

# TITLE 2

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## Building and Development Code

**Tacoma Municipal Code**

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## BUILDING AND DEVELOPMENT CODE

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**CHAPTER 2.01**  
**MINIMUM BUILDING AND STRUCTURES CODE**

*(Repealed and reenacted by Ord. 28255 Ex. A, passed Nov. 4, 2014<sup>1</sup>)*

Sections:

- 2.01.010 Purpose.
- 2.01.020 Scope.
- 2.01.030 Additions, Alterations, and Change of Use.
- 2.01.040 Definitions.
- 2.01.050 Administration and Process.
- 2.01.060 Minimum Building Requirements and Repair Standards.
- 2.01.070 Unoccupied, Vacant, or Partially Secured Building Standards.

**2.01.010 Purpose.**

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

- A. Establishing minimum standards for basic equipment and facilities for construction, light, ventilation, heating, sanitation, security, fire, and life safety in structures.
- B. Ensuring the maintenance and improvement of the City's existing buildings, structures, yards, neighborhoods, and other property.
- C. Promoting maintenance of existing property.
- D. Ensuring that buildings and structures do not rise to the level of a public nuisance through neglect.
- E. Providing for administration and enforcement of this chapter.

(Ord. 28255 Ex. A; passed Nov. 4, 2014)

**2.01.020 Scope.**

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

(Ord. 28255 Ex. A; passed Nov. 4, 2014)

**2.01.030 Additions, Alterations, and Change of Use.**

A. General.

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

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<sup>1</sup> Previous legislation: Ord. 28149 Ex. A; passed May 7, 2013; Ord. 28109 Ex. E; passed Dec. 4, 2012; Ord. 27908 Ex. A; passed Aug. 17, 2010; Ord. 27875 Ex. A; passed Feb. 23, 2010; Ord. 27154 § 1; passed Oct. 21, 2003; Ord. 27027 § 1; passed Dec. 10, 2002; Ord. 26715 §§ 1-5; passed Oct. 17, 2000; Ord. 26380 § 1; passed Mar. 16, 1999; Ord. 25560 § 1; passed Aug. 23, 1994; Ord. 24503 § 1; passed Dec. 12, 1989; Ord. 21454 §§ 1-2; passed Aug. 29, 1978; Ord. 20530 §§ 2-3; passed Aug. 26, 1975; Ord. 19217 § 1; passed Oct. 13, 1970; Ord. 18914 § 1; passed Sept. 2, 1969; Ord. 17842 §§ 1-2; passed May 18, 1965; Ord. 17517 § 1; passed Jan. 2, 1964; Ord. 16384 §§ 2-6; passed June 29, 1959; Ord. 15742 § 1-13; passed Nov. 13, 1956

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### **B. Restoration of Buildings.**

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

### **C. Buildings Designated as Landmarks or Located in Historic Special Review or Conservation Districts.**

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

(Ord. 28255 Ex. A; passed Nov. 4, 2014)

