existing Building Code (“IEBC”), along with Appendix A and Resources A in the 2012 IEBC, adopted and published by the International Code Conference, Inc., are hereby adopted by this reference, pursuant to the provisions of Section 35.21.180, Revised Code of Washington, as the official Building Code of the City of Tacoma, such adoption by reference, however, to be subject to the amendments to the 2012 International Building Code, the 2012 International Existing Building Code, and the 2012 International Residential Code as adopted by the Washington State Building Code Council, as set forth in the Washington Administrative Code (“WAC”) 51-50, and the City of Tacoma amendments to the adopted 2012 International Building Code, the 2012 International Existing Building Code, and the 2012 International Residential Code, as those amendments are hereinafter set forth.

2.02.020 Title.

This chapter shall be known as the “Building Code,” may be cited as such, and will be referred to herein as “this code.” Where reference is made to International Building Code or IBC; or reference is made to the International Residential Code or IRC; or reference is made to the International Existing Building Code or IEBC; the reference shall mean the 2012 edition of each of these documents as amended and adopted by the City of Tacoma, unless specifically stated otherwise.

2.02.030 International Plumbing Code.

All references to the International Plumbing Code shall be interpreted as meaning the 2012 Uniform Plumbing Code as adopted and amended by the City of Tacoma, or if the subject being addressed is not regulated by the Uniform Plumbing Code, then the code adopted and amended by the City of Tacoma which regulates the subject being addressed.

2.02.040 Amendment by deletion from the 2012 IBC and deletion of Washington State Building Code Council amendments from City of Tacoma Adoption of the 2012 International Building Code.

IBC Chapter 34 is hereby deleted and omitted from the adoption of the 2012 IBC as the official Building Code of the City of Tacoma as adopted by this chapter, and replaced by the adoption of the 2012 International Existing Building Code. IBC Chapter 34 has been amended by the Washington State Building Code Council; however, the City of Tacoma deletes the Washington State Building Code Council amendments to this chapter.

2.02.050 General amendments.

The following numbered sections of the IBC, as adopted herein, are amended to read as set forth and shall supersede that section so numbered in the IBC and shall be a part of the official Building Code of the City of Tacoma. The sections so amended are as follows:

IBC Section 105.1	IBC Section 1503.4
IBC Section 105.2	IBC Section 1510.7
IBC Section 111	IBC Section 1608
IBC Section 113	IBC Section 1613.8
IBC Section 114	IBC Section 2405.6
IBC Section 202	IBC Section 3202.3
IBC Section 510.2	

2.02.060 Washington State Building Code Council amendments.

The following sections have been amended by the Washington State Building Code Council in WAC 51-50, and are herein adopted by the City of Tacoma. The amendments to these sections are not included in this ordinance, but are adopted by reference:

IBC Section 202	IBC Table 509	IBC Section 1101.2.7	IBC Section 1904.1
IBC Section 305.2.4	IBC Section 903.2.1.6	IBC Section 1101.2.8	IBC Section 1904.2
IBC Section 308.2	IBC Section 903.2.3	IBC Section 1101.2.9	IBC Section 1905.1
IBC Section 308.3.2	IBC Section 903.2.7	IBC Section 1106.6	IBC Section 1905.1.3
IBC Section 308.3.3	IBC Section 907.2.8	IBC Section 1107.6	IBC Section 1905.1.4
IBC Section 308.4	IBC Section 908.7	IBC Section 1203.1	IBC Section 1905.1.9
IBC Section 308.4.2	IBC Section 908.7.1	IBC Section 1203.2	IBC Section 1905.1.10
IBC Section 308.6.5	IBC Section 909.21.12	IBC Section 1203.4	IBC Section 2107.1
IBC Section 310.2	IBC Section 909.21.13	IBC Section 1203.6	IBC Section 2107.2
IBC Section 310.4	IBC Section 1008.1.9.3	IBC Section 1204	IBC Section 2107.2.1
IBC Section 310.5.2	IBC Section 1008.1.9.6	IBC Section 1208.2	IBC Section 2107.5
IBC Section 310.5.3	IBC Section 1009.3	IBC Section 1208.3	IBC Section 2111.7
IBC Section 403.5.4	IBC Section 1009.18	IBC Section 1210.4	IBC Section 2111.7.1
IBC Section 407.4.3.2	IBC Section 1010.1	IBC Section 1403.2	IBC Section 2114
IBC Section 420.6	IBC Section 1018.5	IBC Section 1405	Chapter 29
IBC Section 420.7	IBC Section 1018.6	IBC Section 1702.1	IBC Section 3002.4
IBC Section 504.3	IBC Section 1101.2	IBC Table 1705.3	Chapter 35
IBC Section 504.4	IBC Section 1101.2.2	IBC Section 1710.5	
IBC Section 506.4	IBC Section 1101.2.3	IBC Section 1901.2.1	
IBC Section 506.5	IBC Section 1101.2.4	IBC Section 1903.1	

2.02.070 Amendment to IBC Section 102.4 – Referenced codes and standards.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

Exception:

Referenced National Fire Protection Association (“NFPA”) Standards 13, 13R, 13D, 14, 20, 24, and 25 shall be the most current published editions.

2.02.080 Amendment to IBC Section 105.1 – Permits – by addition of a new section 105.1.3 – Business Licensing.

105.1.3 Business Licensing. Where licensing is required for a permit applicant by the City or State, such licensing shall be required at the time of building permit issuance.

2.02.090 Amendment to IBC Section 105.2 – Work exempt from permit.

105.2 Work exempt from permit. Exemptions from permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction. Permits shall not be required for the following:

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m²).
2. Fences not over 7 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls which are not over four feet (1219 mm) in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids. A Fence supported by a retaining wall shall be considered a surcharge.
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and on grade concrete patios with an aggregate area not exceeding 2,000 Sq. Ft. (185.81 sq-M)
7. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
8. Temporary motion picture, television, and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L), and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems.
11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies supported by an exterior wall which do not project more than 54 inches (1372mm) from the exterior wall and do not require additional support.
13. Non-fixed and movable cases, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical: See TMC Chapter 2.04.

Gas:

1. Portable heating appliance.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation equipment.
3. Portable cooling unit.
4. Steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any part which does not alter its approval or make it unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.

Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.

2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Building Official.

105.2.2 Repairs. Application or notice to the Building Official is not required for ordinary repairs to structures, replacement of lamps, or the connection of approved portable electrical equipment to approved permanently installed receptacles. Such repairs shall not include the cutting away of any wall, partition, or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring, or mechanical or other work affecting public health or general safety.

105.2.3 Public service agencies. A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution, or metering, or other related equipment that is under the ownership and control of public service agencies by established right.

105.2.4 City of Tacoma Projects and Department of Transportation Projects. A permit shall not be required for the construction of roads, highways, freeways, and other structures related to such construction, including, but not limited to, grading, excavation, filling, paving, construction of bridges and pedestrian overpasses, drainage, power, water, and channelization, constructed by or under contract to the City of Tacoma, or the Washington State Department of Transportation.

Exceptions:

1. Buildings and other structures not normally included in road or highway construction shall require building and other construction permits.
2. Road or in right-of-way construction caused by development on private property shall require permits as required for the type of work.
3. Work in the right-of-way undertaken as the responsibility of the owner of abutting property, including, but not limited to, off-site improvements as required within Section 2.19.

2.02.100 Amendment to IBC Section 202 – Definitions – D.

Design Professional. A Washington State Licensed Architect governed by the Washington State Board of Registration for Architects, or a Washington State Licensed Engineer governed by the Washington State Board of Registration for Professional Engineers and Land Surveyors.

2.02.110 Amendment to IBC Section 111 – Certificate of occupancy or certificate of completion.

111.1 Use and occupancy. No building or structure shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made, until the Building Official has issued a certificate of occupancy or a certificate of completion, as appropriate for the building or structure.

Exception:

Certificates of occupancy are not required for work exempt from permits under Section 105.2.

111.2 Certificate issued. After the Building Official completes all inspections of the building or structure, the Building Official shall issue a certificate of occupancy or completion that contains the following as applicable to the project:

1. The building permit number.
2. The address of the structure.

3. The name and address of the owner.
4. A description of that portion of the structure for which the certificate is issued.
5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
6. The name of the Building Official.
7. The edition of the code under which the permit was issued.
8. The use and occupancy, in accordance with the provisions of Chapter 3.
9. The type of construction as defined in Chapter 6.
10. The design occupant load, for buildings with assembly or meeting rooms with an occupant load in excess of fifty.
11. If an automatic sprinkler system is provided, whether the sprinkler system is required, and what type of system is being provided.
12. Any special stipulations and conditions of the building permit.

Issuance of the certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction.

111.3 Temporary occupancy. The Building Official is authorized to issue a temporary certificate of occupancy or certificate of completion before the completion of the entire work covered by the permit, provided that such portion or portions shall be occupied or used safely. The Building Official shall set a time period during which the temporary certificate of occupancy is valid.

111.4 Revocation. The Building Official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code wherever the certificate is issued in error, or on the basis of incorrect information supplied, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code.

2.02.120 Amendment to IBC Section 113 – Board of Appeals.

Section 113 in the 2012 International Building Code shall be replaced in its entirety with the following:

113.1. The Board of Building Appeals. The Board of Building Appeals, as created by TMC 2.17, is the properly designated board of appeals for the IBC, as adopted by the City of Tacoma and the State of Washington. The Board of Building Appeals, within the authority granted it by TMC 2.17, shall:

Hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code.

113.2. Limitations of Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The Board of Building Appeals shall have no authority relative to interpretation of the administrative provisions to the codes assigned to the Board's authority, nor shall the Board be empowered to waive requirements of these codes or to grant variances, unless specifically granted in TMC 2.17.

2.02.130 Amendment to IBC Section 114 – Violations.

114.1 Unlawful acts. It shall be unlawful for any person, firm, corporation, or other legal entity to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by this chapter or by the codes adopted and amended by TMC Title 2, or cause same to be done, in conflict with or in violation of any of the provisions of these codes.

114.2 Notice of violation. The Building Official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the provisions of this code or any other code which references section 2.01.150, or in violation of a permit or certificate issued under the provisions of this code. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. The Notice of Violation shall contain the following:

114.2.1 The address of the site and the specific details of the condition(s) which is (are) to be corrected;

114.2.2 A specified timeframe for correcting the violation or submitting an acceptable work schedule.

114.2.3 The citation penalties that may be imposed in the event that the condition is not corrected within the timeframe indicated on the Notice of Violation;

114.2.4 The procedure that may be implemented if civil penalties in excess of \$1,000.00 are assessed in trying to correct the violation(s); and

114.2.5 The name, address and telephone number of the regulatory agency and the inspector issuing the Notice of Violation.

114.3. Penalties and Certificate of Complaint. If the notice of violation is not complied with within the specified period of time, the Building Official is authorized to issue a second Notice of Violation and issue a civil penalty of \$250.00. The monetary penalties for violations shall be as follows:

114.3.1 First and subsequent civil penalties \$250.00;

114.3.2 Civil penalties will continue to accumulate until the violation is corrected, or, if the total assessed penalty exceeds \$1,000.00, a Certificate of Complaint may be filed with the Pierce County Auditor to be attached to the title of the property. A copy of the Certificate of Complaint shall be sent to the Property Owner and parties of interest, if different from the owner.

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

Penalties shall be billed to the property owner or, if appropriate, the permit holder. Penalties unpaid after 60 calendar days may be collected in any lawful means, including but not limited to, referral to a collection agency.

114.4 Administrative Reviews by the Building Official

114.4.1 General. A person, firm, corporation or other legal entity to whom a Notice of Violation or a civil penalty has been issued relative to the violation of this chapter and the codes adopted and amended by this chapter, may request an administrative review of the violation(s) cited in the Notice of Violation or for the civil penalties assessed pursuant to enforcement.

114.4.2. How to request administrative review. A person, firm, or corporation may request an administrative review of the violation(s) being cited in the Notice of Violation or of a civil penalty assessed by filing a written request with the Building Official, sent to the attention of the contact listed within the Notice of Violation within seven (7) calendar days of the notification date of violation(s) or the date a civil penalty is assessed. The request shall state, in writing, the reasons the Building Official should consider the violation(s) cited in the Notice of Violation as not being violations of TMC Title 2 or the codes and amendments adopted by TMC Title 2 by reference, or why the Building Official should negate or reduce the civil penalty. Upon receipt of the request for administrative review, the Building Official shall review the information provided.

