



Legislation Passed November 4, 2014

The Tacoma City Council, at its regular City Council meeting of November 4, 2014, adopted the following resolutions and/or ordinances. The summary of the contents of said resolutions and/or ordinances are shown below. To view the full text of the document, click on the bookmark at the left of the page.

Resolution No. 39040

A resolution setting Tuesday, November 18, 2014, at approximately 5:30 p.m., as the date for a public hearing by the City Council on the 2015-2020 Capital Facilities Program.

Resolution No. 39041

A resolution setting Tuesday, November 25, 2014, at approximately 5:30 p.m., as the date for the second public hearing by the City Council on the proposed 2015-2016 Biennial Budget.

Resolution No. 39042

A resolution appointing Betty Popenuck to the City Events and Recognitions Committee.

Resolution No. 39043

A resolution awarding a contract to Asphalt Patch Systems, Inc., in the amount of \$1,343,300, plus sales tax, plus a 30 percent contingency, for a cumulative total of \$1,746,290, budgeted from various departmental funds, for a two-year contract to provide asphalt patching and concrete repair services for utility cuts and miscellaneous areas - Specification No. CT14-0059F.

Resolution No. 39044

A resolution awarding a contract to Technical Systems, Inc., in the amount of \$10,419,581.00, sales tax not included, plus a 20 percent contingency, for a cumulative total of \$12,503,497.20, budgeted from the Wastewater Fund, to completely upgrade the computer control system that governs operations at the Central Wastewater Treatment Plant and the North End Wastewater Treatment Plant - Specification No. ES14-0302F.

Resolution No. 39045

A resolution authorizing the execution of a one-year extension to the lease and operating agreements with Burlington Northern Santa Fe Railroad to continue providing shortline rail services between South Tacoma and Nisqually, St. Clair and Quadlock, and Olympia and Belmore, Washington.

Ordinance No. 28254

An ordinance amending Chapter 1.12 of the Municipal Code, relating to the Compensation Plan, to correct wages contained in Ordinance No. 28238, for employees represented by District Lodge #160, on behalf of Local Lodge #297, of the International Association of Machinists and Aerospace Workers, General Unit, retroactive to January 1, 2014.

Ordinance No. 28255

An ordinance repealing and reenacting Chapter 2.01 of the Municipal Code, relating to the Minimum Building and Structures Code, to provide consistency with state and national codes, allow for abatement under the substandard property section, and add a section on derelict building registration; and amending Chapters 8.35, 8.122, 11.05, and 13.05 of the Municipal Code to update section references.



RESOLUTION NO. 39040

1 A RESOLUTION relating to the Biennial Budget; setting November 18, 2014, as
2 the date for a public hearing on the 2015-2020 Capital Facilities Program.

3 WHEREAS the Comprehensive Plan is the City's long-range plan for
4 growth, development, and improvement of the City and consists of separate
5 elements which may have an implementing program, one of which is the Capital
6 Facilities Program, and

7 WHEREAS the purpose of the Capital Facilities Program is to provide
8 Tacoma with a comprehensive capital facilities overview and to guide policy
9 decisions for capital improvements and services, and
10

11 WHEREAS, each year, the Capital Facilities Program is updated with new
12 information on capital projects for the next six-year cycle, and

13 WHEREAS RCW 36.70A.130(2)(a)(iv) permits amendments to the
14 Comprehensive Plan more frequently than once per year if the amendments are to
15 the Capital Facilities Element and occur concurrently with the adoption or
16 amendment of a city's budget; Now, Therefore,
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18 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

19 That Tuesday, November 18, 2014, at approximately 5:30 p.m., or as soon
20 thereafter as the same may be heard, is hereby fixed as the time, and the City
21 Council Chambers, First Floor, Tacoma Municipal Building, 747 Market Street,
22 Tacoma, Washington, as the place when and where a public hearing shall be held
23 on the 2015-2020 Capital Facilities Program.
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Section 2. That the City Clerk shall give proper notice of the time and place
of said hearing.

Adopted _____

Mayor

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39041

1 A RESOLUTION relating to the Biennial Budget; setting November 25, 2014, as
2 the date for a second public hearing on the City of Tacoma's 2015-2016
Biennial Budget.

3 WHEREAS RCW 35.34.100 provides that, following the filing of the
4 preliminary budget with the City Clerk, the Clerk shall publish a notice once a
5 week, for two consecutive weeks, stating that the preliminary budget for the
6 ensuing fiscal biennium has been filed with the Clerk; designating the date, time,
7 and place of the legislative budget meeting; and that any taxpayer may appear and
8 be heard for or against the budget, and
9

10 WHEREAS RCW 35.34.110 provides that a city's legislative body shall meet
11 on or before the first Monday of the month next preceding the beginning of the
12 ensuing fiscal biennium for the purpose of fixing the final budget of the city at the
13 time and place designated in the notice thereof, and
14

15 WHEREAS the first public hearing on the City of Tacoma 2015-2016
16 Biennial Budget was held before the City Council on November 4, 2014; Now,
17
18 Therefore,

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

20 Section 1. That a second budget hearing pursuant to RCW 35.34.100 and
21 35.34.110, for the purpose of considering the 2015-2016 Biennial Budget, shall
22 commence on Tuesday, November 25, 2014, at approximately 5:30 p.m., or as
23 soon thereafter as the same may be heard, in the City Council Chambers,
24 First Floor, Tacoma Municipal Building, 747 Market Street, Tacoma, Washington.
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Section 2. That the City Clerk shall give proper notice of the time and place
of said hearing.

Adopted _____

Mayor

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 39042

1 BY REQUEST OF COUNCIL MEMBERS BOE, CAMPBELL, AND MELLO

2 A RESOLUTION relating to committees, boards, and commissions; appointing an
3 individual to the City Events and Recognitions Committee.

4 WHEREAS a vacancy exists on the City Events and Recognitions
5 Committee, and

6 WHEREAS, at its meeting of October 14, 2014, the Economic Development
7 Committee conducted interviews and recommended the appointment of Betty
8 Popenuck to said committee, and

9
10 WHEREAS, pursuant to City Charter 2.4 and the Rules, Regulations, and
11 Procedures of the City Council, Betty Popenuck has been nominated to serve on
12 the City Events and Recognitions Committee; Now, Therefore,

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

14
15 That Betty Popenuck is hereby confirmed and appointed as a member of the
16 City Events and Recognitions Committee, for the District No. 2 position, to fill an
17 unexpired term to expire July 31, 2015.

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19 Adopted _____

20 _____
21 Mayor

22
23 Attest: _____

24 City Clerk

25 Approved as to form:

26 _____
City Attorney



RESOLUTION NO. 39043

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the execution of a contract with
3 Asphalt Patch Systems, Inc., in the amount of \$1,343,300, plus sales tax,
4 plus a 30 percent contingency, for a cumulative amount of \$1,746,290,
5 budgeted from various departmental funds, for a two-year contract to
6 provide asphalt patching and concrete repair services for utility cuts and
7 miscellaneous areas pursuant to Specification No. CT14-0059F.

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

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

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

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

18 Section 2. That the proper officers of the City are hereby authorized to
19 enter into a contract with Asphalt Patch Systems, Inc., in the amount of
20 \$1,343,300, plus sales tax, plus a 30 percent contingency, for a cumulative amount
21 of \$1,746,290, budgeted from various departmental funds, for a two-year contract
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to provide asphalt patching and concrete repair services for utility cuts and miscellaneous areas pursuant to Specification No. CT14-0059F, consistent with Exhibit "A."

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

City Attorney



RESOLUTION NO. 39044

1 A RESOLUTION related to the purchase of materials, supplies or equipment, and
2 the furnishing of services; authorizing the execution of a contract with
3 Technical Systems, Inc., in the amount of \$10,419,581, excluding sales
4 tax, plus a 20 percent contingency, for a cumulative amount of
5 \$12,503,497.20, budgeted from the ES Wastewater Fund, to completely
6 upgrade the computer control system that governs operations at the
7 Central Wastewater Treatment Plant (“CTP”) and North End Wastewater
8 Treatment Plant (“NETP”) pursuant to Specification No. ES14-0302F.

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

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

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

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

19 Section 2. That the proper officers of the City are hereby authorized to
20 enter into a contract with Technical Systems, Inc., in the amount of \$10,419,581,
21 excluding sales tax, plus a 20 percent contingency, for a cumulative amount of
22 \$12,503,497.20, budgeted from the ES Wastewater Fund, to completely upgrade
23 the computer control system that governs operations at the Central Wastewater
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1 Treatment Plant (CTP) and North End Wastewater Treatment Plant (NETP)
2 pursuant to Specification No. ES14-0302F, consistent with Exhibit "A."

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4 Adopted _____
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7 _____
8 Mayor

9 Attest:
10 _____
11 City Clerk

12 Approved as to form:
13 _____
14 City Attorney

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RESOLUTION NO. 39045

1 A RESOLUTION approving a one-year extension of the agreements between the
2 Burlington Northern Santa-Fe Railroad and the City of Tacoma, Department
3 of Public Utilities, Beltline Division (d.b.a. "Tacoma Rail"), for freight rail
4 service between South Tacoma and Nisqually; St. Clair and Quadlok; and
5 Olympia and Belmore, Washington.

6 WHEREAS, in 2004, the Burlington Northern Santa-Fe Railroad ("BNSF")
7 selected the City of Tacoma, Department of Public Utilities, Beltline Division (d.b.a.
8 "Tacoma Rail"), as its preferred operator to assume shortline freight rail service
9 between South Tacoma and Nisqually, St. Clair and Quadlok, and Olympia and
10 Belmore, Washington, and

11 WHEREAS the rail service between St. Clair and Quadlok and Olympia and
12 Belmore were conveyed to Tacoma Rail by means of a ten-year lease, which is set
13 to expire on November 16, 2014, and

14 WHEREAS the agreements and territory expansion by Tacoma Rail were
15 authorized by Utility Board Resolution No. U-9915 and City Council Resolution
16 No. 36301, and

17 WHEREAS Tacoma Rail is seeking a one-year extension of the agreements
18 to allow additional time to consider the risks and benefits associated with another
19 long-term lease from BNSF, and

20 WHEREAS, on October 29, 2014, the Public Utility Board approved a
21 one-year extension of said agreements, subject to approval by the City Council;

22 Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA

That the Rail Superintendent is hereby authorized to enter into a one-year extension to the lease and operating agreements between the City of Tacoma, Department of Public Utilities, Beltline Division (d.b.a. "Tacoma Rail") and Burlington Northern Santa-Fe Railroad ("BNSF"), to continue providing shortline rail services between South Tacoma and Nisqually, St. Clair and Quadlok, and Olympia and Belmore, Washington, said documents to be in a form as approved by the City Attorney.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10732



ORDINANCE NO. 28254

1 AN ORDINANCE relating to the Compensation Plan; amending Section 1.12.355
2 of the Tacoma Municipal Code to implement rates of pay for employees
3 represented by District Lodge #160, on behalf of Local Lodge #297 of the
International Association of Machinists and Aerospace Workers, General
Unit.

4 BE IT ORDAINED BY THE CITY OF TACOMA:

5 Section 1. That Section 1.12.355 of the Tacoma Municipal Code is hereby
6 amended effective retroactive to January 1, 2014, to read as follows:
7

8 * * *

Code	Title	1	2	3	4	5
5332	Equipment Mechanic, Heavy	31.02				
5310	Fabrication Welder	30.99	32.53			
5335	Fire & Marine Diesel Mechanic	33.84				
5336	Fire & Marine Shop Supervisor	42.28				
5312	Machinist	31.58				
5338	Solid Waste Mechanic	28.56				
5330	Vehicle & Equipment Shop Attendant	22.38	23.50	24.67	25.91	27.20
5334	Vehicle & Equipment Shop Supervisor	38.34	40.26			
5346	Vehicle & Equipment Communications Technician	25.23	26.50	27.81	29.20	30.67
5099	WWTP Assistant	23.91	25.11	26.36	27.69	29.07
5105	WWTP Maintenance Machinist	31.38	32.95	34.60	36.33	
5106	WWTP Maintenance Machinist, Senior	38.06	39.96			

Code	Title	1	2	3	4	5
5332	Equipment Mechanic, Heavy	31.27				
5310	Fabrication Welder	31.23	32.79			
5335	Fire & Marine Diesel Mechanic	34.11				
5336	Fire & Marine Shop Supervisor	42.61				
5312	Machinist	31.83				
5338	Solid Waste Mechanic	28.79				
5330	Vehicle & Equipment Shop Attendant	22.56	23.68	24.87	26.11	27.42
5334	Vehicle & Equipment Shop Supervisor	38.65	40.58			
5346	Vehicle & Equipment Communications Technician	25.43	26.70	28.04	29.44	30.91
5099	WWTP Assistant	24.10	25.31	26.58	27.90	29.30
5105	WWTP Maintenance Machinist	31.63	33.21	34.88	36.62	
5106	WWTP Maintenance Machinist, Senior	38.36	40.28			

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Section 2. That Section 1 of this ordinance shall become effective

retroactive to January 1, 2014.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28255

1 AN ORDINANCE relating to the City’s Minimum Building and Structures Code;
2 repealing and reenacting of Chapter 2.01 of the Tacoma Municipal Code
3 (“TMC”) to provide consistency with state and national codes, allow for
4 abatement under the substandard property section, and add a section on
derelict building registration; and amending TMC 8.35.060, 8.122.010,
11.05.231, and 13.05.049 to update section references therein.

