



Legislation Passed June 30, 2015

The Tacoma City Council, at its regular City Council meeting of June 30, 2015, 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. 39224

A resolution appointing individuals to the Sustainable Tacoma Commission and the Tacoma Arts Commission.

[Doris Sorum, City Clerk; Elizabeth Pauli, City Attorney]

Resolution No. 39225

A resolution authorizing the execution of a revised Letter of Understanding with the International Brotherhood of Electrical Workers, Local 483, Tacoma Power Unit covering 17 budgeted full-time positions.

[Tara Schaak, Labor Negotiator; Joy St. Germain, Director, Human Resources]

Resolution No. 39226

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Olevit Properties, LLC, for the development of four multi-family market-rate and affordable rental housing units located at 4036 and 4038 South Lawrence Street in the Tacoma Mall Mixed-Use Center.

[Debbie Bingham, Economic Development Specialist; Ricardo Noguera, Director, Community and Economic Development]

Resolution No. 39227

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Signature Investments, for the development of 16 multi-family market-rate and affordable rental housing units located at 4017 and 4021 South Warner in the Tacoma Mall Mixed-Use Center.

[Debbie Bingham, Economic Development Specialist; Ricardo Noguera, Director, Community and Economic Development]

Resolution No. 39228

A resolution supporting "Ban the Box" by removing the question from the City of Tacoma's employment application software program (NEOGOV) that asks "Have you been convicted of a felony within the last 10 years?"

[Joy St. Germain, Director, Human Resources]

Ordinance No. 28300

An ordinance repealing and reenacting Chapter 2.04 of the Municipal Code, relating to the Electrical Code, to update electrical licensing and permitting requirements, definitions, and certain fees and penalties.

[James Hellman, Chief Electrical Inspector; Chris Robinson, Power Superintendent]

Ordinance No. 28301

An ordinance amending Chapter 9.08 of the Municipal Code, relating to Street Occupancies, to eliminate the \$120 application fee for review and processing of sidewalk café permits.

[Jana Magoon, Planning Manager; Peter Huffman, Director, Planning and Development Services]



RESOLUTION NO. 39224

1 BY REQUEST OF DEPUTY MAYOR BOE AND COUNCIL MEMBERS CAMPBELL,
2 MELLO, AND WALKER

3 A RESOLUTION relating to committees, boards, and commissions; appointing
4 individuals to the Sustainable Tacoma Commission and the Tacoma Arts
5 Commission.

6 WHEREAS vacancies exist on the Sustainable Tacoma Commission
7 and the Tacoma Arts Commission, and

8 WHEREAS, at its meeting of June 10, 2015, the Infrastructure, Planning,
9 and Sustainability Committee conducted interviews and recommended the
10 appointment of Peter Hickman to the Sustainable Tacoma Commission, and

11 WHEREAS, at its meeting of March 31, 2015, the Economic Development
12 Committee conducted interviews for the Tacoma Arts Commission and on April 14,
13 2015, recommended the appointment of Paul Throne to said commission, and

14 WHEREAS, pursuant to the City Charter Section 2.4 and the Rules,
15 Regulations, and Procedures of the City Council, the persons named on
16 Exhibit "A" have been nominated to serve on the Sustainable Tacoma
17 Commission and the Tacoma Arts Commission; Now, Therefore,

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19 BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:
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21 That those nominees to the Sustainable Tacoma Commission and the
22 Tacoma Arts Commission, listed on Exhibit "A," are hereby confirmed and
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1 appointed as members of said commissions for such terms as are set forth on
2 Exhibit "A."

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4 Adopted _____

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7 Mayor

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9 Attest: _____
10 City Clerk

11 Approved as to form:
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13 _____
14 City Attorney

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EXHIBIT "A"

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SUSTAINABLE TACOMA COMMISSION

Appointing **Peter Hickman** to a three-year term to expire April 30, 2018.

TACOMA ARTS COMMISSION

Appointing **Paul Throne** to the At-Large No. 2 position to fill an unexpired term to expire December 31, 2016.



RESOLUTION NO. 39225

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Understanding negotiated between the City of Tacoma and
3 International Brotherhood of Electrical Workers, Local 483, Tacoma Power
4 Unit.

4 WHEREAS the City has, for years, adopted the policy of collective
5 bargaining between the various labor organizations representing employees and
6 the administration, and

7 WHEREAS Resolution No. 38920, adopted June 3, 2014, authorized the
8 execution of the 2013-2017 Collective Bargaining Agreement between the City of
9 Tacoma and International Brotherhood of Electrical Workers, Local 483, Tacoma
10 Power Unit ("Union"), on behalf of the employees represented by said Union, and

11 WHEREAS the agreement covers approximately 17 budgeted, full-time
12 equivalent positions intended to be for the special circumstances surrounding the
13 needs of Tacoma Power's Cushman Hydro Project and Wynoochee River Project
14 with Tacoma Public Utilities, and

15 WHEREAS the City and the Union have proposed a Letter of Understanding
16 ("LOU") with an effective date of May 1, 2015, replacing the October 2010 revision,
17 in order to provide work assignment flexibility, including the following: (1) adding
18 the title of Senior Hydro Utility Worker to the list of available classifications for use
19 on the projects; (2) clarifying various roles and responsibilities; (3) clarifying
20 processes and rest periods for employees working overtime; (4) adding a provision,
21 beginning in 2016, for two weekends of standby relief per calendar year; and
22 (5) changing the overtime category designation for the classification of Wynoochee
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Project Maintenance Technician from overtime category A, paid at time and one-half, to category C paid at double overtime, effective May 1, 2015, and

WHEREAS the LOU was considered and approved by the Public Utility Board at its meeting of June 17, 2015, and

WHEREAS it appears in the best interest of the City that the proposed LOU negotiated by said Union and the City be approved; Now, Therefore,

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

That the proper officers of the City are hereby authorized to execute the Letter of Understanding negotiated between the City of Tacoma and International Brotherhood of Electrical Workers, Local 483, Tacoma Power Unit, said document to be substantially in the form of the proposed document on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10779



RESOLUTION NO. 39226

1 A RESOLUTION relating to the multi-family property tax exemption program;
2 authorizing the execution of a Multi-Family Housing 12-Year Limited
3 Property Tax Exemption Agreement with Olevit Properties LLC, for the
4 development of four multi-family market-rate and affordable rental housing
units to be located at 4036 and 4038 South Lawrence Street in the Tacoma
Mall Mixed-Use Center.

5 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
6 Washington, designated several Residential Target Areas for the allowance of a
7 limited property tax exemption for new multi-family residential housing, and
8

9 WHEREAS the City has, through Ordinance No. 25789, enacted a program
10 whereby property owners in Residential Target Areas may qualify for a Final
11 Certificate of Tax Exemption which certifies to the Pierce County
12 Assessor-Treasurer that the owner is eligible to receive a limited property tax
13 exemption, and
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15 WHEREAS Olevit Properties LLC, is proposing to develop four new
16 market-rate and affordable rental units to consist of two three-bedroom, two-bath
17 units of 1,050 square feet, renting for approximately \$1,150 per month; and two
18 four-bedroom, two-bath units of 1,236 square feet, renting for approximately
19 \$1,200 per month, as well as on-site residential parking spaces, and
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21 WHEREAS the Director of Community and Economic Development has
22 reviewed the proposed property tax exemption and recommends that a conditional
23 property tax exemption be awarded for the properties located at 4036 and
24 4038 South Lawrence Street, as more particularly described in the attached
25 Exhibit "A"; Now, Therefore,
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BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

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Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of 12 years, to Olevit Properties LLC for the property located at 4036 and 4038 South Lawrence Street in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit "A."

