



Legislation Passed January 26, 2021

The Tacoma City Council, at its regular City Council meeting of January 26, 2021, 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. 40733

A resolution setting Thursday, March 11, 2021, at 9:00 a.m., as the date for a hearing by the Hearing Examiner on the request to vacate a 10-foot wide planting strip within the southerly portion of 6th Avenue right-of-way, lying between South Howard Street and South Rochester Street, to facilitate a seven story apartment building.

(6902 6th Ave, LLP; File No. 124.1420)

[Troy Stevens, Senior Real Estate Specialist; Kurtis D. Kingsolver, P.E., Director, Public Works]

Resolution No. 40734

A resolution setting Tuesday, February 9, 2021, upon completion of Regular Agenda Items, no earlier than 5:15 p.m., as the date for a public hearing by the City Council on the declaration of surplus and sale of approximately 43 acres of Tacoma Water property, located at the northwest corner of 134th Avenue East and 144th Street East in the Puyallup vicinity of unincorporated Pierce County, to the Puyallup School District No. 3, for the amount of \$2,025,000.

[Greg Muller, Real Estate Officer; Scott Dewhurst, Water Superintendent]

Resolution No. 40735

A resolution reappointing Jeff Ball to the Audit Advisory Board.

[Doris Sorum, City Clerk; Bill Fosbre, City Attorney]

Resolution No. 40736

A resolution authorizing the execution of a Memorandum of Agreement with Pierce Conservation District, in the amount of \$808,076, budgeted from the Solid Waste and Wastewater Funds, for continued support of the Harvest Pierce County Community Garden Program, retroactive to January 1, 2021, through December 31, 2026.

[Daniel C. Thompson, Ph.D, Business Operations Division Manager; Michael P. Slevin III, P.E., Director, Environmental Services]

Resolution No. 40737

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Louis Rudolph Homes LLC, for the development of six multi-family market-rate and affordable rental housing units, located at 3591-3595 South "G" Street, in the Lincoln Mixed-Use Center.

[Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40738

A resolution authorizing the execution of a Multi-Family Housing 12-Year Limited Property Tax Exemption Agreement with Louis Rudolph Homes LLC, for the development of eight multi-family market-rate and affordable rental housing units, located at 3616-3622 McKinley Avenue East, in the McKinley Mixed-Use Center. [Debbie Bingham, Project Manager; Jeff Robinson, Director, Community and Economic Development]

Resolution No. 40739

A resolution authorizing the execution of a Collective Bargaining Agreement with the International Brotherhood of Electrical Workers, Local 483, Human Resources Unit, consisting of 22 budgeted full-time equivalent positions, retroactive to January 1, 2021, through December 31, 2022. [Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Resolution No. 40740

A resolution authorizing the execution of a Letter of Agreement with the International Brotherhood of Electrical Workers, Local 483, Tacoma Power Unit, regarding the step progression for the classification of Telecommunications Utility Worker. [Dylan Carlson, Senior Labor Relations Manager; Bill Fosbre, City Attorney]

Amended Ordinance No. 28729

An ordinance amending Chapters 2.02 and 2.06 of the Municipal Code, relating to the Building and Plumbing Codes, to repeal existing sections and incorporate new provisions to align with Washington State adoption of changes to state building codes, effective February 1, 2021. [Susan Coffman, Building Official; Peter Huffman, Director, Planning and Development Services]

Amended Ordinance No. 28730

An ordinance amending Chapters 3.02 and 3.10 of the Municipal Code, relating to the Fire Prevention Code and Mobile Fueling Operating and Permitting Requirements, to adopt the 2018 International Fire Code, along with state and local amendments, effective February 1, 2021. [Chris Seaman, Senior Principal Engineer; Toryono Green, Fire Chief]



RESOLUTION NO. 40733

1 A RESOLUTION relating to the vacation of City right-of-way; setting Thursday,
2 March 11, 2021, at 9:00 a.m., as the date for a hearing before the Hearing
3 Examiner on the petition of 6902 6th Ave, LLP, to vacate a 10-foot wide
4 planting strip within the southerly portion of 6th Avenue right-of-way, lying
5 between South Howard Street and South Rochester Street, to facilitate a
6 seven story apartment building.

7 WHEREAS 6902 6th Ave, LLP, having received the consent of the owners
8 of more than two-thirds of the properties abutting the planting strip within the
9 southerly 10 feet of the 6th Avenue right-of-way, lying between South Howard
10 Street and South Rochester Street, has petitioned for the vacation of the following
11 legally described right-of-way area:

12 The north 10.00 feet of Lots 1 and 24, Block 3,
13 THE HIGHLANDS ADDITION, Tacoma, Washington,
14 according to the plat recorded in Volume 12 of Plats
15 at Page 54, in Pierce County, Washington;

16 (Also known as the 10 foot wide Planting Strip as
17 depicted crossing the North 10 feet of Block 3 of said
18 plat of Highlands Addition);

19 Containing 0.061 acres, more or less.

20 Situate in the Northeast Quarter of the Northeast
21 Quarter of Section 03, Township 20 North, Range 02
22 East of the Willamette Meridian, in the City of Tacoma,
23 County of Pierce, State of Washington;

24 Now, Therefore,

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

26 Section 1. That Thursday, March 11, 2021, at 9:00 a.m., is hereby fixed as
the date and time, and the Council Chambers on the first floor of the Tacoma
Municipal Building, 747 Market Street, in the City of Tacoma, or alternatively, a



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call-in option will be provided until the end of the COVID-19 emergency, as the place when and where the request of 6902 6th Ave, LLP, to vacate a 10-foot wide planting strip within the southerly portion of 6th Avenue right-of-way, lying between South Howard Street and South Rochester Street, will be heard by the Hearing Examiner and his recommendations thereafter transmitted to the Council of the City of Tacoma.

Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted _____

Attest:

Mayor

City Clerk

Approved as to form:

Property description approved:

Deputy City Attorney

Chief Surveyor
Public Works Department

Location: A 10-foot wide planting strip within the southerly portion of 6th Avenue right-of-way, lying between South Howard Street and South Rochester Street

Petitioner: 6902 6th Ave, LLP

File No.: 124.1420



RESOLUTION NO. 40734

1 A RESOLUTION relating to utility-owned surplus property; setting Tuesday,
2 February 9, 2021, upon completion of Regular Agenda Items, no earlier than
3 5:15 p.m., as the date for a public hearing by the City Council on the sale of
4 approximately 43 acres of surplus property identified as Pierce County
5 Assessor tax parcel number 0419141088, located at the northwest corner of
6 134th Avenue East and 144th Street East in the Puyallup vicinity of
unincorporated Pierce County, owned by the City of Tacoma, through its
Department of Public Utilities, Water Division, and now surplus to its needs,
to the Puyallup School District No. 3, for the amount of \$2,025,000.

7 WHEREAS the City of Tacoma, through its Department of Public Utilities,
8 Water Division (d.b.a. "Tacoma Water"), owns approximately 43 acres of
9 unimproved real property identified as Pierce County Assessor tax parcel number
10 0419141088, located at the northwest corner of 134th Avenue East and 144th
11 Street East in the Puyallup vicinity of unincorporated Pierce County, Washington
12 ("Property"), and

14 WHEREAS the Property is in a semi-rural to suburban location originally
15 acquired as part of the McMillin Reservoir complex developed in 1912 to store
16 water from the Green River for distribution to the Tacoma Water service area, and

18 WHEREAS Tacoma Water has determined that the Property is not essential
19 for continued effective utility service, and

20 WHEREAS the Puyallup School District No. 3 offered to purchase the
21 Property for \$2,025,000, an amount based upon a recent appraisal and
22 representing Fair Market Value, which was deemed acceptable by Tacoma Water,
23 and

25 WHEREAS the Department of Public Works proceeded with the negotiated
26 disposition process pursuant to Tacoma Municipal Code ("TMC") 1.06.280.F, and



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WHEREAS, on January 13, 2021, by adoption of Public Utility Board Resolution No. U-11222, the Property was declared surplus to Tacoma Public Utilities' needs and approved for sale, pending confirmation from the City Council, and

WHEREAS, pursuant to RCW 35.94.040 and TMC 1.06.280, the City Council shall conduct a public hearing on the proposed sale of City-owned real property; Now, Therefore,

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

Section 1. That a public hearing on the sale of approximately 43 acres of surplus property identified as Pierce County Assessor tax parcel number 0419141088, located at the northwest corner of 134th Avenue East and 144th Street East in the Puyallup vicinity of unincorporated Pierce County, Washington, owned by the City of Tacoma, through its Department of Public Utilities, Water Division (d.b.a. "Tacoma Water") and now surplus to its needs and the needs of Tacoma Public Utilities, to the Puyallup School District No. 3 for the amount of \$2,025,000, shall be held before the City Council in the Council Chambers on the first floor of the Tacoma Municipal Building, 747 Market Street, Tacoma, Washington, or alternatively, a call-in option will be provided until the end of the COVID-19 emergency, on Tuesday, February 9, 2021, upon completion of Regular Agenda Items, no earlier than 5:15 p.m. or as soon thereafter as the same may be heard.



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Section 2. That the Clerk of the City of Tacoma shall give proper notice of the time and place of said hearing.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney

Requested by Public Utility Board
Resolution No. U-11222



RESOLUTION NO. 40735

1 BY REQUEST OF COUNCIL MEMBERS HINES, HUNTER, THOMS, AND
2 WALKER

3 A RESOLUTION relating to committees, boards, and commissions; reappointing an
4 individual to the Audit Advisory Board.

5 WHEREAS a vacancy exists on the Audit Advisory Board, and

6 WHEREAS, at its meeting of January 5, 2021, the Government Performance
7 and Finance Committee recommended the reappointment of Jeff Ball to said board,
8 and

9 WHEREAS, pursuant to City Charter 2.4, Jeff Ball has been nominated to
10 serve on the Audit Advisory Board; Now, Therefore,

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

12 That Jeff Ball is hereby confirmed and reappointed to the Citizen Member
13 position on the Audit Advisory Board to serve a two-year term, retroactive to
14 January 1, 2021, to expire December 31, 2022.

15 Adopted _____

16 _____
17 Mayor

18 Attest:
19 _____
20 City Clerk

21 Approved as to form:
22 _____
23 City Attorney

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RESOLUTION NO. 40736

1 A RESOLUTION relating to community garden programs; authorizing the
2 execution of a Memorandum of Agreement with Pierce Conservation
3 District, in the amount of \$808,076, budgeted from the Solid Waste and
4 Wastewater Funds, for continued support of the Harvest Pierce County
Community Garden Program, retroactive to January 1, 2021, through
December 31, 2026.

5 WHEREAS the municipal wastewater utility is responsible for producing
6 clean water and recycling residual solids, with solids management making up as
7 much as 40 percent of the cost of wastewater treatment, and
8

9 WHEREAS recycling solids within the City as a soil amendment is cost
10 effective and can substantially reduce the cost of solids handling, and

11 WHEREAS the solid waste utility is responsible for managing and
12 disposing of organic wastes, such as yard waste and food waste, and

13 WHEREAS composted and digested food waste make excellent soil
14 amendments for gardening, and

15 WHEREAS community gardens and urban agriculture projects require soil
16 amendments and are an excellent venue for introducing gardeners to Tacoma's
17 soil amendment products, such as TAGRO and composted and digested food
18 waste, and
19

20 WHEREAS community gardens provide an opportunity to return compost
21 and biosolids soil amendments to the community which generated the recyclable
22 material, which can substantially reduce the cost of solids handling for the
23 wastewater utility and the cost of handling organics for the solid waste utility, and
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WHEREAS community gardens also provide excellent venues for public outreach and public education on the role of organics recycling in effectively and efficiently managing wastewater and solid waste utilities, and

WHEREAS public familiarity with the value and usefulness of soils amendments derived from organic residuals can increase acceptance of and sales of these products and use of organic waste, thereby offsetting the costs of operating the solid waste and wastewater utilities, and

WHEREAS the Pierce Conservation District (“PCD”) manages and facilitates a regional urban agriculture and local food access program, Harvest Pierce County, which promotes and encourages activities that use urban residual derived soil amendments, and

WHEREAS Harvest Pierce County has worked with community groups for over seven years to develop community gardens, support community food projects, and produce educational events centered on healthy food, and

WHEREAS the Tacoma-Pierce County Community Garden Program supports Tacoma wastewater and solid waste programs in the following areas:

- Creating and sustaining a community-based food system that will increase the demand for soil amendments;
- Providing access and information to community gardeners regarding Tacoma’s TAGRO products and Tacoma’s compost products and use of organic compost as a soil amendment;
- Providing outreach to community gardeners and others interested in gardening;
- Establishing community gardens as demonstration sites; and
- Enhancing a connection to the environment that will help customers establish a more direct and meaningful understanding of their connection with, and impact on, the environment, and vice versa, and



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WHEREAS the City has established a goal of having the greatest number of community gardens per capita of any city in the United States, and

WHEREAS the City and PCD desire to enter into a Memorandum of Agreement (“MOA”) to facilitate cooperation between the PCD and the City to support the Harvest Pierce County program and existing community gardens, and encourage the development of new community gardens, and

WHEREAS the PCD will provide the City with quarterly reports which will include a summary of trainings and events, types and amounts of soil amendments used, and the number of gardeners, garden beds and gardens in the program, and

WHEREAS Environmental Services staff is recommending the approval of a six-year MOA with the PCD, in the amount of \$808,076, budgeted from the Solid Waste and Wastewater Funds, for continued support of the Harvest Pierce County Community Garden Program for the period of January 1, 2021, through December 31, 2026; Now, Therefore,

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

That the proper officers of the City are hereby authorized to enter into a Memorandum of Agreement with Pierce Conservation District, in the amount of \$808,076, budgeted from the Solid Waste and Wastewater Funds, for continued support of the Harvest Pierce County Community Garden Program, retroactive to



1 January 1, 2021, through December 31, 2026, said agreement to be substantially
2 in the form of the document on file in the office of the City Clerk.