5 WHEREAS Chapter 2.01 of the Tacoma Municipal Code (“TMC”), “Minimum
6 Building and Structures Code” (“Code”), was enacted to preserve existing buildings
7 within the City and provide tools for minimum building standards and enforcement,
8 and
9

10 WHEREAS the Code was last updated in 2013, and

11 WHEREAS, over the past several months, City staff has worked with
12 various internal and external partners to update the Code, including outreach
13 efforts to several community organizations, and has received and incorporated
14 input provided by those partners, and
15

16 WHEREAS staff is recommending that the Code be repealed and reenacted
17 to bring it into alignment with state and national standards, and

18 WHEREAS other significant proposed changes to the Code include an
19 option to abate substandard properties, and a registration requirement for derelict
20 buildings which have a Certificate of Complaint, and
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22 WHEREAS, on August 20, 2014, staff presented the proposed Code
23 changes to the Building Board of Appeals, which made a recommendation to adopt
24 the proposed changes with some minor revisions, and
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WHEREAS, on three occasions, the Neighborhoods and Housing Committee reviewed and provided input on the proposed Code changes, and, on October 6, 2014, recommended that the proposed Code changes be forwarded to the City Council for consideration; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

1. That Chapter 2.01 of the Tacoma Municipal Code (“TMC”) is hereby repealed and reenacted to read as set forth on the attached Exhibit “A.”

2. That TMC 8.35.060 and 8.122.010 are hereby amended to read as set forth on the attached Exhibit “B.”

3. That TMC 11.05.231 is hereby amended to read as set forth on the attached Exhibit “C.”

4. That TMC 13.05.049 is hereby amended to read as set forth on the attached Exhibit “D.”

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 2.01

MINIMUM BUILDING AND STRUCTURES CODE

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Sections:

2.01.010 Purpose.

2.01.020 Scope.

2.01.030 Additions, Alterations, and Change of Use.

2.01.040 Definitions.

2.01.060 Minimum Building Requirements and Repair Standards.

2.01.070 Unoccupied, Vacant, or Partially Secured Building Standards.

2.01.01 Purpose.

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

A. Establishing minimum standards for basic equipment and facilities for construction, light, ventilation, heating, sanitation, security, fire, and life safety in structures.

B. Ensuring the maintenance and improvement of the City's existing buildings, structures, yards, neighborhoods, and other property.

C. Promoting maintenance of existing property.

D. Ensuring that buildings and structures do not rise to the level of a public nuisance through neglect.

E. Providing for administration and enforcement of this chapter.

2.01.020 Scope.

The provisions of this chapter shall apply to all buildings and the properties on which they are located, including, but not limited to, residential, commercial, and industrial uses. Buildings in existence at the time of the adoption of this chapter may have their existing use or occupancy continued if such use or occupancy was legal at the time of the adoption of this chapter, provided such use is not changed in intensity from its original purpose and such continued use is not unfit to the health, safety, or welfare of the occupants or the general public. Buildings in which the use is changed to a use of equal or less intensity as set forth in the IEBC may be permitted without full compliance with the Building Code, provided the building complies with this chapter and the IEBC for said use.

2.01.030 Additions, Alterations, and Change of Use.

A. General. Additions or alterations shall not be made to an existing building or structure which will cause the existing building or structure to be in violation of any of the provisions of the Building Code or this chapter. Additions or alterations shall not be made to an existing building or structure when such existing building or structure is not in full compliance with the provisions of the Building Code.

B. Restoration of Buildings. Restoration of buildings shall be required to be in accordance with the applicable provisions of the Building Code and this chapter, except as otherwise determined by the Building Official.

C. Buildings Designated as Landmarks or Located in Historic Special Review or Conservation Districts. Buildings or structures which are designated as City Landmarks or are located in designated Historic Special Review or Conservation Districts shall require the approval of the City of Tacoma Landmarks Preservation Commission before making additions, repairs, or alterations to the building or structure, or before demolishing the building or structure, pursuant to Tacoma Municipal Code 13.05.



2.01.040 Definitions.

1 For purposes of this subsection, terms shall be construed as listed herein. Terms not specifically defined in
2 this chapter shall be defined as in the Building Code, including future amendments. In the event of a
3 conflict between this chapter and the Building Code, the definitions provided in the Building Code shall
4 control.

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

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

12 C. "Bathroom" is a room used for personal hygiene and which contains a water closet, a lavatory, and
13 either a bathtub or a shower.

14 D. "Building" is any structure used or intended for supporting or sheltering any use or occupancy.

15 E. "Building, existing" is a building erected prior to the adoption of this chapter, and one for which a legal
16 building permit has been issued.

17 F. "Building Code" shall mean the Building Code as adopted and amended by Chapter 2.02 of the Tacoma
18 Municipal Code.

19 G. "Building Official" shall mean the individual authorized by the Director of the Planning and
20 Development Services Department of the City of Tacoma, charged with the administration and enforcement
21 of the Building Code, or a duly authorized representatives.

22 H. "Carbon monoxide alarm" is a single- or multiple-station alarm intended for the purpose of detecting
23 carbon monoxide gas and alerting occupants by a distinct audible signal.

24 I. "Ceiling height" shall be the clear vertical distance from the finished floor to the finished ceiling.

25 J. "Certificate of Complaint" is a document filed with the Pierce County Auditor, stating the property is in
26 violation of Chapter 2.01 of the Tacoma Municipal Code.

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

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

M. "Derelict building or structure" means any building or structure not approved for human occupancy
based on the violations outlined in Table B.

N. "Efficiency dwelling unit" is a dwelling unit containing only one habitable room.

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

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

Q. "Fire Chief" is the head of the Tacoma Fire Department or a duly authorized representative.

R. "Fire Code" shall mean the Fire Prevention Code as adopted and amended by Chapter 3.02 of the
Tacoma Municipal Code.



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

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

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

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

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

6 X. "Hearing Officer" is the Director of the Planning and Development Services Department, or a duly authorized representative.

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

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

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

10 BB. "Infestation" is the presence of insects, rodents, vermin, or other pests to a degree that is harmful to the building, its occupants, or to neighboring properties and/or their occupants.

11 CC. "Kitchen" shall mean a room used, or designed to be used, for the preparation of food.

12 DD. "Maintenance" means keeping property in proper condition.

13 EE. "Nuisance" is a public nuisance as defined in Chapter 8.30 of the Tacoma Municipal Code.

14 FF. "Occupancy" is the lawful purpose for which a building or part of a building is used or intended to be used.

15 GG. "Owner" is any person, including any natural person, joint venture, partnership, association, club, company, corporation, business trust, or organization, or the manager, lessee, agent or officer, or having an interest in the real estate in question as indicated in the records of the office of the Pierce County Assessor, or whose ownership interest is otherwise established,

16 HH. "Partially Secured" means a portion of the building sealed to the weather or unauthorized third-party entry.

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

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

5 KK. "Premises" means a lot or parcel of land, easement, or public way, including any structures thereon.

6 LL. "Public right-of-way" includes the area of land, the right of possession of which is secured by the City
7 for right-of-way purposes, and includes the traveled portion of the public streets and alleys as well as the
8 border area, which includes, but is not limited to, sidewalks, driveway approaches, planting strips, traffic
9 circles, parkways or medians, or the area between the sidewalk and curb line.

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

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

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

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

18 4. Boats on Trailers.

19 NN. "Resident" is a person who lives or dwells in a residential structure or similar buildings, including,
20 but not limited to, dwelling units, apartments, congregate care homes, state-licensed care facilities, hotels,
21 motels, convalescent homes, and nursing homes.

22 OO. "Residential property" is any property zoned exclusively for residential use or any property
23 containing a residential structure.

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

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

RR. "Secured" refers to a building which is sealed to unauthorized third-party entry.

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

TT. "Smoke alarm" is a single- or multiple-station alarm responsive to smoke.

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

VV. "Substandard Property" means any building or structure with a minimum of 50 points based on
violations outlined in Tables A.

WW. "Unfit building or structure" means any building or structure having conditions or defects which
endanger the health, safety or welfare and its occupants or the public based on the violations listed in
Table C.

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

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



ZZ. “Walls” shall be defined as follows:

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

a. Any metal or wood stud wall which supports more than 100 pounds per lineal foot of superimposed load.

b. Any masonry or concrete wall which supports more than 200 pounds per lineal foot superimposed load, or any such wall supporting its own weight for more than one story.

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

3. “Nonbearing wall” is any wall that is not a bearing wall.

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

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

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

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

2.01.050 Administration and Process.

A. Initiation of Enforcement.

B. Inspection and Evaluation of Buildings and Property.

C. Classification of Buildings or Structures.

D. Substandard and Derelict Building Enforcement Procedures.

E. Derelict Building Registration.

F. Unfit Buildings or Structures Enforcement Procedures.

G. Recovery of Costs and Expenses.

H. Posting of Buildings.

I. Utility Restraints.

J. Emergency Cases.

K. Permits.

L. Repeat Offenders

M. Severability.

A. Initiation of Enforcement.

Initial enforcement may be undertaken against buildings or properties, whenever:

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

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

B. Inspection and Evaluation of Buildings and Property.

During the initial inspection, the Building Official shall evaluate the property in accordance with Tables A, B, and C. Any violations noted will determine the classification of the building for purposes of enforcement. Groups of buildings on the same property may be processed under a single complaint process.



C. Classifications of Buildings or Structures.

1 Non-Standard Property.

A building or structure which receives 25 to 49 violation points, as indicated on Table A, may be considered a “non-standard” property. The owner may be sent a letter describing the conditions and the appropriate actions for mitigating these conditions. The owner may be advised, in writing, that the property is in a declining state, and that if conditions worsen, more formal mitigating actions may be undertaken.

2. Substandard Building or Structures.

“Substandard Building or Structures” means any building or structure, whether residential or commercial, with a minimum of 50 points based on violations as outlined in Table A. By definition, Substandard Buildings or Structures are fit for human occupancy. Substandard Buildings or Structures are hereby declared a nuisance under Chapter 8.30.

3. Derelict Buildings or Structures.

a. “Derelict Buildings or Structures” means any building or structure, whether residential or commercial, which is not approved for human occupancy based on one or more of the violations outlined in Table B.

b. Derelict Buildings or Structures shall be posted “MUST NOT BE OCCUPIED.” See Subsection H, Posting of Buildings. Utility restraints may be placed on such buildings or structures. See Subsection I, Utility Restraints. Derelict Buildings which are posted shall not be occupied for any purpose until repaired. The Derelict Building shall only be authorized to be entered for preparing a repair plan and schedule to be submitted to the Neighborhood and Community Services Department for approval. Upon approval of the repair plan and schedule, the owner, or his or her representative, will be authorized to enter the building to effect repairs. No other entry or occupancy of the building shall be permitted unless approved by the Building Official.

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

4. Unfit Buildings or Structures.

a. “Unfit Buildings or Structures” means any building or structure, whether residential or commercial, having conditions or defects which endanger the health, safety, or welfare and its occupants or the public based on the one or more of the violations listed in Table C.

b. Unfit Buildings or Structures shall be posted “MUST NOT BE OCCUPIED.” See Subsection H, Posting of Buildings. Utility restraints shall be placed on such buildings or structures. See Subsection I, Utility Restraints. Unfit Buildings which are posted shall not be occupied for any purpose until repaired. The building shall only be authorized to be entered for preparing a repair plan and schedule to be submitted to the Neighborhood and Community Services Department for approval. Upon approval of the repair plan and schedule, the owner, or his or her representative, will be authorized to enter the building to perform the repairs. No other entry or occupancy of the building shall be permitted until the repairs are completed and approved by the Building Official.