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Olevit Properties LLC, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Legal description approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Parcel 1

Parcel No. 2890000214

That portion of the Northwest quarter of the Southwest quarter of Section 18, Township 20 North, Range 03 East, W.M. more particularly described as follows:

Lots 18 and 19, Block 10, Cascade Park Addition to the City of Tacoma, W.T., according the Plat recorded in Book 1 of Plats at Page 120 records of Pierce County Auditor;

Except the East 62.98 feet thereof;

Also except that portion conveyed to the City of Tacoma in the Deed recorded under recording Number 200902120431;

(Also known as Revised Parcel A of the City of Tacoma Boundary Line Adjustment No. MPD2008-40000121312, recorded under recording number 200902275002, records of Pierce County);

Situate in the City of Tacoma, County of Pierce, State of Washington.

Parcel 2

Parcel No. 2890000213

That portion of the Northwest quarter of the Southwest quarter of Section 18, Township 20 North, Range 03 East, W.M. more particularly described as follows:

Lots 18 and 19, Block 10, Cascade Park Addition to the City of Tacoma, W.T., according the Plat recorded in Book 1 of Plats at Page 120 records of Pierce County Auditor;

Except the West 66.98 feet thereof;

(Also known as Revised Parcel B of the City of Tacoma Boundary Line Adjustment No. MPD2008-40000121312, recorded under recording number 200902275002, records of Pierce County);

Situate in the City of Tacoma, County of Pierce, State of Washington.



RESOLUTION NO. 39227

1 A RESOLUTION relating to the multi-family property tax exemption program;
2 authorizing the execution of a Multi-Family Housing 12-Year Limited
3 Property Tax Exemption Agreement with Signature Investments for the
4 development of 16 multi-family market-rate and affordable rental housing
5 units to be located at 4017 and 4021 South Warner Street in the Tacoma
6 Mall Mixed-Use Center.

7 WHEREAS the City has, pursuant to chapter 84.14 of the Revised Code of
8 Washington, designated several Residential Target Areas for the allowance of a
9 limited property tax exemption for new multi-family residential housing, and

10 WHEREAS the City has, through Ordinance No. 25789, enacted a program
11 whereby property owners in Residential Target Areas may qualify for a Final
12 Certificate of Tax Exemption which certifies to the Pierce County
13 Assessor-Treasurer that the owner is eligible to receive a limited property tax
14 exemption, and

15 WHEREAS Signature Investments is proposing to develop new market-rate
16 and affordable rental units to consist of 16 two-bedroom, two-bath units of
17 1,150 square feet each, with a one-car garage for each unit, renting for
18 approximately \$1,195 per month, and

19 WHEREAS the Director of Community and Economic Development has
20 reviewed the proposed property tax exemption and recommends that a conditional
21 property tax exemption be awarded for the properties located at 4017 and
22 4021 South Warner Street, as more particularly described in the attached
23 Exhibit "A"; Now, Therefore,

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

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Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of 12 years, to Signature Investments for the properties located at 4017 and 4021 South Warner Street in the Tacoma Mall Mixed-Use Center, as more particularly described in the attached Exhibit "A."

Section 2. That the proper officers of the City are authorized to execute a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Signature Investments, said document to be substantially in the form of the proposed agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Legal description approved:

Chief Surveyor
Public Works Department



EXHIBIT "A"

LEGAL DESCRIPTION

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Parcel Nos . 2890000272 and 2890000282

That portion of the Northwest quarter of the Southwest quarter of Section 18, Township 20 North, Range 03 East, W.M. more particularly described as follows:

Lots 9 and 10 and the North half of Lot 11, Block 11, Cascade Park Addition to the City of Tacoma, W.T., according the Plat recorded in Book 1 of Plats at Page 120 records of Pierce County Auditor;

Except the West 3 feet thereof.

(Also known as Lot 1 of City of Tacoma Boundary Line Adjustment No. 40000058714 recorded January 06, 2006 as recording number 200601065005 in the official records of Pierce County)

Also:

That portion of the Northwest quarter of the Southwest quarter of Section 18, Township 20 North, Range 03 East, W.M. more particularly described as follows:

Lots 12 and 13 and the South half of Lot 11, Block 11, Cascade Park Addition to the City of Tacoma, W.T., according the Plat recorded in Book 1 of Plats at Page 120 records of Pierce County Auditor;

Except the West 3 feet thereof;

(Also known as Lot 2 of City of Tacoma Boundary Line Adjustment No. 40000058714 recorded January 06, 2006 as recording number 200601065005 in the official records of Pierce County)

Situate in the City of Tacoma, County of Pierce, State of Washington.



RESOLUTION NO. 39228

1 BY REQUEST OF MAYOR STRICKLAND AND COUNCIL MEMBERS LONERGAN,
2 WALKER, AND WOODARDS

3 A RESOLUTION supporting “Ban the Box” by removing the question from the
4 City of Tacoma’s employment application software program (NEOGOV)
5 that asks “Have you been convicted of a felony within the last 10 years?”

6 WHEREAS there is a nationwide movement to “Ban the Box,” which refers
7 to the check box on applications asking whether a candidate has ever been
8 convicted of a serious crime, and

9 WHEREAS proponents argue that removing the question reduces an
10 unfair barrier to employment – the likelihood of being screened out early in the
11 process without further consideration of qualifications based on checking “yes” –
12 for those with criminal records, and

13 WHEREAS eliminating this question ensures that the candidates’
14 qualifications, rather than conviction records only, are considered in the early
15 screening process, and

16 WHEREAS current Equal Employment Opportunity Commission (“EEOC”)
17 guidelines relating to criminal history recommend against blanket disqualification
18 based on conviction, and further recommend that hiring managers consider the
19 specific offense and its relationship to the position for which the candidate
20 applied in determining whether the candidate is qualified for employment, and

21 WHEREAS the City’s current background check procedures reflect EEOC
22 guidelines, including obtaining criminal history records prior to hire, and

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WHEREAS candidates will be asked to disclose any criminal history issue as part of the process after a conditional offer of employment is made pending the background check, and

WHEREAS, for Police Department applicants, the criminal history question will continue to be asked early in the hiring process as part of the Personal History Questionnaire, and applicants must pass a background investigation and polygraph test, and

WHEREAS procedures may also differ for certain positions in the City Attorney's Office and Tacoma Municipal Court, and

WHEREAS there are currently 17 states and over 100 cities and counties that have taken steps to remove barriers to employment for qualified workers with records, including Seattle and Spokane; and

WHEREAS, in November 2012, Pierce County modified its employment application by removing the question, and

WHEREAS, at the June 16, 2015, Study Session, this matter was introduced for consideration by the City Council; Now, Therefore,



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

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That the City Council hereby supports “Ban the Box” by removing the question “Have you been convicted of a felony within the last 10 years?” from the City of Tacoma’s employment application software program (NEOGOV).