114.4.3 Decision of Building Official. After considering all of the information provided, the Building Official shall determine whether a violation has occurred, and shall affirm, vacate, suspend, or modify the Notice of Violation or the amount of any monetary penalty assessed. The Building Official's decision shall be delivered in writing to the appellant by first class mail. If the administrative review is for the violation, the Building Official's decision shall include an official interpretation of the code sections for which the Notice of Violation was issued.

114.5 Appeals of the Administrative Review by the Building Official. The official interpretation of the code provisions, cited as being the basis for the Notice of Violation being issued, made in the administrative review decision by the Building Official may be appealed directly to the Board of Building Appeals, in accordance with the provisions of TMC Chapter 2.17. Said appeal shall be filed within seven (7) calendar days of receipt of the Building Official's decision with the City Clerk. If such an appeal is successful, any civil penalties that may have been assessed will be withdrawn.

114.6 Alternate Criminal Penalty. Any person who violates or fails to comply with any of the provisions referenced in TMC Title 2 and the codes adopted by reference and amended within TMC Title 2 or any other code which references TMC Section 2.02.150 may be guilty of a misdemeanor and, upon conviction thereof, may be subject to a fine in an amount not exceeding \$1,000, or subject to imprisonment in jail of not more than 180 days, or both a fine and imprisonment. Each day a person or entity violates or fails to comply with a provision referenced in TMC Title 2 and the codes adopted and amended within Title 2.02 may be considered a separate violation.

2.02.140 Amendment to IBC Section 504.2 – Automatic sprinkler system increase.

504.2 Automatic sprinkler system increase. Where a building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, the value specified in Table 503 for maximum height is increased by 20 feet (6096 mm) and the maximum number of stories is increased by one story. These increases are permitted in addition to the area increase in accordance with Sections 506.2 and 506.3. For Group R buildings protected throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.2, the value specified in Table 503 for maximum height is increased by 20 feet (6096 mm) and the maximum number of stories is increased by one story, but shall not exceed four stories or 60 feet (18 288 mm), respectively.

Exceptions:

1. Buildings or portions of buildings, classified as a Group I-2 of Type IIB, III, IV, or V construction.
2. Buildings or portions of buildings, classified as a Group H-1, H-2, H-3, or H-5.
3. Fire-resistance rating substitution in accordance with Table 601, Note d.
4. For Group R, Group B, and/or Group M Occupancies in buildings constructed of Type VA construction, the number of stories may be increased by a maximum of two stories provided:
 - 4.1. The building is sprinklered in accordance with Section 903.3.1.1 of this code, with quick response sprinkler heads installed.
 - 4.2 The height in feet for the type VA construction may be increased to 65 feet, which if constructed over type IA construction in accordance with the provisions of Section 509.2, may be measured from the three-hour fire resistive horizontal assembly, separating the type IA construction from the type VA construction, provided the elevation of the finished floor of the highest occupied floor (or occupied roof) does not exceed 75 feet above the elevation of the lowest Fire Department Access to the building.
 - 4.3 Vertical Exit enclosures shall be constructed as smokeproof enclosures or pressurized stair enclosures in accordance with Section 909.20.

4.4 For the purposes of this exception, standby power shall be provided for all exit enclosure pressurization systems used to meet Subsection 4.3 above and shall be installed in accordance with Sections 403.4.7 and 909.20.6.2, and the National Electric Code as adopted and amended by the City of Tacoma. Connection ahead of the main service disconnect switch shall be permitted for the standby power when standby power is not otherwise required to be provided by a generator.

4.5 Emergency power systems shall be provided in accordance with Section 403.4.8

4.6 Walls separating dwelling units or sleeping units, and corridor walls in Group B and Group R, Divisions 1 and 2 Occupancies shall be constructed as one-hour fire-resistance rated construction as provided in IBC Section 708. Reduction of the fire resistance rating is not permitted.

4.7 All Exterior walls, including those with a fire separation distance of more than five feet, shall be of not less than one-hour fire-resistive rated construction for fire exposure from both the interior and exterior sides of the walls.

4.8 Structural observation is provided during construction in accordance with Sections 1702 and 1709.1 with special attention to wood shrinkage.

2.02.150 Amendment to IBC Section 510.2 – Horizontal building separation allowance.

509.2 Horizontal building separation allowance. A building shall be considered as separate and distinct buildings for the purpose of determining area limitations, continuity of firewalls, limitation of number of stories and type of construction, when all of the following conditions are met:

1. The buildings are separated with a horizontal assembly having a minimum three-hour fire-resistance rating.
2. The building below the horizontal assembly is of Type IA construction.
3. The number of basements and stories below the three-hour fire resistive horizontal assembly shall not be limited, provided the overall height restrictions for the entire building structure above and below the three-hour fire resistive horizontal assembly comply with item 8 below, and entire building above and below the three-hour fire resistive horizontal exit are provided with an automatic fire sprinkler system complying with IBC Section 903.3.1.1 with quick response or other sprinkler heads, approved by the Building Official.
4. Shaft, stairway, ramp or escalator enclosures through the horizontal assembly shall have not less than a two-hour fire-resistance rating with opening protectives in accordance with Section 716.5.
5. Vertical Exit enclosures shall be smokeproof enclosures if the stair enclosures above the three hour occupancy separation are in type-VA construction exceed four stories above the three hour occupancy separation or by the high-rise provisions in IBC section 403.

Exception:

Where the enclosure walls below the three-hour fire resistive horizontal assembly have not less than a three-hour fire-resistance rating with opening protectives in accordance with Table 716.5, the enclosure walls extending above the three-hour fire resistive horizontal assembly shall be permitted to have a one-hour fire-resistance rating provided:

- a. The building above is not required to be of Type I construction; and
 - b. The enclosure connects less than four stories, and
 - c. The enclosure opening protectives above the three-hour fire resistive horizontal assembly have a fire protection rating of not less than one hour.
6. The building or buildings above the three-hour fire resistive rated horizontal assembly shall be permitted to have multiple Groups A occupancy uses, each with an occupant load of less than 300, and/or Group B, M, R, and/or Group S occupancies.

7. The building below the three-hour fire resistive horizontal assembly shall be protected throughout by an approved automatic sprinkler system in accordance with Section 903.3.1.1 and shall be permitted any of the following occupancies:

7.1 Group S-2 parking garage used for the parking and storage of private motor vehicles;

7.2 Multiple Group A, each with an occupant load of less than 300;

7.3 Group B;

7.4 Group M;

7.5 Group R; and

7.6 Uses incidental to the operation of the building (including entry lobbies, mechanical rooms, storage areas, and similar uses).

8. The maximum building height in feet shall not exceed 65 feet in height measured from the top of the three-hour fire-resistive separation, and the finish floor level of the highest occupied floor shall not exceed 75 feet above the lowest fire department access to the building, whichever provides the lesser height.

2.02.160 Amendment to IBC Section 1503.4.0 – Roof Drainage.

1503.4.1 General. Roofs shall be sloped a minimum of 1 unit vertical in 48 units horizontal (2% slope) for drainage unless designed for water accumulation in accordance with Chapter 16, and approved by the Building Official.

1503.4.2 Roof Drains. Unless roofs are sloped to drain over roof edges, roof drains shall be installed at each low point of the roof.

Roof drains shall be sized and discharged in accordance with the Uniform Plumbing Code. Roof drainage shall be directed away from the building and discharged to the storm sewer or to other approved disposal systems. Roof drainage shall not be connected to, or allowed to infiltrate into, the footing drain system.

1503.4.3 Overflow Drains and Scuppers. Where roof drains are required, overflow drains having the same size as the roof drains shall be installed with the inlet flow line located two inches above the low point of the roof, or overflow scuppers having three times the size of the roof drains and having a minimum opening height of four inches may be installed in adjacent parapet walls with the inlet flow line located not more than two inches above the low point of the adjacent roof.

Overflow drains shall discharge to an approved location and shall discharge at a point above the ground, which can be readily observed. Overflow drains shall not be connected to roof drain lines.

1503.4.4 Concealed Piping. Roof drains and overflow drains, where concealed within the construction of the building, shall be installed in accordance with the Uniform Plumbing Code.

1503.4.5 Over Public Property. Roof drainage water from a building shall not be permitted to flow over public property.

Exception:

Group R-3 and Group U Occupancies.

1503.4.6 Gutters. Gutters and leaders placed on the outside of buildings other than Group R-3, private garages, and buildings of type V construction shall be of noncombustible material or a minimum of Schedule 40 plastic pipe.

2.02.170 Amendment to IBC Section 1510.7 – Energy code requirements for re-roofing.

1510.7 Energy Code Requirements for Re-Roofing. Replacement of roof coverings shall conform to the provisions of Section C101.4.3 of the Energy Code. Replacement of low-slope roof coverings shall conform to the provisions of Section C402.2.1.1 of the Energy Code.

2.02.180 Amendment to IBC Section 1608—Snow loads.

1608 Snow loads. Roofs shall be designed for a snow load of 25 pounds per square-foot applied at roof level, except that if the live load determined by Section 1607 is greater than the snow load, then the live load shall be the roof design load.

Potential unbalanced accumulation of snow at valleys, parapets, roof structures, and offsets in roofs of uneven configuration shall be considered.

The extra load caused by snow sliding off a sloped roof onto a lower roof shall be determined in accordance with Section 7.9 of ASCE 7-05.

The 25-pound-per-square-foot snow load may be reduced by 0.125 pounds-per-square-foot for each degree of roof pitch over 20 degrees.

2.02.190 Amendment to IBC Section 1613 by addition of a new subsection 1613.8 – Tension-only bracing.

1613.8 Tension-Only Bracing. The body of the tension element, in a tension-only bracing assembly, shall be designed for the seismic load effect, including the Overstrength Factor, in accordance with ASCE 7, Section 12.4.3.

2.02.200 Amendment to IBC Section 2405 by addition of a new subsection 2405.6 – Location of sloped glazing and skylights.

2405.6 Sloped glazing and skylights shall not be located closer to property lines or the centerline of adjoining public ways where, due to proximity to the property line or the centerline of an adjoining public way, openings in walls are prohibited, or are required to be protected by the provisions of Section 705.

2.02.210 Amendment to IBC Section 3202.3 – Encroachments eight feet or more above grade.

3202.3 Encroachments eight feet or more above grade. Encroachments eight feet (2438 mm) or more above grade shall comply with Sections 3202.3.1 through 3202.3.4.

3202.3.1 Awnings, canopies, marquees, and signs. Awnings, canopies, marquees, and signs shall be constructed so as to support applicable loads as specified in Chapter 16. Awnings, canopies, marquees, and signs with less than 16.5 feet (5029 mm) clearance above the sidewalk shall not extend into or occupy more than two-thirds the distance from the property line to the face of the curb, but in no case shall extend closer than two feet to the curb. All portions of awnings, canopies, marquees, and signs shall be not less than eight feet above any public walkway.

3202.3.2 Windows, balconies, architectural features, and mechanical equipment. Where the vertical clearance above grade to projecting windows, balconies, architectural features, or mechanical equipment is more than eight feet (2438 mm), one inch (25mm) of encroachment is permitted for each additional one inch (25 mm) of clearance above eight feet (2438 mm), but the maximum encroachment shall be four feet (1219 mm). No usable floor space shall be added to the building by such projections unless the air rights for the street where the projection occurs are vacated by City of Tacoma ordinance.

3202.3.3 Encroachments 16.5 feet or more above grade. Upon issuance of a Street Occupancy Permit or upon vacation of the air rights over the street by ordinance and subject to the conditions of the street occupancy permit or vacation, encroachments 16.5 feet (5029 mm) or more above grade shall not be limited. No usable floor space shall be added to the building by such projections unless the air rights for the street where the projection occurs are vacated by City of Tacoma ordinance.

Exception:

Encroachments into street right-of-ways which are also the right-of-way for railroads or light-rail shall be a minimum of 24 feet clear above the elevation of the top of railroad or light-rail rails.