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4 Adopted _____

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Mayor

7 Attest:

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City Clerk

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Approved as to form:

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Chief Deputy City Attorney

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RESOLUTION NO. 40737

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property
 3 Tax Exemption Agreement with Louis Rudolph Homes LLC, for the
 4 development of six multi-family market-rate and affordable rental housing
 units to be located at 3591-3595 South "G" Street in the Lincoln 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 WHEREAS the City has, through Ordinance No. 25789, enacted a program
 9 whereby property owners in Residential Target Areas may qualify for a Final
 10 Certificate of Tax Exemption which certifies to the Pierce County
 11 Assessor-Treasurer that the owner is eligible to receive a limited property tax
 12 exemption, and
 13

14 WHEREAS Louis Rudolph Homes LLC, is proposing to develop six new
 15 market-rate and affordable rental housing units to consist of:
 16

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
2	One bedroom, one bath	422 Square Feet	\$1,250
2	Two bedroom, two bath	1,120 Square Feet	\$1,750
Affordable Rate			
1	One bedroom, one bath	422 Square Feet	\$1,124 (including utilities)
1	Two bedroom, two bath	1,120 Square Feet	\$1,444 (including utilities)

17 as well as three on-site residential parking stalls, and
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22 WHEREAS the Director of Community and Economic Development has
 23 reviewed the proposed property tax exemption and recommends that a conditional
 24 property tax exemption be awarded for the property located at 3591-3595 South "G"
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 26



1 Street in the Lincoln Mixed-Use Center, as more particularly described in the
2 attached Exhibit "A"; Now, Therefore,

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

4 Section 1. That the City Council does hereby approve and authorize a
5 conditional property tax exemption, for a period of 12 years, to Louis Rudolph
6 Homes LLC, for the property located at 3591-3595 South "G" Street in the Lincoln
7 Mixed-Use Center, as more particularly described in the attached Exhibit "A."

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

12 Adopted _____

13 _____
14 Mayor

15 Attest:
16 _____
17 City Clerk

18 Approved as to form:
19 _____
20 Deputy City Attorney

21 Legal description approved:
22 _____
23 Chief Surveyor
24 Public Works Department

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EXHIBIT "A"

LEGAL DESCRIPTION

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Tax Parcel: 7470032440

Legal Description:

That portion of the Northwest Quarter of the Northwest Quarter of Section 16, Township 20 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

The North half of the following tract; Beginning at a point 410.76 feet South of the Northwest corner of Block 102, Amended Map of First School Addition to the City of Tacoma, according to Plat recorded in Volume 7 of Plats, Page 77, records of the Pierce County Auditor;

Thence South a distance 61.92 feet; Thence East a distance of 142 feet; Thence North a distance of 61.92 feet; Thence West a distance of 142 feet to the Point Of Beginning.

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



RESOLUTION NO. 40738

1 A RESOLUTION relating to the multi-family property tax exemption program;
 2 authorizing the execution of a Multi-Family Housing 12-Year Limited Property
 3 Tax Exemption Agreement with Louis Rudolph Homes LLC, for the
 4 development of eight multi-family market-rate and affordable rental housing
 units to be located at 3616-3622 McKinley Avenue East in the McKinley
 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
 14

15 WHEREAS Louis Rudolph Homes LLC, is proposing to develop eight new
 16 market-rate and affordable rental housing units to consist of:

Number of Units	Type of Unit	Average Size	Expected Rental Rate
Market Rate			
3	One bedroom, one bath	422 Square Feet	\$1,250
3	Two bedroom, two bath	1,120 Square Feet	\$1,750
Affordable Rate			
1	One bedroom, one bath	422 Square Feet	\$1,124 (including utilities)
1	Two bedroom, two bath	1,120 Square Feet	\$1,444 (including utilities)

21 as well as four on-site residential parking stalls, and
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23 WHEREAS the Director of Community and Economic Development has
 24 reviewed the proposed property tax exemption and recommends that a conditional
 25 property tax exemption be awarded for the property located at 3616-3622 McKinley
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Avenue East in the McKinley Mixed-Use Center, as more particularly described in the attached Exhibit "A"; Now, Therefore,

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

Section 1. That the City Council does hereby approve and authorize a conditional property tax exemption, for a period of 12 years, to Louis Rudolph Homes LLC, for the property located at 3616-3622 McKinley Avenue East in the McKinley 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 Louis Rudolph Homes 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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Tax Parcel: 4245000060

Legal Description:

That portion of the Northeast Quarter of the Northeast Quarter of Section 16, Township 20 North, Range 03 East of the Willamette Meridian, more particularly described as follows:

Lots 9 and 10, Block 1, Greene's Addition to Tacoma, W.T., according to the plat thereof recorded in Volume 8 of Plats, Page 21, in Pierce County, Washington.

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



RESOLUTION NO. 40739

1 A RESOLUTION related to collective bargaining; authorizing the execution of a
2 two-year Collective Bargaining Agreement between the City and the
3 International Brotherhood of Electrical Workers, Local 483, Human
4 Resources Unit, effective retroactive to January 1, 2021, through
5 December 31, 2022.

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

9 WHEREAS this resolution allows for the execution of a two-year Collective
10 Bargaining Agreement (“CBA”) between the City and the International Brotherhood
11 of Electrical Workers, Local 483, Human Resources Unit (“Union”), on behalf of the
12 employees represented by said Union, and

13 WHEREAS the bargaining unit consists of approximately 22 budgeted,
14 full-time equivalent positions, and

15 WHEREAS the CBA will provide for a wage increase of 1 percent, effective
16 retroactive to January 1, 2021; a wage increase of 1 percent, effective January 1,
17 2022; and a wage increase of 1 percent, effective July 1, 2022, and

18 WHEREAS it appears in the best interests of the City that the CBA
19 negotiated by said Union and the City be approved; Now, Therefore,

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

21 That the proper officers of the City are hereby authorized to execute the
22 two-year Collective Bargaining Agreement between the City and the International
23 Brotherhood of Electrical Workers, Local 483, Human Resources Unit, effective
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retroactive to January 1, 2021, through December 31, 2022, said document to be substantially in the form of the agreement on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



RESOLUTION NO. 40740

1 A RESOLUTION relating to collective bargaining; authorizing the execution of a
2 Letter of Agreement negotiated between the City of Tacoma and the
3 International Brotherhood of Electrical Workers, Local 483, Tacoma Power
4 Unit regarding step progression for the classification of Telecommunications
5 Utility Worker.

6 WHEREAS the City of Tacoma and the International Brotherhood of
7 Electrical Workers (“IBEW”), Local 483, Tacoma Power Unit (“Union”), have
8 proposed a Letter of Agreement (“LOA”) regarding step progression for the
9 classification of Telecommunications Utility Worker (CSC 5516), and

10 WHEREAS the parties reached agreement on the transition of impacted
11 classifications from the IBEW, Local 483, Click! Unit, to the Union, memorialized in
12 the “Network Construction Technicians and Workforce Transition Agreement”
13 (“Transition Agreement”) Letter of Agreement approved pursuant to Resolution
14 No. 40555, adopted on February 18, 2020, and

15 WHEREAS the Letter of Agreement inadvertently omitted previous language
16 from Section 21.5.b of the IBEW, Local 483, Click! Unit, agreement, leading to
17 potential confusion about the step progression for employees in the classification of
18 Telecommunications Utility Worker (CSC 5516), and

19 WHEREAS the City and Union have negotiated a Letter of Agreement which
20 provides for changes to language intended to clarify the step progression for the
21 Telecommunication Utility Worker classification, and

22 WHEREAS the proposed Letter of Agreement will replace Clause 5,
23 Section 17.4, of the Transition Agreement in its entirety with the following:
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25 Section 17.4 – Training incentive. Non-probationary employees
26 in this classification must successfully complete a twenty-four (24)



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hour vocational pole climbing training to advance beyond Step 3 of the pay scale. This training incentive does not affect/change the employee's hire date and/or anniversary date. Employees must make a written request for the training. Training will be made available within six (6) months of the receipt of a written request;

and,

WHEREAS the Letter of Agreement was considered and approved by the Public Utility Board at its special meeting of January 13, 2021, and

WHEREAS it appears in the best interest of the City that the Letter of Agreement negotiated by the 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 a Letter of Agreement negotiated between the City of Tacoma and the International Brotherhood of Electrical Workers, Local 483, Tacoma Power Unit, said document to be substantially in the form of the 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-11232



ORDINANCE NO. 28729

1 AN ORDINANCE relating to the Building and Plumbing Codes; amending
2 Chapters 2.02 and 2.06 of the Tacoma Municipal Code, relating to the
3 Building and Plumbing Codes, to repeal existing sections and incorporate
4 new provisions to align with Washington State adoption of changes to
5 state building codes, to become effective February 8, 2021.

6 WHEREAS building codes establish minimum standards for the construction
7 of buildings and structures, including building access, restrooms, parking, and
8 other areas surrounding the building, and

9 WHEREAS, at the direction of the Washington State Legislature, the
10 Washington State Building Code Council develops amendments to building codes
11 which set minimum building and fire protection standards throughout Washington
12 State, including the 2018 International Building Code, 2018 International
13 Residential Code, 2018 International Existing Building Code, 2018 Uniform
14 Plumbing Code, 2018 International Mechanical Code, 2018 International Fuel Gas
15 Code, and 2018 International Fire Code, and

16 WHEREAS the state allows local jurisdictions to amend these codes with
17 requirements which are specific to the needs of that particular community and do
18 not diminish the minimum requirements, and

19 WHEREAS Planning and Development Services (“PDS”) staff is proposing
20 amendments to Tacoma Municipal Code (“TMC”) Chapter 2.02, Building Code,
21 and Chapter 2.06, Plumbing Code, which are intended to streamline local codes,
22 increase clarity and alignment with state building code requirements, and enhance
23 usability of existing buildings, and
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WHEREAS the proposed TMC amendments were developed with input from City staff, citizens, local builders and builder associations, developers, and design professionals, and

WHEREAS the proposed TMC amendments will become effective on February 8, 2021, to coincide with the effective date of the state’s building code amendments, and

WHEREAS PDS staff presented the proposed TMC amendments to the Infrastructure, Planning, and Sustainability Committee on December 2, 2020, and the Committee recommended the proposed amendments for City Council consideration; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That Chapter 2.02 of the Tacoma Municipal Code (“TMC”) is hereby amended as set forth in the attached Exhibit “A,” to become effective on February 8, 2021.

Section 2. That Chapter 2.06 of the TMC is hereby amended as set forth in the attached Exhibit “B,” to become effective on February 8, 2021.

Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not



1 limited to, the correction of scrivener's/clerical errors, references, ordinance
2 numbering, section/subsection numbers, and any references thereto.

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4 Passed _____

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6 _____
7 Mayor

8 Attest:

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10 _____
11 City Clerk

12 Approved as to form:

13 _____
14 Deputy City Attorney

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EXHIBIT "A"

CHAPTER 2.02 BUILDING CODE

Sections:

- 1
2
3 2.02.010 Adoption of International Building Code, International Residential Code, and
4 International Existing Building Code.
5 2.02.015 Administrative Provisions.
6 2.02.020 Purpose.
7 2.02.030 International Plumbing Code.
8 2.02.040 *Repealed.*
9 2.02.050 *Repealed.*
10 2.02.060 *Repealed.*
11 2.02.070 *Repealed.*
12 2.02.080 Amendment to IBC Section 105.1 – Permits by addition of a new Section 105.1.3 –
13 Business Licensing.
14 2.02.090 Amendment to IBC Section 105.2 – Work exempt from permit.
15 2.02.100 Amendment to IBC Section 202 – Definitions – D, L, S, T, and W.
16 2.02.110 ~~Amendment to IBC Section 111.2 – Certificate issued.~~ *Repealed.*
17 2.02.120 Amendment to IBC Section 113 – Board of Appeals.
18 2.02.130 Amendment to IBC Section 114 – Violations.
19 2.02.135 Amendment to IBC Section 419 – Live/Work units.
20 2.02.136 Amendment to IBC Chapter 4 – by deletion and replacement of the WA State
21 amendment Section 427 – Electric Vehicle Charging Infrastructure.
22 2.02.140 Amendment to IBC Section 504.4 – Number of Stories – by amending
23 subsection 504.4.1 WA State amendment to the IBC and by addition of a new
24 Section 504.4.1.1 – Type B occupancies within R-1 and R-2 occupancies.
25 2.02.150 Amendment to IBC Section 510.2 – Horizontal building separation allowance by
26 addition of a new Section 510.2(7).
2.02.155 Amendment to IBC Section 1010.1.9.3 – Locks and Latches.
2.02.157 Amendment to IBC Section 1111.1.1 – Signage.
2.02.158 Amendment to IBC Section 1207.3 – Room Area.
2.02.160 Amendment to IBC Section 1503.4 – Roof Drainage.
~~2.02.170 Repealed. Amendment to IBC Section 1511 Re-roofing by addition of a new
Section 1511.7 – Energy Code Requirements for Re-roofing.~~
2.02.180 Amendment to IBC Section 1608 – Snow loads.
2.02.185 Amendment to IBC Section 1612.3 – Establishment of Flood Hazard Areas.
2.02.190 Amendment to IBC Section 1613 by addition of a new subsection 1613.7 – Tension-
only bracing.
2.02.200 Amendment to IBC Section 2405 by addition of a new subsection 2405.6 – Location of
sloped glazing and skylights.
2.02.201 ~~Repealed. Amendment to IBC Section 2902.2 – Separate Facilities.~~
2.02.202 Amendment to IBC Section 2902.4 – Signage.
2.02.205 Amendment to IBC Section 3108 – Telecommunication and Broadcast Towers by
addition of a new Section 3108.1.1 – Amplification Factor for Structures Bracketed to
Supporting Structure.
2.02.210 Amendment to IBC Section 3202.3 – Encroachments eight feet or more above grade.