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



ORDINANCE NO. 28300

1 AN ORDINANCE relating to the Electrical Code; amending Title 2 of the Tacoma
2 Municipal Code by repealing and reenacting Chapter 2.04 to update
3 electrical licensing and permitting requirements, definitions, and certain
fees and penalties.

4 WHEREAS the City of Tacoma, Department of Public Utilities, Light Division
5 (d.b.a. "Tacoma Power"), desires to amend Chapter 2.04 of the Tacoma Municipal
6 Code ("TMC"), the Electrical Code, to ensure consistency with current standards
7 and practices and conform with certain updated provisions of the 2014 Edition of
8 the National Electrical Code ("NEC"), Chapter 19.28 of the Revised Code of
9 Washington ("RCW"), and Chapter 296-46B of the Washington Administrative
10 Code ("WAC"), and
11 Code ("WAC"), and

12 WHEREAS the proposed amendments update electrical licensing and
13 permitting requirements, definitions, and certain fees and penalties, and clarify
14 customer responsibilities pertaining to electrical permits, inspections, and the fees
15 and penalties applicable to permit-related services, and
16 and penalties applicable to permit-related services, and

17 WHEREAS community stakeholders, including the Master Builders
18 Association, National Electrical Contractors Association, Rock Tenn, Atlas Foundry,
19 and over 400 electrical contractors, reviewed the proposed amendments, with no
20 adverse comments received by the City, and
21 adverse comments received by the City, and

22 WHEREAS the amendments will allow Tacoma Power to administer and
23 enforce the requirements set forth in the 2014 Edition of the NEC, Chapter 19.28 of
24 the RCW, and Chapter 296-46B of the WAC, and provide clarification and ease of
25 the RCW, and Chapter 296-46B of the WAC, and provide clarification and ease of
26 the RCW, and Chapter 296-46B of the WAC, and provide clarification and ease of



use for customers who perform electrical work in Tacoma Power's jurisdiction;

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Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That Title 2 of the Tacoma Municipal Code is amended by repealing and reenacting Chapter 2.04 thereof in its entirety, as set forth in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-10782



EXHIBIT "A"

Chapter 2.04 ELECTRICAL CODE

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3 Sections:

- 4 2.04.010 Title.
5 2.04.020 Purpose.
6 2.04.030 Scope of chapter.
7 2.04.035 Adoption.
8 2.04.040 Standards for installations.
9 2.04.050 Severability.
10 2.04.060 Enforcement of chapter.
11 2.04.070 Definitions.
12 2.04.080 Duties of Chief Electrical Inspector.
13 2.04.090 Effective date of chapter.
14 2.04.100 Inspection of new electrical installations.
15 2.04.110 Inspection of existing electrical installations.
16 2.04.120 Final inspection and service approval.
17 2.04.130 Temporary wiring.
18 2.04.135 Metering installations and labeling.
19 2.04.140 New electrical installations.
20 2.04.145 Overhead service drops.
21 2.04.150 Unlawful to alter existing wiring.
22 2.04.155 Variance from Code requirements.
23 2.04.160 Move-on housing.
24 2.04.170 Fusing and equipment protection.
25 2.04.180 Explanation of chapter requirements.
26 2.04.190 Right of entry.
2.04.200 Nonliability of City for damages.
2.04.210 Permits required.
2.04.220 Permits and inspections.
2.04.230 Permit to owner – conditions and affidavit.
2.04.240 Filing of drawings and specifications.
2.04.250 Permit fees.
2.04.260 Penalty fees and fee adjustments.
2.04.270 Penalty and adjustment fee appeals.
2.04.300 Protection of electrical workers.
2.04.350 License requirements.
2.04.360 Appeal process.
2.04.370 Additional rules may be made by Director.
2.04.380 Classification of occupancies and wiring methods.
2.04.400 Violations – Notification – Penalties.

23 2.04.010 Title.

24 This Chapter shall be known as the Electrical Code of the City of Tacoma or alternatively the Tacoma Electrical Code.

25 2.04.020 Purpose.

26 The purpose of this Code is the practical safeguarding of persons and property from electrical hazards arising from the use of electricity. This Code contains provisions that are considered necessary for safety. Compliance with this chapter and proper maintenance will result in an installation that is reasonably free from



1 hazard, but not necessarily the most efficient, convenient, or adequate for good service or future expansion of
2 electrical use. Additional guidance for efficient and convenient future expansion of electrical use and systems
3 is found in the NEC.

4 **2.04.030 Scope of chapter.**

5 The provisions of this chapter shall apply to all electrical conductors and equipment installed, used, rented,
6 offered for sale, or distributed for use in areas served by the City, by and through its Department of Public
7 Utilities, Light Division, and its franchised entities, except as shown in Article 90.2(B) of the 2014 National
8 Electrical Code.

9 **2.04.035 Adoption.**

10 A. RCW and WAC adoption and incorporation by reference. Except as otherwise specified in this chapter, the
11 City hereby adopts and incorporates into this chapter, the Tacoma Electrical Code, those provisions of the
12 Revised Code of Washington (“RCW”) contained in Chapter 19.28, and the Washington Administrative Code
13 (“WAC”), Chapter 296-46B, that relate to electrical installations including, but not limited to, methods of
14 construction, repair, maintenance, use of materials, and approval of such installations intended to insure the
15 safety of life and property.

16 B. NEC adoption. The City hereby adopts and incorporates into this chapter, the Tacoma Electrical Code, the
17 provisions of the 2014 National Electrical Code (“NEC”) in its entirety.

18 C. In the event any NEC, RCW or WAC provision adopted pursuant to this section is hereafter amended, said
19 amended provision shall be deemed adopted and incorporated into this chapter as of the effective date of such
20 amendment unless the amended provision establishes standards of electrical installations that are not equal to,
21 higher, or better than that required by any other NEC, RCW or WAC provision then in effect. It is the intent
22 of this section that, except as otherwise expressly required or provided under this chapter, the highest standard
23 of electrical installations specified in the NEC, RCW and/or WAC is adopted and shall be enforced per the
24 Tacoma Electrical Code.

25 **2.04.040 Standards for installations.**

26 A. All electrical installations shall be in conformity with the provisions of this Code and with approved
27 electrical standards for safety to life and property. Where no specific standards are prescribed by this Code,
28 conformity with the requirements or rules set forth in the current edition of the NEC, as amended by the
29 WAC, shall be prima facie evidence of conformity with approved standards for safety to life and property. If
30 any requirements or rules in this chapter are found to be not at an equal, higher, or better standard of
31 materials, devices, appliances, and equipment than of those of the WAC, the requirements of the WAC will
32 prevail. The current edition of the NEC shall mean the current edition of the NEC, as adopted by the City in
33 Section 2.04.035.