3202.3.4 Pedestrian walkways. The installation of a pedestrian walkway over a public right-of-way shall require that the air rights above the right-of-way be vacated by City of Tacoma ordinance. The vertical

clearance from the public right-of-way to the lowest part of the pedestrian walkway shall be subject to the approval of the City of Tacoma, but in no case shall be less than 16.5 feet (5029 mm) minimum.

Exception:

Pedestrian walkways over street right-of-ways which are also the right-of-way for railroads or light-rail shall be a minimum of 24 feet clear above the elevation of the top of railroad or light-rail rails.

2.02.500 Amendment by deletion from the 2012 International Residential Code.

The following sections are hereby deleted and omitted from the adoption of the 2012 IRC as adopted by this chapter:

R110 Certificate of Occupancy

R322 Flood Resistant Construction

2.02.510 General amendments.

The following numbered sections and tables of the IRC, as adopted herein, are amended to read as set forth, and shall supersede that section or table so numbered in the IRC and shall be a part of the official Building Code of the City of Tacoma. The sections and tables so amended are as follows:

IRC Section R105.2	IRC Section R113
IRC Section R105.3.1.1	IRC Table R301.2 (1)
IRC Section R105.3.1.2	IRC Section R301.2.3
IRC Section R112	IRC Section R324

2.02.520 Chapters and sections of the Code deleted by the Washington State Building Code Council.

Chapter 11

Chapters 25 through 43

2.02.530 Washington State Building Code Council amendments.

The following sections of the IRC have been amended by the Washington State Building Code Council in WAC 51-51, and are herein adopted by the City of Tacoma. The amendments to these sections are not included in this ordinance, but are adopted by reference:

IRC Section R102	IRC Section R408	IRC Section R1006
IRC Section R202	IRC Section R501 (New Sect.)	IRC Section M1201
IRC Section R301	IRC Section R502	IRC Section M1301 (New Sect.)
IRC Section R302	IRC Section R507 (New Sect.)	IRC Section M1302
IRC Section R303	IRC Section R602	IRC Section M1415
IRC Section R314	IRC Section R612	IRC Section M1507
IRC Section R315	IRC Section R703	IRC Section M1508
IRC Section R325	IRC Section R806	IRC Chapter M16
IRC Section R326	IRC Section R903	IRC Chapter M17
IRC Section R328 (New Sect.)	IRC Section R1001	IRC Chapter M20
IRC Section R403	IRC Section R1002 (New Sect.)	IRC Chapter 44
IRC Section R404	IRC Section R1004	IRC Appendix R

2.02.540 Amendment to IRC Section R105.2 – Work Exempt From Permit.

R105.2 Work exempt from permit. Permits shall not be required for the following. Exemption from the permit requirements of this code shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code or any other laws or ordinances of this jurisdiction.

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²).

2. Reroofing of single family or duplex residential buildings, provided the existing roof coverings are removed prior to reroofing and that the new roofing material does not exceed five (5) pounds per square foot.
3. Fences not over seven feet (1829 mm) high.
4. Retaining walls that are not over four feet (1219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge.
5. Water tanks supported directly upon grade if the capacity does not exceed 5,000 gallons (18927 L) and the ratio of height to diameter or width does not exceed 2 to 1.
6. Sidewalks, driveways, and on grade concrete patios with an aggregate area not exceeding 2,000 Sq. Ft. (185.81 sq-M).
7. Painting, papering, tiling, carpeting, cabinets, countertops, and similar finish work.
8. Prefabricated swimming pools that are less than 24 inches (610 mm) deep.
9. Swings and other playground equipment.
10. Window awnings supported by an exterior wall which do not project more than 54 inches (1372 mm) from the exterior wall and do not require additional support.
11. Decks not exceeding 200 square-feet (18.58 m²) in area that are not more than 30 inches (762 mm) above grade at any point, are not attached to a dwelling, and do not serve the exit door required by Section R311.4.

Gas:

1. Portable heating, cooking, or clothes drying appliances.
2. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
3. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.

Mechanical:

1. Portable heating appliance.
2. Portable ventilation appliances.
3. Portable cooling unit.
4. Steam, hot, or chilled water piping within any heating or cooling equipment regulated by this code.
5. Replacement of any minor part that does not alter approval of equipment or make such equipment unsafe.
6. Portable evaporative cooler.
7. Self-contained refrigeration systems containing 10 pounds (4.54 kg) or less of refrigerant or that are actuated by motors of 1 horsepower (746 W) or less.
8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected to a power grid.
9. The stopping of leaks in drains, water, soil, waste or vent pipe; provided, however, that if any concealed trap, drainpipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
10. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes or fixtures.

R105.2.1 Emergency repairs. Where equipment replacements and repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Building Official.

R105.2.2 Repairs. Application or notice to the Building Official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping or mechanical or other work affecting public health or general safety.

R105.2.3 Public service agencies. A permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution, metering, or other related equipment that is under the ownership and control of public service agencies by established right.

2.02.550 Amendment to IRC Section R105.3.1.1 – Determination of substantially improved or substantially damaged existing buildings in flood hazard areas.

Section R105.3.1.1 in the 2012 International Residential Code shall be replaced in its entirety with the following:

R105.3.1.1. Determination of Substantially Improved or Substantially Damaged Existing Buildings in Flood Hazard Areas. For applications for reconstruction, rehabilitation, addition or other improvement of existing buildings or structures located in a flood hazard area as established by Table R301.2(1), the Building Official shall examine or cause to be examined the construction documents and shall prepare a finding with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall be that work that is performed within a two-year period, as measured from the issuance date of the initial building permit for the project. The value of work shall include the cost to repair the building or structure to its predamaged condition. If the Building Official finds that the value of the proposed work (within a two-year period) equals or exceeds 50 percent of the building or structure value (calculated using the latest Building Valuation Data published by the International Code Council) before damage has occurred or the improvement is started, all existing portions of the entire building or structure shall meet the requirements of Section R322. If the building or structure has sustained substantial damage, all repairs are considered substantial improvement regardless of the actual repair work performed. The term does not include:

1. Improvements of a building or structure required to correct existing health, sanitary, or safety code violations identified by the Building Official and which are the minimum necessary to assure safe living conditions; or
2. Any alteration of a historic building or structure, provided that the alteration will not preclude the continued designation as a historic building or structure. For the purpose of this exclusion, a historic building is:
 - 2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places; or
 - 2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as a historic district; or
 - 2.3 Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

2.02.560 Amendment to IRC Section 105.3.1 by addition of a new Section R105.3.1.2 - Criteria for issuance of a variance for flood hazard areas.

R105.3.1.2 Criteria for Issuance of a Variance for Flood Hazard Areas. A variance shall be issued by the Building Official only upon the following criteria:

1. A showing of good and sufficient cause that the unique characteristics of the size, configuration, or topography of the site render the elevation standards in Section 322 inappropriate.

2. A determination that failure to grant the variance would result in exceptional hardship by rendering the lot undevelopable.
3. A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, cause fraud on or victimization of the public, or conflict with the existing local laws or ordinances.
4. A determination that the variance is the minimum necessary to afford relief, considering the flood hazard.
5. Submission to the applicant of written notice specifying the difference between the design flood elevation and the elevation to which the building is to be built, stating that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced floor elevation, and stating that the construction below the design flood elevation increases risk to life and property.

2.02.570 Amendment to IRC Section R112 – Board of Appeals.

Section R112 in the 2012 International Residential Code shall be replaced in its entirety with the following:

R112.1. The Board of Building Appeals. The Board of Building Appeals, as created by TMC 2.17, is the properly designated board of appeals for the IRC, as adopted by the City of Tacoma and the State of Washington. The Board of Building Appeals, within the authority granted it by TMC 2.17, shall:

Hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of this code.

R112.2. Limitations of Authority. An application for an appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The Board of Building Appeals shall have no authority relative to interpretation of the administrative provisions of this code, nor shall the Board be empowered to waive requirements of this code or grant variances, unless specifically granted in TMC Chapter 2.17.

2.02.580 Amendment to IRC Section R113 – Violations.

Section R113 – Violations in the 2012 International Residential-Code is hereby deleted, and replaced by reference by TMC 2.02.130.

2.02.590 Amendment to IRC Table R301.2 (1) – Climatic and geographic design criteria.

TABLE R301.2 (1)
CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA

ROOF SNOW LOAD	WIND DESIGN		SEISMIC DESIGN CATEGORY ^f	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP ^e	ICE BARRIER UNDER LAYMENT REQUIRED ^h	FLOOD HAZARDS ^g	AIR FREEZING INDEX ⁱ	MEAN ANNUAL TEMP ^j
	SPEED ^d (mph)	Topographic effects ^k		Weathering ^a	Frost line depth ^b	Termite ^c					
25 PSF	85	K _{zt} = 2	D ₁	Moderate	12 Inch.	Moderate to Heavy	20° F	No	3/25/1986 See TMC Chapter 2.12	350	50° F

For SI: 1 pound per square foot = 0.0479 ken/m², 1 mile per hour = 1.609 km/h.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index (i.e., negligible, moderate, or severe.) for concrete as determined from the Weathering Probability Map [Figure R301.2 (3)]. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1 (1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2 (4)]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be in accordance with the Washington State Energy Code, as adopted and amended by the City of Tacoma in TMC Chapter 2.10.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction's entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study, and (c) the panel numbers and date(s) of all currently effective FIRMs and FBFMs, or other flood hazard map adopted by the community, as amended.
- h. In accordance with Sections R905.2.7.1, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with "YES." Otherwise, the jurisdiction shall fill in this part of the table with "NO."
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table "Air Freezing Index- USA Method (Base 32°Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°Fahrenheit)" at www.ncdc.noaa.gov/fpsf.html.
- k. Topographical effects shall be considered by performing a topographical analysis or using the topographical effects as published on the City of Tacoma Web Site. The appropriate K_{ZT} factor shall be applied and the analysis shall be in accordance with the provisions of the International Building Code and/or ASCE 7-05.

2.02.600 Amendment to IRC Section R301.2.3 – Snow loads.

Section R301.2.3 in the 2012 International Residential Code is hereby deleted, and replaced by reference to TMC 2.02.180.

2.02.610 Amendment to IRC Chapter 3 by addition of Section R324 – Fire sprinkler systems.

An automatic sprinkler system shall be installed throughout every building which is a group of townhouses, as defined in the 2012 International Residential Code, which contains five or more townhouse units. Such fire sprinkler system shall be designed and installed in accordance with IBC Section 903.3.1.1, IBC Section 903.3.1.2, or 903.3.1.3.

For the purposes of this IRC section, fire walls shall not be considered as dividing townhouses into separate buildings.

2.02.620 Manufactured Homes.

Manufactured homes, as defined by Title 46 of the Revised Code of Washington ("RCW") ("Motor Vehicles"), shall be permitted to be installed in the City, subject to the following conditions:

A. Manufactured homes to be installed in the City shall be new, which means any manufactured home required to be titled under Title 46 RCW which has not been previously titled to a retail purchaser and which is not a “used mobile home” as defined in RCW 82.45.032(2), which states:

(2) “Used mobile home” means a mobile home which has been previously sold at retail and has been subjected to tax under Washington State RCW chapter 82.08, or which has been previously used and has been subjected to tax under Washington State RCW chapter 82.12, and which has substantially lost its identity as a mobile unit at the time of sale by virtue of its being fixed in location upon land owned or leased by the owner of the mobile home and placed on a foundation (posts or blocks) with fixed pipe connections with sewer, water, and other utilities.

B. The Building Official shall be responsible for issuing all permits for alterations, remodeling, or expansion of manufactured housing which has been converted to real property and is located within City limits.

C. All manufactured homes shall be comprised of at least two fully-enclosed parallel sections, each of not less than 12 feet wide by 36 feet long.

D. Manufactured homes shall be set upon a permanent foundation, as defined by the Housing and Urban Development (“HUD”) handbook “Permanent Foundation Guide for Manufactured Housing,” which is sufficient to resist wind and seismic lateral forces, as well as the gravity loads as specified in the IRC, as adopted and amended in TMC 2.02. The Building Official shall be responsible for issuing all permits for foundations for manufactured homes.