- 2.02.220- *Repealed.*
- 2.02.380
- 1 2.02.390 Amendment to IBC Appendix Section G102.2 – Establishment of Flood Hazard Areas.
- 2 2.02.400 Amendment to IBC Appendix Section G103 – Powers and Duties by the addition of a
new Section G103.10 – Additional Conditions for Consideration.
- 3 2.02.410 Amendment to IBC Appendix Section G105 – Variances by Addition of a new Section
G105.7.1 – Additional Criteria for Issuance.
- 4 2.02.500 *Repealed.*
- 2.02.510 *Repealed.*
- 5 2.02.520 *Repealed.*
- 2.02.530 *Repealed.*
- 6 2.02.535 Amendment to IRC Section R101.2 – Scope.
- 7 2.02.540 Amendment to IRC Section R105.2 – Work Exempt From Permit, Building and
Electrical Sections.
- 8 2.02.550 Amendment to IRC Section R105.3.1.1 – Determination of substantially improved or
substantially damaged existing buildings in flood hazard areas.
- 9 2.02.560 Amendment to IRC Section 105.3.1 by addition of a new Section R105.3.1.2 – Criteria
for issuance of a variance for flood hazard areas.
- 10 2.02.565 Amendment to Section R110.1 – Use and Occupancy – by addition of exemptions.
- 2.02.570 Amendment to Section R112 – Board of Appeals.
- 11 2.02.580 Amendment to IRC Section R113 – Violations.
- 2.02.585 Amendment to IRC Chapter 2 – Definitions with the addition of a definition for
Substantial Improvement or Repair.
- 12 2.02.590 Amendment to IRC Table R301.2 (1) – Climatic and geographic design criteria.
- 13 2.02.600 Amendment to IRC Section R301.2.3 – Snow loads.
- 14 2.02.605 Amendment to IRC Section 322 – Flood-Resistant Construction – by addition of a new
Section R322.1.11 – Additional Criteria for Development in Flood Hazard Areas.
- 15 2.02.610 Amendment to IRC Section R313 – Automatic Fire sprinkler systems.
- 2.02.620 Manufactured homes.
- 16 2.02.700 *Repealed.*
- 2.02.710 *Repealed.*
- 17 2.02.720 *Repealed.*
- 2.02.730 Amendment to IEBC Section 105.2 – Work exempt from permit.
- 18 2.02.735 Amendment to IEBC Section 108 – Fees.
- 19 2.02.740 Amendment to IEBC Section 112 – Board of Appeals.
- 2.02.750 Amendment to IEBC Section 113 – Violations.
- 20 2.02.760 Amendment to IEBC Section 202 – General Definitions – L, S, and W.
- 21 2.02.763 Amendment to IEBC Chapter 3 – Provisions for All Compliance Methods by addition
of Section 306 Fire Protection.
- 22 2.02.765 ~~Repealed. Amendment to IEBC Section 403 – Alterations – by addition of a new
Section 4.3.1.1 – Substantial Alteration or Construction.~~
- 23 2.02.770 ~~Repealed. Amendment to IEBC Section 407.1 – Conformance by addition of new
Sections 407.1.1, Minimum Standards, and 407.1.2, Work/Live Use.~~
- 24 2.02.775 ~~Repealed. Amendment to IEBC Section 405.1 – Alteration – Level 2.~~
- 2.02.776 Amendment to IEBC Section ~~505901.1 – Alteration – Level 3~~Scope.
- 25 2.02.780 ~~Repealed. Amendment to IEBC Section 603 – Fire Protection – by addition of a new
subsection EB 603.2.~~
- 26 2.02.790 ~~Repealed. Amendment to IEBC Section 703 – Fire Protection – by addition of a new
subsection EB 703.2.~~



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- 2.02.800 *Repealed.*
- 2.02.805 Amendment to IEBC Section ~~1001605.1~~ – Change of occupancy – Scope – by addition of an exception to ~~EB1001605.1~~.
- 2.02.810 Amendment to IEBC Section ~~10071006.3~~ – Seismic Loads – by ~~deletion and replacement of IEBC 1007.3 and~~ addition of a new Section IEBC ~~10071006.3.31~~ – Seismic Requirements for Unreinforced Masonry and Hollow Clay Tile Buildings.
- 2.02.820 Amendment to IEBC Chapter 13 – Relocated or moved buildings.
- 2.02.830 *Repealed.*
- 2.02.840 *Repealed.*
- 2.02.850 *Repealed.*
- 2.02.860 *Repealed.*
- 2.02.870 Amendment to IEBC Appendices by addition of a new Appendix J – Requirements for Alterations to Existing Single Family, Duplex, and Townhouse Buildings and Structures.
- 2.02.1000 Earthquake Recording Instrumentation.

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

The International Building Code, International Residential Code, and International Existing Building Code, as adopted and amended by the Washington State Building Code Council under the State Building Code, as defined in TMC 2.02.100, are hereby adopted as the official Building Code of the City of Tacoma. The Tacoma Building Code as defined in TMC 2.02.100 is also amended to include the adoption of IBC Appendix Chapter G, the adoption of IEBC Appendix A, and a new Appendix J added to the IEBC. Repair and renovation of existing buildings shall comply with the Tacoma Building Code as defined in 2.02.100 and these requirements shall take precedence over repair standards in 2.01.060 in the Minimum Buildings and Structures Code, unless otherwise approved by the Building Official.

* * *

2.02.100 Amendment to IBC Section 202 – Definitions – ~~D~~, L, S, T, and W.

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

Live/Work Unit. A dwelling or sleeping unit in which up to 50 percent of the unit’s space includes a commercial business use. The business owner lives in the residential space.

State Building Codes. For purposes of this Title, the State Building Codes shall consist of the following national model codes and the following standards, as such model codes and standards are adopted and amended from time to time by the Washington State Building Code Council pursuant to Chapters 19.27 and 70.92 of the Revised Code of Washington and Title 51 of the Washington Administrative Code (Note: All amendments to the State Building Codes adopted by the Washington State Building Council from time to time are hereby, upon the effective date of such amendments, incorporated in this Chapter as though fully set forth herein. In the event that any provisions of the State Building Codes are renumbered, any reference in this chapter to such provision shall refer to such provision as renumbered):

1. The International Building Code (“IBC”), including Appendix E and G, published by the International Code Council, ~~and including accessibility provisions in 2012 ANSI 117.1~~; and
2. The International Residential Code (“IRC”), including IRC Appendices F, Q, and ~~Q~~Appendix U, published by the International Code Council, and provided that IRC Chapters 11 and 25 through 43 are not adopted; and
3. The International Existing Building Code (“IEBC”) including Appendix A, published by the International Code Council; and



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4. Except as provided in RCW 19.27.170, the Uniform Plumbing Code (“UPC”) including Appendices A, B, and I, published by the International Association of Plumbing and Mechanical Officials; provided that, UPC Chapters 12 and 14 are not adopted, and provided further that any provisions of the UPC affecting related to venting and combustion air of the fuel fired appliances as found in chapter 5 and those portion of the code addressing building sewers are not adopted; and

5. The International Mechanical Code (“IMC”), published by the International Code Council, including the International Fuel Gas Code (“IFGC”) and the National Fuel Gas Code, published by the International Code Council, Inc., except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code); and

6. The Washington State Energy Code (“WSEC”) Commercial Provisions and the Washington State Energy Code, Residential Provisions, under the authority of RCW 19.27A.020, and as set forth in WAC 51-11C and 51-11R, pursuant to the provisions of RCW 35.21.180, as published by the Washington State Building Code Council; and

7. The International Fire Code, published by the International Code Council, Inc. This code is adopted and amended in TMC Title 3.

Tacoma Building Code, Plumbing Code, Mechanical Code, and Energy Code. The Tacoma Building Code, Plumbing Code, Mechanical Code, and Energy Code shall consist of the State Building Code, with the addition of IBC Appendix G, IEBC Appendix A, and a new Appendix J added to the IEBC, and as amended from time to time by the provisions of TMC Chapters 2.02, 2.06, 2.07, and 2.10. Note that the Tacoma Mechanical Code also includes the International Fuel Gas Code, adopted by the State Building Code as part of the International Mechanical Code.

Work/Live Unit. A commercial business use which includes a dwelling unit in up to 50 percent of the unit’s space. The business owner lives in the residential space.

~~2.02.110~~ Repealed. Amendment to IBC Section 111.2—Certificate issued.

~~111.2 Certificate issued.~~

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

- ~~1. The building permit number.~~
- ~~2. The address of the structure.~~
- ~~3. The name and address of the owner.~~
- ~~4. A description of that portion of the structure for which the certificate is issued.~~
- ~~5. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.~~
- ~~6. The name of the Building Official.~~
- ~~7. The edition of the code under which the permit was issued.~~
- ~~8. The use and occupancy, in accordance with the provisions of Chapter 3.~~
- ~~9. The type of construction as defined in Chapter 6.~~
- ~~10. The design occupant load, for buildings with assembly or meeting rooms with an occupant load in excess of fifty.~~
- ~~11. If an automatic sprinkler system is provided, whether the sprinkler system is required, and what type of system is being provided.~~
- ~~12. Any special stipulations and conditions of the building permit.~~



* * *

2.02.135 Amendment to IBC Section 419 – Live/Work Units.

Section 419 in IBC shall be replaced in its entirety with the following:

Section 419 – Live/Work and Work/Live Units.

419.1 Live/Work Units.

* * *

[F] 419.1.5 Fire protection. The live/work unit shall be provided with a monitored fire alarm system where required by Section 907.2.9 and an automatic sprinkler system in accordance with Section 903.2.8.

419.1.6 Structural. Floors ~~loading for the areas~~ within a live/work unit shall be designed to conform to Table 1607.1 based on the function within the space.

419.1.7 Accessibility. ~~Live/work units~~ Accessibility shall be ~~accessible~~ designed in accordance with Chapter 11 for the function served. ~~For the residential portion of the live/work unit, accessibility requirements for R-2 occupancies in Chapter 1107.6 shall apply.~~

419.1.8 Ventilation. The applicable ventilation requirements of the International Mechanical Code shall apply to each area within the live/work unit for the function within that space.

419.1.9 Plumbing facilities. The nonresidential area of the live/work unit shall be provided with minimum plumbing facilities as specified by Chapter 29, based on the function of the nonresidential area. Where the nonresidential area of the live/work unit is required to be accessible by Section ~~1103.1107.6.2.131~~, the plumbing fixtures specified by Chapter 29 shall be accessible.

419.2 Work/Live Units.

* * *

419.2.9 Accessibility. Work/live unit shall be accessible in accordance with Chapter 11 for the function served. ~~For the residential portion of the work/live unit, accessibility requirements for R occupancies in Chapter 1107.6 shall apply.~~ Where there are other R occupancy units within the building, work/live units shall be considered R-2 occupancy and shall be combined with other R-2 occupancy units in determining accessibility requirements for the residential units within the building.

419.2.10 Ventilation. The applicable ventilation requirements of the International Mechanical Code and Section 1203 shall apply to each area within the work/live unit for the function within that space. Mechanical ventilation systems shall be separate for the residential and commercial portions where separated by a fire barrier wall.

419.2.11 Plumbing facilities. The nonresidential area of the work/live unit shall be provided with minimum plumbing facilities as specified by Chapter 29, based on the function of the nonresidential area. Where the nonresidential or residential area of the work/live unit is required to be accessible by Section ~~1103.2.131107.6.2~~, the plumbing fixtures specified by Chapter 29 shall be accessible. Toilets and bathrooms shall also meet requirements in Section 1210.

419.2.12 Sound insulation. Common interior walls and floor/ceiling assemblies between adjacent work/live units or between work/live units and other occupancies shall have sound transmission in accordance with Chapter ~~1207~~ 1206.

419.2.13 Interior Space Dimensions. Habitable and occupiable spaces within work/live units shall meet the minimum requirements for interior space dimensions in Section ~~1208~~ 1207.

419.2.14 Certificate of Occupancy. A new certificate of occupancy shall be issued for any work/live use.

* * *



2.02.140 Amendment to IBC Section 504.4 – Number of Stories – by amending subsection 504.4.1 WA State amendment to the IBC and by addition of a new Section 504.4.1.1 – Type B occupancies within R-1 and R-2 occupancies.

The following section amends Section 504.4.1 of the State Building Code amendments to IBC Section 504.4 – Number of Stories, by replacing 504.4.1 in its entirety, and by addition of a new Section 5.4.4.1.1.

504.4.1 Stair Enclosure Pressurization Increase. For Groups R-1 and R-2 ~~occupancies~~ in buildings of Type VA or IIIA construction, or I-1 Condition 2 Assisted living facilities licensed per chapter 388-78A WAC and residential treatment facilities as licensed by Washington state under chapter 246-337 WAC located in buildings of Type VA construction equipped throughout with an approved automatic sprinkler system in accordance with Section 903.3.1.1, the maximum number of stories permitted in Section 504.24 may be increased by one provided the interior exit stairways and ramps are pressurized in accordance with Sections 909.11 and 909.20. Legally required standby power shall be provided for buildings constructed in compliance with this section and be connected to stairway shaft pressurization equipment, elevators and lifts used for accessible means of egress, hoistway pressurization equipment (if provided) and other life safety equipment as determined by the authority having jurisdiction. For the purposes of this section, legally required standby power shall comply with 2014 most currently adopted NEC Section 701.12, options (A), (B), (C), (D), (E), (F), or (G) or subsequent revised section number(s).

~~5.4504.4.1.1~~ Type B Occupancies within R-1 and R-2 occupancies. Provided the building meets the additional requirements in Section 504.4.1 as amended by the State Building Code, Type B occupancies that are considered accessory to and for the exclusive use of the R-1 and R-2 uses, including such uses as assembly areas, exercise rooms, or other amenity spaces with less than 50 occupants, may be permitted on all stories that the R-1 and R-2 uses are permitted. These spaces must also meet all the additional provisions as specified in the State Building Code amendment (WAC 51-50-0504) to IBC 504 – Building Height and Number of Stories.

* * *

2.02.155 Amendment to IBC Section 1010.1.9.34 – Locks and Latches-

Section 1010.1.9.34 of the State Building Code shall be replaced in its entirety with the following:

1010.1.9.34 Locks and latches. Locks and latches shall be permitted to prevent operation of doors where any of the following exists:

1. Places of detention or restraint.

2. In buildings in occupancy Group A having an occupant load of 300 or less, Groups B, F, M and S, and in places of religious worship, the main door or doors are permitted to be equipped with key-operated locking devices from the egress side provided:

2.1. The locking device is readily distinguishable as locked;

2.2. A readily visible and durable sign is posted on the egress side on or adjacent to the door stating: THIS DOOR TO REMAIN UNLOCKED WHEN BUILDING IS OCCUPIED. The sign shall be in letters 1 inch (25 mm) high on a contrasting background; and

2.3. The use of the key-operated locking device is revocable by the building official for due cause.

3. Where egress doors are used in pairs, approved automatic flush bolts shall be permitted to be used, provided that the door leaf having the automatic flush bolts ~~has no~~ does not have a doorknob or surface mounted hardware.

4. Doors from individual dwelling or sleeping units of Group R occupancies having an occupant load of 10 or less are permitted to be equipped with a night latch, dead bolt, or security chain, provided such devices are openable from the inside without the use of a key or a tool.

5. Fire doors after the minimum elevated temperature has disabled the unlatching mechanism in accordance with listed fire door test procedures.



6. Approved, listed locks without delayed egress shall be permitted in Group I-1 Condition 2 assisted living facilities licensed by Washington State, provided that:

6.1. The clinical needs of one or more patients require specialized security measures for their safety.

6.2. The doors unlock upon actuation of the automatic sprinkler system or automatic fire detection system.

6.3. The doors unlock upon loss of electrical power controlling the lock or lock mechanism.

6.4. The lock shall be capable of being deactivated by a signal from a switch located in an approved location.

6.5. There is a system, such as a keypad and code, in place that allows visitors, staff persons and appropriate residents to exit. Instructions for exiting shall be posted within six feet of the door.

7. Doors from elevator lobbies providing access to exits are permitted to be locked during or after business hours where items 7.1 through 7.5 are satisfied.