34 B. Additional City requirements applicable to the provisions of this Code are stated in the:

35 1. Tacoma Power Customer Service Policies, as promulgated or revised from time to time, on file with the
36 Clerk of the Public Utility Board,

37 2. Tacoma Power Electric Service Handbook, as the same may be amended from time to time by the Light
38 Division Superintendent or his/her designee, on file with Tacoma Power’s Electrical Inspection Office, and

39 3. Tacoma Power Transmission and Distribution Construction Standards, as the same may be amended from
40 time to time by the Light Division Superintendent or his/her designee, on file with Tacoma Power’s Electrical
41 Inspection Office.

42 **2.04.050 Severability.**

43 If any section, subsection, sentence, clause, or phrase of this chapter is for any reason held to be
44 unconstitutional, such decision shall not affect the validity of the remaining portions of this chapter. The City
45 Council hereby declares that it would have passed this chapter and each section, sentence, clause, or phrase
46 thereof, irrespective of the fact that any one or more section, subsection, sentence, clause, or phrase be
47 declared unconstitutional.



1 **2.04.060 Enforcement of chapter.**

The Chief Electrical Inspector of the Light Division of the Department of Public Utilities, hereinafter called the Chief Electrical Inspector, shall be responsible for the enforcement of this chapter.

2 **2.04.070 Definitions.**

3 “Building” means the structure, of any type or designation, at which work under the Electrical Permit will be performed and which is located at the Premises identified by site address on the application for the Permit.

4 “City” means the City of Tacoma, Department of Public Utilities, Light Division, doing business as Tacoma Power.

5 “Code” means this chapter of the Tacoma Municipal Code.

6 “Contractor” means the person, firm, or corporation performing the installation of electrical work pursuant to an Electrical Permit and licensed by the State of Washington. Also referred to herein as electrical contractor.

7 “Electrical Inspection Office” means the office within Tacoma Power charged with administration and enforcement of this Code under the immediate supervision of the Chief Electrical Inspector.

8 “Electrical Permit” or “Permit” means a fully paid, and neither expired nor terminated permit issued by Tacoma Power.

9 “Occupying” means moving furnishings, material, merchandise, or persons into a Building or Premises.

10 “Owner” means the legal owner of the Premises on which electrical work is installed or is to be installed.

11 “Permit Holder” means the person or entity that applies for and is issued an Electrical Permit. The Permit Holder shall be responsible for full compliance with the requirements of this chapter. When the Permit Holder is not the Owner of the Premises identified in the Permit application, but performs electrical work at the Premises for such Owner, the Permit Holder shall be deemed to be the authorized agent of the Owner for purposes of enforcement of this chapter and, therefore, such Owner shall be responsible for the acts or omissions of the Permit Holder including, but not limited to, correction of Code violations and the payment of fees or penalties arising under the Permit.

12 “Premises” means real property and all Buildings and other improvements located thereon.

13 “Service Point” means the point where the customer’s service conductors are connected to Tacoma Power’s service utility conductors.

14 “Stop Work Order” means a written notice posted by the electrical inspector ordering the electrical work to be suspended until the electrical inspector removes the notice.

15 **2.04.080 Duties of Chief Electrical Inspector.**

16 It shall be the duty of the Chief Electrical Inspector to see that the provisions of this chapter are enforced. The Chief Electrical Inspector shall, upon application, issue Permits for the installation or alteration of electrical wiring, devices, appliances, and equipment, and shall make inspections of electrical installations as provided in this chapter. The Chief Electrical Inspector may delegate appropriate inspection and enforcement duties prescribed by this chapter to electrical inspectors, assistants, and other persons duly qualified and regularly employed by the City.

17 **2.04.090 Effective date of chapter.**

18 Any electrical work for which a Permit was obtained before the date on which this chapter becomes effective may be installed and completed in accordance with the laws and regulations which were in effect at the time of issuance of any such Permit.

19 **2.04.100 Inspection of new electrical installations.**

20 A. Rough-in wiring or installation of electrical equipment not listed for use in wet locations shall only be installed in a structure or area of a structure that is completely free of exposure to the elements.



1 B. Requests for inspection must be made by the Permit Holder that installed electrical equipment no later than
2 three business days after completion of the electrical/telecommunication installation or one business day after
3 any part of the installation has been energized, whichever occurs first.

4 C. Electrical wiring shall not be covered or concealed until such wiring has been approved by Tacoma
5 Power's Electrical Inspection Office. Where an electrical installation is covered or concealed before approval,
6 it shall be exposed for inspection. The City shall bear no liability for damages or costs resulting from
7 exposing the electrical installation.

8 **2.04.110 Inspection of existing electrical installations.**

9 A. The Chief Electrical Inspector is hereby empowered to inspect all existing wiring, appliances, devices, and
10 equipment coming within the scope of this chapter. When the installation of any such wiring, appliance,
11 device, or equipment is determined to be in a dangerous or unsafe condition, the person, firm, or corporation
12 owning, using, or operating the same shall be notified and shall make the necessary repairs or changes
13 required to place such wiring, appliances, devices, or equipment in a safe condition, and have such work
14 completed within 48 hours after notification thereof, or within such further reasonable time as may be
15 allowed by Tacoma Power upon request.

16 B. The Chief Electrical Inspector is hereby empowered to disconnect or order the discontinuance of electrical
17 service to such conductors or apparatus found to be in a dangerous or unsafe condition, or to have been
18 installed without a Permit. He or she shall thereupon attach a notice, which states that such conductors or
19 apparatus have been disconnected due to violation of the provisions of this chapter. It shall be unlawful to
20 remove a notice of disconnect or to reconnect electrical equipment to an electrical power source without
21 authorization from the Chief Electrical Inspector. Any person removing the notice, or reconnecting the
22 equipment or wiring before approval to do so has been given, will be subject to the penalties outlined in this
23 chapter.

24 C. Abandoned conductors, conduits, and electrical equipment shall be removed from structures unless it is
25 de-energized, supported, capped, and enclosed or terminated by an acceptable method and tagged "For Future
26 Use" at every accessible location.

2.04.120 Final inspection and service approval.

A. Final inspections are required on all Buildings before occupancy. Each unit of a multiple occupancy
Building or complex must have a separate final electrical inspection approval before it is occupied. The
Permit Holder is required to request a final inspection at the time the electrical installation is completed. A
Permit Holder not complying with the requirements of this section shall be subject to the penalties outlined in
this chapter.

B. Final approval will not be given until all fees owed on the project or Permit(s) are paid. When all fees are
paid, and the electrical installation is complete and in compliance with this chapter the electrical inspector
will sign and/or post a final inspection approval notice. Building permits requiring an electrical inspector's
signed approval shall be posted in a conspicuous location.

C. The Chief Electrical Inspector is hereby authorized to disconnect any electrical installation or equipment
which has been connected before the approval for service has been given. He or she shall thereupon attach a
notice which shall state that the wiring or apparatus has been disconnected due to violation of the provisions
of this chapter. Any person removing the notice, or reconnecting the equipment or wiring before approval to
do so has been given, will be subject to the penalties outlined in this chapter.