“Permanent Foundation” for manufactured homes is defined in the HUD handbook, “Permanent Foundation Guide for Manufactured Housing,” as:

Definition of Permanent Foundation. Permanent foundations must be constructed of durable materials; i.e., concrete, mortared masonry, or treated wood – and be site-built. It shall have attachment points to anchor and stabilize the manufactured home to transfer all loads, herein defined, to the underlying soil or rock. The permanent foundations shall be structurally designed for the following:

1. Vertical stability.

- a. Rated anchorage capacity to prevent uplift and overturning due to wind or seismic forces, whichever controls. Screw-in anchors are not considered a permanent anchorage.
- b. Footing size to prevent overloading the soil-bearing capacity and avoid soil settlement. Footing shall be reinforced concrete to be considered permanent.
- c. Base of footing below maximum frost-penetration depth.
- d. Encloses a basement or crawl space with a continuous wall (whether bearing or non-bearing) that separates the basement or crawl space from the backfill, and keeps out vermin and water.

2. Lateral Stability. An anchorage system with a tested and rated or engineered load capacity to prevent sliding due to wind or seismic forces, whichever controls, in the transverse and longitudinal directions.

E. The space from the bottom of the manufactured home to the ground shall be enclosed by concrete or an approved concrete product. Such concrete product may be designed to support the manufactured home for gravity and lateral loads, or may be decorative.

F. All manufactured homes shall be originally constructed with a composition or wood shake or shingle, coated metal, excluding zinc galvanized metal, or similar roof of not less than 3:12 pitch.

G. All manufactured homes shall have exterior siding similar in appearance to siding materials commonly used on conventional site-built, IRC-compliant, single-family residences.

H. The roof shall be designed to support 25 pounds per-square-foot snow load, in conformance with TMC 2.02.180.

I. Manufactured homes installed within the City shall meet the Washington State Energy Code, as adopted and amended by TMC 2.10.

J. Light and ventilation in manufactured homes shall meet the requirements of Section R303 of the IRC.

2.02.700 General amendments.

The following numbered sections and tables of the International Existing Building Code (“IEBC”), as adopted herein, are amended to read as set forth, and, shall supersede that section or table so numbered in the IEBC and shall be a part of the official Building Code of the City of Tacoma. The sections and tables so amended are as follows:

IEBC Section 105.2	IEBC Section 407.1	IEBC Table 1007.1
Section 112	EBC Section 603	IEBC Section 1301
Section 113	EBC Section 703	IEBC Section A113.9
Section 202	EBC Section 1007.1	

2.02.710 Washington State Building Code Council amendments deleted from the City of Tacoma Adoption of the 2012 International Existing Building Code.

The following IEBC sections have been amended by the Washington State Building Code Council; however, the City of Tacoma deletes the Washington State Building Code Council Amendment, and adopts the IEBC section as stated in the 2012 International Existing Building Code or as the section is amended by the City of Tacoma by this chapter.

IEBC Section 407.1	IEBC Section 1301.1
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2.02.720 Washington State Building Code Council amendments.

The following sections have been amended by the Washington State Building Code Council in WAC 51-50, Appendix M and are herein adopted by the City of Tacoma. The amendments to these sections are not included in this ordinance, but are adopted by reference:

IEBC Section 101.4	IEBC Section 804.1	IEBC Section 1201.1
IEBC Section 101.6	IEBC Section 811.1	IEBC Section 1203.9
IEBC Section 102.4.1.1	IEBC Section 907.4.1	IEBC Section 1204.1
IEBC Section 505.1	IEBC Section 908.1	IEBC Section 1205.10
IEBC Section 707.1	IEBC Section 1012.1.1	IEBC Section 1205.14

2.02.730 Amendment to IEBC Section 105.2 – Work exempt from permit.

Section 105.2 in the 2012 International Existing Building Code is hereby deleted, and replaced by reference by TMC Section 2.02.090.

2.02.740 Amendment to IEBC Section 112 – Board of Appeals.

IEBC Section 112 in the 2012 International Existing Building Code shall be replaced in its entirety with the following:

EB112.1. The Board of Building Appeals. The Board of Building Appeals, as created by TMC 2.17, is the properly designated board of appeals for the International Existing Building Code, as adopted by the City of Tacoma. The Board of Building Appeals, within the authority granted it by TMC 2.17, shall:

Hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code.

EB112.2. Limitations of Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The Board of Building Appeals shall have no authority relative to interpretation of the administrative provisions of this code, nor shall the Board be empowered to waive requirements of this code or grant variances, unless specifically granted in TMC Chapter 2.17.

2.02.750 Amendment to IEBC Section 113 – Violations.

Section 113 in the 2012 International Existing Building Code is hereby deleted, and replaced by reference by TMC Section 2.02.130.

2.02.760 Amendment to IEBC Section 202 – General Definitions – by addition of a definition of substantial renovation or construction.

Substantial renovation or construction shall be defined as meaning remodeling, alteration, or reconstruction of, and/or addition to, an existing building within a two-year period, the cost of which exceeds 50 percent of the value of the building as calculated using the latest Building Valuation Data published by the International Code Council. The two-year period shall be measured from the issuance date of the initial building permit for the project.

2.02.770 Amendment to IEBC Section 407.1 – Change of Occupancy.

EB407.1 Conformance. No change shall be made in the use or occupancy of any building that would place the building in a different division of the same group of occupancy or in a different group of occupancies, unless such building is made to comply with the requirements of the International Building Code for such division or group of occupancy. Subject to the approval of the Building Official, the use or occupancy of existing buildings shall be permitted to be changed and the building is allowed to be occupied for purposes in other groups without conforming to all the requirements of the International Building Code for those groups, provided the new or proposed use is less hazardous, based on life, fire risk, and seismic risk, than the existing use. Fire, life, and seismic safety requirements required for the new occupancy, but not required for the old occupancy, shall be provided regardless of whether the new occupancy is considered less hazardous than the old occupancy. The relative hazard of occupancies shall be determined using IEBC Chapter 10 as amended in this chapter.

2.02.780 Amendment to IEBC Section 603 – Fire Protection – by addition of a new subsection EB603.2.

EB603.2 Group R-1 and R-2 occupancies. Where Repairs, as defined by the International Existing Buildings Code, are undertaken to buildings of Group R-1 or Group R-2 occupancies, automatic fire sprinkler systems shall be provided when required by the International Fire Code (“IFC”) as adopted and amended in TMC Chapter 3.02.

2.02.790 Amendment to IEBC Section 703 – Fire Protection – by addition of a new subsection EB703.2.

EB703.2 Group R-1 and R-2 occupancies. Where Repairs, as defined by the International Existing Buildings Code, are undertaken to buildings of Group R-1 or Group R-2 occupancies, automatic fire sprinkler systems shall be provided when required by the International Fire Code (“IFC”) as adopted and amended in TMC Chapter 3.02.

2.02.800 Amendment to IEBC Section 1007.1 – Change of occupancy – Structural.

EB1007.3.1 Compliance with the International Building Code. Where a building or portion thereof is subject to a change of occupancy that results in the building being assigned to a higher risk category based on Table 1604.5 of the International Building Code; or where such change of occupancy results in a reclassification of a building to a higher hazard category as shown in Table 1007.1; or where a change of a Group M occupancy to a Group A, E, I-1, R-1, R-2, or R-4 occupancy with two-thirds or more of the floors involved in Level 3 alteration work, the building shall comply with the requirements for International Building Code level seismic forces as specified in Section 301.1.4.1 for the new risk category.

Exceptions:

1. Group M occupancies being changed to Group A, E, I-1, R-1, R-2, or R-4 occupancies for buildings less than six stories in height and in Seismic Design Category A, B, or C.
2. Where approved by the Building Official, specific detailing provisions required for a new structure are not required to be met where it can be shown that an equivalent level of performance and seismic safety is obtained for the applicable risk category based on the provision for reduced International Building Code level seismic forces as specified in Section 301.1.4.2. The rehabilitation procedures shall consider the regularity, overstrength, redundancy, and ductility of the lateral-load-resisting system within the context of the existing detailing of the system.
3. Where the area of the new occupancy with a higher hazard category is less than or equal to 10 percent of the total building floor area and the new occupancy is not classified as Risk Category IV. For the purposes of this exception, buildings occupied by two or more occupancies not included in the same Risk Category shall be assigned the classification of the highest seismic use group corresponding to the various occupancies. Where structures have two or more portions that are structurally separated, each portion shall be subject to the provisions of Section 1604.5.1 of the International Building Code. Where a structurally separated portion of a structure provides required access to, required egress from, or shares life safety components with another portion having a higher seismic use group, both portions shall be assigned the higher Risk Category. The cumulative effect of the area of occupancy changes shall be considered for the purposes of this exception.
4. Unreinforced masonry being wall buildings in Risk Category III when assigned to Seismic Design Category A or B shall be allowed to be strengthened to meet the requirements of Appendix Chapter A1 of this code (Guidelines for the Seismic Retrofit of Existing Buildings (“GSREG”)).

2.02.810 Amendment to IEBC Section 1007 – Change of occupancy—Structural – by addition of a new Table 1007.1.

EB TABLE 1007.1-HAZARD CATEGORIES AND CLASSIFICATIONS EARTHQUAKE SAFETY

RELATIVE HAZARD	OCCUPANCY CLASSIFICATION
1	H-1, H-4 with highly toxic materials I-2 (Hospitals) B (Fire, Rescue, and Police Stations) B (Emergency Preparedness Centers) B (Primary Communication Centers) S (Post-Earthquake Recovery Vehicle Garages) F (Power Generating Stations and Other Utility Facilities required for emergency backups)
2	A, E, I-1, I-2 (All Others), I-3, H-2, H-3 F (Power Generating Stations and Other Public Utilities not Listed in Relative Hazard 1) B (Used for Adult Education and with an Occupant Load > 500) Any Building with an Occupant Load > 500
3	R-1, R-2
4	F-1, S-1, H-4 (All Others)
5	B (All Others), F-2, M, S-2
6	R-3, U

2.02.820 Amendment to IEBC Chapter 13 – Relocated or moved buildings.

Chapter 13 in the 2012 International Existing Building Code is hereby deleted and replaced with the following:

Section 1301.1. Buildings or structures moved into or within the City of Tacoma shall comply with the provisions of the construction codes, including, but not limited to, the building code, mechanical code, fire code, plumbing code, electrical code, energy code, and barrier-free code for new buildings or structures.

EXCEPTION:

Group R, Division 3, buildings or structures are not required to comply if:

1. The original occupancy classification is not changed, and
2. The original building is not substantially remodeled or rehabilitated. For the purposes of this section only, a Group R, Division 3 building shall be considered to be substantially remodeled when the costs of remodeling within a two year period beginning on the date the alteration permit is issued, exceed 60 percent of the value of the building as calculated using the Building Valuation Table published by the International Code Council, exclusive of the costs relating to preparation, construction, demolition, or renovation of foundations.

Off-site improvements shall be provided in accordance with Section 2.19, as if the building is a new building, when the building is moved onto the site from some other location, and shall be provided as if the building was added to or remodeled when the building is moved within the site.

Both a building permit and a moving permit shall be required to move a building onto a site within the City of Tacoma. No moving permit shall be issued until a building permit is issued for the building.

Prior to issuing a building permit for a building to be moved onto a site within the City of Tacoma, the permittee shall post a performance bond, or other financial security acceptable to the Building Official, to be used to demolish the building if the conditions set forth in Sections 1301.1 and 1301.2, and all other applicable codes and regulations of the City of Tacoma, have not been complied with within the times specified in said sections. The amount of the bond shall be established by the Building Official and shall be sufficient to cover costs of demolishing the building, disposing of all demolition debris, cleaning the property of any and all litter and debris, and grading the property so that no unsafe conditions remain.

The following shall be conditions of any permits issued to move a building onto a site within the City of Tacoma:

Sec. 1301.1.1. The foundation required for the building shall be completed and the building placed on the foundation, in accordance with the provisions of this code, within 30 days of the date the building permit is issued.

Sec. 1301.1.2. All construction required to bring the building into conformance with the provisions of the construction codes for new buildings, and all other applicable codes and regulations of the City of Tacoma shall be completed, and a final inspection of the work passed, within 180 days of the date the building permit is issued.