D. Substandard and Derelict Building Enforcement Procedures.

1. Owner Notification.

a. When any property has been classified as being “Substandard” or “Derelict,” the owner shall be notified by first-class mail, describing the violations. The owner shall be given 21 calendar days from the date of the notice to respond to the Building Official to negotiate a repair plan and schedule as outlined in subsection D.2.

b. If the building is classified as “Derelict,” the owner may be given ten calendar days from the date of the notice to secure the building in accordance with Section 2.01.070, Unoccupied or Vacant or Partially Secured Building Standards. In addition, such notification will state that either an Eminent Domain



Condemnation Proceeding, Unfit Building Proceeding or a Derelict Building Property Registration may be initiated as authorized by this chapter.

1 c. The owner shall also be given 21 calendar days from the date of the notice to respond to the Building Official to negotiate a repair plan and schedule as outlined in section D.2 below.

2 d. When a building or structure, or any aspect of a building or structure, is declared Substandard or
3 Derelict, it shall be repaired to the minimum building requirements set forth in Section 2.01.060.

4 2. Response to Notification.

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

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

7 b. Time for repairing the building or structure once a building permit has been issued. Once the plans and specifications have been approved for permitting, the permit shall be obtained within seven calendar days of notification that the permit is ready.

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

9 EXCEPTION:

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

11 3. Penalties and Certificate of Complaint.

12 a. In the event a valid response to the first notice is not timely received, a civil penalty in the amount of \$250 may be assessed. These penalties are intended to be only for remedial purposes. A new letter stating the assessment of penalties shall be sent by first-class mail. The owner shall be given ten calendar days from the date of the second letter to respond and to negotiate a repair plan and schedule with the Neighborhood and Community Services Department for correcting the violations.

13 b. The process described above may be repeated and a civil penalty may be assessed every day until such time as there is a valid response. In the event that no response is received and assessed penalties are equal or exceed \$500, the City may file a Certificate of Complaint with the Pierce County Auditor to be attached to the title of the property. A copy of the Certificate of Complaint shall be sent to the property owner.

14 c. Penalties shall be billed to the owner. Penalties unpaid after 60 calendar days may be referred to a collection agency for collection.

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

16 e. Reinspection and Penalties. Once a valid response is received and a schedule is set, the property shall be reinspected upon request by the owner to assess that progress is being made in correcting the violations and adhering to the agreed-upon schedule. If progress, in accordance to the schedule, is not being made to the satisfaction of the Building Official, or the owner has not scheduled a required inspection, penalties may be issued up to \$250 per day.

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

18 i. the owner fails to submit a repair plan and schedule; or

19 ii. the owner and the City cannot agree upon a repair plan and schedule, or extension thereto, or

20 iii. the owner fails to adhere to the repair plan and schedule.



g. This penalty procedure shall be repeated in accordance with this section until satisfactory progress is made.

1 4. Violations Corrected.

2 Once the building, structure, and property violations have been corrected to the satisfaction of the Building
3 Official, the case shall be closed and any Certificates of Complaint filed with the Pierce County Auditor
4 against the title of the property shall be removed by the City upon payment of any assessed penalties and
5 any costs incurred by the City for securing the property. The costs related to a Derelict Building case,
6 where the building or structure is not approved for occupancy, shall be recovered pursuant to Revised
7 Code of Washington (“RCW”) 35.80.030(1)(h) and subsection G.

8 5. Reviews by the Building Official.

9 a. General. Any person who receives a Notice of Violation for a Substandard or Derelict Building(s) or a
10 civil penalty may request an administrative review of the notice or penalty.

11 An appeal of a civil penalty shall be limited to assessing any progress which the property owner has made
12 in correcting the violations identified in the first notice, or the property owner’s compliance with the repair
13 plan and schedule that led to the issuance of the civil penalty.

14 b. How to Request Administrative Review. A person may request an administrative review by the
15 Building Official by filing a written request with the Neighborhood and Community Services Department
16 within:

17 i. 21 calendar days of the first notification date of violations for a Notice of Violation for substandard
18 building or property, or

19 ii. ten calendar days of a Notice of Violation for a derelict building or property.

20 iii. ten calendar days of a notice of a civil penalty.

21 In any appeal, the request must include all reasons and supporting documentation as to why the notice
22 should be overturned and/or modified.

23 c. Decision of the Building Official. After considering all of the information provided, including
24 information from the code compliance officer and the owner, the Building Official shall affirm or modify
25 the Notice of Violation for the Substandard or Derelict Building(s), or the amount of any monetary penalty
26 assessed. The Building Official’s decision shall be delivered in writing to the appellant by first-class mail.

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

Appeals of the decision resulting from the Building Official’s review shall be made to the Hearing
Examiner within 21 calendar days from the date of the Building Official’s decision. Proceedings in regard
to appeals filed with the Hearings Examiner shall be conducted in accordance with the requirements of
Tacoma Municipal Code 1.23 and the Office of the Hearing Examiner Rules of Procedure for Hearings.

7. Alternate Procedures.

a. Where Substandard Building proceedings undertaken against a property have extended over a period of
time to where it is necessary to file a Certificate of Complaint with the Pierce County Auditor and when the
owner has not otherwise complied with this chapter, the Building Official may remove or correct the
violations through a means of abatement.

i. Using any lawful means, the City may enter unsecured property and may remove or correct a violation
which is subject to abatement as a public nuisance. If the person in control of the premises does not consent
to entry, the City may seek judicial process in Pierce County Superior Court to effect the removal or
correction of such violations.

ii. Abatement undertaken on properties regulated under Tacoma Municipal Code 13.07 shall be reviewed
and approved by the Tacoma Landmarks Preservation Commission in accordance with the provisions of
Tacoma Municipal Code 13.07 prior to abatement.



1 iii. The City may recover costs of abating Substandard Property. An invoice for abatement costs shall be
2 mailed to the owner of the property over which a Substandard Notice of Violation has been directed and/or
3 the party identified in the Notice of Violation, and shall become due and payable to the City of Tacoma
4 within 30 calendar days of said invoice. An owner may appeal an invoice for abatement and shall follow
5 the procedures outlined in Section 2.01.050.D.5. Any debt shall be collectible in the same manner as any
6 other debt owed to the City, and the City may pursue collection of the costs of any abatement proceedings
7 under this chapter by any other means, including, but not limited to, referral to a collection agency.

8 b. Where Derelict Building proceedings undertaken against a property have extended over a period of time
9 to where it is necessary to file a Certificate of Complaint with the Pierce County Auditor, the Building
10 Official may undertake one or more of the following procedures to mitigate the derelict status of the
11 building:

12 i. The Building Official may obtain the property through eminent domain pursuant to the provisions of the
13 RCW 35.80A.

14 ii. The Building Official may initiate Unfit Building Proceedings pursuant to Tacoma Municipal
15 Code 2.01.050.F and Table C.

16 iii. The Building Official shall require the property to be registered with the City as outlined in the
17 registration requirements in Section E.

18 E. Derelict Building Registration.

19 1. The owner of a Derelict Building with a Certificate of Complaint filed with the Pierce County Auditor
20 must register the building within ten calendar days of the date of the Certificate of Complaint. The
21 Derelict Building will be considered to be registered on the date the City receives a properly completed
22 form signed by the owner. The form, provided by the Building Official, shall contain the following
23 information:

24 a. The street address and tax parcel number of the Derelict Building.

25 b. The name, address, and daytime and evening telephone numbers of the owner or a responsible person
26 for the property, including other parties of interest;

c. The period of time the property is expected to remain vacant;

d. Any other information requested by the Building Official for the administration of this chapter.

e. A statement which acknowledges the building is a Derelict Building subject to the provisions of this
chapter, including the vacant building standards as outlined in Section 2.01.070, and that the property
must remain nuisance-free at all times.

2. For every registered Derelict Building, the owner must record a notice with the Pierce County Auditor
that the Derelict Building is registered with the City. The City shall provide the form of the notice. A copy
of the recorded notice must be received by the City no later than 30 days from the date the Derelict
Building is registered.

3. The owner must submit the annual renewal application to the City on forms provided by the Building
Official.

4. Upon satisfactory proof to the Building Official that the Derelict Building is repaired, the building will
be unregistered.

5. The owner shall pay a registration fee for each registered Derelict Building. The owner must pay the
annual fee to the City at the time the Derelict Building is registered and on the annual anniversary date of
the initial registration. The fee will be based on the duration of the vacancy as determined by the following
scale:

a. \$250 for the initial registration;

b. \$500 on the annual anniversary date;



1 6. If the owner fails to timely pay the registration fee, the City is authorized to collect the registration fee, including turning the matter over to a collection agency, in which case costs incurred by the City as a result of the collection process will be assessed to the owner.

2 7. The owner of any registered Derelict Building shall advise the Building Official, in writing, of any changes to the contact information on the registration form within 30 calendar days of the occurrence of the change.

3 F. Unfit Buildings or Structures Enforcement Procedures.

4 1. Owner Notification.

5 The owner shall be notified that the building, structure, or property has been found to be in violation of this chapter and is unfit. The owner may be given ten calendar days from the date of the notice to secure the building in accordance with Section 2.01.070, Unoccupied, Vacant, or Partially Secured Building Standards. The notice shall include the standards for securing a vacant building. Where there is an imminent danger to life or property, the building can be secured by the order of the Building Official, Police Chief, Fire Chief, or Director of the Tacoma-Pierce County Health Department, or their duly authorized representative. The costs related to the Unfit Building action will be assessed to the owner in accordance with the provisions of RCW 35.80.030(1)(h), and Subsection G.

9 2. Response to Notification. The owner shall be given 21 calendar days from the date of the notice to respond to the Building Official to negotiate a repair or demolition plan and schedule. The schedule shall include:

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

12 b. Time for actually repairing or demolishing the building or structure once a building permit has been issued. Once acceptable construction plans, specifications, and calculations for the repair or demolition of the building or structure have been submitted to the City and have been approved for permit, the permit shall be obtained within seven calendar days of notification that the permit is ready.

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

16 The Building Official may grant extensions to the time schedule for sufficient reasons, upon written request. Such requests must be filed with the Building Official prior to the deadlines set for the completion of the repairs or demolition.

17 3. Unfit Building Complaint.

18 In the event of any of the following, the City may prepare an Unfit Building Complaint against the building and property:

19 a. The owner does not respond to the notification.

20 b. An agreement between the owner and the City for the schedule of repairs or demolition cannot be reached.

21 c. The owner does not comply with the time schedule for obtaining the necessary permits and beginning construction or demolition; or

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

23 4. Violations Corrected. Once the building, structure and property violations have been corrected, the case shall be closed and, if appropriate, any Unfit Building Complaints, Findings of Fact and Orders, or general tax liens filed with the Pierce County Auditor against the title of the property shall be removed by the City upon payment of any assessed penalties and any costs incurred by the City for securing the property or processing the Unfit Building Action.



5. Contents of Unfit Building Complaints.

1 a. The Unfit Building Complaint issued by the Building Official must be in writing and shall be posted on
2 the property and sent by first-class mail and by certified mail, return receipt requested, to all persons
3 having any interest in the property, as shown by the records of the Pierce County Auditor. If, in the
4 exercise of reasonable diligence, the whereabouts of any of such persons is unknown and the same cannot
5 be ascertained by the Building Official, and the Building Official makes an affidavit to that effect, the
6 servicing of such complaint upon such persons may be made by sending a copy of the notice by first-class
7 mail and by certified mail, return receipt requested, to each person at the address of the taxpayer of the
8 property as shown on the last equalized tax assessment roll of Pierce County. If the address of the building
9 involved in the proceeding is different from the address of the taxpayer listed on the tax assessment roll
10 and the whereabouts of any person in interest is unknown, then a copy of the complaint shall also be
11 mailed by first-class mail and certified mail, return receipt requested, to such person or persons.

b. The complaint shall contain, among other things, the following information:

12 i. Name of the owner and other interested persons, as provided herein above.

13 ii. Street address and legal description of the property on which said building is located.

14 iii. General description of type of building, wall, or structure deemed unfit.

15 iv. A complete itemized statement or list of particulars which caused the building or structure, or portion
16 thereof, to be classified as an unfit building or structure.

17 v. That said building should be vacated by its occupants.

18 vi. Whether or not the list of violations can be removed or repaired.

19 vii. Whether or not the building constitutes a fire hazard.

20 viii. Whether it is reasonable to repair the building or whether the building should be demolished.

21 ix. If the building is a City landmark or is within a Historic Special Review or Conservation District, the
22 complaint shall provide the procedural requirements of the Landmark Preservation Commission for repair
23 or demolition.