7.1. The lobby doors shall unlock automatically upon fire alarm;

7.2. The lobby doors shall unlock automatically upon power loss;

7.3. The alarm system shall include smoke detection in the elevator lobby and at least two detectors on the tenant side within 15 feet of the door;

7.4. Unobstructed access to two exits must be provided through the tenant space;

7.5. The building shall have an automatic sprinkler system throughout in accordance with Section 903.3.1.1 or 903.3.1.2; and

7.6. An approved means of communication is provided in the elevator lobby.

8.0 Other than egress courts, where the occupants must egress from an exterior space through the building for means of egress, exit access doors shall be permitted to be equipped with an approved locking device where installed and operated in accordance with all of the following:

8.1 The occupant load of the occupied exterior area shall not exceed 300 as determined by IBC Section 1004.

8.2 The maximum occupant load shall be posted where required by Section 1004.9. Such sign shall be permanently affixed inside the building and shall be posted in a conspicuous space near all the exit access doorways.

8.3 A weatherproof telephone or two-way communication system installed in accordance with Sections 1009.8.1 and 1009.8.2 shall be located adjacent to not less than one required exit access door on the exterior side.

8.4 The egress door locking device is readily distinguishable as locked and shall be a key-operated locking device.

8.5 A clear window or glazed door opening, not less than five square feet (0.46 m²) in area, shall be provided at each exit access door to determine if there are occupants using the outdoor area.

8.6 A readily visible durable sign shall be posted on the interior side on or adjacent to each locked required exit access door serving the exterior area stating: THIS DOOR TO REMAIN UNLOCKED WHEN THE OUTDOOR AREA IS OCCUPIED. The letters on the sign shall be not less than one inch high on a contrasting background.

9. Locking devices are permitted on doors to balconies, decks, or other exterior spaces serving individual dwelling or sleeping units.

10. Locking devices are permitted on doors to balconies, decks, or other exterior spaces of 250 square feet or less, serving a private office space.



2.02.157 Amendment to IBC Section 1111.1.1 – Signage.

Section 1111.1.1 in the currently adopted edition of the IBC shall be replaced in its entirety with the following:

1. Accessible parking spaces required by Section 1106.1.

Exception: Where the total number of parking spaces provided is four or less, identification of accessible parking spaces is not required.

2.02.158 Amendment to IBC Section 1207.3 – Room Area.

Section 1207.3 in the currently adopted edition of the IBC shall be replaced in its entirety with the following:

1207.3 Room Area. Every dwelling unit shall have at least one room that shall have not less than 120 square feet (11.2 m2) of net floor area. Other habitable rooms shall have a net floor area of not less than 70 square feet (6.5 m2).

Exception: Kitchens are not required to be of a minimum floor area.

The total floor area in a dwelling unit shall not be less than the living room area specified in 1207.4.

2.02.160 Amendment to IBC Section ~~1503.4~~1502 – Roof Drainage.

Section ~~1503.4~~1502 in the currently adopted edition of the IBC shall be replaced in its entirety with the following:

~~1503.4~~1502.1 General. Design and installation of roof drainage systems shall comply with Section ~~1503.4~~1502 of this code and the UPC as applicable.

~~1503.4~~1502.2 Overflow Drains. Where roof drains are required, overflow drains having the same size as the roof drains shall be installed with the inlet flow line located two inches above the low point of the roof.

1502.3 Scuppers. Where scuppers are used for secondary (emergency overflow) roof drainage, the quantity, size, location, and inlet elevation of the scuppers shall be sized to prevent the depth of ponding water from exceeding that for which the roof was designed as determined by Section 1611.1. Scuppers shall be three times the size of roof drains and have an opening dimension of not less than four inches (102 mm). The flow through the primary system shall not be considered when locating and sizing scuppers. Scuppers may be installed in adjacent parapet walls with the inlet flow line located not more than two inches above the lowest point for the roof area served by the scupper.

~~1502.4~~ Gutters. Gutters and leaders placed on the outside of buildings other than Group R-3, private garages, and buildings of type V construction shall be of noncombustible material or a minimum of Schedule 40 plastic pipe.

1503.5 Roof Slope. Roofs shall be sloped a minimum of 1 unit vertical in 48 units horizontal (2% slope) for drainage unless designed for water accumulation in accordance with Chapter 16, and approved by the Building Official. Vegetated roofs may be approved as an alternate design.

~~1503.4.2~~1503.6 Roof Drains. Unless roofs are sloped to drain over roof edges, roof drains shall be installed at each low point of the roof. Vegetated roofs may be designed with alternate drainage systems as approved by the Building Official.

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

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



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

1 1503.4.47 Concealed Piping. Roof drains and overflow drains, where concealed within the construction of the
2 building, shall be installed in accordance with the Uniform Plumbing Code.

3 1503.4.58 Over Public Property. Roof drainage water from a building shall not be permitted to flow over
4 public property unless part of a City approved dispersion system and where an easement has been obtained.

5 ~~1503.4.6 Gutters. Gutters and leaders placed on the outside of buildings other than Group R-3, private
6 garages, and buildings of type V construction shall be of noncombustible material or a minimum of Schedule
7 40 plastic pipe.~~

8 ~~**2.02.170 Repealed. Amendment to IBC Section 1511 – Re-roofing by addition of a new
9 Section 1511.7 – Energy Code Requirements for Re-Roofing.**~~

10 ~~1511.7 Energy Code Requirements for Re-Roofing. Replacement of roof coverings shall conform to the
11 provisions of Section C101.4.3 of the Energy Code. Replacement of low-slope roof coverings shall conform
12 to the provisions of Section C402.2.1.1 of the Energy Code.~~

13 **2.02.180 Amendment to IBC Section 1608 – Snow loads.**

14 Section 1608 in the IBC shall be replaced in its entirety with the following:

15 1608 Snow loads. Roofs shall be designed for a snow load of 25 pounds per square-foot applied at roof level,
16 except that if the live load determined by Section 1607 is greater than the snow load, then the live load shall
17 be the roof design load.

18 Potential unbalanced accumulation of snow at valleys, parapets, roof structures, and offsets in roofs of uneven
19 configuration shall be considered with a ground snow load of 21 psf.

20 The extra load caused by snow sliding off a sloped roof onto a lower roof shall be determined in accordance
21 with ~~Section~~Chapter 7-9 of ASCE 7-10.

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

24 * * *

25 ~~**2.02.201 Repealed. Amendment to IBC Section 2902.2 – Separate Facilities.**~~

26 ~~Section 2902.2 in the State Building Code shall be replaced in its entirety with the following:~~

27 ~~2902.2 Separate Facilities. Where plumbing fixtures are required, separate facilities shall be provided for each
28 sex.~~

29 ~~Exceptions:~~

30 ~~1. Separate facilities shall not be required for dwelling units and sleeping units.~~

31 ~~2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including
32 both employees and customers, of 15 or fewer.~~

33 ~~3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is
34 100 or less.~~

35 ~~4. Separate facilities shall not be required in spaces primarily used for drinking or dining with a total occupant
36 load, including employees and customers, of 30 or fewer.~~

37 ~~5. Where single-occupant facilities are provided and meet the minimum fixture requirements for each sex.~~

2.02.202 Amendment to IBC Section 2902.4 – Signage.

Section 2902.4 in the currently adopted edition of the IBC is amended with the following:



2902.4 Signage. Required ~~multiple user~~ public facilities shall be provided with signs that designate the sex ~~as required by Section 2902.2 for separate facilities or indicate gender-neutral facilities.~~ Single-occupant toilet facilities shall be provided with signs compliant with TMC 1.29.040180. Signs shall be readily visible and located near the entrance to each toilet facility. Signs for accessible toilet facilities shall also comply with IBC Section 1111.

* * *

2.02.535 Amendment by addition to IRC Section R101.2 – Scope.

The following addition shall be added in R101.2 – Scope:

R101.2.1. Alteration to existing single family, duplex, and townhouse buildings and structures shall comply with either the Washington State Residential Code or the construction requirements in TMC 2.02.870.

2.02.540 Amendment to IRC Section R105.2 – Work Exempt From Permit, Building and Electrical Sections.

The following ~~additional~~ exceptions shall be added ~~to~~ or changed in R105.2 – Building:

Building:

5. Sidewalks and driveways. (Note: separate site development permits may be required for these items).

11. Reroofing of single family or duplex residential buildings, provided the existing roof coverings are removed prior to reroofing and the following conditions are met:

- a. The new roofing material does not exceed ~~five (2.5)~~ pounds per square foot, or
- b. For a vegetated roof, where it is the same weight as the previous roof and a vegetated roof was previously approved through a building permit.

c. No changes are made to roof framing.

d. The building is not constructed with unreinforced masonry.

The following amendment shall be made to R105.2 – Electrical:

Electrical: See TMC Chapter 12.06A.

* * *

2.02.610 Amendment to IRC Section R313 – Automatic Fire sprinkler systems.

The Washington State amendment to IRC Section R313.1 shall be deleted and replaced by the following:

R313.1 – Townhouse Automatic Fire Sprinkler Systems. An automatic ~~sprinkler system shall be installed throughout every building which is a group of townhouses, as defined in the IRC. Such residential~~ fire sprinkler system shall be ~~designed and installed in all townhouse units.~~

Exception: An automatic residential fire sprinkler system shall not be required where additions or alterations are made to existing townhouse units that do not have an automatic residential fire sprinkler system installed in accordance with IBC Section 903.3.1.1, IBC Section 903.3.1.2, or IBC Section 903.3.1.3.

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

2.02.620 Manufactured Homes.

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

- A. Manufactured homes to be installed in the City shall be new with a permanently affixed certification, which means any manufactured home required to be titled under Title 46 RCW which has not been



previously titled to a retail purchaser and which is not a “used mobile home” as defined in RCW 82.45.032(2), which states:

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

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

C. All manufactured homes shall be comprised of at least two fully-enclosed parallel sections, each of not less than 12 feet wide by 36 feet long unless the structure complies with the requirements of IRC Appendix Q – Tiny Homes, as amended by the State Building Code.

* * *

2.02.735 Amendment to IEBC Section 108 – Fees.

Section 108 in the IEBC is hereby deleted and replaced by reference to TMC 2.09.

* * *

2.02.760 Amendment to IEBC Section 202 – General Definitions – L, S, and W.

Section 202 of the IEBC is amended with new definitions for Live/Work and Work/Live, Substantial Damage, and Substantial Improvement, as follows:

Live/Work Unit. A dwelling or sleeping unit in which up to 50 percent of the unit’s space includes a commercial business use. The business owner lives in the residential space.

Substantial Damage. For the purpose of determining compliance with the flood provisions of this code, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50 percent of the value of the building or structure before the damage occurred, as calculated using the latest Building Valuation Data published by the International Code Council. If ICC Building Valuation Data is not applicable to this building or structure, the value may be established using an approved market valuation.

Substantial Improvement or Repair or Substantial Alteration or Construction. Reconstruction, rehabilitation, addition, For the purpose of determining compliance with the flood provisions of this code, any repair, alteration, repair addition, or other improvement to an existing of a building or structure, the cost of which equals or exceeds 50 percent of the value of the building or structure before the repair or improvement is started, as calculated using the latest Building Valuation Data published by the International Code Council. If ICC Building Valuation Data is not applicable to this building or structure, the value may be established using an approved market valuation. For purposes of determining Substantial Improvement or Repair for flood hazard areas, this shall be cumulative as measured from the issuance date of the initial building permit. The cost of the improvement may be adjusted if approved by the building official in accordance with the requirements of TMC 2.09. If the structure has sustained substantial damage, any repairs are considered substantial improvement regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a building required to correct existing health, sanitary, or the last substantial improvement. For all other purposes, this shall be cumulative over a two-year period, safety code violations identified by the building official and that is the minimum necessary to ensure safe living conditions; or

2. Any alteration of a historic structure, provided that the alteration will not preclude the structure’s continued designation as measured from the issuance date of the initial building permit for the project. a historic structure.



Work/Live Unit. A commercial business use which includes a dwelling unit in up to 50 percent of the unit's space. The business owner lives in the residential space.

1 **2.02.763 Amendment to IEBC Chapter 3 – Provisions for All Compliance Methods by**
2 **addition of Section 306 Fire Protection.**

3 A new section 306 Fire Protection shall be added to IEBC Chapter 3 as follows:

4 Section 306 Fire Protection

5 306.1 Group R occupancies. Where required by Sections 306.1.1, 306.1.2, 306.1.3, or 306.1.4, automatic fire
6 sprinkler systems shall be installed within existing buildings with Group R fire areas where any of the
7 following conditions exist:

8 1. Building exceeds 5,000 square feet in area; or

9 2. Building exceeds two stories in height; or

10 3. Building contains five or more dwelling or sleeping units. Installation of an automatic fire sprinkler system,
11 in accordance with Section 903.3.1.2 (NFPA 13R), may be approved in non-high-rise buildings exceeding
12 four stories in height when approved by the fire code official and the building official.

13 Exception: Buildings regulated by the International Residential Code.

14 306.1.1 Fire Damage. Throughout buildings that incur fire, water, or smoke damage where repairs include the
15 removal and/or replacement of more than 50 percent of the ceiling finishes in more than one dwelling or
16 sleeping unit.

17 Exception: The fire code official is authorized to approve a work plan established by the building owner
18 where damaged units are provided with fire sprinklers immediately and the remainder of the building is
19 provided with fire sprinklers over a period not to exceed ten years.

20 306.1.2 Level I Alterations. Throughout dwelling or sleeping units where work involves the removal and/or
21 replacement of more than 50 percent of the ceiling finishes in more than one dwelling or sleeping unit.

22 306.1.3 Level II Alterations. Throughout dwelling or sleeping units where work areas exceed 50 percent of
23 the floor area of the dwelling or sleeping unit.

24 306.1.4 Level III Alterations and Substantial Improvements. Throughout buildings undergoing level III
25 alterations or substantial improvements as defined in TMC Chapter 2.02.

26 **2.02.765 Repealed. Amendment to IEBC Section 403—Alterations—by addition of a new**
Section 4.3.1.1—Substantial Alteration or Construction.

403.1.1 Substantial Alteration or Construction. Where alteration to any building or structure are defined as
Substantial Alteration or Construction as defined in IEBC Section 202, such alterations shall comply with the
requirements of IEBC Section 907.

2.02.770 Repealed. Amendment to IEBC Section 407.1—Conformance by addition of new
Sections 407.1.1, Minimum Standards, and 407.1.2, Work/Live Use.

407.1.1 Minimum Standards. Minimum standards for fire, life, and seismic under TMC 2.01, Minimum
Building and Structures Code, shall be provided regardless of whether the new occupancy or new use is
considered less hazardous than the old occupancy. The relative hazard of occupancies shall be determined
using IEBC Chapter 10.