Any permittee may apply for an extension of the time to meet one or both of the requirements specified in 1301.1.1 and 1301.1.2, above, for a good and satisfactory reason. The maximum extensions of time which may be granted by the Building Official to complete said work shall be: 30 additional days to complete the work specified in 1301.1.1; and 180 additional days to complete the work specified in 1301.1.2, above.

If the permittee fails to comply with all of the conditions of the permit within the time limits described above, the Building Official shall demolish the moved building, dispose of all demolition debris, clean the property of any and all litter and debris, and grade the property so that no unsafe conditions remain. All of the City's costs therefore shall be charged against the permittee's bond or other financial security.

1301.2 Conformance. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code, the International Residential Code (WAC 51-51), the International Mechanical Code (WAC 51-52), the International Fire Code (WAC 51-54), the Uniform Plumbing Code and Standards (WAC 51-56 and 51-57), and the Washington State Energy Code (WAC 51-11) for new buildings or structures.

Exception:

Group R-3 buildings or structures are not required to comply if:

1. The original occupancy classification is not changed, and
2. The original building is not substantially remodeled or rehabilitated. For the purposes of this section only, a Group R, Division 3 building shall be considered to be substantially remodeled when the costs of remodeling within a two-year period beginning on the date the alteration permit is issued, exceed 60 percent of the value of the building as calculated using the Building Valuation Table published by the International Code Council, exclusive of the costs relating to preparation, construction, demolition, or renovation of foundations.

2.02.830 Amendment to IEBC Appendix Section A113.9 – Secondary load paths – by addition of a new Section A113.9.1

113.9.1 Hollow Clay Tile. Primary or secondary framing supported by hollow clay tile shall be provided with an independent secondary vertical load path constructed to support all dead and live loads. A full snow load on the roof need not be included, but a minimum ten pounds per-square-foot live load shall be assumed for the roof.

Hollow clay tile walls used as shear walls shall be provided with an independent secondary lateral load path capable of carrying the design lateral loads for the shear walls.

A 50 percent increase in the allowable stresses will be allowed in the materials used to construct the secondary load paths.

* * *

Chapter 2.06 PLUMBING CODE

Sections:

- 2.06.010 Adoption of the Uniform Plumbing Code.
- 2.06.020 Conflicts with the City of Tacoma Stormwater Management Manual or Side Sewer and Sanitary Sewer Availability Manual.
- 2.06.030 Adoption of Washington State Building Code Council amendments to the 2012 Uniform Plumbing Code.
- 2.06.040 Amendments by deletion.
- 2.06.050 General amendments.
- 2.06.060 Addition of a new UPC Section 101.11.6 – Substantial renovation.
- 2.06.070 Amendment to UPC Section 102.3 – Board of Appeals.
- 2.06.080 Amendment to UPC Section 102.4 – Violations – and UPC Section 102.5 – Penalties.
- 2.06.090 Amendment to UPC Section 218.0 – P – Definitions by redefining “Private sewer.”
- 2.06.100 Amendment to UPC Section 305.0 by addition of a new Section 305.2 – Public sewer availability.
- 2.06.110 Amendment to UPC Section 403.4 – Metered Faucets.
- 2.06.120 Addition of a new UPC Section 403.7 – Automatic In-Ground Irrigation System Design and Installation.

2.06.010 Adoption of the Uniform Plumbing Code.

The 2012 Edition of the Uniform Plumbing Code and the International Association of Plumbing and Mechanical Officials (“IAPMO”) Installation Standards, together with appendices A, B, and I (hereinafter referred to as the Uniform Plumbing Code), adopted and published by the International Association of Plumbing and Mechanical Officials is hereby adopted by this reference, pursuant to the provisions of Section 35.21.180, Revised Code of Washington, as the official Plumbing Code of the City of Tacoma, provided that Chapters 12 and 15, requirements relating to venting and combustion air of fuel fired appliances as found in chapter 5, and portions of the code addressing building sewers are not adopted. Such adoption by reference shall be subject to the amendments to the Uniform Plumbing Code hereinafter set forth.

(Note: Where reference is made to International Building Code or IBC; or reference is made to the International Residential Code or IRC; or reference is made to the International Existing Building Code or IEBC; the reference shall mean the 2012 edition of each of these documents as amended and adopted by the City of Tacoma, unless specifically stated otherwise.)

2.06.020 Conflicts with the City of Tacoma Stormwater Management Manual or Side Sewer and Sanitary Sewer Availability Manual.

If there is a conflict between the 2012 Uniform Plumbing Code as adopted and amended in this chapter and the City of Tacoma Stormwater Management Manual, the City of Tacoma Stormwater Management Manual, as authorized by TMC 12.08.090, shall govern.

If there is a conflict between the 2012 Uniform Plumbing Code as adopted and amended in this chapter and the City of Tacoma Side Sewer and Sanitary Sewer Availability Manual, the City of Tacoma Side Sewer and Sanitary Sewer Availability Manual, as authorized by TMC 12.08.740, shall govern.

2.06.030 Adoption of Washington State Building Code Council amendments to the 2012 Uniform Plumbing Code.

The amendments to the 2012 Edition of the Uniform Plumbing Code, as developed by the Washington State Building Code Council under the authority of RCW 19.27 and as set forth in WAC Sections 51-56, is hereby adopted by this reference.

Chapters 12 and 15, requirements relating to venting and combustion air of fuel fired appliances as found in Chapter 5, portions of the Code addressing building sewers, and Part II of UPC Chapter 7 have been deleted by

the Washington State Building Code Council Amendments, including UPC Sections 713 through 723, and Tables 717.1 and 721.1.

City sewer availability, building sewers (from a point two feet after passing through or under the building foundation), and private sewage disposal systems shall be in accordance with the City of Tacoma Side Sewer and Sanitary Sewer Availability Manual as authorized by TMC 12.08.740.

2.06.040 Amendments by deletion.

Section 103.4, Table No. 103.4, and Section 1101.11.2.2.2 are hereby deleted from the City of Tacoma adoption of the 2012 Uniform Plumbing Code.

2.06.050 General amendments.

The following numbered sections of the Uniform Plumbing Code (“UPC”), as adopted herein, are amended to read as set forth, and, shall supersede that section so numbered in the UPC and shall be a part of the official Plumbing Code of the City of Tacoma. The sections so amended are as follows:

The following numbered sections and numbered tables of the UPC, in this chapter by reference adopted, are amended to read as hereinafter set forth; and, as so amended, shall supersede that section or table so numbered in the UPC and shall be a part of the official Plumbing Code of the City of Tacoma. The sections and tables are as follows:

UPC Section 101.11.6102.3	UPC Section 305.2
UPC Section 102.4	UPC Section 403.4
UPC Section 102.5	UPC Section 403.7
UPC Section 218	

2.06.060 Addition of a new UPC Section 101.11.6 – Substantial renovation.

101.11.6 Substantial Renovation. Buildings which are substantially renovated shall be provided with an educational flyer regarding inflow and infiltration per the requirements of TMC 12.08.720. Substantial renovation for the purposes of this section shall be defined as meaning remodeling, alteration of, and/or addition to, an existing building within a two-year period, the cost of which exceeds 60 percent of the value of the building as calculated using the latest Building Valuation Table (“BVT”) as published by the International Code Council. The Building Official shall determine the value of work to be included in the renovation.

2.06.070 Amendment to UPC Section 102.3 – Board of Appeals.

Section 102.3 in the 2012 Uniform Plumbing Code (“UPC”) shall be replaced in its entirety with the following:

102.3.1 The Board of Building Appeals. The Board of Building Appeals, as created by TMC 2.17, is the properly designated board of appeals for the UPC, as adopted by the City of Tacoma and the state of Washington. The Board of Building Appeals, within the authority granted it by TMC 2.17, shall:

Hear and decide appeals of orders, decisions, or determinations made by the Building Official relative to the application and interpretation of this code.

102.3.2. Limitations of Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The Board of Building Appeals shall have no authority relative to interpretation of the administrative provisions to the codes assigned to the Board’s authority, nor shall the Board be empowered to waive requirements of these codes or to grant variances, unless specifically granted in TMC Chapter 2.17.

2.06.080 Amendment to UPC Section 102.4 – Violations – and UPC Section 102.5 – Penalties.

Sections 102.3 and 102.4 in the 2012 Uniform Plumbing Code are hereby deleted, and replaced by reference by TMC 2.02.130.

2.06.090 Amendment to UPC Section 218.0 – P – Definitions by redefining “Private sewer.”

Private Sewer – A building sewer that receives the discharge from more than one (1) building drain and conveys it to a public sewer, private sewage disposal system, or other point of disposal. Private sewers shall only be permitted in accordance with the “City of Tacoma Side Sewer and Sanitary Sewer Availability Manual” as authorized by TMC 12.08.740.

2.06.100 Amendment to UPC Section 305.0 by addition of a new section 305.2 – Public sewer availability.

When a public sewer is not available, alternative methods of waste disposal shall be determined in accordance with the “City of Tacoma Side Sewer and Sanitary Sewer Availability Manual” as authorized by TMC 12.08.740.

2.06.110 Amendment to UPC Section 403.4 – Metered Faucets.

403.4 Metering Valves. Lavatory faucets located in restrooms intended for use by the general public shall be equipped with a metering valve designed to close by spring or water pressure when left unattended (self-closing). The faucet shall remain open for a minimum of 10 seconds and shall not exceed 0.26 gallons (0.98 L) of water per use.

Exceptions:

1. Existing buildings undergoing alterations, additions or repairs.
2. Where designed and installed for use by persons with a disability.
3. Where installed in day care centers, for use primarily by children under six years of age.

2.06.120 Addition of a new UPC Section 403.7 – Automatic In-Ground Irrigation System Design and Installation.

403.7 Automatic In-Ground Irrigation System Design and Installation. A new installation of an automatic in-ground irrigation system shall comply with the following:

1. An automatic clock.
2. Flow sensor and mastervalue capabilities able to detect leaks in zones.
3. Electronic valves with backflow protection devices for underground valves or with air vacuum breaker for above ground anti-siphon valves as approved by the local water utility.
4. Ability to sense rainfall. The component used to sense rainfall shall be exposed to weather and comply with either Item a or b:
 - a. Interrupt the circuit to the valve to stop the irrigation clock from watering after a rainfall event, or
 - b. Reduce irrigation timing based on the amount of rainfall or soil moisture sensors.

Exception:

The following landscaped areas are exempt:

1. Landscaped areas in locations where they do not receive natural precipitation.
2. Landscaped areas requiring irrigation for only one year of plant establishment before the irrigation system is decommissioned or removed. Areas where irrigation remains in place after 1 year shall meet the requirements of Section 403.7.
3. Plant nurseries.
4. Landscape areas less than 10,000 square feet.
5. Modification or expansions to existing irrigation systems.

Chapter 2.07 MECHANICAL CODE

Sections:

- 2.07.010 Adoption of the International Mechanical Code.
- 2.07.020 Adoption of Washington State Building Code Council amendments to the 2012 International Mechanical Code.
- 2.07.030 Administration.
- 2.07.040 General amendments.
- 2.07.050 Amendment to IMC Section 108 – Violations.
- 2.07.060 Amendment to IMC Section 109 - Board of Building Appeals.

2.07.010 Adoption of the International Mechanical Code.

The 2012 Edition of the International Mechanical Code, together with Appendix A (hereinafter referred to as the “International Mechanical Code”), and the 2012 Edition of the International Fuel Gas Code, adopted and published by the International Code Conference, and the Standards for liquefied petroleum gas installations shall be the 2011 Edition of NFPA 58 (Liquefied Petroleum Gas Code) and the 2012 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code), is hereby adopted by this reference, pursuant to the provisions of Section 35.21.180 RCW, as the official Mechanical Code of the City of Tacoma, and may be referred to as the Tacoma Mechanical Code.

Such adoption by reference shall be subject to the amendments to the International Mechanical Code hereinafter set forth.

2.07.020 Adoption of Washington State Building Code Council amendments to the 2012 International Mechanical Code.

The amendments to the 2012 Edition of the International Mechanical Code, the 2012 Edition of the International Fuel Gas Code and the Standards for liquefied petroleum gas installations, the 2011 Edition of NFPA 58 (Liquefied Petroleum Gas Code) and the 2012 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code) as developed by the Washington State Building Code Council and as set forth in WAC 51-52, are hereby adopted by this reference.