24 x. A notice that a hearing shall be held before the Hearing Officer not less than ten calendar days nor more
25 than 30 calendar days after the mailing of such complaint on all interested parties, as recorded by the
26 Pierce County Auditor, and posted in a conspicuous place on the property. The notice shall also state that
all parties in interest shall be given the right to file an answer to the complaint, to appear in person or
otherwise, and to give testimony at the time of the hearing.

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

6. Unfit Building Hearing.

a. The Hearing Officer shall convene the hearing at the time specified in the Unfit Building Complaint or
soon thereafter. The City shall present its case through the City Attorney, or his or her duly authorized
representative, who shall be authorized to call witnesses and conduct cross-examinations. The building or
property owner, or his or her legal representative, may present his or her case and is authorized to present
witnesses and conduct cross-examinations.

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

i. Name of owner or other interested parties, as listed by the Pierce County Auditor.

ii. Street address and legal description of the property on which the building is located.

iii. General description of type of building, wall, or structure deemed unfit or substandard.



1 iv. A complete itemized statement of the violations in Table C which resulted in the classification of the building or structure as unfit.

2 v. Whether or not the violations as outlined in Table C structure can be removed or repaired.

3 vi. Whether or not the building constitutes a fire hazard.

4 vii. A statement that the City of Tacoma has incurred costs in processing the Unfit Building Abatement action and that pursuant to RCW 35.80.030(1)(h), all costs incurred by the City for this purpose, including demolition, if necessary, shall be assessed against the property and shall be collected thereafter by the County Treasurer as a part of the general taxes.

5 viii. Whether the building is a City landmark or is within a Historic Special Review or Conservation District and the procedures required by the Landmarks Preservation Commission.

6 ix. In the event the building is a City landmark or is within a Historic Special Review or Conservation District, the time schedule shall include Landmark Preservation Commission procedures defined in Tacoma Municipal Code 13.05.045, unless an emergency condition has been declared by the Building Official. In addition, a building, structure, or property that is declared unfit may be required to comply with the requirements set forth in Title 13 of the Tacoma Municipal Code. There may be reason to negotiate repairs due to the historic significance of the property. If a building is a City landmark or located within a Historic Special Review or Conservation District, or is determined to be a historic resource by the Landmarks Preservation Commission or Historic Preservation Office, the repair requirements may be waived by the Building Official.

7 x. A requirement that the property shall be nuisance-free at all times.

8 xi. The order shall provide specific instructions on whether the building or structure is to be demolished, repaired, or maintained, and a timeframe for doing so. When it is determined that a building or structure, or any aspect of a building or structure, is unfit, such building or structure shall be:

9 (a) Demolished, or

10 (b) Those aspects which were declared unfit shall be repaired to the minimum building requirements set forth in Section 2.01.060 of this chapter, and the following items shall be complied with, whether or not they are addressed in the Unfit Building Complaint:

11 (1) Exiting facilities, including doors, corridors, stairs, exit enclosures, and smoke-proof enclosures, shall be brought into full compliance with the Building Code. Stairways with risers not exceeding 7-1/2 inches in height and treads not less than 10 inches in depth, which are in good condition and otherwise meet the Building Code's requirements, do not have to be rebuilt.

12 (2) The fire resistance of all building elements, in regard to the required type of construction, shall be brought into full compliance with the Building Code; provided that, in buildings which have full sprinkler systems, the outside fire-resistive membrane on exterior walls may not be required.

13 (3) If required by the Building Code or by the Fire Prevention Code, automatic fire sprinkler systems shall be installed.

14 (4) If required by the Building Code or by the Fire Prevention Code, as adopted and amended by the City, fire alarm systems shall be installed and shall meet all requirements of the Building Code and the Fire Prevention Code.

15 (5) The building shall be brought into structural compliance with the Building Code, except that the building shall be considered as complying with the seismic structural requirements if it can withstand the forces specified by the IEBC, as adopted and amended in the Building Code.

16 (6) The building shall be brought into compliance with provisions of the Building Code related to accessibility for new construction.

17 (7) The building shall be brought into compliance with the Washington State Energy Code, as adopted by the City in Title 2, except that existing ceiling, wall, or floor cavities exposed during construction must be



filled with the required insulation. Two-by-four (2x4) framed walls shall be insulated to a minimum of R-15 and 2x6 framed walls shall be insulated to a minimum of R-21 as required by Title 2.

1 a. The recommendation to repair or demolish shall be based on the estimated costs of repair in relation to
2 the existing value of the building, as determined by the Pierce County Assessor. The Pierce County
3 Assessor shall be requested to make an assessment of the value of the building specifically for the Unfit
4 Building action. If the cost of repairs exceeds 50 percent of the assessed value of the building, the Hearing
5 Officer may recommend that the building be demolished.

6 b. The Findings of Fact and Order shall be sent to all interested parties, as listed by the Pierce County
7 Auditor as having interest in the property, by both first-class mail, and by certified mail, return receipt
8 requested, and posted in a conspicuous place on the property.

9 c. Appeals to the Board of Building Appeals. The Findings of Fact and Order shall also state that appeal of
10 the Findings of Fact and Order issued by the Hearing Officer shall be made to the Board of Building
11 Appeals, as established and governed by Chapter 2.17 of the Tacoma Municipal Code. Appeals shall be
12 filed within 30 calendar days from the date of the Findings of Fact and Order. Any appeal of the Findings
13 and Order shall be governed by Chapter 2.17 of the Tacoma Municipal Code.

14 G. Recovery of Costs and Expenses.

15 The costs incurred by the City relating to the enforcement of derelict and unfit structures in
16 Sections 2.01.060.D and .F may be recovered against the owner of the property as authorized in
17 RCW 35.80.030(1)(h), and shall become due no later than 30 calendar days from the date of the invoice.
18 “Costs” include, but are not limited to, personnel costs, both direct and indirect, including attorney’s fees;
19 costs to secure the building; costs incurred in documenting the violations; hauling, storage and disposal
20 expenses; filing fees and actual expenses in costs of the City in preparing notices, specifications, and
21 contracts in accomplishing and/or contracting and inspecting the work; the costs of any required printing
22 or mailing; and any and all costs of collection.

23 H. Posting of Buildings.

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

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

I. Utility Restraints.

Unfit Buildings or structures and Derelict Buildings or structures which are not occupiable and are posted
“MUST NOT BE OCCUPIED” may have utility restraints placed on them, restraining utility providers
from providing utilities to the building. The utility restraint shall be recorded with the Tacoma Public
Utilities Department or other utility providers. The utility restraint shall not be released until the building
is repaired or demolished. Once the building has been repaired or demolished, the Building Official shall
record with the Tacoma Public Utilities Department, or other utility providers, a release granting utility
service to the building or property. The utility restraint shall not interfere with any Code enforcement
action taken by the Tacoma Public Utilities Department or other utility providers.

EXCEPTION: Limited utilities may be permitted to be supplied to the property for facilitating the repairs
or for maintaining other vital systems, such as fire protection, at the discretion of the Building Official.

J. Emergency Cases.

1. Where, in the opinion of the Building Official, it appears there is an imminent danger to the life or
safety of any person occupying or being admitted to a building or structure, or to the public, the Building
Official shall immediately vacate the building, in whole or in part, as is necessary to mitigate the danger to



life. The Building Official shall also order any of the following remedies as necessary to protect the public:

- a. barricade of public rights-of-way to secure the building from unauthorized entry, or
- b. cause the immediate bracing or repair of the building, or
- c. require maintenance or restoration of essential utilities, the absence of which constitute a significant threat to the adjacent properties and/or the public.

If the preceding remedies are not possible, the Building Official may have the building or structure demolished.

2. For buildings that are City landmarks located within a Historic Special Review or Conservation District, or are identified as "historic resources," the Historic Preservation Officer, at the direction of the Building Official, shall actively pursue feasible intermediate alternatives to total demolition within the timeframe determined by the Building Official that will remediate emergency condition and/or retain the building or its historic features. If an alternative to demolition is identified, then it may be pursued as the preferred action.

3. The costs of emergency vacation, bracing, repair, or demolition of such building or structure as described in this subsection shall be assessed to the owner in accordance with the provisions of RCW 35.80.030(1)(h).

K. Permits.

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

L. Repeat Offenders.

A repeat offender is defined as a property owner who has a confirmed non-compliance history, including any identical or similar violations of this chapter at the same site or on a different tax parcel under the same ownership, two times within a 12-month period. If an owner is found to be a repeat offender, he or she may be subject to an inspection fee equivalent to a reinspection fee as defined in Chapter 2.09 of the Tacoma Municipal Code. Owners may appeal a reinspection fee pursuant to Section 2.01.050.D.5 of the Tacoma Municipal Code.

M. Severability.

If any section, subsection, sentence, clause, phrase, or portion of this chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a distinct and independent provision, and such holdings shall not affect the validity of the remaining portions hereof.

TABLES:

All existing buildings and structures shall be maintained in accordance with the Building Code requirements in effect at the time of original and unaltered construction. Alterations or repairs shall meet the minimum standards set forth in Section 2.01.060.

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TABLE A
SUBSTANDARD PROPERTY

<u>EXTERIOR PROPERTY VIOLATIONS</u>		
<u>Item No.</u>	<u>Violation</u>	<u>Maximum Points</u>
<u>1</u>	<u>Unightly or overgrown ground cover, trees, or shrubbery</u>	<u>5</u>
<u>2</u>	<u>Garbage, junk, debris in yard</u>	<u>15</u>
<u>3</u>	<u>Abandoned or inoperable vehicles in yard</u>	<u>15</u>
<u>4</u>	<u>Graffiti on buildings, fences, or other structures</u>	<u>25</u>
<u>5</u>	<u>Missing or unreadable address numbers or apartment numbers</u>	<u>10</u>
<u>6</u>	<u>Exterior stairways, handrails or guardrails in yard need to be repaired or replaced</u>	<u>15</u>
<u>7</u>	<u>Exterior sidewalks, other paved areas, or retaining walls are broken, buckled, or deteriorated and need to be repaired or replaced</u>	<u>15</u>
<u>8</u>	<u>Broken or Plugged Sewer</u>	<u>25</u>

<u>EXTERIOR BUILDING VIOLATIONS</u>		
<u>Item No.</u>	<u>Violation</u>	<u>Maximum Points</u>
<u>9</u>	<u>Chimney(s) needs to be repaired or removed</u>	<u>15</u>
<u>10</u>	<u>Roofing needs to be repaired or replaced</u>	<u>15</u>
<u>11</u>	<u>Gutters need to be repaired or replaced</u>	<u>5</u>
<u>12</u>	<u>Exterior walls or siding need to be repaired or replaced</u>	<u>15</u>
<u>13</u>	<u>Foundations need to be repaired or replaced</u>	<u>15</u>
<u>14</u>	<u>Porch, deck, or balcony needs to be repaired, replaced, or removed</u>	<u>15</u>
<u>15</u>	<u>Porch, deck, or balcony needs handrail or guardrail, or needs to be repaired or replaced</u>	<u>15</u>
<u>16</u>	<u>Floor, wall, or roof framing including overhangs and cornices needs to be repaired or replaced</u>	<u>25</u>
<u>17</u>	<u>Exterior doors and/or door framework needs repair, replacement, or weather striping</u>	<u>10</u>
<u>18</u>	<u>Window frames or window glass needs repair, replacement, or weather striping</u>	<u>15</u>
<u>19</u>	<u>Peeling or absence of paint or weather protection on exterior walls, decks, stairs, porches, and other exterior surfaces</u>	<u>5</u>
<u>20</u>	<u>Accessory structure needs to be repaired or demolished</u>	<u>25</u>
<u>21</u>	<u>Exterior unpermitted work, or work not done in conformity with the conditions of any permit that has been issued</u>	<u>50</u>
<u>22</u>	<u>Improper use of recreational vehicles</u>	<u>50</u>
<u>23</u>	<u>Improper placement or use of cargo containers or use of semi-trailers for storage</u>	<u>50</u>