## **2.01.040 Definitions.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- R. “Fire Code” shall mean the Fire Prevention Code as adopted and amended by Chapter 3.02 of the Tacoma Municipal Code.
- S. “Floor area” is the area included within the surrounding exterior walls of a building or portion thereof, exclusive of vent shafts and courts. The floor area of a building or portion thereof not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.
- T. “Grade” (adjacent ground level) is the lowest point of elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line or, when the property line is more than five feet from the building, between the building and a line five feet from the building.
- U. “Graffiti” is any unauthorized writing, painting, drawing, inscription, figure, etching or scratching, or mark of any type that has been placed upon any property through the use of paint, ink, chalk, dye markers, objects, or any other substance capable of marking property.
- V. “Guest room” is any room or rooms used, or intended to be used, by a guest for sleeping purposes. Every 100 square feet of superficial floor area in a dormitory is a guest room.
- W. “Habitable space” or “habitable room” is space in a structure for living, sleeping, eating, or cooking. Bathrooms, toilet compartments, closets, halls, storage or utility space, and similar areas, are not considered habitable space.
- X. “Historic resource” is any property that has been determined to be eligible by the City Historic Preservation Officer or Washington State Department of Archaeology and Historic Preservation staff for listing in the Tacoma Register of Historic Places, the Washington State Heritage Register, or the National Register of Historic Places, or any property that appears to be eligible by preliminary assessment for such listing by virtue of its age, exterior condition, or known historical associations, or inclusion in the City Historic Building Inventories.
- Y. “Hotel” or “motel” shall mean any building containing six or more guest rooms intended or designed to be used, or which are used, rented, or hired out to be occupied, or which are occupied, for sleeping purposes by guests. It does not include any jail, hospital, asylum, sanitarium, orphanage, prison, detention home, or other institution in which human beings are housed and detained under legal restraint.
- Z. “IEBC” is the International Existing Building Code, as adopted and amended by the City in Chapter 2.02 of the Tacoma Municipal Code.
- AA. “Infestation” is the presence of insects, rodents, vermin, or other pests to a degree that is harmful to the building, its occupants, or to neighboring properties and/or their occupants.
- BB. “Kitchen” shall mean a room used, or designed to be used, for the preparation of food.
- CC. “Maintenance” means keeping property in proper condition.
- DD. “Nuisance” is a public nuisance as defined in Chapter 8.30 of the Tacoma Municipal Code.
- EE. “Occupancy” is the lawful purpose for which a building or part of a building is used or intended to be used.
- FF. “Owner” is any person, including any natural person, joint venture, partnership, association, club, company, corporation, business trust, or organization, or the manager, lessee, agent or officer, having an interest in the real estate in question as indicated in the records of the office of the Pierce County Assessor, or whose ownership interest is otherwise established.
- GG. “Partially Secured” means a portion of the building sealed to the weather or unauthorized third-party entry.
- HH. “Person” is a natural person, his or her heirs, executors, administrators, or assigns, and also includes a firm, partnership, or corporation, their successors or assigns, or the agent of any of the aforesaid.
- II. “Plumbing” or “plumbing fixture” is any water heating facilities, water pipes, vent pipes, garbage or disposal units, lavatories, water closets, urinals, bathtubs, shower baths, installed clothes-washing machines or other similar equipment, catch basins, sanitary waste systems, storm sewer systems, vents, or other similarly supplied fixtures, together with all connections to water, gas, sewer, or vent lines.
- JJ. “Premises” means a lot or parcel of land, easement, or public way, including any structures thereon.
- KK. “Public right-of-way” includes the area of land, the right of possession of which is secured by the City for right-of-way purposes, and includes the traveled portion of the public streets and alleys as well as the border area, which includes, but is not limited to, sidewalks, driveway approaches, planting strips, traffic circles, parkways or medians, or the area between the sidewalk and curb line.
- LL. “Resident” is a person who lives or dwells in a residential structure or similar buildings, including, but not limited to, dwelling units, apartments, congregate care homes, state-licensed care facilities, hotels, motels, convalescent homes, and nursing homes.

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MM. “Residential property” is any property zoned exclusively for residential use or any property containing a residential structure.

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

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

PP. “Secured” refers to a building which is sealed to unauthorized third-party entry.

QQ. “Sleeping room” is any room designed, built, or intended to be used for sleeping purposes.

RR. “Smoke alarm” is a single- or multiple-station alarm responsive to smoke.

SS. “Solid-fuel-burning device” means any device for burning wood, coal, or any other non-gaseous and non-liquid fuel.

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

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

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

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

XX. “Walls” shall be defined as follows:

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

- a. Any metal or wood stud wall which supports more than 100 pounds per lineal foot of superimposed load.
- b. Any masonry or concrete wall which supports more than 200 pounds per lineal foot superimposed load, or any such wall supporting its own weight for more than one story.

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

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

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

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

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

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

(Ord. 28348 Ex. A; passed Mar. 8, 2016; Ord. 28272 Ex. B; passed Dec. 16, 2014; Ord. 28255 Ex. A; passed Nov. 4, 2014)

### **2.01.050 Administration and Process.**

- A. Initiation of Enforcement.
- B. Inspection and Evaluation of Buildings and Property.
- C. Classification of Buildings or Structures.
- D. Substandard and Derelict Building Enforcement Procedures.
- E. Derelict Building Registration.
- F. Unfit Buildings or Structures Enforcement Procedures.
- G. Recovery of Costs and Expenses.
- H. Posting of Buildings.
- I. Utility Restraints.
- J. Emergency Cases.
- K. Permits.
- L. Repeat Offenders
- M. Severability.



A. Initiation of Enforcement.

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

1. The Building Official, Director of any City of Tacoma Department, Director of the Tacoma-Pierce County Health Department, Police Chief, or Fire Chief, or their duly authorized representatives, have reason to believe that a violation of this Code exists.
2. A complaint is filed with the City of Tacoma by any person. Complaints may be received either verbally or in writing, and may be anonymous. Where complaints have been filed by tenants, the tenant first must exhaust all remedies provided through the Washington State Landlord Tenant Act.