2.07.030 Administration.

The administration of the International Fuel Gas Code and the Standards for liquefied petroleum gas installations: the 2011 Edition of NFPA 58 (Liquefied Petroleum Gas Code) and the 2012 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code), as adopted in this chapter, shall be administered in accordance with Chapter 1 of the International Mechanical Code as adopted in this chapter and as herein amended.

2.07.040 General amendments.

The following numbered sections of the International Mechanical Code (“IMC”), as adopted herein, are amended to read as set forth and shall supersede that section so numbered in the IMC and shall be a part of the official Mechanical Code of the City of Tacoma. The sections so amended are as follows:

IMC Section 108

IMC Section 109

IMC Sections 108 and 109 shall also apply to the 2012 International Fuel Gas Code and the 2012 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code).

2.07.050 Amendment to IMC Section 108 – Violations.

Section 108 in the 2012 International Mechanical Code is hereby deleted, and replaced by reference by TMC 2.02.130.

2.07.060 Amendment to IMC Section 109 - Board of Building Appeals.

Section 109 in the 2012 International Mechanical Code shall be replaced in its entirety with the following:

109.1 The Board of Building Appeals. The Board of Building Appeals, as created by TMC 2.17, is the properly designated board of appeals for the IMC, as adopted by the City of Tacoma and the state of Washington. The Board of Building Appeals, within the authority granted it by TMC 2.17, shall:

Hear and decide appeals of orders, decisions or determinations made by the Building Official relative to the application and interpretation of this code.

109.2 Limitations of Authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better form of construction is proposed. The Board of Building Appeals shall have no authority relative to interpretation of the administrative provisions to the codes assigned to the Board's authority, nor shall the Board be empowered to waive requirements of these codes or to grant variances, unless specifically granted in TMC Chapter 2.17.

* * *

Chapter 2.10 ENERGY CODE

Sections:

- 2.10.010 Adoption of Washington State Energy Code.
- 2.10.020 Administration.
- 2.10.030 General amendments.
- 2.10.040 Amendment to WSEC Section C402.2.1.1 – Roof solar reflectance and thermal emittance.
- 2.10.050 Amendment to WSEC Table C402.2.1.1 – Reflectance and Emittance Options.

2.10.010 Adoption of the Washington State Energy Code.

The Washington State Energy Code, Commercial Provisions and the Washington State Energy Code, Residential Provisions, as developed, adopted, and periodically updated by the Washington State Building Code Council under the authority of RCW 19.27A.020, and as set forth in WAC 51-11C and 51-11R, are hereby adopted by reference, pursuant to the provisions of RCW 35.21.180, as the Official Energy Code of the City of Tacoma.

2.10.020 Administration.

The Tacoma Energy Code shall be administered in accordance with the administrative provisions of the Building Code as adopted and amended by Chapter 2.02 of the Tacoma Municipal Code. Penalties for violations shall be prescribed in accordance with the provisions set forth in Chapter 2.02 of the Tacoma Municipal Code.

2.10.030 General amendments.

The following numbered sections and tables of the Washington State Energy Code, as adopted herein, are amended to read as set forth, and, shall supersede that section or table so numbered in the Washington State Energy Code and shall be a part of the official Energy Code of the City of Tacoma. The sections and tables so amended are as follows:

WSEC Section C402.2.1.1

WSEC Table C402.2.1.1

2.10.040 Amendment to WSEC Section C402.2.1.1 – Roof solar reflectance and thermal emittance.

C402.2.1.1 Roof solar reflectance and thermal emittance. Low-sloped roofs, including roof covering replacements, with a slope less than 2 units vertical in 12 horizontal, directly above conditioned spaces in Climate Zones 1, 2, 3 and 4 shall comply with one or more of the options in Table C402.2.1.1.

Exceptions: The following roofs and portions of roofs are exempt from the requirements in Table C402.2.1.1:

1. Portions of roofs that include or are covered by:
 - 1.1 Photovoltaic systems or components.
 - 1.2 Solar air or water heating systems or components.
 - 1.3 Roof gardens or landscaped roofs.
 - 1.4 Above-roof decks or walkways.
 - 1.5 Skylights.
 - 1.6 HVAC systems, components, and other opaque objects mounted above the roof.
2. Portions of roofs shaded during the peak sun angle on the summer solstice by permanent features of the building, or by permanent features of adjacent buildings.
3. Portions of roofs that are ballasted with a minimum stone ballast of 17 pounds per square foot (psf) (74 kg/m²) or 23 psf (117 kg/m²) pavers.
4. Roofs where a minimum of 75 percent of the roof area meets a minimum of one of the exceptions above.
5. Repair or patching of an existing roof covering where each contiguous area of new roofing is smaller than 400 square feet and the combined areas of new roofing comprise less than half of any bounded roof area.

6. Built-up roof membranes may be overlaid with a reflective coating or covered with a white granulated cap sheet, without having to meet the specific reflectivity criteria listed in Table C402.2.1.1.
7. Roof levels that are below the highest occupied floor level of the building, where such roofs comprise less than half of the total roof area of the building.

2.10. 050 Amendment to WSEC Table C402.2.1.1 – Reflectance and Emittance Options.

Table C402.2.1.1 - Reflectance and Emittance Options

Three-year aged solar reflectance of 0.55 and three-year aged thermal emittance of 0.75
Initial solar reflectance of 0.70 and initial thermal emittance of 0.75
Three-year-aged solar reflectance index of 64 initial solar reflectance index of 82

- a. The use of area-weighted averages to meet these requirements shall be permitted. Materials lacking initial tested values for either solar reflectance or thermal emittance, shall be assigned both an initial solar reflectance of 0.10 and an initial thermal emittance of 0.90. Materials lacking three-year aged tested values for either solar reflectance or thermal emittance shall be assigned both a three-year aged solar reflectance of 0.10 and a three-year aged thermal emittance of 0.90.
- b. Solar reflectance tested in accordance with ASTM C 1549, ASTM E 903 or ASTM E 1918, or CRRC-1 Standard published by the Cool Roof Rating Council.
- c. Thermal emittance tested in accordance with ASTM C 1371 or ASTM E 408, or CRRC-1 Standard published by the Cool Roof Rating Council.
- d. Solar reflectance index (“SRI”) shall be determined in accordance with ASTM E 1980 using a convection coefficient of 2.1 Btu/h x ft² x F (12W/m² x K). Calculation of aged SRI shall be based on aged tested values of solar reflectance and thermal emittance. Calculation of initial SRI shall be based on initial tested values of solar reflectance and thermal emittance.



ORDINANCE NO. 28156

1 AN ORDINANCE relating to the Fire Code of the City of Tacoma, regulating
2 hazards to life and property from fire and explosion; amending the Tacoma
3 Municipal Code by repealing and reenacting Chapter 3.02 thereof to consist
4 of 41 sections, to be known and designated as Sections 3.02.010
5 through 3.02.410; providing for the issuance of permits; providing penalties
6 for violation; and adopting by reference portions of the 2012 International
7 Fire Code, as amended by the Washington State Fire Code, Washington
8 Administrative Code, Title 51, Chapter 54, to take effect on July 1, 2013.

9 WHEREAS the International Fire Code ("IFC") and related national
10 standards are typically updated on a three-year cycle, and

11 WHEREAS the Washington State Fire Code adopts and amends the
12 2012 edition of the IFC ("2012 IFC"), to take effect on July 1, 2013, and

13 WHEREAS, in order to remain current and maintain coordination with the
14 new Washington State Fire Code, it is necessary to adopt local amendments to
15 the 2012 IFC to properly coincide with the effective date of the new Washington
16 State Fire Code, and

17 WHEREAS Chapter 3.02 of the Tacoma Municipal Code adopts and
18 amends the 2012 IFC, along with state amendments, and

19 WHEREAS, prior to presenting the proposed ordinance to the
20 Environment and Public Works Committee, it was presented to the City's Board
21 of Building Appeals, a group of appointed local leaders in the building and design
22 industry, which recommended approval of the proposed ordinance on April 24,
23 2013; Now, Therefore,



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BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 3.02 of the Tacoma Municipal Code is hereby repealed and reenacted to consist of 41 sections, to be known and designated as Sections 3.02.010 through 3.02.410, as set forth in the attached Exhibit "A."

Section 2. That Section 1 of this ordinance shall take effect on July 1, 2013.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

Chapter 3.02 FIRE PREVENTION CODE

Sections:

- 3.02.010 Adoption of the International Fire Code, as Amended.
- 3.02.020 General Amendments.
- 3.02.030 Amendment of IFC Subsection 101.2 – Scope.
- 3.02.040 Amendment of IFC Subsection 102.7 – Referenced codes and standards
- 3.02.050 Amendment to IFC Section 102 – Applicability, by addition of a new Subsection 102.13 – Delayed Enforcement.
- 3.02.060 Amendment of IFC Subsection 104.11.2 – Obstructing Operations.
- 3.02.070 Amendment of IFC Subsection 105.1 – Permits Required.
- 3.02.080 Amendment of IFC Subsection 105.4.1 – Submittals.
- 3.02.090 Amendment of IFC Subsection 105.6.11 – Cutting and Welding.
- 3.02.100 Amendment to IFC Subsection 105.6.23 by addition of paragraphs 7 and 8.
- 3.02.110 Amendment of IFC Subsection 105.6.42 – Storage of Tires, Scrap Tires and Tire Byproducts.
- 3.02.120 Amendment to IFC Subsection 105.6 by addition of a new Subsection 105.6.47 – Marine terminal.
- 3.02.130 Amendment of Section 108 – Board of Appeals.
- 3.02.140 Amendment of IFC Subsection 109.4 – Violation Penalties.
- 3.02.150 Amendment of IFC Section 110 by revision of the title to – Unsafe Buildings, Premises, Motor Vehicles, and Marine Vessels.
- 3.02.160 Amendment of IFC Subsection 110.1 – General.
- 3.02.170 Amendment of IFC Subsection 110.2 – Evacuation.
- 3.02.180 Amendment of IFC Section 113 – Fees.
- 3.02.190 Amendment of IFC Subsection 308.3 – Group A Occupancies, by addition of a new exception 4.
- 3.02.200 Amendment to IFC Section 404 – Fire Safety and Evacuation Plans, by changing title to Fire and Emergency Plans, and addition of a new Subsection 404.4 – Earthquake Emergency Plans. Remaining sections in the State Amendment are renumbered sequentially.
- 3.02.210 Amendment of IFC Subsection 503.1 – Fire Apparatus Access Roads.
- 3.02.220 Amendment to IFC Section 806 – Natural Cut Trees, by addition of two new Subsections. 806.6 Permits and 806.7 Decorations.
- 3.02.230 Amendment to IFC Chapter 8 – Interior Finish, Decorative Materials and Furnishing, by addition of Section 809 – Interior Floor Finish.
- 3.02.240 Amendment of IFC Subsection 901.6.2 – Records.
- 3.02.250 Amendment to IFC Subsection 903.3 – Installation Requirements, by addition of two new Subsections, 903.3.8 – Sprinkler System Control Valves and 903.3.9 – Sprinkler System Control Valve Room Signage and Access.
- 3.02.260 Amendment of Subsection 903.4.3 – Floor Control Valves.
- 3.02.270 Amendment of IFC Subsection 905.8 – Dry Standpipes.
- 3.02.280 Amendment to IFC Subsection 907.6.5, by addition of a new Subsection 907.6.5.3 – Nurse Call Devices.
- 3.02.290 Amendment to IFC Section 907 – Fire Alarm and Detection Systems, by addition of a new Subsection 907.10 – Signage.