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<u>INTERIOR VIOLATIONS</u>		
<u>Item No.</u>	<u>Violation</u>	<u>Maximum Points</u>
<u>24</u>	<u>Inadequate number of electrical convenience outlets; electrical convenience outlets or switches do not have device plates</u>	<u>10</u>
<u>25</u>	<u>Access to electrical panels is inadequate</u>	<u>15</u>
<u>26</u>	<u>Improper water closets, lavatories, bathtubs, showers, or other plumbing fixtures</u>	<u>15</u>
<u>27</u>	<u>Insufficient number of water closets, lavatories, bathtubs, showers or other plumbing fixtures as required by the size or occupant load of the occupancy</u>	<u>10</u>
<u>28</u>	<u>All lavatories, sinks, bathtubs or similar fixtures where the spigot outlet is below the level of the basin rim, and any other fixtures where cross-connection or back-siphonage is possible</u>	<u>25</u>
<u>29</u>	<u>Plumbing piping or fixtures using non-approved materials</u>	<u>10</u>
<u>30</u>	<u>Leaking plumbing piping (supply and/or waste)</u>	<u>15</u>
<u>31</u>	<u>Sagging, improperly supported or clogged plumbing pipes or fixtures</u>	<u>15</u>
<u>32</u>	<u>Water heater is missing or needs repair</u>	<u>25</u>
<u>33</u>	<u>Kitchen facilities do not meet required minimum standards</u>	<u>15</u>
<u>34</u>	<u>Laundry facilities do not meet required minimum standards</u>	<u>15</u>
<u>35</u>	<u>Appliances, including solid-fuel-burning appliances, which have been installed without proper clearances to combustible materials</u>	<u>25</u>
<u>36</u>	<u>Unlisted appliances which have been illegally installed; improper gas piping or inadequate supply of combustion air for fuel fired equipment</u>	<u>25</u>
<u>37</u>	<u>Inadequate, inoperable, or deteriorated heating, mechanical, or elevator equipment</u>	<u>50</u>
<u>38</u>	<u>Door locks or window locks missing, inoperative or illegal</u>	<u>15</u>
<u>39</u>	<u>Interior doors, trim or cabinetry need repair</u>	<u>5</u>
<u>40</u>	<u>Deteriorated brick, concrete, or stone masonry, or detached veneer</u>	<u>15</u>
<u>41</u>	<u>Deteriorated wood building materials and damaged wood due to inadequate wood to earth clearance</u>	<u>10</u>
<u>42</u>	<u>Deteriorated or crumbling plaster or gypsum board or flaking or scaling or peeling of wallpaper, paint, or other interior wall coverings</u>	<u>10</u>
<u>43</u>	<u>Dampness, mold or mildew within the building</u>	<u>10</u>
<u>44</u>	<u>No windows or inadequate window area to provide natural light or natural ventilation</u>	<u>15</u>
<u>45</u>	<u>Room and space dimensions less than required by this chapter; unit(s) do not meet the requirements for an efficiency dwelling unit</u>	<u>15</u>
<u>46</u>	<u>Floor, wall or ceiling surfacing needs repair</u>	<u>25</u>
<u>47</u>	<u>Exit signs or exit path lighting are not provided with two sources of power</u>	<u>25</u>
<u>48</u>	<u>Exit stairs have incorrect rise and run</u>	<u>25</u>



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49	<u>Lack of or inadequate garbage and rubbish storage and disposal</u>	10
50	<u>Infestations or Vermin</u>	25
51	<u>Overcrowding: Any building or portion thereof, where the exiting is insufficient in number, width, or access for the occupant load served, or where the number of occupants in sleeping rooms exceeds the number permitted by the area of the sleeping room</u>	25
52	<u>Interior unpermitted work or work not done in conformity with the conditions of any permit that has been issued.</u>	50

<u>UNOCCUPIED OR VACANT BUILDING STANDARDS VIOLATIONS</u>		
<u>Item No.</u>	<u>Violation</u>	<u>Maximum Points</u>
53	<u>Exterior openings are not properly secured in accordance with Section 2.01.070</u>	50
54	<u>Weather protection is not adequate to prevent deterioration of the building</u>	50
55	<u>There is debris within the building or on the premises which creates a fire hazard or a nuisance</u>	50
56	<u>Fire alarms or fire sprinkler systems are inoperable</u>	50
57	<u>Adequate heat is not provided to protect the sprinkler system from freezing</u>	50
58	<u>Sewer lines are not capped</u>	50
59	<u>The owner does not inspect the property and keep the property from looking uncared for</u>	50
60	<u>The owner does not repair door(s), window(s), exterior wall(s), or other areas of the building which have been damaged, thereby exposing the building to unauthorized third-party entry or inclement weather</u>	50

<u>FIRE AND LIFE SAFETY HAZARDS</u>		
<u>Item No.</u>	<u>Violation</u>	<u>Maximum Points</u>
61	<u>Exit doors have improper hardware</u>	15
62	<u>Required corridors are not of one-hour construction or are not properly rated (or equivalent)</u>	50
63	<u>Corridor doors do not have closers or have improper hold open devices</u>	50
64	<u>Corridor doors do not have gasketing</u>	25
65	<u>Corridor door frames need to be repaired or replaced</u>	50
66	<u>Transoms above corridor doors are not sealed or fire-rated</u>	50
67	<u>Exit paths are not properly illuminated</u>	50
68	<u>Required exit signs are missing or not illuminated</u>	50
69	<u>Exit stairs need to be repaired or replaced</u>	50



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<u>70</u>	<u>Exit stairs need to be provided with handrails/guardrails, or handrails or guardrails need to be repaired or replaced</u>	<u>50</u>
<u>71</u>	<u>Exit stairs are missing or have improper landings</u>	<u>50</u>
<u>72</u>	<u>Stairs need to be enclosed in a fire rated shaft</u>	<u>50</u>
<u>73</u>	<u>Stair enclosures are not of the proper fire rating</u>	<u>50</u>
<u>74</u>	<u>Doors to stair enclosure are missing or are blocked open</u>	<u>50</u>
<u>75</u>	<u>Doors to stair enclosures do not meet required fire assembly requirements, or fire assembly needs to be replaced or repaired</u>	<u>50</u>
<u>76</u>	<u>Exit windows from sleeping rooms are not provided; are too small in area or dimension or have too high a sill height</u>	<u>50</u>
<u>77</u>	<u>Improper or hazardous wiring</u>	<u>50</u>
<u>78</u>	<u>Missing or inoperative smoke detectors, carbon monoxide alarms or fire extinguishers</u>	<u>50</u>
<u>79</u>	<u>Improper storage, building clutter, or other fire hazards</u>	<u>25</u>
<u>80</u>	<u>Required fire sprinkler system or fire alarm system are inoperative, inadequate or missing</u>	<u>50</u>
<u>81</u>	<u>Fire resistive occupancy separation or area separation walls need to be repaired or replaced</u>	<u>25</u>
<u>82</u>	<u>Fire resistive construction needs to be repaired or replaced</u>	<u>25</u>
<u>83</u>	<u>Fire escapes shall be repaired, replaced, or tested in accordance with the provisions of Title 3 of the Tacoma Municipal Code.</u>	<u>50</u>

<u>TABLE B</u>	
<u>DERELICT BUILDINGS OR STRUCTURES</u>	
<u>Item No.</u>	<u>Violation</u>
<u>1</u>	<u>Interior environment violations, which shall include, but not be limited to, the following, if required specifically by the occupancy classification for the use of the building:</u> <u>a. Lack of, or inadequate, ventilation.</u> <u>b. Infestation by insects, vermin, or rodents.</u>



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<p><u>2</u></p>	<p><u>Structural hazards, which constitute a danger to life and limb, but are of limited extent, and are repairable. These shall include, but not be limited to, the following:</u></p> <p><u>a. Cracked or crumbling concrete or masonry foundation walls, footings, or posts, or deteriorated or rotting wood foundations or wood posts.</u></p> <p><u>b. Flooring or floor supports which are defective, deteriorated, or of insufficient size to carry imposed loads with safety.</u></p> <p><u>c. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective materials or deterioration, or are of insufficient size to carry imposed loads with safety.</u></p> <p><u>d. Members or supports of ceilings and roofs, or other horizontal members which sag, split, or buckle due to defective material or deterioration, or are of insufficient size to carry imposed loads with safety.</u></p> <p><u>e. Fireplaces or chimneys which list, bulge, or settle due to defective materials or deterioration, or are of insufficient size or strength to carry imposed loads with safety.</u></p> <p><u>f. Exterior cantilever walls or parapets, appendages attached to or supported on the exterior of a building located adjacent to a public way or other space used by pedestrians which are not constructed, anchored, and braced to be able to withstand earthquake forces.</u></p> <p><u>g. Exterior walls located adjacent to a public way or other space used by pedestrians, which are not constructed, anchored, and braced to be able to withstand earthquake forces.</u></p>
<p><u>3</u></p>	<p><u>Hazardous, inadequate, or insanitary interior building conditions which present a hazard to health or do not provide the minimum acceptable amenities for occupancy.</u></p> <p><u>a. Substandard kitchen or bathroom amenities.</u></p> <p><u>b. Deteriorated or crumbling plaster or gypsum board.</u></p> <p><u>c. Insanitary or inadequate floor, wall or ceiling surfacing.</u></p> <p><u>d. Damage or inadequate interior doors, trim and hardware.</u></p>
<p><u>4</u></p>	<p><u>Hazardous or inadequate wiring which presents an immediate danger to life or limb:</u></p> <p><u>a. Wiring which is inadequately sized for the presently imposed electrical loads.</u></p> <p><u>b. Wiring where, due to improper ground, lack of insulation, or other conditions, short circuits can occur.</u></p> <p><u>c. Damaged, missing, or insufficient electrical convenience outlets, electrical components, or equipment.</u></p>



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5	<p><u>Hazardous or inadequate plumbing which present a hazard to health, or do not provide minimum acceptable amenities for occupancy:</u></p> <p><u>a. Lack of or inoperable water closets, lavatories, bathtubs, showers, or other plumbing fixtures as required for the occupancy.</u></p> <p><u>b. Lack of hot and/or cold running water to plumbing fixtures.</u></p> <p><u>c. Lack of or inadequate water heating facilities.</u></p> <p><u>d. Plumbing piping and fixtures improperly installed.</u></p> <p><u>e. Plumbing piping and connections which leak, are plugged, or otherwise are inoperative.</u></p> <p><u>f. Plumbing fixtures which are not properly connected to the waste and vent system, or which are cracked, inoperative, or leak.</u></p> <p><u>g. Lack of or inadequate sewage disposal/or connection of plumbing fixtures thereto.</u></p>
6	<p><u>Hazardous mechanical equipment which present a hazard to health, life, or limb, or do not provide minimum acceptable amenities for occupancy:</u></p> <p><u>a. Lack of or inadequate heating facilities.</u></p> <p><u>b. Mechanical equipment with undersized vents or chimneys.</u></p> <p><u>c. Fuel-fired equipment with insufficient combustion air.</u></p> <p><u>d. Mechanical equipment which, because of lack of maintenance or improper installation, constitutes a fire hazard.</u></p>
7	<p><u>Faulty weather protection: Indications of which shall include, but not be limited to, the following:</u></p> <p><u>a. Holes, including broken windows or doors; breaks; cracked, loose, or rotted boards or timbers; and any other conditions in exterior walls and weather-exposed exterior surfaces or attachments which might admit rain or dampness to the interior portions of the walls or occupied spaces of the building.</u></p> <p><u>b. Deteriorated or missing roof covering material and flashing.</u></p> <p><u>c. Standing water in crawl spaces or basements.</u></p> <p><u>d. Deteriorated or rotted stairs, porches, balconies, or decks.</u></p>
8	<p><u>Fire Hazard: Any conditions which, in the opinion of the Fire Chief, constitute a distinct hazard to life or property.</u></p>
9	<p><u>Faulty materials or construction: "Faulty materials" are defined as all materials not specifically allowed or approved by the Building Code in effect at the time of construction, or this chapter. Faulty materials also include approved materials which are used improperly. "Faulty Construction" is defined as materials assembled using improper or substandard workmanship.</u></p>
10	<p><u>Hazardous or unsanitary premises: Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborage, stagnant water, combustible materials, and similar materials or condition which constitute fire, health, or safety hazards or other violations of Chapter 8.30, "Public Nuisance" Code.</u></p>
11	<p><u>Inadequate exits: All buildings or portions thereof not provided with exit facilities as required by the Building Code, except those buildings or portions thereof whose exit facilities are safe and conformed with all applicable laws at the time of their construction.</u></p>



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<u>12</u>	<u>Inadequate fire-protection or fire-fighting equipment: All buildings or portions thereof which are not provided with fire-resistive construction, fire extinguishing systems, carbon monoxide or smoke alarm equipment as required by the Tacoma Municipal Code.</u>
<u>13</u>	<u>Improper occupancy: Buildings or portions thereof, where the use or character of its occupancy has changed from the original approved design or intended use, without a recorded action reviewed by the Building Official.</u>