407.1.2 Work/Live Use. A change to a work/live use is not a change of occupancy for the building or space
provided the following conditions are met:

1. The buildings containing work/live units shall comply with IBC Section 419.2; and

2. The occupancy classification of the work/live unit conforms to the existing permitted use; and



3. All buildings with work/live uses shall comply with the standards for fire, life, and seismic safety in TMC 2.01, Minimum Building and Structures Code; and

4. A certificate of occupancy is issued for any new or altered work/live use.

Additional conditions may be imposed by the Building Official or Fire Code Official where deemed necessary for the general safety and welfare of the occupants and the public depending on the specific hazards and hazardous materials associated with the work/live use.

2.02.775 ~~Repealed.~~ Amendment to IEBC Section 504.1 – Alteration – Level 2.

~~EB504.1. Scope. Level 2 alterations include the reconfiguration of space, the addition or elimination of any door or window, the reconfiguration or extension of any system, or the installation of any additional equipment below the threshold of a Level 3 alteration.~~

2.02.776 ~~Amendment to IEBC Section 505.1 – Alteration – Level 3~~ Scope.

~~EB505.1. Scope. Level 3 alterations apply where the work is Substantial Improvement or Repair as defined in 2.02.760. 901.1 Scope. Level 3 alterations apply where the alteration cost for an existing building or structure exceeds 50 percent of the value of the building or structure before the repair or improvement is started, as calculated using the latest Building Valuation Data published by the International Code Council. If ICC Building Valuation Data is not applicable to this building or structure, the value may be established using an approved market valuation. The cost of the addition, alteration, rehabilitation, repair, or other improvement may be adjusted if approved by the building official in accordance with the requirements of TMC 2.09.~~

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

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

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

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

* * *

2.02.805 Amendment to IEBC Section ~~1001605.1~~ – Change of Occupancy – Scope – by addition of an exception to ~~EB1001605.1~~.

605.1 Exception: A change to a work/live use is not a change of occupancy for the building or space provided the following conditions are met:

1. The buildings containing work/live units shall comply with IBC Section 419.2; and
2. The occupancy classification of the work/live unit conforms to the existing permitted use; and
3. All buildings with work/live uses shall comply with the standards for fire, life, and seismic safety in TMC 2.01, Minimum Building and Structures Code; and
4. A certificate of occupancy is issued for any new or altered work/live use.
5. Additional conditions are met that are imposed by the Building Official or Fire Code Official where deemed necessary for the general safety and welfare of the occupants and the public depending on the specific hazards and hazardous materials associated with the work/live use.



EB1001.1 Exception:

1. The addition of work/live units complying with IBC Section 419.2 where the occupancy classification of the work/live unit conforms to the existing permitted use and the building complies with TMC 2.01, Minimum Building and Structures Code.

2.02.810 Amendment to IEBC Section 10071006.3 – Seismic Loads – by deletion and replacement of IEBC Section 1007.3 and by addition of a new Section IEBC 10071006.3.31 – Seismic Requirements for Unreinforced Masonry and Hollow Clay Tile Buildings.

IEBC Section 1007.3 shall be deleted and replaced as follows:

IEBC 1007.3 – Seismic Loads. Existing buildings with a change of occupancy shall comply with the seismic provisions of Sections 1007.3.1 and 1007.3.2. Unreinforced masonry and hollow clay tile buildings shall also comply with Section 1007.3.3.

The following section shall be added to IEBC Section 10071006.3:

IEBC 10071006.3.31 – Seismic Requirements Due to Change of Occupancy for Unreinforced Masonry and Hollow Clay Tile Buildings. Existing buildings constructed with unreinforced masonry or hollow clay tile and categorized in IBC Table 1604.5 as Risk Category II, shall be required to comply with the requirements for International Building Code level full seismic forces as specified in Section 301.1.4.2 when the occupancy is increased to a higher relative hazard level in accordance with IEBC Table 10071006.1.

IEBC TABLE 10071006.1 – HAZARD CATEGORIES TRIGGERING SEISMIC REQUIREMENTS DUE TO CHANGE OF OCCUPANCY FOR URM AND HOLLOW CLAY TILE CLASSIFIED BUILDINGS

Relative Hazard	Occupancy Classification
High	<ul style="list-style-type: none"> • Buildings and other structures whose primary occupancy is assembly with an occupant load greater than 99. • Buildings and other structures containing Group E occupancies with an occupant load greater than 50. • Group I occupancies not categorized under Risk Categories III and IV. • Group H occupancies. • Any other occupancy with an occupant load greater than 500.
Medium	<ul style="list-style-type: none"> • Buildings and other structures whose primary occupancy is assembly with an occupant load of 99 or less. • Buildings and other structures containing Group E occupancies with an occupant load of 49 or less. • Group R-1, R-2. • Group F-1 and S-1 with an occupant load of 500 or less. • Group B or M with an occupant load of 100 to 500.
Low	<ul style="list-style-type: none"> • Group B or M with an occupant load less than 100. • Group F-2, S-2, R-3, and U with an occupant load of 500 or less

2.02.820 Amendment to IEBC Chapter 1314 – Relocated or moved buildings.

Chapter 1314 in the IEBC, as amended by the State Building Code, is hereby deleted and replaced with the following:

1301.1. Buildings or structures moved into or within the City of Tacoma shall comply with the provisions of this code and the Tacoma Building and Fire Codes for new buildings or structures.



Exception:

1 Group R, Division 3, Single family or duplex buildings or structures are not required to comply if:

- 2 1. The original occupancy classification is not changed,
- 3 2. The building complies with TMC 2.01, Minimum Building and Structures Code, or TMC 2.02.870 and
- 4 3. The original building is not substantially remodeled or rehabilitated. For the purposes of this section only, a Group R, Division 3, single family or duplex building shall be considered to be substantially remodeled when the costs of remodeling within a two year period beginning on the date the alteration permit is issued, exceed 60 percent of the value of the building as calculated using the Building Valuation Table published by the International Code Council, exclusive of the costs relating to preparation, construction, demolition, or renovation of foundations.

6 Site development and ~~O~~ff-site improvements shall be provided in accordance with Sections 2.19 and 2.22, as if the building is a new building, when the building is moved onto the site from some other location, and shall be provided as if the building was added to or remodeled when the building is moved within the site.

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

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

13 * * *

14 **2.02.870 Amendment of IEBC Appendices by addition of a new Appendix J - Requirements for Alterations to Existing Single Family, Duplex, and Townhouse Buildings and Structures**

16 The following new appendix chapter shall be added to the IEBC.

17 **Appendix J – Requirements for Alterations to Existing Single Family, Duplex, and Townhouse Buildings and Structures**

18 **Section AJ101. Purpose and Intent.** The purpose of these provisions is to encourage the continued use or reuse of legally existing single family, duplex, and townhouse buildings and structures and allow alternative construction requirements from the WA State Residential Code with City of Tacoma amendments.

19 **Section AJ102. Compliance**

20 **AJ102.1 General.** Regardless of the category of work being performed, the work shall not cause the structure to become unsafe or adversely affect the performance of the building; shall not cause an existing mechanical or plumbing system to become unsafe, hazardous, insanitary or overloaded; and unless expressly permitted by these provisions, shall not make the building any less compliant with this code or to any previously approved alternative arrangements than it was before the work was undertaken.

23 **AJ102.3 Smoke Detectors.** Regardless of the category of work, smoke detectors shall be provided where required by the WA State Residential Code with City of Tacoma amendments.

24 **AJ102.4 Replacement windows.** Regardless of the category of work, where an existing window, including the sash and glazed portion, or safety glazing is replaced, the replacement window or safety glazing shall comply with the requirements of Sections AJ102.4.1 through AJ102.4.4, as applicable.

26 **AJ102.4.1 Energy Efficiency.** Replacement windows shall comply with the requirements of the WSEC.



AJ102.4.2 Safety glazing. Replacement glazing in hazardous locations shall comply with the safety glazing requirements of IRC Section R308.

1 **AJ102.4.3 Emergency Escape openings.** Where windows are required to provide emergency escape and
2 rescue openings, replacement windows shall be exempt from the maximum sill height requirements of IRC
3 Section R310.2.2 and the requirements of Section IRC R310.2.1 and IRC R310.2.3 provided that the
4 replacement window meets the following conditions:

5 1. In buildings constructed prior to May 26, 1981, existing windows 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 height of
7 48 inches measured from the floor of the sleeping room, shall be deemed to meet the exit window
8 requirement.

9 2. Where the window frame is to be replaced, this exception shall not apply, except as necessary to fit within
10 the rough framed opening, in which case the opening dimensions shall be maximized. (Note: If a new
11 opening needs to be created or an existing opening needs to be enlarged to provide an exit window from a
12 sleeping room, this exception shall not apply).

13 3. Where the sill height exceeds the maximum specified, a landing with a minimum depth of 24 inches and
14 width equal to the width of the window and frame, but not less than 36 inches, may be provided directly
15 below the exit window within the sleeping room, provided the following are met:

16 a. Stairs shall be provided to the landing if its height exceeds 12 inches above the sleeping room floor.

17 b. The landing and stairs do not decrease the minimum required dimensions of the sleeping room below those
18 required by this chapter and the Building Code.

19 c. The replacement window is not part of a change of occupancy and/or new habitable space.

20 **AJ102.4.4 Window control devices.** Where window fall prevention devices complying with ASTM F2090
21 are not provided, window opening control devices complying with ASTM F2090 shall be installed where an
22 existing window is replaced and where all of the following apply to the replacement window:

23 1. The window is operable.

24 2. The window replacement includes replacement of the sash and the frame.

25 3. The top of the sill of the window opening is at a height less than 24 inches (610 mm) above the finished
26 floor.

4. The window will permit openings that will allow passage of a 4-inch-diameter (102 mm) sphere where the
window is in its largest opened position.

5. The vertical distance from the top of the sill of the window opening to the finished grade or other surface
below, on the exterior of the building, is greater than 72 inches (1829 mm).

The window opening control device, after operation to release the control device allowing the window to
fully open, shall not reduce the minimum net clear opening area of the window unit.

AJ102.5 Flood hazard areas. Work performed in existing buildings located in a flood hazard area as
established by IRC Table R301.2(1) shall be subject to the provisions of TMC 2.02.550 and 2.02.560.

AJ102.6 Equivalent alternatives. These provisions of this Appendix are not intended to prevent the use of
any alternative material, alternative design or alternative method of construction not specifically prescribed
herein, provided that any alternative has been deemed to be equivalent and its use authorized by the building
official.

AJ102.7 Other alternatives. Where compliance with these provisions or with this code as required by these
provisions is technically infeasible or would impose disproportionate costs because of construction or
dimensional difficulties, the building official shall have the authority to accept alternatives. These alternatives
include materials, design features and operational features.



1 **AJ102. Features exceeding code requirements.** Elements, components and systems of existing buildings
2 with features that exceed the requirements of this code for new construction, and are not otherwise required as
3 part of approved alternative arrangements or deemed by the building official to be required to balance other
4 building elements not complying with this code for new construction, shall not be prevented by these
5 provisions from being modified as long as they remain in compliance with the applicable requirements for
6 new construction.

7 **Section AJ301 Repairs**

8 **AJ301.1. Definition.** Repair shall be defined as the patching, restoration or minor replacement of materials,
9 elements, components, equipment or fixtures for the purposes of maintaining those materials, elements,
10 components, equipment or fixtures in good or sound condition.

11 **AJ301.2. Materials.** Except as otherwise required herein, work shall be done using like materials or materials
12 permitted by this code for new construction.

13 **AJ301.2.1 Hazardous materials.** Hazardous materials no longer permitted, such as asbestos and lead-based
14 paint, shall not be used.

15 **AJ301.2.2 Plumbing materials and supplies.** The following plumbing materials and supplies shall not be
16 used:

17 1. All-purpose solvent cement, unless listed for the specific application.

18 2. Flexible traps and tailpieces, unless listed for the specific application.

19 3. Solder having more than 0.2-percent lead in the repair of potable water systems.

20 **AJ301.3 Water closets.** Where any water closet is replaced with a newly manufactured water closet, the
21 replacement water closet shall comply with the requirements of the City of Tacoma Plumbing Code.

22 **AJ301.4 Electrical.** This section deleted with a reference to comply with TMC 12.06A.

23 **Section AJ401 Renovations**

24 **AJ401.1 Definition.** Renovations shall be defined as the change, strengthening or addition of load-bearing
25 elements; or the refinishing, replacement, bracing, strengthening, upgrading or extensive repair of existing
26 materials, elements, components, equipment or fixtures. Renovation does not involve reconfiguration of
27 spaces. Interior and exterior painting are not considered refinishing for purposes of this definition and are not
28 renovation.

29 **AJ401.2 Materials and methods.** The work shall comply with the materials and methods requirements of
30 this code.

31 **AJ401.3 Door and window dimensions.** Minor reductions in the clear opening dimensions of replacement
32 doors and windows that result from the use of different materials shall be allowed, whether or not they are
33 permitted by this code.

34 **AJ401.4 Interior finish.** Wood paneling and textile wall coverings used as an interior finish shall comply
35 with the flame spread requirements of IRC Section R302.9.

36 **AJ401.5 Structural.** Unreinforced masonry buildings located in Seismic Design Category D2 or E shall have
37 parapet bracing and wall anchors installed at the roofline whenever a reroofing permit is issued. Such parapet
38 bracing and wall anchors shall be of an approved design.

39 **Section AJ501 Alterations**

40 **AJ501.1 Newly constructed elements.** Newly constructed elements, components and systems shall comply
41 with the requirements of the WA State Residential Code with City of Tacoma amendments.

42 Exceptions:

43 1. Added openable windows are not required to comply with the light and ventilation requirements of
44 IRC Section R303.



1 **AJ501.2 Nonconformities.** The work shall not increase the extent of noncompliance with the requirements of Section AJ601 or create nonconformity to those requirements that did not previously exist.

2 **AJ501.3 Extensive alterations.** Where the total area of all of the alteration work within each dwelling unit meets the requirements of 2.02.776 for a Level 3 remodel, the work shall be considered to be a reconstruction and shall comply with the requirements of these provisions for reconstruction work.

3 Exception: Alteration work which is exclusively plumbing, mechanical or electrical shall not be included in the computation of the total valuation of work.

4 **AJ501.4 Structural.** The minimum design loads for the structure shall be the loads applicable at the time the building was constructed, provided that a dangerous condition is not created. Structural elements that are uncovered during the course of the alteration and that are found to be unsound or dangerous shall be made to comply with the applicable requirements of this code.

5 **AJ501.5 Electrical Equipment and wiring.** This section deleted with a reference to comply with TMC 12.06A.

6 **AJ501.6 Ventilation.** Reconfigured spaces intended for occupancy and spaces converted to habitable or occupiable space in any work area shall be provided with ventilation in accordance with IRC Section R303.