2.04.130 Temporary wiring.

Limited use of electricity for emergency or construction purposes may be granted. An Electrical Permit must
be purchased and inspection approval must be given before energizing the electrical installation, except as
provided in this chapter. Emergency installations shall be limited to a 30-day period. Temporary wiring for
construction use is limited to the duration of construction. All use of electricity shall be metered.



2.04.135 Metering installations and labeling.

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

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

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

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

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

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

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

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

24 **2.04.140 New electrical installations.**

25 All new or altered services, feeders, circuits, circuit extensions, and installations must meet requirements of
26 this chapter.

2.04.145 Overhead service drops.

Overhead service drop clearances are the Owner's responsibility. These clearances must be free of any
vegetation obstructions as further specified in the Tacoma Power Electric Service Handbook.

2.04.150 Unlawful to alter existing wiring.

It shall be unlawful for any person to alter in any way any electrical wiring, or to permit such electrical wiring
to be altered, unless done in conformity with the provisions of this chapter.

2.04.155 Variance from Code requirements.

A variance from the electrical installation requirements of this chapter may be granted by the Chief Electrical
Inspector when it is assured that equivalent objectives can be achieved by establishing and maintaining
effective safety. The variance request must be made in writing by the Permit Holder or designer, using a form
provided by Tacoma Power's Electrical Inspection Office. A variance which has been granted shall be for a
specific site and time and will not be considered as a precedent for other installations. All variances must be
granted in writing.

2.04.160 Move-on housing.

In addition to the requirements of WAC 296-46B-010, any structure which has been moved shall have its
service upgraded to meet the requirements of this chapter and the NEC. Kitchen, bath, and laundry circuits
shall comply with the NEC. AFCI protection, in compliance with the NEC, will be required, on all bedroom
circuits.



1 **2.04.170 Fusing and equipment protection.**

Fusing and equipment protection shall be in compliance with NEC Article 240.

2 **2.04.180 Explanation of chapter requirements.**

3 A Tacoma Power electrical inspector may answer relevant questions concerning interpretation or application
4 of adopted regulations and rules outlined in this Code. No electrical inspector shall lay out work or act in the
5 capacity of an electrical installation consultant.

6 **2.04.190 Right of entry.**

7 A Tacoma Power electrical inspector shall have the right to enter any and all Buildings and Premises which
8 contain electrical wiring or apparatus, at any reasonable hour, for the purpose of inspecting or testing the
9 installation of electrical wiring, electrical devices, and/or electric materials to determine Code compliance.
10 Consent to such entry and inspection is a condition of continued electrical service.

11 **2.04.200 Nonliability of City for damages.**

12 This chapter shall not be construed to alter the responsibility or liability of any person owning, designing,
13 operating, controlling, or installing any electrical wires, appliances, apparatus, construction, or equipment for
14 damages to persons or property caused by a defect therein, nor shall the City, or any employee or agent
15 thereof, be held as assuming any such liability by reason of the inspection or other examination authorized
16 herein or the notice of approval issued by the electrical inspector.

17 **2.04.210 Permits required.**

18 An Electrical Permit shall be applied for and purchased before electrical equipment may be installed, altered,
19 or repaired. An Electrical Permit is required for the installation, alteration, or maintenance of all electrical
20 systems or equipment, including, but not limited to, when removal of a Tacoma Power owned electric meter
21 is necessary to perform any electrical work.

22 Exceptions:

23 A. Like-in-kind replacement of a contactor, relay, timer, starter, electronic circuit board, or similar control
24 component, household appliance, circuit breaker, fuse, residential luminaire, lamp, snap switch, dimmer,
25 receptacle outlet, thermostat, heating element, luminaire ballast with an exact same ballast, component(s) of
26 electric signs, outline lighting, skeleton lighting or skeleton neon tubing where the electrical system is not
modified, 10 horsepower or smaller motor;

B. Induction detection loops described in WAC 296-46B-300(2) and used to control gate access devices;

C. Heat cable repair; and

D. Embedding pre-manufactured heat mats in tile grout where the mat is listed by an approved testing
laboratory and comes from the manufacturer with pre-connected lead-in conductors. All listing marks and
lead-in conductor labels must be left intact and visible for evaluation and inspection by the installing
electrician and the electrical inspector.

2.04.220 Permits and inspections.

A. An Electrical Permit application shall be filled in completely and accurately before it will be accepted by
Tacoma Power's Electrical Inspection Office. An application for an Electrical Permit signed by an electrical
contractor or its representative shall serve as a certification by the electrical contractor, made under penalty of
perjury, that said Contractor is the duly authorized agent of the Premises Owner where the electrical work is
to be performed.

B. Electrical Permits shall expire one year after the date of issue or one year after the most recent inspection,
whichever is later. The re-issuance of a Permit, if granted, may require additional fees.

C. The scheduling and timing of inspections shall be according to provisions set forth in the Tacoma Power
Electric Service Handbook.



1 D. The Permit Holder is responsible for providing or arranging access to the work to be inspected.

2 E. The inspection site address shall be clearly visible from the street.

3 F. Electrical Code violations identified by the electrical inspector shall be posted at the work location. Violations shall be corrected within 15 days of notification unless a written request for extension is granted by the Chief Electrical Inspector.

4 G. Electrical Permits shall be required for each Building at which electrical work will be performed.

5 H. Electrical Permits are transferable, provided the original scope of work for the Permit has not changed and there has been no electrical work or inspection activity. The Permit transferee must present a statement and authorizing signature of approval from the Permit transferor. The transfer must take place at Tacoma Power's Electrical Inspection Office within one year of the original Permit issuance.

6 I. Electrical Permits may be canceled by the Permit Holder. Upon such cancellation, Permit Holder shall be refunded the Electrical Permit fee prorated based on prior inspection activity, and less an administrative process fee. Tacoma Power may cancel an Electrical Permit if it determines the Permit Holder is not qualified to perform the Permitted work.

7 **2.04.230 Permit to owner – conditions and affidavit.**

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

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

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

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

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

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

14 **2.04.240 Filing of drawings and specifications.**

15 A. A completed plan review application shall be submitted with information required to complete the review process including, but not limited to, documentation specified in the Plan Review Application Instructions. Submitted plans shall be in accordance with WAC 296-46B-900 and must be stamped by a Professional Electrical Engineer registered with the State of Washington.

16 B. Electrical Permit applicants are required to submit electrical plans, load calculations, and specifications for work to be performed on:

17 1. Commercial and industrial services greater than 400 amps and downtown network services and feeders over 200 amps;

18 2. Residential services and feeders over 400 amps;

19 3. Commercial projects with a scope that covers more than 2,500 square feet;



4. All systems that have emergency generators (NEC Articles 517, 700, 701);

5. Systems operating over 600 volts; or

6. Schools, hospitals, institutions, and other projects as specified in the WAC.

C. Electrical plans must be submitted to Tacoma Power’s Electrical Inspection Office for review, giving sufficient time to complete the review prior to beginning electrical construction. A Tacoma Power approved set of drawings must be on the job site for the electrical inspector’s use. No inspection will be performed unless the approved plans are on the job site or special written permission is granted by the Chief Electrical Inspector or his designee. Where inspections are performed by Tacoma Power prior to plan approval, electrical materials or equipment may be required to be re-installed to meet the requirements of this chapter once plan review is complete. Electrical service will not be provided unless approved plans are on site and the electrical service equipment installation is approved.