<u>TABLE C</u>	
<u>UNFIT BUILDINGS OR STRUCTURES</u>	
<u>Item No.</u>	<u>Violation</u>
<u>1</u>	<u>Whenever any door, aisle, passageway, stairway, or other means of exit is not of sufficient width or size, or is not arranged so as to provide safe and adequate means of exit in case of fire or panic.</u>
<u>2</u>	<u>Whenever the walking surface of any aisle, passageway, stairway, or other means of exit is racked, warped, buckled, settled, worn, loose, torn, or otherwise is in such condition so as to not provide safe and adequate means of exit in case of fire or panic.</u>
<u>3</u>	<u>Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code in effect at the time the building was constructed.</u>
<u>4</u>	<u>Whenever any portion, member, or appurtenance thereof is likely to fail, become detached, dislodged, or collapse and thereby injure persons or damage property.</u>
<u>5</u>	<u>Whenever any portion of a building, any member, appurtenance, or ornamentation on the exterior thereof has deteriorated or been damaged so as to be no longer capable of withstanding wind pressures or seismic forces specified in the Building Code in effect at the time the building was constructed.</u>
<u>6</u>	<u>Whenever any portion thereof has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.</u>
<u>7</u>	<u>Whenever the building or structure, or any portion thereof, is likely to partially or completely collapse because of: (i) dilapidation, deterioration, or decay; (ii) faulty construction; (iii) removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) deterioration, decay, or inadequacy of its foundation; or (v) any other cause.</u>
<u>8</u>	<u>Whenever, for any reason, the building or structure, or any portion thereof, is unsafe for the purpose for which it is being used.</u>
<u>9</u>	<u>Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.</u>
<u>10</u>	<u>Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of a supporting member or members, or 50 percent damage or deterioration of non-supporting members, including wall coverings.</u>



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<u>11</u>	<u>Whenever the building or structure has been so damaged by fire, wind, earthquake, flood, or other causes, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for transients or vandals; or (iii) a place for performing criminal or unlawful activities.</u>
<u>12</u>	<u>Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or this chapter, or of any law or ordinance of this state or jurisdiction relating to the condition, location, or structure of buildings.</u>
<u>13</u>	<u>Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member, or portion less than 50 percent (or in any supporting part, member, or portion less than 66 percent) of the (i) strength; (ii) fire-resisting qualities or characteristics; or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height, and occupancy in the same location.</u>
<u>14</u>	<u>Whenever a building or structure used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction, or arrangement, inadequate light, air, or sanitation facilities, or otherwise, is determined to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.</u>
<u>15</u>	<u>Whenever any building or structure, because of dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined to be a fire hazard.</u>
<u>16</u>	<u>Whenever any building, structure or premise is in such a condition as to constitute a public nuisance, known to the common law or in equity jurisprudence.</u>
<u>17</u>	<u>Derelict Buildings where Alternate Procedures have been undertaken pursuant to the provisions of Section 2.01.050.D.7.b.</u>

2.01.060 Minimum Building Requirements and Repair Standards.

No owner shall maintain, or permit to be maintained, any property which does not comply with the requirements of this chapter. All property shall be maintained to the Building Code requirements in effect at the time of construction. Alterations or repairs shall meet the minimum standards and repair standards set forth in this section. It is recognized that, in order to maintain the properties as required by this chapter, repairs will need to be made. Repairs, renovations, alterations, and additions in general will be required to meet the applicable codes in effect at the time they are undertaken, with the minimum acceptable standard of repair being made to bring the building or element of a building up to at least the minimum standards as listed in this section. The following provisions provide guidelines for these repairs, but when renovations, alterations, and additions are undertaken, they may require meeting a higher standard of repair than just meeting the minimum requirements set forth in this section.

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for public health, safety or general welfare, not specifically covered by Chapter 2.01, shall be determined by the Building Official, as authorized in the Tacoma Municipal Code.

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

A. Display of Address Number.

Address numbers posted shall be the same as the number assigned by the City. All buildings shall have address numbers posted permanently in a conspicuous place on contrasting background so they may be



read from the street or public way in accordance with the Fire Code. Tenant spaces in buildings shall be clearly numbered or lettered, in a logical and consistent manner.

1 B. Foundations.

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

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

10 When an existing foundation system supporting the exterior walls of a building is a post and beam system,
11 and is found by inspection to be substandard, it shall either be replaced with a continuous concrete or
12 masonry foundation system in accordance with the Building Code or shall be analyzed by an engineer as
13 to its structural adequacy to support vertical and lateral loads and shall may be modified according to the
14 engineering report to correct deficiencies, including earth/wood clearances.

15 In crawl space construction using combustible materials, a minimum clearance in accordance with the
16 Building Code shall be provided between the dirt and the floor joists or flooring, and between the dirt and
17 floor beams. The dirt shall be covered by a 6-mil black polyethylene or approved equivalent moisture
18 barrier. When the above under-floor clearances are required, access to the under-floor area shall be
19 provided. Access to under-floor areas shall be provided with a minimum opening in accordance with the
20 Building Code, unobstructed by pipes, ducts, and similar construction. All under-floor access openings
21 shall be effectively screened or covered. Pipes, ducts, and other construction shall not interfere with the
22 accessibility to or within under-floor areas.

23 The building shall be anchored to the foundation system in accordance with the Building Code.

24 EXCEPTIONS:

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

1 2. When proper under-floor clearance is not provided under an existing building, the Building Official
2 may permit the required clearance to be provided only where plumbing or other equipment is located,
3 provided there is at least adequate clearance to prevent deterioration of materials or where the wood is
4 pressure-treated with approved wood preservatives.

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

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

8 5. Natural Ventilation: If the under-floor space is to be provided ventilation by openings in the foundation
9 walls, such openings shall in accordance with the Building Code.

10 C. Floors.

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

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



D. Exterior Walls.

1 Exterior walls and exposed exterior surfaces shall be structurally sound, and shall form a weather-tight barrier to the outside elements. Exterior walls shall be free from deterioration and dry rot.

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

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

4 Exterior walls which are opened for repair shall be insulated as required by the Energy Code, as codified in Chapter 2.10 of the Tacoma Municipal Code or as hereafter amended.

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

6 E. Windows and Glazing.

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

8 Broken glazing may be replaced with new glazing that matches the broken glass in thickness, thermal performance, fire resistance, and strength, provided that safety glazing shall be used to replace broken glass in all locations where safety glazing is required by the Building Code.

9 All new windows, including glazing and frames, shall meet the Building Code for fire protection due to location relative to the property lines, safety glazing where glass is subject to impact as defined in the Building Code, and the thermal requirements of the Energy Code for building envelope and type of heating.

10 EXCEPTION: In Group R, Division 3 Occupancies, as provided in Chapter 2.02 of the Tacoma Municipal Code, where new windows are provided with no modifications to the existing wall framing, the fire protection rating of the new windows shall be at least equal to the windows being replaced.

11 F. Roofs.

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

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

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

15 Where ventilation is being added to roof systems, the aggregate net ventilation area shall be provided in accordance with the Building Code.

16 Where attic access openings need to be provided, the opening shall be located in accordance with the Building Code.

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

18 Every exterior stair, ramp, porch, deck, or other exterior appurtenances, including guardrails and handrails, shall be constructed of materials of sufficient strength to perform the function for which it is designed and to carry the live and dead loads prescribed by the Building Code in effect at the time the building was built. All material shall be kept in sound condition and good repair. Replacement of materials shall be



1 made as necessary of flooring treads, risers, stringers, decking, and other materials that show excessive wear and/or are broken, warped, loose, or deteriorated. Weather-exposed surfaces shall be protected in an approved manner.

2 H. Exits.

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

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

5 EXCEPTION: Exiting systems which met the Building Code at the time that the building or structure was constructed, which have been maintained in good condition and do not pose a danger to life, in the opinion of the Building Official, may be accepted as an alternative to the Building Code.

7 I. Doors, Latches, and Locks.

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

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

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

13 All new doors serving an occupant load of ten or more, as calculated by the Building Code, shall have a minimum width of not less than 36 inches and a minimum height of not less than 6 feet 8 inches, and shall be openable from the inside without a key or special knowledge.

15 J. Corridors.

16 Corridors shall be constructed in accordance with the provisions of the Building Code in effect at the time the building was constructed.

17 New, reconstructed, or remodeled corridors shall be constructed in accordance with the provisions of the Building Code.

18 The required fire resistive construction rating of walls, fire stops, shaft enclosures, partitions and floors shall be maintained in compliance with the Building Code in effect at the time of their construction. Alterations or minor modifications may require that the construction assembly be brought in compliance with the current Building Code.

21 EXCEPTION: Existing duct penetration provided with fire dampers in accordance with the Building Code in effect at the time the building or structure was constructed do not need to be updated to the smoke/fire dampers required by the Building Code.

22 K. Stairways and Stair Enclosures.

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

25 New or rebuilt stairs shall be constructed as required by the Building Code. New stairs shall be enclosed, when required by the Building Code.

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EXCEPTIONS:

1 1. Stairways constructed prior to July 1, 1988, which serve occupant loads of ten or more, but which have
2 risers in excess of 7 inches but not exceeding 7.5 inches, and/or have treads with a depth less than
3 11 inches but not less than 10 inches measured from tread nose to tread nose.

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

6 L. Ramps.

7 Ramps shall be constructed as required by the Building Code.

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

12 M. Guardrails.

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

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

18 New guardrails, and guardrails which need to be replaced, shall meet all the requirements set forth for
19 guardrails in the Building Code.

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

26 EXCEPTION: Guardrails need not be provided at the following locations:

1 1. On the loading side of loading docks.

2 2. On the auditorium side of a stage, raised platforms, and other raised floor areas, such as runways,
3 ramps, and side stages used for entertainment or presentation; along the side of an elevated walking
4 surface, when used for the normal functioning of special lighting or for access and use of other special
5 equipment; at vertical openings in the performance area of stages.

6 3. Along vehicle service pits not accessible to the public.

7 EXCEPTION:

8 1. The top of guardrails for Group R, Division 3 and Group U, Division 1 Occupancies, and interior
9 guardrails within individual dwelling units, Group R, Division 3 congregate living facilities and guest
10 rooms of Group R, Division I Occupancies, do not need to exceed 36 inches in height, or as otherwise
11 required by the Building Code.

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

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



N. Stairway Handrails.

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

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

8 The handgrip portion of handrails shall meet the requirements of the Building Code in effect at the time
9 the stairway was built. The handgrip portion of handrails shall have a smooth surface with no sharp
10 corners.

11 Handrails projecting from a wall shall have a space of not less than 1-1/2 inches between the wall and the
12 handrail. Handrails used to protect the open side of stairways or landings shall be provided with
13 intermediate rails or an ornamental pattern, when the drop from the stairs or landing is 30 inches or more
14 to the ground or surface below. The intermediate rails or patterns shall be as required by the Building
15 Code under which it was constructed. If such handrail is new or being replaced, it shall meet the
16 requirements of the presently adopted Building Code. If such handrail is existing, but is not provided with
17 intermediate rails or ornamental pattern, intermediate rails or an ornamental pattern shall be provided to
18 comply with the presently adopted Building Code.

19 Where stairways are missing handrails, handrails shall be provided which meet all the requirements of the
20 presently adopted Building Code.

21 EXCEPTIONS:

22 1. Stairways less than 44 inches in width or stairways serving one individual dwelling unit in Group R,
23 Division 1 or Division 3 Occupancies, or a Group R, Division 3 congregate living facilities, may have one
24 handrail, or as otherwise permitted by the Building Code.

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

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

29 O. Exit Path Lighting.

30 General. Except within individual dwelling units, guest rooms, and sleeping rooms, exits shall be
31 illuminated at any time the building is occupied, with light having intensity in accordance with the
32 Building Code.

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

36 Exit path shall be illuminated at all times the building or structure is occupied. Exit path lighting shall
37 provide a minimum illumination at floor level in accordance with the Building Code. Where exit path
38 lighting in existing buildings is missing or is required to be upgraded, it shall meet the following
39 requirements:

40 Separate Sources of Power. The power supply for exit illumination shall normally be provided by the
41 premises' wiring system. In the event of its failure, illumination shall be automatically provided from an
42 emergency system for Group I, Divisions 1.1 and 1.2 Occupancies, and for all other occupancies where
43 the exiting system serves an occupant load of 100 or more.



1 Emergency systems shall be supplied from storage batteries or an on-site generator set and the system shall be installed in accordance with the requirements of the Electrical Code, as codified in Chapter 2.04 of the Tacoma Municipal Code.

2 EXCEPTION: In auditoriums, theaters, concert or opera halls, and similar assembly uses, the illumination at floor level may be reduced during performances to lower levels allowed in the Building Code.

3 P. Exit Signs.

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

6 Graphics. The color and design of lettering, arrows, and other symbols on exit signs shall be in accordance with the currently adopted Building Code, or in accordance with the Building Code in effect at the time the original signs were installed.