B. Inspection and Evaluation of Buildings and Property.

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

C. Classifications of Buildings or Structures.

1. Non-Standard Property.

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

2. Substandard Building or Structures.

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

3. Derelict Buildings or Structures.

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

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

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

4. Unfit Buildings or Structures.

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

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

D. Substandard and Derelict Building Enforcement Procedures.

1. Owner Notification.

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- a. When any property has been classified as being “Substandard” or “Derelict,” the owner shall be notified by first-class mail, describing the violations. The owner shall be given 21 calendar days from the date of the notice to respond to the Building Official to negotiate a repair plan and schedule as outlined in subsection D.2.
- b. If the building is classified as “Derelict,” the owner may be given ten calendar days from the date of the notice to secure the building in accordance with Section 2.01.070, Unoccupied or Vacant or Partially Secured Building Standards. In addition, such notification will state that either an Eminent Domain Condemnation Proceeding, Unfit Building Proceeding or a Derelict Building Property Registration may be initiated as authorized by this chapter.
- c. The owner shall also be given 21 calendar days from the date of the notice to respond to the Building Official to negotiate a repair plan and schedule as outlined in section D.2 below.
- d. When a building or structure, or any aspect of a building or structure, is declared Substandard or Derelict, it shall be repaired to the minimum building requirements set forth in Section 2.01.060.

### 2. Response to Notification.

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

- a. Time for submitting acceptable construction plans, specifications, and calculations when required for the repair of the building or structure.
- b. Time for repairing the building or structure once a building permit has been issued. Once the plans and specifications have been approved for permitting, the permit shall be obtained within seven calendar days of notification that the permit is ready.
- c. If permits are not required, the repair plan and schedule shall outline when the violations identified in the Substandard or Derelict Property Report will be corrected.

#### EXCEPTION:

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

### 3. Penalties and Certificate of Complaint.

- a. In the event a valid response to the first notice is not timely received, a civil penalty in the amount of \$250 may be assessed. These penalties are intended to be only for remedial purposes. A new letter stating the assessment of penalties shall be sent by first-class mail. The owner shall be given ten calendar days from the date of the second letter to respond and to negotiate a repair plan and schedule with the Neighborhood and Community Services Department for correcting the violations.
- b. The process described above may be repeated and a civil penalty may be assessed every day until such time as there is a valid response. In the event that no response is received and assessed penalties are equal or exceed \$500, the City may file a Certificate of Complaint with the Pierce County Auditor to be attached to the title of the property. A copy of the Certificate of Complaint shall be sent to the property owner.
- c. Penalties shall be billed to the owner. Penalties unpaid after 60 calendar days may be referred to a collection agency for collection.
- d. Each day that a property or person is not in compliance with the provisions of this chapter may constitute a separate violation of this chapter.
- e. Reinspection and Penalties. Once a valid response is received and a schedule is set, the property shall be reinspected upon request by the owner to assess that progress is being made in correcting the violations and adhering to the agreed-upon schedule. If progress, in accordance to the schedule, is not being made to the satisfaction of the Building Official, or the owner has not scheduled a required inspection, penalties may be issued up to \$250 per day.
- f. The Building Official may also issue penalties in the amount of \$250 per day if, after the initial contact, any of the following occur:
  - i. the owner fails to submit a repair plan and schedule; or
  - ii. the owner and the City cannot agree upon a repair plan and schedule, or extension thereto, or
  - iii. the owner fails to adhere to the repair plan and schedule.
- g. This penalty procedure shall be repeated in accordance with this section until satisfactory progress is made.

### 4. Violations Corrected.

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

5. Reviews by the Building Official.

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

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

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

- i. 21 calendar days of the first notification date of violations for a Notice of Violation for substandard building or property, or
- ii. ten calendar days of a Notice of Violation for a derelict building or property.
- iii. ten calendar days of a notice of a civil penalty.

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

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

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

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

7. Alternate Procedures.

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

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

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

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

iv. The Building Official may petition the superior court to order the property into receivership in accordance with RCW 7.60 and thereby recover from the property the reasonable necessary expenses of abating the violations and returning the property to productive use.

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

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- i. The Building Official may obtain the property through eminent domain pursuant to the provisions of the RCW 35.80A.
- ii. The Building Official may initiate Unfit Building Proceedings pursuant to Tacoma Municipal Code 2.01.050.F and Table C.
- iii. The Building Official shall require the property to be registered with the City as outlined in the registration requirements in Section E.