D. Plan review fees are included in the commercial Permit fees. When no Permit has been purchased and the project has been canceled, or excessive time is required to review plans submitted with incomplete information or extensive errors, a fee of \$80 per hour will be charged. Shipping and handling fees of \$25 will be charged on all plans requested to be mailed back to the submitter.

2.04.250 Permit fees.

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

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

A. Residential.

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

<u>TABLE A</u>			
<u>Service/PV System/Feeder Ampacity and Square Footage</u>	<u>Permit Fees</u>		
	<u>Column 1</u>	<u>Column 2</u>	<u>Column 3</u>
	<u>Overhead Service up to 2 trips</u>	<u>Underground to Pole and Underground Service up to 4 trips</u>	<u>Feeder Only up to 2 trips</u>
<u>1-200A and up to 2500 sq. ft.</u>	<u>\$80</u>	<u>\$160</u>	<u>\$60</u>
<u>Up to 400A or up to 4000 sq. ft.</u>	<u>\$120</u>	<u>\$200</u>	<u>\$70</u>
<u>Over 400A or over 4000 sq. ft.</u>	<u>Use TABLE B</u>		

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

Use Table A if a service feed is included.

Each additional circuit..... \$5

Fee includes two inspections.



1 3. Service and PV system alterations and repairs. Minor alterations and repairs to an electrical
 2 service or PV system, including, but not limited to, the repair or replacement of the service mast,
 3 service entrance conductors, weather head, service attachment bracket, meter socket, main breaker,
 4 PV array, or production meter socket..... \$40

5 See Table A if service panel, PV AC disconnect, or utility disconnect is repaired or replaced in combination
 6 with any of the above listed items.

7 Fee includes one inspection.

8 4. Low voltage.

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

11 Fee includes one inspection.

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

13 Fee includes one inspection.

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

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

16 Fee includes three inspections.

17 7. Generator transfer panel and equipment. \$60

18 Fee includes one inspection.

19 B. Commercial and industrial.

20 1. Table B. The Permit fee for all commercial and industrial work and any residential installation exceeding
 21 400 amps shall be derived from Table B. Proof of electrical work value must be submitted at the time of
 22 application. Proof may be established by presenting a signed contract or a priced itemization of the work to be
 23 performed. The electrical work value shall be the reasonably documented value of all labor, material, fittings,
 24 apparatus, and the like, whether actually paid for or not, supplied by the Permit Holder and/or installed by the
 25 Permit Holder as a part of, or in connection with, a complete electrical system, but which does not include the
 26 cost of utilizing equipment connected to the electrical system. If a signed contract or other substantial proof of
value is not submitted at the time of Permit application, the value may be established by Tacoma Power’s
Electrical Inspection Office using modern construction cost-estimating techniques. If the reported work value
is determined by Tacoma Power’s electrical inspection office to be significantly less than what was reported
at the time the Permit was purchased, the Permit fee amount will be increased to reflect the corrected actual
value and a charge for the time to determine such value will be assessed to the Permit fee. A fee adjustment
shall be made for all change orders and field changes that increase the value. All fees must be paid before
final electrical inspection approval of the project.

<u>TABLE B</u>	
<u>Value of Electrical Construction</u>	<u>Permit Fees</u>
<u>\$0-\$1,000</u>	<u>\$100 for the first \$1,000 or fraction thereof.</u>
<u>\$1,001-\$5,000</u>	<u>\$100 for the first \$1,000 plus \$4 for each additional \$100 or fraction thereof.</u>
<u>\$5,001-\$50,000</u>	<u>\$260 for the first \$5,000 plus \$2 for each additional \$100 or fraction thereof.</u>
<u>\$50,001-\$100,000</u>	<u>\$1,160 for the first \$50,000 plus \$1.50 for each additional \$100 or fraction thereof.</u>
<u>\$100,001-\$250,000</u>	<u>\$1,910 for the first \$100,000 plus \$9 for each additional \$1,000 or fraction thereof.</u>
<u>\$250,001-\$500,000</u>	<u>\$3,260 for the first \$250,000 plus \$8 for each additional \$1,000 or fraction thereof.</u>



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<u>\$500,001 - \$750,000</u>	<u>\$5,260 for the first \$500,000 plus \$7 for each additional \$1,000 or fraction thereof.</u>
<u>\$750,001 - \$1,000,000</u>	<u>\$7,010 for the first \$750,000 plus \$6 for each additional \$1,000 or fraction thereof.</u>
<u>\$1,000,001 - \$2,000,000</u>	<u>\$8,510 for the first \$1,000,000 plus \$5.50 for each additional \$1,000 or fraction thereof.</u>
<u>\$2,000,001 - \$3,000,000</u>	<u>\$14,010 for the first \$2,000,000 plus \$5 for each additional \$1,000 or fraction thereof.</u>
<u>\$3,000,001 - \$4,000,000</u>	<u>\$19,010 for the first \$3,000,000 plus \$4.50 for each additional \$1,000 or fraction thereof.</u>
<u>\$4,000,001 - \$5,000,000</u>	<u>\$23,510 for the first \$4,000,000 plus \$4 for each additional \$1,000 or fraction thereof.</u>
<u>\$5,000,001 - \$50,000,000</u>	<u>\$27,510 for the first \$5,000,000 plus \$3.50 for each additional \$1,000 or fraction thereof.</u>
<u>\$50,000,001 - \$100,000,000</u>	<u>\$185,010 for the first \$50,000,000 plus \$3 for each additional \$1,000 or fraction thereof.</u>
<u>\$100,000,001 and up</u>	<u>\$335,010 for the first \$100,000,000 plus \$2.50 for each additional \$1,000 or fraction thereof.</u>

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

Minimum fee per 5,000 sq. ft. of Building \$80

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

3. Traffic signals.

Traffic signal and street lighting service only

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

All others Table B

4. Signs.

Each sign or first field installed neon transformer \$40

Each additional sign or field installed neon transformer \$15

Fee includes one inspection.