8 Illumination. Signs shall be internally or externally illuminated in accordance with the Building Code in effect at the time the exit signs were installed. Signs shall be internally or externally illuminated by two electric lamps or shall be or an approved self-luminous type. When the luminance on the face of an exit sign is from an external source, it shall have an intensity of not less than 5.0 foot-candles from either lamp. Internally-illuminated signs shall provide equivalent luminance.

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

13 Refer to Building Code for requirements for exit signs in high-rise buildings and for amusement structures.

14 EXCEPTIONS:

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

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

17 3. Exits from rooms or areas with an occupant load of less than 50 where allowed within Group I or Group E daycare occupancies.

18 Q. Fire Escapes.

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

22 Fire escapes shall comply with the following:

23 1. All openings in an exterior wall below or within 10 feet, measured horizontally, of an existing fire escape serving a building over two stories in height, shall be protected by a self-closing fire assembly having a three-fourths-hour fire protection rating. When located within a recess or vestibule, adjacent enclosure walls shall be of not less than one-hour fire-resistive construction.

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



above the floor of the building or balcony. The top of the frame of the opening giving access to the fire escape shall be a minimum of 59 inches above the floor.

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

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

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

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

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

8. The fire escapes shall be periodically tested and inspected in accordance with the Fire Prevention Code.

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

R. Exits for Sleeping Rooms.

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

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

1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of nine square feet, with a minimum dimension of 36 inches.

2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches.



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

1 1. The devices are equipped with approved release mechanisms which are openable from the interior
2 without the use of a key or special knowledge or effort; and

3 2. The building is equipped with smoke detectors installed in accordance with the Building Code.

4 EXCEPTIONS:

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

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

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

20 S. Minimum Room Dimensions for Residential Buildings.

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

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

29 If any room has a furred ceiling, the prescribed ceiling height is required in two-thirds the area thereof, but
30 in no case shall the height of the furred ceiling be less than seven feet.

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

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

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

39 T. Efficiency Dwelling Units.

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

42 1. The unit shall have a living room of not less than 220 square feet of superficial floor area. An additional
43 100 square feet of superficial floor area shall be provided for each occupant of such unit in excess of two.



2. The unit shall be provided with a separate closet.

1 3. The unit shall be provided with a kitchen sink, cooking appliance, and refrigeration facilities, each having a clear working space of not less than 30 inches in front. Light and ventilation conforming to this chapter shall be provided.

2 4. The unit shall be provided with a separate bathroom containing a water closet, lavatory, and bathtub or shower.

3 4. Residential Dwelling or Dwelling Unit Room Arrangement.

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

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

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

7 EXCEPTION: Where each bedroom has its own bathroom facilities.

8 V. Overcrowding, Residential Buildings.

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

10 W. Smoke Alarms, Carbon Monoxide Alarms, Fire Sprinkler Systems, and Fire Alarm Systems.

11 1. Smoke alarms.

12 a. General. Group I-1 and Group R occupancies, as defined in the Building Code, shall be provided with single- and multiple-station smoke alarms in accordance with the Fire Code. Note: This requirement applies to all existing I-1 and Group R occupancies including those not undergoing additions, alterations, or repairs.

13 b. Power source. Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke alarms may be solely battery operated when installed 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.

14 c. Location within dwelling and sleeping units. A smoke alarm shall be installed within each sleeping room and directly outside of each sleeping area in the immediate vicinity of bed rooms. A minimum of one smoke alarm shall be installed on each story, including those without sleeping rooms. Dwelling units equipped with smoke alarms compliant with the Building Code in effect at the time of construction or smoke detectors connected to a fire alarm system as a substitute for smoke alarms shall be deemed sufficient

15 d. Additional locations in hotels. In addition to those smoke alarms required by Subsection C above, single- or multiple-station smoke alarms shall be located in every room in the path of egress from the sleeping area to the door leading from the sleeping unit.



2. Carbon Monoxide Alarms shall be installed in existing apartments, condominiums, hotels, motels, and single-family residences in accordance with the Fire Code.

3. Fire Alarm Systems.

a. Group R-2 occupancies three or more stories in height or containing 16 or more dwelling units shall be equipped with a fire alarm system.

b. Group R1 occupancies containing 20 or more guest rooms, or as part of a high-rise building shall be equipped with a fire alarm

EXCEPTIONS:

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

b. A separate fire alarm system need not be provided in buildings which are protected throughout by an approved, supervised fire sprinkler system having a local alarm to notify all occupants. The alarm signal shall be a distinctive sound which is not used for any other purpose other than the fire alarm. The minimum sound pressure levels shall be 75 decibels and shall not exceed a maximum of 110 decibels.

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

4. Fire Alarm Systems and Fire Sprinkler systems and equipment used to detect a fire, activate an alarm, or suppress or control a fire, or any combination thereof shall be maintained in an operable conditions at all times in accordance with the Fire Code. All inspections, testing, and maintenance of fire sprinkler systems shall be in accordance with the Fire Code.

X. Kitchen Facilities.

Each dwelling unit shall be provided with a kitchen. The kitchen area shall contain a sink with hot and cold running water and suitable space and equipment to store, prepare, and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage such as stoves, ovens, refrigerators, microwaves, freezers, cabinets, countertops, and drawers in sufficient quantity and in a condition that the occupants can store their food safely and at appropriate temperatures to protect the food.

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

Kitchens shall have a minimum clear passageway of three feet between counter-fronts and appliances or counter-fronts and walls.

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

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

Y. Laundry Facilities.

Where laundry facilities are provided, they shall meet minimum requirements such as lighting, ventilation, and water heating in accordance with the provisions of the codes in force at the time the building was



constructed. In an apartment house, where laundry facilities are not provided for each unit, laundry trays or washing machines shall be provided elsewhere on site and shall be available to tenants.

1 Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted outside the
2 structure in accordance with the manufacturer's instructions unless the listing on the appliance is for a
3 ductless system.

3 Z. Electrical System and Lighting.

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

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

8 Flexible cords or extension cords shall not be used for permanent wiring, or for running through doors,
9 windows, or cabinets or concealed within walls, floors, or ceilings.

9 The electrical system shall be safe and not be a shock or fire hazard to the occupants of the building.
10 Services shall be adequately sized and provided with fuses, breakers, and other appropriate safety
11 equipment. Wiring shall be maintained in a safe condition.

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

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

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

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

17 AA. Heating, Mechanical, and Elevator Equipment.

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

21 A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-
22 burning equipment shall be provided for the fuel burning equipment.

22 Elevators shall be maintained in compliance with the Building Code.

22 BB. Water Heating Equipment.

23 Every dwelling or dwelling unit shall have water heating equipment which is properly installed and
24 maintained in safe and good working condition. Such equipment shall be provided with piping to
25 distribute the hot water to all locations required by the Building, Plumbing, and Mechanical Codes and
26 this chapter. Water heating equipment shall be capable of heating water to 120 degrees Fahrenheit in
27 quantities to permit a reasonable amount of hot water to be drawn at every required kitchen sink, lavatory,
28 bathtub, or shower on demand. Hot water heating equipment shall have its thermostat set no lower than
29 120 degrees Fahrenheit, and shall be provided with all safety equipment prescribed by the Plumbing and



Mechanical Codes. Water-heating equipment required by this section shall be independent of the building heating system.

1 CC. Light and Ventilation.

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

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

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

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

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

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

8 Natural ventilation shall be by means of openable windows, doors, skylights, or other approved openings to the exterior of the building. Natural ventilation shall be provided accordance with the Building and Mechanical Code.

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

10 DD. Solid-Fuel-Burning Appliances.

11 Solid-fuel-burning appliances shall be listed by an approved testing agency and shall be installed in accordance with their listing and with the manufacturer's installation instructions, and shall comply with the applicable Washington State Department of Ecology emissions standards and/or the United States Environmental Protection Agency emission standards for air quality.

12 The appliance shall be vented in accordance with Building and Mechanical Code and manufacturer's listing. Masonry chimneys must be lined. Factory-built chimneys shall be listed by an approved testing agency and shall be installed in accordance with their listing.

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

14 EXCEPTION: Solid-fuel-burning furnaces with an approved ducted heat distribution system and an automatic fuel delivery system. A building permit is required for the installation of a solid-fuel-burning device.

15 EE. Chimneys.

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

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



FF. Plumbing.

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

GG. Number of Plumbing Fixtures.

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

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

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

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

11 1. There are separate toilet and bathing facilities for each sex.

12 2. Toilet and bathing facilities shall be separate from each other or of adequate size to permit simultaneous
13 use.

13 3. The men's toilet facilities shall contain:

14 Water Closets: One for every ten guest rooms, or fraction thereof, but not less than one. Urinals: One for
15 every 25 guest rooms, or fraction thereof, but not less than one. Lavatories: One for every 12 guest rooms,
16 or fraction thereof, but not less than one.

15 4. The women's toilet facilities shall contain:

16 Water Closets: One for every eight guest rooms, or fraction thereof, but not less than one. Lavatories: One
17 for every 12 guest rooms or fraction thereof, but not less than one.

17 5. The bathing facilities for each sex shall contain:

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

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

21 Commercial and Industrial Buildings: Commercial and Industrial Buildings shall be provided with toilet
22 facilities for each sex.

22 Each toilet facility shall be provided with a minimum of one water closet and one lavatory. In addition,
23 each men's toilet facility shall also be provided with a urinal where there are more than four persons using
24 the facility.

EXCEPTIONS:

24 1. Commercial and Industrial buildings may provide a single toilet facility with a lockable door where the
25 total occupant load is 15 or less.

26 2. Restaurants with a total occupant load including customers and employees of 15 or less may provide a
single toilet facility with a lockable door.



3. Toilet facilities which provided adequate fixtures in accordance with the Building Code in effect when the building was constructed.

1 HH. Sanitation.

2 1. Floors. In other than dwelling units, toilet room floors shall have a smooth, hard, nonabsorbent surface,
3 such as Portland cement, concrete, ceramic tile, or other approved material, which extends upward onto
4 the walls at least five inches.

4 2. Walls. Walls within two feet of the front and sides of urinals and water closets shall have a smooth,
5 hard, nonabsorbent surface of Portland cement, concrete, ceramic tile, or other smooth, hard, nonabsorbent
6 surface to a height of four feet, and except for structural elements, the materials used in such walls shall be
7 of a type which is not adversely affected by moisture.

6 EXCEPTIONS:

7 1. Dwelling units and guest rooms.

8 2. Toilet rooms which are not accessible to the public and which have not more than one water closet.

9 3. Hardware. In all occupancies, accessories such as grab bars, towel bars, paper dispensers, and soap
10 dishes, provided on or within walls, shall be installed and sealed to protect structural elements from
11 moisture.

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

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

13 II. Infestation.

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

16 JJ. Accessory Structures.

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

22 An accessory structure shall contain no habitable space. No person shall occupy or allow another to
23 occupy an accessory structure for living purposes. Plumbing shall not be permitted in an accessory
24 structure, except as permitted by the Tacoma Land Use Regulatory Code, codified in Title 13 of the
25 Tacoma Municipal Code.

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

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

33 KK. Accessibility for the Physically Disabled.

34 All buildings shall be in compliance with the provisions of the Building Code.



LL. Exterior Maintenance.

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

5 2. Sidewalks, Retaining Walls and Paving. The owner shall be responsible for maintaining sidewalks and
6 other paving on the property. Sidewalks, retaining walls, and other paving on the property shall provide a
7 reasonably even surface without potential hazards.

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

14 MM. Interior Maintenance.

15 Interior wall, ceiling and floor coverings, interior doors, trim, cabinetry and their hardware shall be
16 maintained in reasonable condition and if damaged repaired or replaced. Holes in drywall or other
17 approved surfaces must be repaired to prevent the spread of fire and finished in an approved manner.
18 Mold and mildew must be cleaned to prevent health issues and wall and ceiling coverings shall be painted
19 if needed to ensure that the area is sanitary.

20 NN. Recreational Vehicles or Other Vehicles.

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

23 OO. Cargo Containers and Semi-Trailers.

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

26 2. Semi-trailers shall not be used for storage buildings.