- 1 3.02.300 Amendment to IFC Subsection 909.1 – Scope and Purpose, by addition of a new
Subsection 909.1.1 – High-Rise Building.
- 2 3.02.310 Amendment to IFC Subsection 1103.5 – Sprinkler systems, by addition of Subsection
1103.5.3 Group R1 and R2 occupancies.
- 3 3.02.320 Amendment of IFC Subsection 1103.6.1 – Existing multiple-story buildings.
- 4 3.02.330 Amendment of IFC Subsection 1103.7.6 – Group R-2.
- 5 3.02.340 Amendment of Subsection 1103.8.3 Power Source.
- 6 3.02.350 Amendment of IFC Subsection 1104.16.5 – Materials and Strength.
- 7 3.02.360 Amendment to IFC Chapter 11 – Fire Resistance Rated Construction, by addition of a
new Section 1106 – Occupancy Separation.
- 8 3.02.370 Amendment of IFC Subsection 3504.2.6 – Fire Extinguisher.
- 9 3.02.380 Amendment of IFC Subsection 3601.1 Scope.
- 10 3.02.390 Amendment to Subsection 5704.3.4 by addition of new Subsection 5704.3.4.5 – Liquids
for demonstration, treatment and laboratory work.
- 11 3.02.400 Amendment of IFC Subsection 5706.5.4.5 – Commercial, industrial, governmental or
manufacturing, by deletion and addition of a new Subsection 5706.5.4.5.
- 12 3.02.410 Amendment of IFC Subsection 6101.3 – Construction Documents.

13 **3.02.010 Adoption of the International Fire Code, as Amended.**

14 The 2012 Edition of the International Fire Code (“IFC”), together with Appendices B and C
published by the International Code Council, including all amendments and revisions in the
Washington State Fire Code, Washington Administrative Code (WAC) Title 51, Chapter 54A,
effective July 1, 2013, are hereby adopted by reference, pursuant to the provisions of
RCW 35.21.180, as the official Fire Code of the City of Tacoma, such adoption by reference,
however, to be subject to the changes set forth in this chapter. The definitions set forth in Chapter 2
of the IFC, as amended by WAC 51-54A, shall be the definitions which apply in Tacoma Municipal
Code (“TMC”) Chapter 3.02. In Section 108 of the IFC, the “Board of Appeals” shall mean the
Board of Building Appeals, as created in TMC 2.17.

15 **3.02.020 General Amendments.**

16 The following numbered sections and numbered tables of the IFC and WAC 51-54A adopted by
reference in this chapter are amended to read as hereinafter set forth and as so amended shall
supersede that section, subsection, or table so numbered in the IFC and WAC 51-54A and shall be
part of the official Fire Code of the City of Tacoma. The sections, subsections, and tables amended,
added, or deleted are as follows:

<u>101.2</u>	<u>110.1</u>	<u>907.10</u>
<u>102.7</u>	<u>110.2</u>	<u>909.1</u>
<u>102.13</u>	<u>113</u>	<u>1103.5</u>
<u>104.11.2</u>	<u>308.3</u>	<u>1103.6.1</u>
<u>105.1.1</u>	<u>404.4</u>	<u>1103.7.6</u>
<u>105.4.1</u>	<u>503.1806</u>	<u>1103.8.3</u>
<u>105.6.11</u>	<u>809</u>	<u>1104.16.5</u>
<u>105.6.23</u>	<u>901.6.2</u>	<u>1106</u>
<u>105.6.42</u>	<u>903.3</u>	<u>3504.2.6</u>
<u>105.6.47</u>	<u>903.4.3</u>	<u>3601.1</u>
<u>108</u>	<u>905.8</u>	<u>5704.3.4</u>
<u>109.4</u>	<u>907.6.5</u>	<u>5706.5.4.5</u>
<u>110</u>		<u>6101.3</u>



3.02.030 Amendment of IFC Subsection 101.2 – Scope.

101.2 Scope. This code establishes regulations affecting or relating to structures, processes, premises, motor vehicles, and marine vessels and safeguards regarding:

1. The hazard of fire and explosion arising from the storage, handling, or use of structures, materials, or devices;
2. Conditions hazardous to life, property, or public welfare in the occupancy, structures, motor vehicle, marine vessel, or premises;
3. Fire hazards in the structure or on the premises from occupancy or operation;
4. Matters related to the construction, extension, repair, alteration, or removal of fire suppression or fire alarm systems; and
5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

3.02.040 Amendment of IFC Subsection 102.7 – Referenced Codes and Standards.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80, and such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2. The edition of each referenced code and standard shall either be the edition listed in Chapter 80 or the most current published edition.

3.02.050 Amendment to IFC Section 102 – Applicability, by addition of a new Subsection 102.13 – Delayed Enforcement.

102.13 Delayed Enforcement. If in the opinion of the Fire Code Official, a requirement of this fire code is deemed inapplicable, inappropriate, or textually incorrect, the Fire Code Official may propose to the Board of Building Appeals, a change or deletion of said requirement(s). The Fire Code Official may postpone enforcement of such a requirement pending review and consideration.

3.02.060 Amendment of IFC Subsection 104.11.2 – Obstructing Operations.

104.11.2 No person shall obstruct the operations of the fire department in connection with extinguishment, control or investigation of any fire, or actions relative to other emergencies, or disobey any lawful command of the fire chief or officer of the fire department in charge of the emergency, scene, or any part thereof, or any lawful order of a police officer assisting the fire department.

3.02.070 Amendment of IFC Subsection 105.1.1 – Permits Required.

105.1.1 – Permits required. Permits required by this code shall be obtained from the Fire Code Official prior to engaging in the activities or operations for which they are required. Permit fees, if any, may be required to be paid prior to issuance of the permit. Issued permits shall be kept on the premises designated therein at all times and shall be readily available for inspection by the Fire Code Official.

3.02.080 Amendment of IFC Subsection 105.4.1 – Submittals.

105.4.1 Submittals. When required by the Fire Code Official, construction documents shall be submitted in one or more sets and in such form and detail as required by the Fire Code Official. The construction documents shall be prepared by a registered design professional where required by Fire Code Official.



3.02.090 Amendment of IFC Subsection 105.6.11 – Cutting and Welding.

105.6.11 Cutting and Welding. See Section 105.6.23 for hot work permit requirements.

3.02.100 Amendment to IFC Subsection 105.6.23 – Hot work operations by addition of paragraphs 7 and 8.

7. Conduct hot work on storage tanks, piping, and associated systems containing or previously containing flammable or combustible liquids or other hazardous materials that could present a fire or explosion hazard.

8. Conduct hot work on marine vessels.

3.02.110 Amendment of IFC Subsection 105.6.42 – Storage of Tires, Scrap Tires and Tire Byproducts.

105.6.42 Storage of Tires, Scrap Tires, and Tire Byproducts. An operational permit is required to establish, conduct, or maintain storage of tires, scrap tires, or tire byproducts that exceeds 2,500 cubic feet of total volume of scrap tires and for indoor storage of tires, scrap tires, and tire byproducts.

3.02.120 Amendment to IFC Subsection 105.6 by addition of a new Subsection 105.6.47 – Marine terminal.

105.6.47 Marine terminal. An annual operational permit is required to handle or temporarily locate containers, tanks, or cylinders of hazardous materials at marine terminals. A special operations permit is required for any hazardous materials outside the scope of the annual operations permit.

3.02.130 Amendment of Section 108 – Board of Appeals.

108.1 The Board of Building Appeals. The Board of Building Appeals, as created by TMC 2.17, is the properly designated Board of Appeals for the IFC, as adopted by the City of Tacoma and State of Washington. The Board of Building Appeals, within the authority granted it by TMC 2.17, shall:

Hear and decide properly filed appeals of orders, decisions, or determinations made by the Fire Chief or his duly authorized representatives relative to the application and interpretation of the Fire Code.

108.2. Limitations of Authority. An application for appeal shall be based on a claim that the intent of this code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or an equivalent method of protection or safety is proposed. The Board of Building Appeals shall not be empowered to waive requirements of this code or to grant variances unless specifically granted in TMC 2.17.

3.02.140 Amendment of IFC Subsection 109.4 – Violation Penalties.

109.4 Violation penalties. Any person, firm, corporation, or other legal entity owning, operating, or maintaining an occupancy, premises, or vehicle subject to the Fire Code who violates any provision of the Fire Code when ordered by the Fire Chief or his duly authorized representatives to correct the violation, shall be guilty of a separate misdemeanor offense on each and every day, or portion thereof on the date of citation, upon which any violation of any of the provisions of this code is committed, continued, or permitted. The maximum penalty for each such misdemeanor shall be 90 days in jail and/or a \$1,000 fine. Upon a first conviction, there shall be imposed a fine of not less than \$100 and, upon a second conviction, there shall be imposed a fine of not less than \$250 and, upon a third or subsequent conviction, there shall be imposed a fine of not less than \$1,000 and/or imprisonment for not more than 90 days. Upon conviction, the court may also order immediate



action by the person, firm, corporation, or other legal entity to correct the condition constituting the fire hazard. The mandated minimum fines shall be in addition to statutory costs and assessments.

3.02.150 Amendment of IFC Section 110 by revision of the title to – Unsafe Buildings, Premises, Motor Vehicles, and Marine Vessels.

3.02.160 Amendment of IFC Subsection 110.1 – General.

110.1 General. If a premises, a building or structure, or any building system, motor vehicle, or marine vessel, in whole or in part, constitutes a clear and inimical threat to human life, safety, or health, the Fire Code Official shall issue such notices or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section and shall refer any unsafe building to the building department for any repairs, alterations, remodeling, removing or demolition as required.

3.02.170 Amendment of IFC Subsection 110.2 – Evacuation.

110.2 Evacuation. The Fire Code Official or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied premises, building, motor vehicle, or marine vessel deemed unsafe when the hazardous conditions of such premises, building, motor vehicle, or marine vessel present imminent danger to occupants. Persons so notified shall immediately leave the structure, premises, motor vehicle, or marine vessel and shall not enter or re-enter until authorized to do so by the Fire Code Official or the fire department official in charge of the incident.

3.02.180 Amendment of IFC Section 113 – Fees.

113 Fees. Fees are established in TMC 3.09.

3.02.190 Amendment of IFC Subsection 308.3 – Group A Occupancies, by addition of a new exception 4.

308.3 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy.

Exceptions:

4. Where approved by the Fire Code Official.

3.02.200 Amendments to IFC Section 404 – Fire Safety and Evacuation Plans, by changing title to Fire and Emergency Plans, and addition of a new Subsection 404.4. Remaining sections in the State Amendment are to be renumbered sequentially.

404.4 Earthquake Emergency Plans. An earthquake safety plan shall include the following:

1. A method of correctly instructing employees and occupants in the meaning execution of “Drop, Cover and Hold,” which is the correct action to take during an earthquake to avoid injury, shall be identified.

2. A person or team shall be designated to assess the condition of the building after an earthquake, to determine if an evacuation is necessary or recommended. This decision shall be based upon structural integrity of the building, the condition of evacuation routes and assessment of hazards that occupants might encounter as they leave the building.

3. A method of instructing employees and occupants as to the hazards they may encounter on the building exterior as a result of an earthquake shall be identified.

4. The preferred and any alternative means of evacuation and of the communication of this decision to the employees and occupants of the building shall be identified.



5. Primary and secondary evacuation routes shall be identified from all areas of the building.

6. A location a safe distance from any buildings shall be designated as the meeting area for building employees and occupants.

7. A method of accounting for all persons shall be established in the plan.

3.02.210 Amendment of IFC Subsection 503.1 – Fire Apparatus Access Roads.

503.1. General. Fire apparatus access roads shall be provided and maintained in accordance with Section 503, and locally adopted street, road, and access standards. Subsections 503.1.1 through 503.4 as written in the IFC, not adopted in the State of Washington Fire Code, shall be adopted by reference as a part of this Fire Code.

3.02.220 Amendment to IFC Subsection 806 – Natural Cut Trees, by addition of two new Subsections. 806.6 – Permits and 806.7 – Decorations.

806.6 Permits. A permit is required prior to placement of a natural or resin-bearing cut tree in an unrestricted public building.

806.7 Decorations. All highly combustible materials used for tree decorations shall have fire-retardant treatment approved by the Fire Code Official.

3.02.230 Amendment to IFC Chapter 8 – Interior Finish, Decorative Materials and Furnishing, by addition of Section 809 – Interior Floor Finish.

809 Interior Floor Finish.

809.1 Interior Floor Finish. Exposed floor finishes in buildings shall be in accordance with IFC Section 809 and the Building Code.