7 **AJ501.7 Ceiling Height.** Habitable spaces created in existing basements and attics shall have ceiling heights of not less than 6 foot 8 inches (2032mm), except that the ceiling height at obstructions shall be not less than 6 foot 4 inches (1930 mm) from the basement or attic floor. Existing finished ceiling heights in non-inhabitable basements and attics shall not be reduced.

8 **AJ501.8 Stairs**

9 **AJ501.8.1 Stair width.** Existing basement or attic stairs and handrails not otherwise being altered or modified shall be permitted to maintain their current clear width at, above and below existing handrails.

10 **AJ501.8.2 Stair headroom.** Headroom height on existing basement or attic stairs being altered or modified shall not be reduced below the existing stairway finished headroom. Existing basement or attic stairs not otherwise being altered shall be permitted to maintain the current finished headroom.

11 **AJ501.8.3 Stair landing.** Landings serving existing basement or attic stairs being altered or modified shall not be reduced below the existing stairway landing depth and width. Existing basement or attic stairs not otherwise being altered shall be permitted to maintain the current landing depth and width.

12 **Section AJ601 Reconstruction**

13 **AJ601.1 Stairways, handrails and guards.**

14 **AJ601.1.1 Stairways.** Stairways within the work area shall be provided with illumination in accordance with IRC Section R303.6.

15 **AJ601.1.2 Handrails.** Every required exit stairway that has four or more risers, is part of the means of egress for any work area, and is provided with not fewer than one handrail, or in which the existing handrails are judged to be in danger of collapsing, shall be provided with handrails designed and installed in accordance with IRC Section R311 for the full length of the run of steps on not less than one side.

16 **AJ601.1.3 Guards.** Every open portion of a stair, landing or balcony that is more than 30 inches (762 mm) above the floor or grade below, is part of the egress path for any work area, and does not have guards, or in which the existing guards are judged to be in danger of collapsing, shall be provided with guards designed and installed in accordance with IRC Section R312.

17 **AJ601.2 Wall and ceiling finish.** The interior finish of walls and ceilings in any work area shall comply with the requirements of IRC Section R302.9. Existing interior finish materials that do not comply with those requirements shall be removed or shall be treated with an approved fire-retardant coating in accordance with the manufacturer's instructions to secure compliance with the requirements of this section.

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AJ601.3 Separation walls. Where the work area is in an attached dwelling unit, walls separating dwelling units that are not continuous from the foundation to the underside of the roof sheathing shall be constructed to provide a continuous fire separation using construction materials consistent with the existing wall or complying with the requirements for new structures. Performance of work shall be required only on the side of the wall of the dwelling unit that is part of the work area.

AJ601.4 Ceiling height. Habitable spaces created in existing basements or attics shall have ceiling heights of not less than 6 feet, 8 inches (2032 mm), except that the ceiling height at obstructions shall not be less than 6 feet 4 inches (1930 mm) from the basement or attic floor. Existing finished ceiling heights in non-habitable spaces in basements or attics shall not be reduced except where necessary to comply with WSEC requirements.

Section AJ701 – Referenced Standards

<u>ASTM F2090—17</u>	<u>Specification for Window</u>	<u>AJ1024.3</u>
	<u>Fall Prevention Devices with Emergency</u>	<u>AJ102</u>
	<u>Escape (Egress) Release Mechanism</u>	
<u>IEBC—18</u>	<u>International Existing Building Code</u>	<u>AJ10</u>

* * *



EXHIBIT “B”

**CHAPTER 2.06
PLUMBING CODE**

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Sections:

- 2.06.010 Adoption of the Uniform Plumbing Code.
- 2.06.015 Administrative Provisions.
- 2.06.020 Conflicts with the City of Tacoma Stormwater Management Manual or Side Sewer and Sanitary Sewer Availability Manual.
- 2.06.030 *Repealed.*
- 2.06.040 *Repealed.*
- 2.06.050 *Repealed.*
- 2.06.060 Addition of a new UPC Section 101.11.6 – Substantial Building Improvements.
- 2.06.070 Amendment to UPC Section 107.0 – Board of Appeals.
- 2.06.080 Amendment to UPC Section 106.0 – Violations.
- 2.06.090 Amendment to UPC Section 218.0 – P – Definitions by redefining “Private sewer.”
- 2.06.100 Amendment to UPC Section 304 by addition of a new Section 304.2 – Public Sewer Availability.
- 2.06.110 *Repealed.*
- 2.06.120 Amendment to UPC Chapter 4 by addition of a new UPC Section 423.0 – Water Conservation for Irrigation Systems.
- 2.06.130 Addition of a new UPC Section 603.1.1 – City of Tacoma Requirements for Cross-Connection Control.

2.06.010 Adoption of the Uniform Plumbing Code.

The Uniform Plumbing Code as adopted by the State Building Code as defined in TMC 2.02.100 is hereby included in the City of Tacoma Plumbing Code as adopted by this chapter. Section 104.5, and Table No. 104.5, ~~and Section 1101.12.2.2.2~~ are hereby deleted from the UPC as amended in this chapter.

* * *



ORDINANCE NO. 28730

1 AN ORDINANCE relating to the Fire Code; amending Chapters 3.02 and 3.10 of
 2 the Tacoma Municipal Code, relating to the Fire Prevention Code and
 3 Mobile Fueling Operating and Permitting Requirements, to adopt the
 4 2018 International Fire Code, along with state and local amendments, to
 5 become effective on February 8, 2021.

6 WHEREAS Title 3 of the Tacoma Municipal Code (“TMC”), Fire and
 7 Emergency Medical Services, establishes the minimum standards for fire and life
 8 safety for buildings, sites, and operations within the City, and

9 WHEREAS, at the direction of the Washington State Legislature, the
 10 Washington State Building Code Council updates the Washington State Fire
 11 Code (“WSFC”) on a regular cycle, and

12 WHEREAS the revised WSFC is adopted under the authority of 19.27 RCW
 13 as WAC 51-54A, and will become effective on February 8, 2021, and

14 WHEREAS the proposed TMC amendments to Chapter 3.02, Fire
 15 Prevention Code, and Chapter 3.10, Mobile Fueling Operating and Permitting
 16 Requirements, will renumber existing amendments to match the WSFC, increase
 17 clarity for developers, reduce conflicts between development codes, and
 18 streamline the TMC by eliminating amendments that are no longer necessary;
 19

20 Now, Therefore,

21 BE IT ORDAINED BY THE CITY OF TACOMA:

22 Section 1. That Chapter 3.02 of the Tacoma Municipal Code (“TMC”) is
 23 hereby amended as set forth in the attached Exhibit “A,” to become effective on
 24 February 8, 2021.
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Section 2. That Chapter 3.10 of the TMC is hereby amended as set forth in the attached Exhibit "B," to become effective on February 8, 2021.

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

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney



EXHIBIT "A"

CHAPTER 3.02 FIRE PREVENTION CODE

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Sections:

- 3.02.010 Adoption of the International Fire Code, as Amended.
- 3.02.020 General Amendments.
- 3.02.025 Amendment ~~to~~ IFC Subsection 101.1 – Title.
- 3.02.030 Amendment ~~to~~ IFC Subsection 101.2 – Scope.
- 3.02.040 Amendment ~~to~~ IFC Subsection 102.7 – Referenced codes and standards.
- 3.02.050 Amendment to IFC Section 102 – Applicability, by addition of a new Subsection 102.13 – Delayed Enforcement.
- 3.02.100 Amendment to IFC Subsection ~~405.6.24~~[105.6.23](#) by addition of paragraphs 7 and 8.
- 3.02.110 Amendment ~~to~~ IFC Subsection ~~405.6.44~~[105.6.46](#) – Storage of Tires, Scrap Tires and Tire Byproducts.
- 3.02.120 Amendment to IFC Subsection 105.6 by addition of a new Subsection ~~405.6.49~~[105.6.51](#) – Marine terminal.
- 3.02.130 Amendment ~~to~~ IFC Section ~~108~~[109](#) – Board of Appeals.
- 3.02.140 Amendment ~~to~~ IFC Section ~~109~~[110](#) – Violations.
- 3.02.150 Amendment of IFC Section ~~110~~[111](#) by revision of the title to Unsafe Buildings, Premises, Motor Vehicles, and Marine Vessels.
- 3.02.160 Amendment ~~to~~ IFC Subsection ~~110.1~~[111.1](#) – General.
- 3.02.170 Amendment ~~to~~ IFC Subsection ~~110.2~~[111.2](#) – Evacuation.
- 3.02.180 Amendment ~~to~~ IFC Subsection ~~113.2~~[106.2](#) – Schedule of permit fees.
- 3.02.190 ~~Amendment to IFC Section 403.1 – General.~~
- 3.02.200 Amendment to IFC Section 404 – Fire Safety and Evacuation Plans, by changing title to Fire and Emergency Plans, and addition of a new Subsection 404.4 – Earthquake Emergency Plans. Remaining sections in the State Amendment are renumbered sequentially.
- 3.02.210 Amendment ~~to~~ IFC Subsection 503.1 – Fire Apparatus Access Roads.
- 3.02.215 Adoption ~~to~~ IFC Subsections 503.1.1 ~~Buildings and Facilities through~~, ~~503.1.2~~, ~~503.1.3~~, ~~503.2~~, ~~503.3~~, ~~503.4~~, and 503.4.1 ~~Traffic Calming Devices~~ – Fire Apparatus Access Roads.
- 3.02.220 ~~Amendment to IFC Section 505 – Premises Identification, by addition of a new Subsection 505.3 – Room identification and directional signs.~~
- 3.02.240 Amendment ~~to~~ IFC Subsection ~~901.6.29~~[01.6.3](#) – Records.
- 3.02.250 Amendment to IFC Subsection 903.3 – Installation Requirements, by addition of two new Subsections, 903.3.9 – Sprinkler System Control Valves and 903.3.10 – ~~Sprinkler System Control Valve Room Signage and Access Signage.~~
- 3.02.260 ~~Repealed. Amendment of IFC Subsection 903.4.3 – Floor Control Valves.~~
- 3.02.275 Amendment ~~to~~ ~~Subsection 907.6.3~~ IFC Section 907 – ~~Fire Alarm and Detection Systems~~, by addition of new Subsection ~~907.6.3~~[907.12](#) – Exterior Annunciation.
- 3.02.290 Amendment to IFC Section 907 – Fire Alarm and Detection Systems, by addition of a new Subsection ~~907.10~~[907.13](#) – Signage.
- 3.02.310 ~~Repealed. Amendment to IFC Subsection 1103.5 – Sprinkler systems, by addition of Subsection 1103.5.4 Group R occupancies.~~
- 3.02.320 Amendment ~~to~~ IFC Subsection 1103.6.1 – Existing multiple-story buildings.
- 3.02.330 ~~Repealed. Amendment of IFC Subsection 1103.7.6 – Group R-2.~~
- 3.02.350 Amendment ~~to~~ IFC Subsection 1104.16.5 – Addition of Subsections 1104.16.5.2 Inspections and Testing and 1104.16.5.3 Records.
- 3.02.370 Amendment ~~to~~ IFC Subsection 3504.2.6 – Fire Extinguisher.
- 3.02.380 Amendment ~~to~~ IFC Subsection 3601.1 – Scope.
- 3.02.385 Amendment ~~to~~ IFC Subsection 5704.2.9.6.1 – Locations where above-ground tanks are prohibited.



- 3.02.390 Amendment to IFC Subsection 5704.3.4 by addition of new Subsection 5704.3.4.5 – Liquids for demonstration, treatment and laboratory work.
- 1 3.02.395 Amendment ~~to~~ IFC Subsection 5706.2.4.4 – Locations where above-ground tanks are prohibited.
- 2 3.02.400 Amendment ~~to~~ IFC Subsection 5706.5.4.5 – Commercial, industrial, governmental or manufacturing, by ~~deletion and~~ addition of ~~a new Subsection 5706.5.4.5~~ item 26.
- 3 3.02.403 Amendment to IFC Subsection 5707.1 - General
- 3.02.405 Amendment ~~to~~ IFC Subsection 5806.2 – Limitations.
- 4 3.02.410 Amendment ~~to~~ IFC Subsection 6101.3 – Construction Documents.
- 3.02.415 Amendment ~~to~~ IFC Subsection 6104.2 – Maximum capacity within established limits.

3.02.010 Adoption of the International Fire Code, as Amended.

The ~~2015~~2018 edition of the International Fire Code (“IFC”), together with Appendices B, C, F, and H published by the International Code Council (“ICC”), including all amendments and revisions in the Washington State Fire Code, Washington Administrative Code (“WAC”) Title 51, Chapter 54A, effective ~~July 1, 2016~~February 1, 2021, are hereby adopted by reference, pursuant to the provisions of RCW 35.21.180, as the official Fire Code of the City of Tacoma, such adoption by reference, however, to be subject to the modifications set forth in this chapter. The definitions set forth in Chapter 2 of the IFC, as amended by WAC 51-54A, shall be the definitions which apply in Tacoma Municipal Code (“TMC”) Chapter 3.02. In Section 108 of the IFC, the “Board of Appeals” shall mean the Board of Building Appeals, as created in TMC Chapter 2.17.

3.02.020 General Amendments.

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

101.1	110	<u>505.3</u>	3504.2.6
101.2	<u>111</u>	<u>901.6.3</u>	3601.1
102.7	<u>111.1</u>	<u>903.3.9</u>	5704.2.9.6.1
102.13	<u>111.1</u>	<u>903.3.10</u>	5704.3.4.5
<u>105.6.23</u>	<u>111.2</u>	<u>901.6.2</u>	<u>5704.3.4</u>
<u>105.6.46</u>	110.1	<u>903.3</u>	5706.2.4.4
<u>105.6.51</u>	110.2	<u>903.4.3</u>	5706.5.4.5
105.6.24	113.2	907.6.3.2	<u>5707.1</u>
105.6.44	<u>403.1</u>	907.10	5806.2
105.6.49	404.4	<u>907.12</u>	6101.3
108	503.1	<u>907.13</u>	6104.2
109	<u>503.1.1</u>	1103.5	
	<u>503.4.1</u>	1103.6.1	
	503.2	1103.7.6	
	503.3	1104.16.5	
	<u>503.4</u>		

3.02.025 Amendment ~~to~~ IFC Subsection 101.1 – Title.

101.1 Title. These regulations shall be known as the Fire Code of the City of Tacoma, hereinafter referred to as “this code.”



1 **3.02.030 Amendment ~~to~~ IFC Subsection 101.2 – Scope.**

2 101.2 Scope. This code establishes regulations affecting or relating to structures, processes, premises, motor
3 vehicles, ~~and~~ marine vessels, and safeguards regarding:

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

12 **3.02.040 Amendment ~~to~~ IFC Subsection 102.7 – Referenced Codes and Standards.**

13 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are
14 listed in Chapter 80, and such codes and standards shall be considered part of the requirements of this code to
15 the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2. The
16 edition of each referenced code and standard shall either be the edition listed in Chapter 80 or the most
17 current published edition.