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

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

Each additional \$5

C. Low voltage—Commercial/Industrial. Fees for low voltage control panels and devices, such as fire alarm systems, data systems, intrusion alarms, HVAC systems, thermostats, communication systems, emergency control systems, and similar systems are as follows:

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

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

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



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1. [Unscheduled: Outside of an electrical inspector’s regular working hours, the minimum fee for an inspection shall be \\$480 for the first two hours, portal to portal, plus \\$160 for each hour thereafter. The fee must be paid the next business day.](#)

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

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

E. [Annual Permit. Pursuant to section 2.04.350, annual Permits are available to commercial and industrial customers employing their own electrical maintenance staff. An annual Permit may be purchased in lieu of individual Permits for maintenance on each job performed. Annual Permits may be purchased by an electrical contractor to perform maintenance work at a commercial and industrial location if, at the time of application, a valid copy of the electrical contractor’s yearly maintenance contract with the customer is submitted to Tacoma Power and the term and nature of work under such contract is consistent, as determined in the sole discretion of Tacoma Power, with the term and purpose of the annual Permit. Applications for annual Permits submitted without proof of required employment status or a valid maintenance contract will not be accepted. Work performed under an annual Permit is limited to the installation of new feeders, and circuits rated 100 amps or less, and the maintenance, repair, retrofit, or replacement of conductors and equipment. Annual Permits do not include the installation of new, exchanged, or upgraded service equipment, new or added square footage, facility expansion or where, except as noted above, load is increased. The annual Permit fee is calculated per Table C.](#)

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

F. [Miscellaneous fees.](#)

1. [Wrong meter address or location.](#)

A [Permit is required to correct or inspect incorrect meter addressing by the Owner or Owner’s agent \\$40 per 1/2 hour](#)

[Overtime rates may apply.](#)

2. [Miscellaneous inspection \(other\).....\\$40 per 1/2 hour](#)

3. [Variance.](#)

A [processing fee for granting an electrical installation as outlined in Section 2.04.155 of this chapter \\$140](#)

4. [Required inspection on services off for one year or more..... \\$40](#)

[Fee includes 1 inspection.](#)

[An additional Permit, fees, and inspections may be required if electrical deficiencies exist on the Premises.](#)



2.04.260 Penalty fees and fee adjustments.

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

- A. Trip fee (per trip) when permit holder notifies Electrical Inspections Office that work is ready for inspection when it is not..... \$40
- B. The Permit Holder gives an incorrect inspection site address \$40
- C. Inspections required as a result of carelessness, neglect, faulty workmanship, or materials \$40
- D. Failing to complete corrections within 15 days as required by this chapter \$40
- E. Removal of Stop Work Order \$40
- F. Tampering with Stop Work Order penalty fee..... \$40
- G. Occupying a Building, living unit, or business space without final electrical approval \$275
- H. Work performed without a Permit..... 4X regular Permit fee
This provision does not pertain to emergency work where a permit is purchased the next business day.
- I. Failure to provide or arrange access for requested inspection \$40
- J. Late charge for nonpayment of penalty fees..... \$25
- K. Permit cancellation administrative process fee..... \$40

2.04.270 Penalty and adjustment fee appeals.

Penalty and Permit adjustment fees are due at the time of assessment unless the assessed party makes an appeal to the Chief Electrical Inspector within 15 business days pursuant to Section 2.04.360. If payment or appeal is not made within the 15 days, an additional \$25 late fee will be assessed and inspection activity will be stopped until the fee and late charges are paid.

2.04.300 Protection of electrical workers.

All clearances per the State of Washington rules contained in WAC 296-155-428 must be maintained while working around overhead electrical lines.

2.04.350 License requirements.

A. Subject to subsections B and C, and except as otherwise provided in RCW 19.28.091 or in section 2.04.230, no person or entity shall in any manner undertake to perform any electrical work involving the installation, maintenance, alteration, or repair of any electrical wiring, devices, appliances, or equipment for which a Permit is required by this chapter unless such person or entity has an unrevoked, unsuspended, and unexpired electrical contractors license issued by the State of Washington.

B. Employers with employee(s) that perform electrical work are exempt from the license requirements of this section, provided that:

- 1. The work performed is on the employer’s Premises or other property; and
- 2. The work is not on the construction or remodel of a Building or other property intended for rent, sale, or lease.

C. Employees performing electrical work on the Premises or other property of their employer are exempt from the license requirements of this section, provided that:

- 1. The work is not on the construction or remodel of a Building or property intended for rent, sale, or lease; and
- 2. The employee performing the work is a regular, full time employee of the Owner of such Building or property.



1 D. A licensed electrical contractor will be required to perform any electrical work for, or on behalf of, any
2 person or entity that does not satisfy the licensing requirements of this section. If it is apparent from the
3 character of the work performed that the person or entity performing work under any exemption in this
4 section is not qualified to do the work under the Permit issued, or that the work is otherwise in violation of
5 this chapter, an electrical inspector may require the work to be changed, altered, or repaired by a licensed
6 electrical contractor.

7 **2.04.360 Appeal process.**

8 A. Any decision of an electrical inspector regarding the requirements of, or fees and penalties imposed under
9 this chapter, may be appealed in writing to the Chief Electrical Inspector. The appeal must be made within
10 15 business days of the initial decision. The Chief Electrical Inspector shall respond in writing within ten
11 business days.

12 B. Any decision of the Chief Electrical Inspector may be appealed to the Light Division Superintendent or
13 his/her designee. The appeal must be made in writing and within ten business days of the Chief Electrical
14 Inspector's decision. The Light Division Superintendent or his/her designee shall make a decision on the
15 appeal request within a reasonable time, which decision shall be in writing. Except for criminal and civil
16 penalties imposed pursuant to section 2.04.400 of this chapter, the written decision of the Light Division
17 Superintendent or his/her designee is final and conclusive unless appropriate legal action is filed with the
18 Pierce County Superior Court within 30 days of the issuance of said decision.

19 **2.04.370 Additional rules may be made by Director.**

20 The Director of Utilities may make such rules and regulations governing the operation of this chapter as are
21 not inconsistent with its provisions. The Director may grant reasonable minor adjustments in cases where the
22 terms of this chapter place an injustice upon a customer if after written evidence has been presented to the
23 Director it is shown that irregular circumstances of the customer's load, service and/or other conditions
24 warrant such adjustment.

25 **2.04.380 Classification of occupancies and wiring methods.**

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

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

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

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

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

F. Use of Type SE cable is limited to feeders and branch circuits.

2.04.400 Violations – Notification – Penalties.

A. Any person, firm, or corporation that violates, disobeys, neglects, or refuses to comply with or resists or
opposes the enforcement of any of the provisions of this chapter, or who persists in Occupying any building



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or structure, and/or maintaining operation of any equipment or appliances, in which the electrical wiring has been declared to be in violation of this chapter, after having been notified of such violation, shall be guilty of a misdemeanor and upon conviction thereof, shall be punishable by a fine not to exceed \$1,000, together with the cost of prosecution, or by imprisonment of not more than 90 days, or by both such fine and imprisonment. Each day such violation, disobedience, neglect, or refusal continues after notification of violation shall be deemed a separate offense and shall be subject to the penalty of this section. Such person, firm, or corporation shall be deemed to have been duly notified by posting of notification on the premises, equipment, or appliances by the electrical inspector or by the sealing out of the service, of circuits, of equipment, and/or of appliances by the electrical inspector, or by notification in writing by the electrical inspector, mailed to the Owner and/or occupant at the Premises involved.

B. At the option of the City, in lieu of proceeding with criminal sanctions, violations of this chapter may result in a civil penalty of up to \$1,000 for each violation. A civil penalty may be imposed by written notice issued by the Chief Electrical Inspector or his or her designated assistant. The civil penalty shall be paid prior to final approval of the premises involved. Appeals of the civil penalty may be made by a party or firm adversely affected by filing a notice of appeal with the City Hearing Examiner within ten days of receipt of the notice of civil penalty. The decision of the Hearing Examiner is final and conclusive, and is only subject to review by the Pierce County Superior Court by filing appropriate legal action within 30 days of the issuance of the Hearing Examiner's final decision. If such fine or civil penalty remains unpaid more than 60 days after said amount has been imposed and all appeals thereof have been exhausted, or the time has expired for an appeal, then said amount may be transferred to the electric utility bill account for said person or firm, and the remedies for collection for electric utility shall apply.