2.01.070 Unoccupied, Vacant, or Partially Secured Building Standards.

A. Intent.

1 It is the intent of this section that buildings which are unoccupied, vacant, or partially secured but
2 occupied shall present a neat and orderly appearance and, as much as possible, will appear occupied or
3 ready for occupancy. If a building is to remain unoccupied or vacant for a period of time, it shall meet the
4 following standards:

5 1. All exterior openings shall be properly secured as outlined in Subsection C below, Standards for
6 Securing Buildings. Openings shall be secured by the normal building amenities, including, but not
7 limited to, doors, shutters, grills, and window glazing, which can be considered appropriate for securing an
8 occupied building. If it becomes necessary to temporarily secure openings by covering them with
9 structural paneling, the use of the paneling shall be limited to a maximum of 30 calendar days. Where it
10 becomes impractical to secure buildings using the normal security measures, the Building Official may
11 permit the use of medium density overlay or other approved materials, installed in the window frames and
12 painted with a glossy paint of such color to simulate glazing. In such case, the paneling or other approved
13 materials shall blend with the exterior finish of the building, to provide the building with a neat and tended
14 appearance.

15 2. The building shall be properly weather-protected to prevent deterioration of the exterior and interior of
16 the building. This weather protection shall be approved by the City and shall include the roof and wall
17 assemblies.



1 3. All miscellaneous debris which constitutes a fire hazard shall be removed from the building and
2 property, and the property shall comply with the Nuisance Code, Chapter 8.30 of the Tacoma Municipal
3 Code. The property shall remain nuisance free at all times.

4 4. All buildings which have automatic fire sprinklers systems and/or fire alarm systems shall have such
5 systems maintained in operable condition at all times.

6 5. Adequate heat shall be maintained within an unoccupied or vacant building to prevent plumbing and
7 automatic fire sprinkler systems from freezing, or alternatively the plumbing, automatic fire sprinkler
8 systems, or any other element in the building sensitive to freezing may be winterized in an approved
9 manner.

10 6. All sewer lines shall be capped. When approved by Planning and Development Services, this may be
11 accomplished by providing an approved plug at the fixtures within the building.

12 7. The owner shall inspect the property periodically to assure that the property remains in compliance with
13 this chapter. In the event that the unoccupied building does not conform to this standard, the Building
14 Official may order the owner to inspect the property according to a specific schedule, and to provide
15 written reports that the inspections have been performed and that the property is in compliance with these
16 standards.

17 B. Procedures for Securing Buildings.

18 1. Vacant Buildings.

19 Once a building is determined to be vacant and is open to unauthorized third-party entry, the Building
20 Official shall make reasonable effort to contact the owner to have the building secured. If the owner
21 cannot be contacted with reasonable effort, the City shall secure the building. If such building is
22 presenting an immediate danger to the health, safety, and welfare of the public, or is requested to be
23 immediately secured by the Building Official, the City Police Department, the City Fire Department
24 and/or the Tacoma-Pierce County Health Department, or their duly authorized representative, the Building
25 Official shall immediately cause the building to be secured. In the event that the City secures the building,
26 all costs incurred shall be assessed to the owner of the property.

27 2. Occupied Buildings.

28 If a building is occupied and determined by the City to be in violation of this chapter and presents an
29 immediate danger to the health, safety, and welfare of the occupants or the public, the building shall be
30 ordered vacated by the Building Official, and the Building Official shall cause the building to be
31 immediately secured from unauthorized third-party entry. In the event that the City secures the building,
32 all costs incurred shall be assessed to the owner of the property and the City may classify the building as
33 derelect or unfit.

34 3. Occupied Buildings which have been secured due to vandalism or other hazards.

35 Occupied buildings that have been secured due to vandalism or other hazards may remain secured for a
36 period of 21 calendar days while the owner obtains estimates for the repair of the damaged door(s),
37 window(s), exterior wall(s), or other areas of the building which have been damaged due to hazards
38 beyond the control of the owner. If, after a period of 30 days, the owner has failed to repairs any damage
39 caused by vandalism or other hazards, the City may classify the building as substandard.

40 C. Standards for Securing Buildings.

41 To secure a building, all doors, window openings, or other openings on floors accessible from grade shall
42 be closed and locked, or shuttered to prevent third-party entry, to the satisfaction of the Building Official.



EXHIBIT "B"

1 **8.35.060 Penalties and Enforcement.**

2 When the City determines that a neglected historic property exists within the City, it may:

3 A. Begin enforcement action pursuant to procedures outlined in TMC 8.30, including, but not limited to,
4 issuing a Notice of Violation and Abatement, or entering and repairing or correcting any conditions that
5 threaten the integrity of the building, including failing weather protection, structural instability, failing
6 masonry, or architectural elements in danger of falling off, and in accordance with the requirements for
7 design review TMC 13.05.047. Such repair should be limited to that which is minimally necessary in order to
8 stabilize a historic structure or to prevent further significant deterioration, and may be considered temporary
9 in nature.

6 B. A person to whom a Notice of Violation and Abatement or civil penalty has been issued, or any other
7 person with a legal or equitable interest in the property, may request an appeal hearing pursuant to
8 TMC 8.30.100. If any historic property covered by this chapter shall have to be demolished as an unfit
9 building ~~or "dangerous building"~~ per TMC 2.01 and the owner thereof shall have received two (2) or more
10 notices from the City that the property is a "neglected historic property" in violation of this and other city
11 ordinances, the following shall apply:

10 1. For a period of five (5) years from and after the date of such demolition, development of the site shall be
11 limited to a replacement structure that reproduces the size, square footage and visual, aesthetic, architectural,
12 and material character of the demolished building, and must be approved by the Landmarks Preservation
13 Commission, prior to the issuance of any development permits. Additionally, no permits for the operation of
14 surface parking lot shall be granted by the city during this period, nor shall a parking lot for vehicles be
15 operated, whether for remuneration or not, on the site for a period of five (5) years from and after the date of
16 such demolition.

13 2. This provision shall not apply to demolitions attributable to an act of God or other catastrophic occurrence
14 that could not have been prevented by the exercise of foresight or caution

15 3. This provision may be lifted by the Director of Planning and Development Services in consultation with
16 the Landmarks Preservation Commission if it can be demonstrated that there is a viable development project
17 on the site that represents a substantial benefit to the public.

16 C. For historic properties that may be considered unfit according to RCW 35.80, the City may initiate the
17 ~~unfit dangerous~~-building procedures pursuant to TMC 2.01.0560 or the City may initiate eminent domain
18 procedures in accordance with RCW 35.80A.

18 * * *

19 **8.122.010 General definitions.**

20 As used in this Chapter, the following terms shall have the meanings set forth in this Section, unless a
21 different meaning is clearly indicated by the context in which the term is used:

21 A. "Activity" means any act or combination of acts, which actually results in the production of sound.

22 B. "Ambient" sound means the sound level at a given location that exists as a result of the combined
23 contribution in that location of all sound sources, excluding the contribution of a source or sources under
24 investigation for violation of this code and excluding the contribution of extraneous sound sources. For
25 purposes of the enforcement of this code, the ambient sound level of a given location may be determined
26 based upon measurements taken at a comparable site (which includes but is not limited to comparable
physical locations and time of day) in the nearby area.

25 C. "ANSI" means the American National Standards Institute, which serves as the administrator and
26 coordinator of the United States private sector voluntary standardization system.



D. "Apparatus" means any mechanism that prevents, controls, detects, measures or records the production of sound.

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E. "Building" means a structure as defined in Section 2.01.0450 of the Tacoma Municipal Code.

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EXHIBIT "C"

1 **11.05.231 Human habitation of vehicles.**

2 A. It is unlawful for any person to use, occupy, or permit the use or occupancy of any vehicle for human
3 habitation. For purposes of this section, "human habitation" means the use of a vehicle as a dwelling
4 place and does not include temporary use of a vehicle for alleviation of sickness or because of physical
5 inability to operate the vehicle.

6 B. A recreational vehicle being used for human habitation may be parked for up to 24 hours during a
7 72-hour period. However, parking the recreational vehicle in another location within the City within the
8 72-hour period is a violation of this section.

9 C. Recreational vehicle parks in compliance with the municipal code and state law are exempt from the
10 provisions of this section.

11 D. A recreational vehicle may be used for human habitation if an appropriate permit, such as a special
12 events, special use, or temporary use permit, has been obtained from the City that authorizes a
13 recreational vehicle to be parked and used for human habitation.

14 E. Recreational vehicles ("RVs") may be permitted to be used for human habitation for up to 14 days per
15 calendar year at a specific location when the resident of the property adjacent to which the RV will be
16 parked has first obtained a permit from the City.

17 1. Permits are valid only for the dates authorized on the permit and only for the location indicated on the
18 permit. A permit must be displayed in a manner that it is clearly visible from the outside of the
19 recreational vehicle.

20 2. A recreational vehicle permitted under this subsection may be used for human habitation for a
21 maximum of 14 days per calendar year. This maximum period may not be exceeded by obtaining a
22 permit for more than one location.

23 3. The owner, operator, and occupants of the RV must comply with all conditions printed on the permit.
24 Conditions include: (a) the vehicle must be legally parked, (b) all waste and sewage generated within the
25 RV must be disposed of in a safe and legal manner, (c) operation of a generator while the RV is parked is
26 prohibited, (d) the use of extension cords and other hookups is prohibited, (e) the erection of awnings and
setting up furniture or similar items outside the RV is prohibited.

4. The violation of any condition printed on the permit is a violation, and the owner or operator of the RV
may be cited, as provided in this section. A permit may be summarily revoked by a police officer, road
compliance officer, code enforcement officer, tax and license compliance officer, or parking enforcement
officer when (a) a condition printed on the permit or other City code provision has been violated by the
vehicle owner, operator, or occupant or (b) the municipal code is violated in relation to the parking or
occupancy of the vehicle or (c) the permit was obtained by fraud or misrepresentation.

5. The resident obtaining the permit must present proof of residency at the address at the time of
application for the permit.

6. Definitions:

A. "Vehicle" shall include, but not be limited to, automobiles, motorcycles, trucks, buses, motorized
recreational vehicles, campers, boats, travel trailers, boat trailers, utility trailers, or other similar devices.

B. "Recreational Vehicle" ("RV") means a vehicular-type unit primarily designed for recreational
camping or travel use that has its own motive power or is mounted on or towed by another vehicle. The
units include travel trailers, fifth wheel trailers, folding camping trailers, truck campers, and motor
homes.



7. Violations.

1 A. Any violation of this section is a class 1 civil infraction not to exceed \$250, not including statutory assessments.

2 B. Any violation in any street, park, alley, public parking lot, or other public way will subject the vehicle
3 to immediate impoundment if the vehicle cannot be moved under its own power or if the person in
4 control of the vehicle refuses to move the vehicle or if the same person or vehicle has violated this section
5 within the prior 60 days.

6 C. Penalties for a violation of this section shall be in addition to any other remedy provided by law,
7 including section 2.01.0570 MM of the Municipal Code.

8 8. Fees. The cost of a permit is \$10 payable to the Finance Department. Fees shall be paid to the Director
9 in United States currency by bank draft, certified check, cashier's check, personal check, money order,
10 cash, or by wire transfer or electronic payment if such wire transfer or electronic payment is authorized
11 by the Director of Finance.
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EXHIBIT "D"

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13.05.049 Minimum buildings standards, historic.

A. Prevention of Demolition by Neglect. The Landmarks Preservation Commission shall make a reasonable effort to notify the Building Official of historic properties that appear to meet the criteria for substandard buildings or property under TMC 2.01.0560.

B. For buildings listed on the Tacoma Register of Historic Places which are found to be Substandard, Derelict, or Dangerous according to the Building Official, under the Minimum Building provisions of TMC 2.01, the following shall apply:

1. Because City landmarks are culturally, architecturally, and historically significant to the City and community, the historic status of a Substandard, Derelict, or Dangerous Building may constitute a "sufficient reason" for acceptance of alternate timelines and extensions upon agreed timelines; and,

2. Any timelines and plans for the remediation of a dangerous City landmark, including for repair or demolition, shall not be accepted by the Building Official until the applicable procedures as set forth in this chapter for review of design or demolition by the Landmarks Preservation Commission have been satisfied, pursuant to TMC 2.01.0340.BF.

3. The Building Official may consider the Landmarks Preservation Commission to be an interested party as defined in TMC 2.01, and shall make a reasonable effort to keep the Commission notified of enforcement complaints and proceedings involving City Landmarks.

4. Nothing in this chapter shall be construed to prevent the alteration of any feature which the Building Official shall certify represents an immediate and urgent threat to life safety. The Building Official shall make a reasonable effort to keep the Historic Preservation Officer informed of alterations required to remove an unsafe condition involving a City Landmark.

C. The Historic Preservation Officer shall have the authority to administratively approve changes without prior Landmarks Preservation Commission review per Section 13.05.048, if, upon consultation with the Building Official and appropriate City Engineering staff, it is determined such changes are necessary to mitigate an immediate and urgent threat of structural failure or significant damage to a City landmark. The circumstances and rationale for such an alteration shall be provided in a report to the Landmarks Preservation Commission at its next regular meeting.