18 * * *

19 **3.02.100 Amendment to IFC Subsection ~~105.6.24~~105.6.23 – Hot work operations by
20 addition of paragraphs 7 and 8.**

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

24 **3.02.110 Amendment ~~to~~ IFC Subsection ~~105.6.44~~105.6.46 – Storage of Tires, Scrap Tires
25 and Tire Byproducts.**

26 ~~105.6.44~~105.6.46 Storage of Tires, Scrap Tires, and Tire Byproducts. An operational permit is required to
establish, conduct, or maintain storage of tires, scrap tires, or tire byproducts that exceeds 1,000 cubic feet of
total volume of scrap tires and for indoor storage of tires, scrap tires, and tire byproducts.

**3.02.120 Amendment to IFC Subsection 105.6 by addition of a new Subsection
~~105.6.49~~105.6.51 – Marine terminal.**

~~105.6.49~~105.6.51 Marine terminal. An annual operational permit is required to handle or temporarily locate
containers, tanks, or cylinders of hazardous materials at marine terminals. A special operations permit is
required for any hazardous materials outside the scope of the annual operations permit.

3.02.130 Amendment ~~to~~ IFC Section ~~108~~109 – Board of Appeals.

~~108-1~~109.1 The Board of Building Appeals. The Board of Building Appeals, as created by TMC Chapter
2.17, is the properly designated Board of Appeals for this code. The Board of Building Appeals, within the
authority granted it by TMC Chapter 2.17, shall:

Hear and decide properly filed appeals of orders, decisions, or determinations made by the fire chief or duly
authorized representatives relative to the application and interpretation of this code.

~~108-2~~109.2 Limitations of Authority. An application for appeal shall be based on a claim that the intent of this
code or the rules legally adopted hereunder have been incorrectly interpreted, the provisions of this code do



not fully apply, or an equivalent method of protection or safety is proposed. The Board of Building Appeals shall not be empowered to waive requirements of this code or to grant variances unless specifically granted in TMC Chapter 2.17.

109.3 Qualifications. The Board of Building Appeals shall consist of members who are qualified as specified in TMC Chapter 2.17.

3.02.140 Amendment ~~to~~ IFC Section ~~109-110~~ – Violations, by replacing this section as published in the IFC in its entirety with the following.

~~109-110.1~~ 109.3.110.1 Unlawful acts. It shall be unlawful for any person, firm, corporation, or other legal entity to erect, construct, alter, extend, repair, move, remove, demolish, utilize or occupy a building, occupancy, structure, vehicle, marine vessel, premises, equipment or system regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

~~109-2110.2~~ 109.3.110.2 Owner/occupant responsibility/person causing the violation. Correction and abatement of violations of this code shall be the responsibility of the owner, the owner’s authorized agent, or person causing the violation. Where an occupant creates, or allows to be created, hazardous conditions in violation of this code, the occupant shall be held responsible for the abatement of such hazardous conditions.

~~109-3110.3~~ 109.3.110.3 Notice of violation. Where the fire code official finds a building, premises, structure, storage facility, outdoor area, vehicle or marine vessel that is in violation of this code, the fire code official may issue a written notice of violation describing the conditions deemed hazardous or unsafe and, where compliance is not immediate, specifying a time for reinspection.

~~109-3-1110.3.1~~ 109.3.110.3.1 Service. A notice of violation issued pursuant to this code shall be served upon the owner, the owner’s authorized agent, operator, occupant, or other person responsible for the condition or violation, either by personal service, mail or by delivering the same to, and leaving it with, some person of responsibility upon the premises. For unattended or abandoned locations, a copy of such notice of violation shall be posted on the premises in a conspicuous place at or near the entrance to such premises and the notice of violation shall be mailed by certified mail with return receipt requested or certificate of mailing, to the last known address of the owner, the owner’s authorized agent, or occupant. The notice of violation served shall provide the information, if available, required in sections 109.3.1.1 through 109.3.1.5.

~~109-3-1-1110.3.1.1~~ 109.3.1.110.3.1.1 The address of the site or premises or a detailed description of the location along with the specific details of the conditions to be corrected;

~~109-3-1-2110.3.1.2~~ 109.3.1.2110.3.1.2 A specified timeframe or deadline to correct the violations;

~~109-3-1-3110.3.1.3~~ 109.3.1.3110.3.1.3 The violation penalties that may be imposed if the violations are not corrected within the timeframe or deadline indicated on the notice of violation;

~~109-3-1-4110.3.1.4~~ 109.3.1.4110.3.1.4 The procedure that may be implemented if civil penalties in excess of \$1,000 are assessed in connection with the notice of violation; and

~~109-3-1-5110.3.1.5~~ 109.3.1.5110.3.1.5 The issuance date of the notice of violation along with the name, address, and telephone number of the person issuing the notice of violation.

~~109-3-2110.3.2~~ 109.3.2110.3.2 Compliance with orders and notices. A notice of violation issued or served as provided by this code shall be complied with by the owner, the owner’s authorized agent, operator, occupant, or other person responsible for the condition or violation to which the notice of violation pertains.

~~109-3-3110.3.3~~ 109.3.3110.3.3 Abatement of violations. If a notice of violation is not complied with promptly or within the timeframe required, the fire code official may request the City to institute the appropriate legal proceedings at law or in equity to restrain, correct or abate such violation or to require removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant hereto.

~~109-3-4110.3.4~~ 109.3.4110.3.4 Unauthorized tampering. Signs, tags, or seals posted or affixed by the fire code official shall not be mutilated, destroyed, or tampered with, or removed, without authorization from the fire code official.



1 [409.4.110.4](#) Violation Penalties. An owner, occupant, or person causing the violation who does not comply with the notice of violation within the specified period of time, the fire code official may issue a second notice of violation and may issue a civil penalty of \$250. The monetary penalties for violations shall be as follows:

2 [409.4.110.4.1](#) First and subsequent civil penalties \$250;

3 [409.4.2110.4.2](#) Each day that a property or person is not in compliance with the provisions of this code may constitute a separate violation.

4 [409.4.3110.4.3](#) Penalties shall be billed to the property owner or, if appropriate, to the person, firm, corporation, legal entity or permit holder issued the notice of violation. Penalties unpaid after 60 calendar days may be collected in any lawful means, including but not limited to, referral to a collection agency.

6 [409.4.4110.4.4](#) Abatement of violation. In addition to the imposition of penalties herein described, the fire code official is authorized to institute appropriate action to prevent unlawful construction or to restrain, correct or abate a violation; or to prevent illegal occupancy of a structure or premises; or to stop an illegal act, conduct of business or occupancy of a structure on or about any premises.

8 [409.5.110.5](#) Administrative Reviews by the Fire Code Official.

9 [409.5.110.5.1](#) General. An owner, occupant, or person causing the violation to whom a notice of violation or a civil penalty has been issued relative to the notice of violation of this code, may request an administrative review of the violations cited in the issued notice of violation or for the civil penalties assessed pursuant to enforcement.

11 [409.5.2110.5.2](#) Request of Administrative Review. An owner, or occupant, or person causing the violation may request an administrative review of the violations cited in the notice of violation or of a civil penalty assessed by filing a written request with the fire code official, sent to the attention of the contact listed within the notice of violation within seven (7) calendar days of the notification date of violations or the date a civil penalty is assessed. The request shall state, in writing, the reasons the fire code official should consider the violations cited in the notice of violation as not being violations of this code or TMC Title 3, or why the fire code official should negate or reduce the civil penalty. Upon receipt of the request for administrative review, the fire code official shall review the information provided.

16 [409.5.3110.5.3](#) Decision of Fire Code Official. After considering all of the information provided, the fire code official shall determine whether a violation has occurred, and shall affirm, vacate, suspend, or modify the notice of violation or the amount of any monetary penalty assessed. The decision of the fire code official shall be delivered in writing to the appellant by first class mail. If the administrative review is for the violation, the decision of the fire code official shall include an official interpretation of the relevant code sections for which the notice of violation was issued.

19 [409.5.4110.5.4](#) Appeals of the Administrative Review by the Fire Code Official. The official interpretation of the code provisions, cited as being the basis for the notice of violation issued, made in the administrative review decision by the fire code official may be appealed directly to the Board of Building Appeals, in accordance with the provisions this code. Said appeal shall be filed with the City Clerk within seven (7) calendar days of receipt of the decision of fire code official.

22 [409.6.110.6](#) Alternate Criminal Penalty. Any person, firm, corporation or other legal entity who violates or fails to comply with any of the provisions referenced in this code and TMC Title 3 may be guilty of a misdemeanor and, upon conviction thereof, may be subject to a fine in an amount not exceeding \$1,000.00, or subject to imprisonment in jail of not more than 180 days, or both a fine and imprisonment. Each day a person, firm, corporation or other legal entity violates or fails to comply with a provision of this code and TMC Title 3 may be considered a separate violation.



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3.02.150 Amendment ~~to~~ IFC Section ~~410.111~~ by revision of the title to Unsafe Buildings, Premises, Motor Vehicles, and Marine Vessels.

3.02.160 Amendment ~~to~~ IFC Subsection ~~410.111.1~~ – General.

~~410.111.1~~ General. If a premises, a building or structure, or any building system, motor vehicle, or marine vessel, in whole or in part, constitutes a clear and inimical threat to human life, safety or health, the fire code official shall be authorized to issue such notices or orders to remove or remedy the conditions as shall be deemed necessary in accordance with this section, and shall be authorized to refer any unsafe building to the building department for any repairs, alterations, remodeling, removing or demolition as required.

3.02.170 Amendment ~~to~~ IFC Subsection ~~410.211.2~~ – Evacuation.

~~410.211.2~~ Evacuation. The fire code official or the fire department official in charge of an incident shall be authorized to order the immediate evacuation of any occupied premises, building, motor vehicle, or marine vessel deemed unsafe when the hazardous conditions of such premises, building, motor vehicle, or marine vessel present imminent danger to occupants. Persons so notified shall immediately leave the building, structure, premises, motor vehicle, or marine vessel and shall not enter or re-enter until authorized to do so by the fire code official or the fire department official in charge of the incident.

3.02.180 Amendment ~~to~~ IFC Subsection ~~413.2106.2~~ – Schedule of permit fees.

~~413.2106.2~~ Schedule of permit fees. A fee for each permit shall be paid in accordance with requirements established in TMC Chapter 3.09.

3.02.190 Amendment to IFC Subsection 403.1 – General.

403.1 General. In addition to the requirements of Section 401, occupancies, uses and outdoor locations shall comply with the emergency preparedness requirements set forth in Sections 403.2 through 403.12.3.3. Where a fire safety and evacuation plan is required by Sections 403.2 through 403.11.5, evacuation drills shall be in accordance with Section 405 and employee training shall be in accordance with Section 406. Where a fire safety and evacuation plan is required by Sections 403.2 through 403.11.5 an earthquake emergency plan shall also be required in accordance with Section 404.4.

* * *

3.02.210 Amendment ~~to~~ IFC Subsection 503.1 – Fire Apparatus Access Roads.

503.1- Where required. Fire apparatus access roads shall be provided and maintained in accordance with Section 503.1.1 through 503.1.3

Exception: The fire code official is authorized to approve roads conforming to locally adopted street, road, and access standards

3.02.215 Adoption ~~to~~ IFC Subsections 503.1.1 Buildings and facilities, ~~503.1.2, 503.1.3, 503.2, 503.3, 503.4, and through~~ 503.4.1 Traffic calming devices – Fire Apparatus Access Roads.

Sections 503.1.1 Buildings and facilities, 503.1.2 Additional access, 503.1.3 High-piled storage, 503.2 Specifications, 503.3 Marking, 503.4 Obstruction of fire apparatus access roads, and 503.4.1 Traffic calming devices are adopted as published in the IFC. Approved fire apparatus access roads shall be provided for every facility, building, or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.



Exceptions:

1 1. The fire code official is authorized to increase the dimension of 150 feet where any of the following conditions occur:

2 1.1. The building is equipped with an approved automatic sprinkler system installed in accordance with Sections 903.3.1.1, 903.3.1.2, 903.3.1.3.

3 1.2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

4 1.3. There are not more than two Group R-3 or Group U occupancies.

5 2. Where approved by the fire code official, fire apparatus access roads shall be permitted to be exempted or modified for solar photovoltaic power generation facilities.

6 503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

7 503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

8 503.2 Specifications. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches.

9 503.2.2 Authority. The fire code official shall have the authority to require or permit modifications to the required access widths where they are inadequate for fire or rescue operations or where necessary to meet the public safety objectives of the jurisdiction.

10 503.2.3 Surface. Fire apparatus access roads shall be designed and maintained to support the imposed loads of the fire apparatus and shall be surfaced so as to provide all-weather driving capabilities.

11 503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be determined by the fire code official.

12 503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around fire apparatus.

13 503.2.6 Bridges and elevated surfaces. Where a bridge or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AAHTO HB-17. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the imposed loads of fire apparatus. Vehicle load limits shall be posted at both entrances to bridges where required by the fire code official. Where elevated surfaces designed for emergency vehicle use are adjacent to surfaces that are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

14 503.2.7 Grade. The grade of the fire apparatus access road shall be within the limits established by the fire code official based on the fire department's apparatus.

15 503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official based on the fire department's apparatus.

16 503.3 Marking. Where required by the fire code official, approved signs or other approved notices or marking that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. The means by which fire lanes are designated shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

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503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Sections 503.2.1 and 503.2.2 shall be maintained at all times.

503.4.1 Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the fire code official.

3.02.220 Amendment to IFC Section 505 Premises Identification by addition of a new Subsection 505.3 – Room identification and directional signs.

505.3 Room identification and directional signs. Where required by the fire code official, approved room identification and wayfinding signs shall be provided for new and existing Group I and Group R occupancies. Signs must comply with IBC E107.2 and E107.3.

Exception. One- and two-family dwellings regulated by the IRC.

3.02.240 Amendment to IFC Subsection 901.6.2-901.6.3 – Records.

901.6.2-901.6.3 Records. Records of all system inspections, tests and maintenance required by this code and the referenced standards shall be maintained on the premises for a minimum of three years. Records shall be furnished in approved form as required by the fire code official.

3.02.250 Amendment to IFC Subsection 903.3 – Installation Requirements, by addition of two new Subsections, 903.3.9 – Sprinkler system control valves and 903.3.10 – Signage. Sprinkler system control valve room signage and access.

903.3.9 Sprinkler system control valves. Sprinkler system control valve rooms shall be directly accessible from the exterior of the building, unless otherwise approved by the fire code official.