ORDINANCE NO. 28301

1 BY REQUEST OF DEPUTY MAYOR BOE AND COUNCIL MEMBERS CAMPBELL,
2 MELLO, AND THOMS

3 AN ORDINANCE relating to street occupancies; amending Chapter 9.08 (Street
4 Occupancies) of the Tacoma Municipal Code, by amending
5 Section 9.08.075 thereof to eliminate the new application fee for review
6 and processing of sidewalk cafe permits.

7 WHEREAS sidewalk cafes, regulated by Chapter 9.08 (Street Occupancies)
8 of the Tacoma Municipal Code (“TMC”), use a portion of the sidewalk for private
9 business use and generally include non-permanent additions such as tables,
10 chairs, or other furniture, but may also include permanent features such as
11 awnings or attachments of fencing to the sidewalk, and

12 WHEREAS sidewalk cafes are recognized as a special street occupancy
13 that promotes desirable street life which can have a favorable economic impact by
14 encouraging visitation to City business districts and result in patronage of those
15 businesses, and

16 WHEREAS sidewalk cafes account for approximately 13 percent of all street
17 occupancy permits (“SOPs”) issued, and the City currently has a total of 290 active
18 SOPs, 38 of which are for sidewalk cafes, and

19 WHEREAS, in April 2014, Council Member Thoms requested a review of
20 the City’s Sidewalk Cafe Permitting and Inspection process, and

21 WHEREAS the City charges a \$120 new application fee for review and
22 processing of sidewalk cafe permits, with an annual renewal fee of \$90, and
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WHEREAS eliminating the new application fee of \$120 would reduce the cost associated with the installation of sidewalk cafes and could contribute to the economic development and revitalization of the City, and

WHEREAS staff recommends that the application fee for new sidewalk cafe applications be eliminated at present, and

WHEREAS, at its meeting of June 23, 2015, the Economic Development Committee reviewed and approved the proposed TMC amendment for City Council consideration; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

That Chapter 9.08 (Street Occupancies) of the Tacoma Municipal Code is hereby amended by amending Section 9.08.075 thereof, as set forth in the attached Exhibit "A."

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

**Chapter 9.08
STREET OCCUPANCIES¹**

Sections:

- 9.08.010 Definitions.
- 9.08.020 Occupancy permit required.
- 9.08.030 Application – Information required.
- 9.08.040 Processing of application.
- 9.08.050 Indemnity deposit on approved applications for permit.
- 9.08.060 Indemnity to save the City harmless from claims.
- 9.08.070 Revocation of permits.
- 9.08.075 Fees.
- 9.08.080 Issuance of permits.
- 9.08.090 Validation of prior permit.

* * *

9.08.075 Fees.

The City Council hereby authorizes the fees for street occupancy permits set forth in the schedule below, and all previously adopted fee schedules are hereby rescinded, except that the existing fee schedule for Shoreline Districts shall remain in effect until superseded by an alternative use fee as referenced in Section 2 below. Application and renewal fees are established commensurate with the costs of administration involved in the issuance and continuance of the permits. Application and renewal fees do not apply for garden activities. Use fees are established for commercial uses of the street rights-of-way, and are payable in addition to the application and renewal fees. Sidewalk cafes are recognized as a special street occupancy that promotes desirable street life that can have favorable economic impact by encouraging visitation to City business districts and result in patronage of its businesses. ~~Since~~Because sidewalk cafes are an encouraged use and promote various public benefits, no fee shall be charged for the street occupancy permit fees for sidewalk cafes are given favorable consideration.

Street occupancy permit fees shall be collected by the Director of Finance, and payment of said fees is a condition of the issuance and continuance of any such permit. In order to effectuate the ongoing collection of said fees, holders of permits shall be notified by the City a minimum of one month in advance, to pay applicable fees or the permit will be revoked. All fees collected pursuant to this chapter shall be deposited in the General Fund.

**SCHEDULE OF STREET OCCUPANCY PERMIT FEES
ADMINISTRATIVE FEES**

General Application Fee (includes processing, initial inspection, review, document preparation)	\$320
Sidewalk Café – Application Fee* (includes processing, initial inspection, review, document preparation)	\$120 <u>no fee</u>
Annual Renewal Fee (includes site inspection for compliance, file review, insurance review and application of fees/escalators/adjustments as required)	\$ 90

*~~The elimination of fees is reduced fee~~ is designed to encourage this use, which the City finds promotes economic development and revitalization of its business districts.

¹ Streets - Obstructions and Excavations - See Chapter 10.22.



GENERAL ANNUAL USE FEES

1	Commercial Occupancy - Exclusive Use (based on square footage occupied)	10% of Assessed Land Value**
2	Commercial Occupancy - Non-exclusive Use (based on square footage occupied)	5% of Assessed Land Value**
3	Subsurface Use (based on square footage occupied)	2.5% of Assessed Land Value**
4	Minimum Annual Fee (for commercial occupancies)	\$120
5	Sidewalk Cafés (subject to annual renewal fee only – annual permit to be posted onsite)	None
6	Non-Commercial Occupancy (subject to annual renewal fee only)	None

** Assessed Land Value is abstracted from the Pierce County Assessor's property tax assessment for the entire property excluding improvement (building) value. The land value used is that of the property abutting the street occupancy area except in any case where the assessment of the abutting property is inconsistent with other, comparable properties in the vicinity. In such a case, the City may adjust the assessed value for the purpose of setting fees for street occupancies.

SPECIFIC USE FEES

Signs – Annual Fee

Commercial	\$600
Non-Commercial (directional signs or similar)	\$ 75

Monitoring Wells – Annual Fee

One well	\$175
Each additional well	\$150

Subsurface Structural Supports – One-Time Fee (per location)

Soldier Beams	\$700
Soil Nails	\$700
Tie-Backs	\$700

Section 1. Except as provided for in Section 2 below, this ordinance shall have an effective date of April 1, 2006, provided however, that General Use Fees calculated as a percentage of assessed value shall take effect in three phases. During the first year, beginning April 1, 2006, General Annual Use Fees shall be applied at a rate of 33 percent of the calculated use fee; in the second year, beginning January 1, 2007, General Annual Use Fees shall be applied at a rate of 67 percent of the calculated use fee; and in the third year, beginning January 1, 2008, all General Annual Use Fees shall be applied at 100 percent; however, in no event shall any General Use Fee be less than the set minimum of \$120. General Annual Use Fees for new Street Occupancy Permits that are in excess of \$120 shall be prorated in the first year to a renewal date of January 1st; however, in no event shall any General Use Fee be less than the set minimum of \$120.

Section 2. The new use fees provided for in Section 1 above shall not apply to street occupancies in the Shoreline Districts until an alternative use fee formula is developed that recognizes the unique characteristics of the non-exclusive parking uses within the rights-of-way of the Shoreline Districts. Said additional use fee formula shall be developed no later than June 30, 2006.

* * *