Exceptions:

1. Interior floor finish materials of a traditional type such as wood, linoleum, vinyl, terrazzo, and other resilient floor covering materials.

2. R3 and U occupancies.

809.1.1 Combustible floor finishes. Combustible floor finishes are not allowed where prohibited by the Building Code, TMC 2.02.

809.1.2 Interior floor finishes. Interior floor finishes determined by the Fire Code Official to represent an unusual hazard shall be removed unless proven to be in compliance with International Building Code (“IBC”) Section 804.

3.02.240 Amendment of IFC Subsection 901.6.2 – Records.

901.6.2 Records. Records of all system inspections, tests and maintenance required by the referenced standards shall be maintained on the premises for a minimum of three years and copies thereof shall be furnished to the Fire Code Official on request. Records of semi-annual, annual and five-year inspections shall be submitted to the Fire Department on approved forms at intervals noted in Table 901.6.2.



Table 901.6.2

<u>System Type</u>	<u>Submittal Frequency</u>
<u>Automatic Fire Sprinkler System</u>	<u>Annual</u>
<u>Fire Alarm System</u>	<u>Annual</u>
<u>Commercial Kitchen Hood Fire Suppression System</u>	<u>Semiannual</u>
<u>Church (where cooking only once per week)</u>	<u>Annual</u>
<u>Standpipe</u>	<u>Annual</u>
<u>Standpipe Hydrostatic Test</u>	<u>Five Years</u>
<u>Active Smoke Control System</u>	<u>Annual</u>
<u>Fire Escape</u>	<u>Annual and Five Year</u>
<u>Special Suppression System</u>	<u>Annual</u>
<u>Private Hydrant System</u>	<u>Annual</u>
<u>Fire Pump</u>	<u>Annual</u>
<u>Spray Booth</u>	<u>Annual</u>
<u>Emergency Generator</u>	<u>Annual</u>
<u>Foam Systems</u>	<u>Annual and Five Year</u>

3.02.250 Amendment to IFC Subsection 903.3 – Installation Requirements, by addition of two new Subsections, 903.3.8 – Sprinkler system control valves and 903.3.9 – Sprinkler system control valve room signage and access.

903.3.8 Sprinkler system control valves. Sprinkler system control valve rooms shall be directly accessible from the exterior of the building, unless alternate arrangements have been preapproved by the Fire Code Official.

903.3.9 Sprinkler system control valve room signage and access.

903.3.9.1 Signage. The room housing the sprinkler system control valves shall be clearly marked with a sign on the outside of its door stating, “SPRINKLER VALVE ROOM.”

903.3.9.2 Access. In accordance with Section 506 of this code, a key box containing the appropriate key(s) shall be required at the main entrance to the building or other approved location. EXCEPTION: Doors not equipped with a locking device.

3.02.260 Amendment of Subsection 903.4.3 – Floor Control Valves.

903.4.3 Floor Control Valves. Approved supervised indicating control valves shall be provided on the supply to each floor in high-rise buildings and in nonresidential buildings four or more stories in height unless otherwise approved by the Fire Code Official. Valve locations shall be approved by the Fire Code Official.

Exception: In mixed-use buildings four or more stories in height, nonresidential floors shall be equipped with approved supervised indicating floor control valves. For parking garages, multiple levels need not have independent floor control valve assemblies.

3.02.270 Amendment of IFC Subsection 905.8 – Dry Standpipes.

905.8 Dry Standpipes. When approved by the Fire Code Official, dry standpipes are acceptable in other than high-rise buildings.



3.02.280 Amendment to IFC Subsection 907.6.5, by addition of a new Subsection 907.6.5.3 – Nurse Call Devices.

907.6.5.3 Nurse Call Devices. Alarm devices intended for notification of non-fire emergencies installed in individual dwelling units shall be monitored at a constantly attended location on premise. Alarms shall be investigated by on-site personnel.

3.02.290 Amendment to IFC Section 907 – Fire Alarm and Detection Systems, by addition of a new Subsection 907.10 – Signage.

907.10 Signage.

907.10.1 Fire alarm control panel. When required by the Fire Code Official, a sign shall be placed at the alarm panel stating that the panel shall not be reset until after the Fire Code Official determines the cause of the alarm. The alarm panel may be silenced if the alarm is a false alarm and no danger is present for the occupants.

907.10.2 Room identification. When required by the Fire Code Official, the door to the room housing the fire alarm control shall be labeled “FIRE ALARM CONTROL PANEL INSIDE.”

3.02.300 Amendment to IFC Subsection 909.1 – Scope and Purpose, by addition of a new Subsection 909.1.1 – High-Rise Building.

909.1.1 High-Rise Building. When required by the Fire Code Official, smoke control shall be provided for high-rise buildings in accordance with Section 909 or approved alternate method.

3.02.310 Amendment to IFC Subsection 1103.5 – Sprinkler systems, by addition of Subsection 1103.5.3 – Group R1 and R2 occupancies.

1103.5.3 Group R1 and R2 occupancies. Where required by Sections 1103.5.3.1, 1103.5.3.2, 1103.5.3.3, or 1103.5.3.4, automatic fire sprinkler systems shall be installed throughout existing buildings and structures with Group R2 fire areas exceeding 5,000 s.f. or exceeding two stories in height or containing five or more dwelling units; automatic fire sprinkler systems shall be installed throughout existing buildings and structures with Group R1 fire areas exceeding 5,000 s.f. or exceeding two stories in height or containing six or more guest rooms. Installation of an automatic fire sprinkler system, in accordance with Section 903.3.1.2 (NFPA 13R), may be allowed in non high-rise buildings exceeding four stories in height when approved by the Fire Code Official and the Building Official.

1103.5.3.1 Fire Damage. Where buildings incur fire or smoke damage involving more than one dwelling unit or guest room where repairs involve exposure of wall and ceiling voids. Any dwelling unit or guest room where more than 50 percent of the total wall and ceiling area are exposed during fire, smoke, or associate water damage repairs must be retrofitted with fire sprinklers before being reoccupied. The remainder of the building must be retrofitted with sprinklers within ten years or less. Building owner must establish a timeline, to be approved by the Fire Code Official, providing for a minimum of 10 percent progress per year toward complete installation within the ten-year period.

1103.5.3.2 Level I and II Alterations. Where Level I or II alterations, as defined by the International Existing Buildings Code, involve exposure of wall and ceiling voids, exposing 50 percent or more of the combined wall and ceiling area within the guest room or dwelling unit, in more than one dwelling unit or guest room.

1103.5.3.3 Level III Alterations. Where Level III alterations as defined in the International Existing Buildings Code are made.



1103.5.3.4 Substantial Improvement. Where a building or structure undergoes substantial improvement as defined in the Building Code.

3.02.320 Amendment of IFC Subsection 1103.6.1 – Existing multiple-story buildings.

1103.6.1 Existing multiple-story building. Existing buildings four or more stories in height and with a Group R1 or R2 fire area shall be equipped with Class I and Class II or Class III standpipes installed in accordance with Section 905. For all other occupancies, existing buildings with occupied floors more than 50 feet above or below the lowest level of fire department access shall be equipped with standpipes installed in accordance with Section 905. The standpipes shall have an approved fire department connection and hose connections at each floor level above or below the lowest level of fire department access. The Fire Code Official is authorized to approve the installation of manual standpipe systems to achieve compliance with this section where the responding fire department is capable of providing the required flow at the highest standpipe outlet.

3.02.330 Amendment of IFC Subsection 1103.7.6 – Group R-2.

1103.7.6 Group R-2. A fire alarm system shall be installed in existing Group R-2 occupancies three or more stories in height or with 16 or more dwelling units or sleeping units.

Exceptions.

1. Where each living unit is separated from other contiguous living units by fire barriers having a fire resistance rating of not less than 0.75 hour and where each living unit has either its own independent exit or its own independent stairway or ramp discharging at grade.

2. A separate fire alarm system is not required in buildings that are equipped throughout with an approved, supervised automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 and having a local alarm to notify all occupants.

3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units and that are protected by an approved automatic sprinkler system installed in accordance with Sections 903.3.1.1 or 903.3.1.2, provided that dwelling units either have means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open-ended corridors designed in accordance with Section 1026.6 exception 4.

3.02.340 Amendment of Subsection 1103.8.3 – Power Source.

1103.8.3 Power source. In Group R occupancies, single station smoke alarms shall receive their primary power from the building wiring provided that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms in Group R-3 are permitted to be solely battery operated in existing buildings where no construction is taking place; in buildings that are not served from a commercial power source; and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes.



3.02.350 Amendment of IFC Subsection 1104.16.5 – Materials and Strength.

1104.16.5 Materials and Strength. Components of fire escapes shall be constructed of noncombustible materials. Fire escapes shall be inspected and tested as follows:

1. Any person owning, operating, or maintaining an occupancy or premises subject to the Fire Code shall ensure that all fire escapes and balconies are operated biannually to ascertain that all moving parts (ladders, stairs, windows, doors) are operable.

2. Any person owning, operating, or maintaining an occupancy or premises subject to the Fire Code shall ensure that all fire escapes and balconies are visually inspected yearly to ascertain the following:

a. Rust or damage to bolts and supports are nonexistent.

b. The fire escape is protected from rusting; paint is in good condition.

c. All moving parts, ladders, stairs, windows, and doors are operable. Documentation of the visual inspection shall be sent to the Fire Code Official.

3. Any person owning, operating, or maintaining an occupancy or premises, subject to the Fire Code shall ensure that fire escape stairways, balconies, railings, and ladders are subjected to a stress test every five years. The stress test shall be designed by and performed under the observation of an agency approved by the Fire Code Official or a structural engineer licensed by the State of Washington. Fire escape stairs and balconies shall support the dead load plus a live load of not less than 100 pounds per square foot. Fire escapes failing the stress test shall be repaired if approved or removed from the building and replaced with stairways meeting the requirements for stairways in new construction. Any person owning, operating, or maintaining an occupancy or premises subject to the Fire Code shall ensure that documentation of the stress test is sent to the Fire Code Official and maintained on the premises.

3.02.360 Amendment to IFC Chapter 11 – Fire Resistance Rated Construction, by addition of a new Section 1106 – Occupancy Separation.

1106 Mixed Occupancies. Group R1 and R2 occupancies shall be separated from other occupancies in accordance with the TMC 2.02.

3.02.370 Amendment of IFC Subsection 3504.2.6 – Fire Extinguisher.

3504.2.6 Fire Protection. A minimum 2A:20BC-rated fire extinguisher or a charged water hose equipped with a nozzle shall be located within 30 feet of the location where hot work is in progress and shall be accessible without climbing stairs or ladders. For ship-shoreside maintenance or repairs, both the fire extinguisher and the charged water hose (1-1/2 inch minimum) shall be provided.

3.02.380 Amendment of IFC Subsection 3601.1 – Scope.

3601.1 Scope. Marina facilities shall be in accordance with Chapter 36, all other applicable requirement of this code, and TMC 2.13 – Waterfront Structures and Marinas.

3.02.390 Amendment to Subsection 5704.3.4 – Quantity limits for storage, by addition of a new Subsection 5704.3.4.5 – Liquids for demonstration, treatment and laboratory work.

5704.3.4.5 Liquids for demonstration, treatment and laboratory work. In Group A, B, E, F, I, M, R, and S occupancies, quantities of flammable and combustible liquids used for demonstration, treatment, and laboratory work exceeding ten gallons shall be stored in liquid storage cabinets in accordance with Section 5704.3.2. Quantities not exceeding ten gallons shall be in approved containers in approved locations.



3.02.400 Amendment of IFC Subsection 5706.5.4.5 – Commercial, industrial, governmental or manufacturing, by deletion and addition of a new Subsection 5706.5.4.5.

Section 5706.5.4.5 Commercial, industrial, governmental, or manufacturing. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments shall be conducted in accordance with WAC 51-54A Section 5706.5.4.5 and TMC 3.10.

3.02.410 Amendment of IFC Subsection 6101.3 – Construction Documents.

6101.3 Construction Documents. Where a single container is more than 125 gallons in water capacity or the aggregate capacity of containers is more than 250 gallons in water capacity, the installer shall submit construction documents for such installation to the Fire Code Official.

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