903.3.10 Sprinkler system control valve room signage and access. Signage. The room housing the sprinkler system control valves shall be clearly marked with a sign on the outside of its door stating “SPRINKLER VALVE ROOM” or otherwise approved by the fire code official.

903.3.10.1 Signage. The room housing the sprinkler system control valves shall be clearly marked with a sign on the outside of its door stating “SPRINKLER VALVE ROOM” or otherwise approved by the fire code official.

903.3.10.2 Access. In accordance with Section 506 of this code, a key box containing the appropriate key(s) shall be required at the main entrance to the building or other approved location.

Exception: Doors not equipped with a locking device.

3.02.260 Repealed. Amendment of IFC Subsection 903.4.3 – Floor Control Valves.

903.4.3 Floor control valves. Multistory buildings exceeding two stories in height shall be provided with a floor control valve, check valve, main drain valve, and flow switch for isolation, control, and annunciation of water flow for each individual floor level.

Exceptions:

1. Buildings three or less stories in height containing only Group R fire areas.

2. Dry sprinkler systems in parking garages.

3. Locations approved by the fire code official.



1 **3.02.275 Amendment to ~~Subsection 907.6.3~~ IFC Section 907 – Fire Alarm and Detection**
2 **Systems, by addition of new Subsection 907.6.3.2907.12 – Exterior Annunciation.**

3 907.6.3.2907.12 Exterior Annunciation. The fire code official is authorized to require an exterior
4 audible/visible notification appliance mounted in an approved location. The appliance shall activate upon
5 alarm signal.

6 **3.02.290 Amendment to IFC Section 907 – Fire Alarm and Detection Systems, by addition**
7 **of a new Subsection ~~907.10~~907.13 – Signage.**

8 907.10.907.13 Signage.

9 907.10.1907.13.1 Fire alarm control panel. When required by the fire code official, a sign shall be placed at
10 the alarm panel stating that the panel shall not be reset until after the Fire Code Official determines the cause
11 of the alarm. The alarm panel may be silenced if the alarm is a false alarm and no danger is present for the
12 occupants.

13 907.10.2907.13.2 Room identification. When required by the fire code official, the door to the room housing
14 the fire alarm control shall be labeled “FIRE ALARM CONTROL PANEL INSIDE.”

15 **3.02.310 Repealed. Amendment to IFC Subsection 1103.5 – Sprinkler systems, by addition**
16 **of Subsection 1103.5.4 – Group R occupancies.**

17 ~~1103.5.4 Group R occupancies. Where required by Sections 1103.5.4.1, 1103.5.4.2, 1103.5.4.3, or~~
18 ~~1103.5.4.4, automatic fire sprinkler systems shall be installed within existing buildings with Group R fire~~
19 ~~areas where any of the following conditions exist:~~

20 ~~1. Building exceeds 5,000 square feet in area; or~~

21 ~~2. Building exceeds two stories in height; or~~

22 ~~3. Building contains five or more dwelling or sleeping units. Installation of an automatic fire sprinkler~~
23 ~~system, in accordance with Section 903.3.1.2 (NFPA 13R), may be approved in non-high rise buildings~~
24 ~~exceeding four stories in height when approved by the fire code official and the building official.~~

25 ~~Exception: Buildings regulated by the International Residential Code.~~

26 ~~1103.5.4.1 Fire Damage. Throughout buildings that incur fire, water or smoke damage where repairs include~~
the removal and/or replacement of more than 50 percent of the ceiling finishes in more than one dwelling or
sleeping unit.

Exception: The fire code official is authorized to approve a work plan established by the building owner
where damaged units are provided with fire sprinklers immediately and the remainder of the building is
provided with fire sprinklers over a period not to exceed ten years.

~~1103.5.4.2 Level I Alterations. Throughout dwelling or sleeping units where work involves the removal~~
and/or replacement of more than 50 percent of the ceiling finishes in more than one dwelling or sleeping
unit.

~~1103.5.4.3 Level II Alterations. Throughout dwelling or sleeping units where work areas exceed~~
50 percent of the floor area of the dwelling or sleeping unit.

~~1103.5.4.4 Level III Alterations and Substantial Improvements. Throughout buildings undergoing level III~~
alterations or substantial improvements as defined in TMC Chapter 2.02.

27 **3.02.320 Amendment ~~to~~ IFC Subsection 1103.6.1 – Existing multiple-story buildings.**

28 1103.6.1 Existing multiple-story buildings. Existing buildings with occupied floors located more than 50 feet
29 above the lowest level of fire department access or more than 50 feet below the highest level of fire
30 department access and buildings four or more stories in height containing a Group R occupancy shall be
31 equipped with standpipes. ~~The fire code official is authorized to approve the installation of a manual dry~~
32 ~~standpipe system to achieve compliance with this section.~~



Exception: Buildings four or more stories in height containing a Group R occupancy shall be equipped with standpipes.

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

~~1103.7.6 Group R-2. A fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed and monitored in existing Group R-2 occupancies three or more stories in height or with 16 or more dwelling units or sleeping units.~~

~~Exceptions:~~

~~1. Where each living unit is separated from other contiguous living units by fire barriers having a fire-resistance rating of not less than 3/4 hour, and where each living unit has either its own independent exit or its own independent stairway or ramp discharging at grade.~~

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

~~3. A fire alarm system is not required in buildings that do not have interior corridors serving dwelling units and are protected by an approved automatic sprinkler system installed in accordance with Sections 903.3.1.1 or 903.3.1.2, provided that dwelling units either have a means of egress door opening directly to an exterior exit access that leads directly to the exits or are served by open ended corridors designed in accordance with Section 1027.6, exception 3.~~

3.02.350 Amendment ~~to~~ IFC Subsection 1104.16.5 – Addition of Subsections 1104.16.5.2 Inspections and Testing and 1104.16.5.3 Records.

1104.16.5.2 Inspections and Testing. In addition to the examination required by Section 1104.16.5.1 fire escape stairs and balconies shall be inspected and tested every six months by the owner or owner’s agent. Any deficiencies found shall be immediately corrected. Inspection and testing shall include:

- 1. Visual inspection of all components for signs of mechanical damage or rust.
- 2. Operational testing of all moving parts including ladders, stairs, windows and doors.

1104.16.5.3 Records. Examination, inspection and testing records shall be maintained on site. Copies shall be submitted to the fire code official at six-month intervals.

3.02.370 Amendment ~~to~~ IFC Subsection 3504.2.6 – Fire Extinguisher.

3504.2.6 Fire Protection. A minimum of one portable fire extinguisher complying with Section 906 and with a minimum 2-A:20-B:C rating or a charged water hose (1-1/2 inch minimum) equipped with a nozzle shall be readily accessible within 30 feet of the location where hot work is performed and shall be accessible without climbing stairs or ladders. For ship-shoreside maintenance or repairs, both the fire extinguisher and the charged water hose (1-1/2 inch minimum) shall be provided.

3.02.380 Amendment ~~to~~ IFC Subsection 3601.1 – Scope.

3601.1 Scope. Marina facilities shall be in accordance with this chapter and TMC Title 2.13 – Waterfront Structures and Marinas.

3.02.385 Amendment ~~to~~ IFC Subsection 5704.2.9.6.1 – Locations where above-ground tanks are prohibited.

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited.

Exceptions:



1. Installations at any facility or site located within Industrial Districts defined by TMC Title 13; or
2. Installations that serve emergency and standby generators or fuel burning appliances as approved by the fire code official; or
3. Installations at any facility or site containing Class I liquid with aggregate capacity of 10 gallons or less; or
4. Installations at any facility or site containing Class II liquids with aggregate capacity of 60 gallons or less, except fuel oil used in connection with oil-burning equipment; or
5. Installations at any facility or site as approved by the fire code official.

* * *

3.02.395 Amendment to IFC Subsection 5706.2.4.4 – Locations where above-ground tanks are prohibited.

5706.2.4.4 Locations where above-ground tanks are prohibited. Storage of Class I and II liquids in above-ground tanks outside of buildings is prohibited.

Exceptions:

1. Installations at any facility or site located within Industrial Districts defined by TMC Title 13; or
2. Installations that serve emergency and standby generators or fuel burning appliances as approved by the fire code official; or
3. Installations at any facility or site containing Class I liquid with aggregate capacity of 10 gallons or less; or
4. Installations at any facility or site containing Class II liquids with aggregate capacity of 60 gallons or less, except fuel oil used in connection with oil-burning equipment; or
5. Installations at any facility or site as approved by the fire code official.

3.02.400 Amendment to IFC Subsection 5706.5.4.5 – Commercial, industrial, governmental or manufacturing, by deletion and addition of a new Subsection 5706.5.4.5 Item 26.

~~5706.5.4.5 Commercial, industrial, governmental, or manufacturing. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments shall be conducted in accordance with WAC 51-54A Section 5706.5.4.5 and 26. TMC Chapter 3.10.~~

3.02.403 Amendment to IFC Subsection 5707.1 – General.

5707.1 General. On-demand mobile fueling operations that dispense Class I, II and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1 through 5707.6.3 and TMC 3.10.

3.02.405 Amendment to IFC Subsection 5806.2 – Limitations.

5806.2 Limitations. Storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited.

Exceptions:

1. Installations at any facility or site located within Industrial Districts defined by TMC Title 13; or
2. Installations that serve emergency and standby generators or fuel burning appliances as approved by the fire code official; or
3. Installations at any facility or site with aggregate capacity of less than 60 gallons; or
4. Installations located at any facility or site as approved by the fire code official.



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3.02.410 Amendment to IFC Subsection 6101.3 – Construction Documents.

6101.3 Construction Documents. Where the aggregate water capacity of containers is more than 125 gallons, the installer shall submit construction documents for such installation.

3.02.415 Amendment to IFC Subsection 6104.2 – Maximum capacity within established limits.

6104.2. Limitations. Storage of liquefied petroleum gas in containers or tanks shall be prohibited.

Exceptions:

- 1. Installations at any facility or site located within Industrial Districts, defined by TMC Title 13, with aggregate water capacity of 2,000 gallons or less; or
- 2. Installations at any facility or site located within Industrial Districts, defined by TMC Title 13, with aggregate water capacity exceeding 2,000 gallons as approved by the fire code official; or
- 3. Installations that serve emergency and standby generators or fuel burning appliances as approved by the fire code official; or
- 4. Installations with aggregate water capacity of less than 125 gallons; or
- 5. Installations as approved by the fire code official after consideration of special features such as topographical conditions, nature of occupancy, and proximity to buildings, capacity of proposed LP-gas containers, degree of fire protection to be provided and capabilities of the local fire department.

* * *



EXHIBIT "B"

CHAPTER 3.10

MOBILE FUELING OPERATING AND PERMITTING REQUIREMENTS

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Sections:

- 3.10.010 Title and purpose.
- 3.10.015 *Repealed.*
- 3.10.020 Scope.
- 3.10.030 ~~Repealed Prohibitions.~~
- 3.10.040 Permits.
- 3.10.041 Revocation of permits.
- 3.10.050 Definitions.
- 3.10.060 Mobile Fueling company requirements.
- 3.10.070 Mobile Fueling tanker requirements.
- 3.10.080 Mobile Fueling operation requirements.
- 3.10.090 Mobile Fueling site requirements.
- 3.10.100 Penalties.

* * *

3.10.020 Scope.

These requirements pertain to the dispensing of ~~Class II Combustible Liquids, diesel fuel~~ liquid fuels from a ~~cargo tanker~~tank vehicle to the fuel tank of an on-road motor vehicle.

3.10.030 ~~Repealed Prohibitions.~~

~~No permit shall be issued and no transfer of gasoline or other class I flammable liquid from a cargo tanker to fuel tanks of vehicles shall be allowed.~~

* * *

3.10.050 Definitions.

A. Mobile fueling: The operation of ~~filling fuel tanks of on road vehicles with a Class II Combustible Liquid, diesel fuel from cargo tankers~~dispensing liquid fuels from tank vehicles into the fuel tanks of motor vehicles. Mobile fueling ~~is~~may also be known ~~as by the terms~~ mobile fleet fueling, wet fueling, and wet hosing.

B. Auto start and stop nozzle: An approved dispensing nozzle which is not capable of dispensing fuel unless the nozzle is in contact with the fuel opening of the motor vehicle. The nozzle is unable to dispense fuel until it has entered the fuel opening of the motor vehicle fuel tank. The nozzle will automatically stop dispensing immediately after extracting the nozzle from the fuel tank opening.

C. Storm drain cover: An approved drain cover meeting the requirements of Tacoma’s Utility Services Engineering Division of Public Works.

D. Fuel limit switch: A mechanism located on the cargo tanker which limits the quantity of fuel dispensed at one time. A “count-back-switch” provides this dispensing limitation.

E. Remote emergency shut-off device: An approved device capable of halting the pumping of fuel from a distance. This device shall not be affixed to the cargo tanker.

F. Cargo Tanker. A cargo tank motor vehicle, as defined by the Department of Transportation (“DOT”), with one or more cargo tanks permanently attached to or forming an integral part of the motor vehicle and, for the purpose of this chapter, intended to carry liquid fuel.

* * *



3.10.090 Mobile Fueling Site Requirements.

1 A. Site Permits. Site permits shall include language directing the permittee to notify all persons and parties
2 who have an interest in the property wherein mobile fueling will be occurring. The permittee shall inform all
3 persons and parties with an identifiable property interest regarding the existence of risk in the activity and the
4 extent of insurance coverage provided by the fueling company.

5 B. Permit Renewal. Each site shall be permitted annually. The permittee shall notify the Fire Prevention
6 Office Bureau (591-5740) whenever site alterations are made which affect locations of fueling, or prior to
7 any change in fueling companies. Permits are not transferable between parties or companies.

8 * * *

3.10.100 Penalties.

9 Any person, firm, or corporation which violates any provisions of this chapter, including any entity
10 responsible for a mobile fueling site, shall be guilty of a separate misdemeanor offense for any violation of
11 any of the provisions of this chapter for each day (or portion of the day of the citation) that the violation is
12 committed, continued, or permitted to exist. The maximum penalty for each such misdemeanor shall be
13 90 days in jail and/or a \$1,000.00 fine. Upon a first conviction, there shall be imposed a fine of not less than
14 \$100.00 and, upon a second conviction, there shall be imposed a fine of not less ~~than~~ \$250.00 and, upon
15 a third or subsequent conviction, there shall be imposed a fine of not less ~~than~~ \$1,000.00 and/or
16 imprisonment for not more than 90 days. Upon conviction, the court may also order immediate action by the
17 person, firm, corporation, or other legal entity to correct the condition constituting the fire hazard. The
18 mandated minimum fine shall be in addition to statutory costs and assessments.

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