### E. Derelict Building Registration.

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

- a. The street address and tax parcel number of the Derelict Building.
  - b. The name, address, and daytime and evening telephone numbers of the owner or a responsible person for the property, including other parties of interest;
  - c. The period of time the property is expected to remain vacant;
  - d. Any other information requested by the Building Official for the administration of this chapter.
  - e. A statement which acknowledges the building is a Derelict Building subject to the provisions of this chapter, including the vacant building standards as outlined in Section 2.01.070, and that the property must remain nuisance-free at all times.
2. For every registered Derelict Building, the owner must record a notice with the Pierce County Auditor that the Derelict Building is registered with the City. The City shall provide the form of the notice. A copy of the recorded notice must be received by the City no later than 30 days from the date the Derelict Building is registered.
3. The owner must submit the annual renewal application to the City on forms provided by the Building Official.
4. Upon satisfactory proof to the Building Official that the Derelict Building is repaired, the building will be unregistered.
5. The owner shall pay a registration fee for each registered Derelict Building. The owner must pay the annual fee to the City at the time the Derelict Building is registered and on the annual anniversary date of the initial registration. The fee will be based on the duration of the vacancy as determined by the following scale:
- a. \$250 for the initial registration;
  - b. \$500 on the annual anniversary date;
6. If the owner fails to timely pay the registration fee, the City is authorized to collect the registration fee, including turning the matter over to a collection agency, in which case costs incurred by the City as a result of the collection process will be assessed to the owner.
7. The owner of any registered Derelict Building shall advise the Building Official, in writing, of any changes to the contact information on the registration form within 30 calendar days of the occurrence of the change.

### F. Unfit Buildings or Structures Enforcement Procedures.

#### 1. Owner Notification.

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

#### 2. Response to Notification.

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

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

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

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

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

### 3. Unfit Building Complaint.

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

- a. The owner does not respond to the notification.
- b. An agreement between the owner and the City for the schedule of repairs or demolition cannot be reached.
- c. The owner does not comply with the time schedule for obtaining the necessary permits and beginning construction or demolition; or
- d. The owner, once having started construction or demolition, does not adhere to the agreed-upon schedule.

### 4. Violations Corrected.

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

### 5. Contents of Unfit Building Complaints.

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

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

- i. Name of the owner and other interested persons, as provided herein above.
- ii. Street address and legal description of the property on which said building is located.
- iii. General description of type of building, wall, or structure deemed unfit.
- iv. A complete itemized statement or list of particulars which caused the building or structure, or portion thereof, to be classified as an unfit building or structure.
- v. That said building should be vacated by its occupants.
- vi. Whether or not the list of violations can be removed or repaired.
- vii. Whether or not the building constitutes a fire hazard.
- viii. Whether it is reasonable to repair the building or whether the building should be demolished.
- ix. That the City may petition the superior court to order the property into receivership in accordance with RCW 7.60 to return the property to productive use.
- x. If the building is a City landmark or is within a Historic Special Review or Conservation District, the complaint shall provide the procedural requirements of the Landmark Preservation Commission for repair or demolition.

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

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

### 6. Unfit Building Hearing.

a. The Hearing Examiner shall convene the hearing at the time specified in the Unfit Building Complaint or soon thereafter. The hearing shall be conducted in accordance with 1.23 TMC and the Hearing Examiner's rules.

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

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

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

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

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

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

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

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

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

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

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

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

(a) Demolished, or

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

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

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

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

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

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

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

(7) The building shall be brought into compliance with the Washington State Energy Code, as adopted by the City in Title 2, except that existing ceiling, wall, or floor cavities exposed during construction must be filled with the required insulation. Two-by-four (2x4) framed walls shall be insulated to a minimum of R-15 and 2x6 framed walls shall be insulated to a minimum of R-21 as required by Title 2.

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

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

e. If the Hearing Examiner affirms that the building is unfit, the Building Official may petition the superior court to order the property into receivership in accordance with RCW 7.60 and thereby recover from the property the reasonable necessary expenses of abating the violations and returning the property to productive use.

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

#### G. Recovery of Costs and Expenses.

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

#### H. Posting of Buildings.

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

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

#### I. Utility Restraints.

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

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

#### J. Emergency Cases.

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

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building, in whole or in part, as is necessary to mitigate the danger to life. The Building Official shall also order any of the following remedies as necessary to protect the public:

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

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

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

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

**K. Permits.**

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

**L. Repeat Offenders.**

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

**M. Severability.**

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

**TABLES:**

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

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



<b>EXTERIOR BUILDING VIOLATIONS</b>		
<b>Item No.</b>	<b>Violation</b>	<b>Maximum Points</b>
9	Chimney(s) needs to be repaired or removed	15
10	Roofing needs to be repaired or replaced	15
11	Gutters need to be repaired or replaced	5
12	Exterior walls or siding need to be repaired or replaced	15
13	Foundations need to be repaired or replaced	15
14	Porch, deck, or balcony needs to be repaired, replaced, or removed	15
15	Porch, deck, or balcony needs handrail or guardrail, or needs to be repaired or replaced	15
16	Floor, wall, or roof framing including overhangs and cornices needs to be repaired or replaced	25
17	Exterior doors and/or door framework needs repair, replacement, or weather striping	10
18	Window frames or window glass needs repair, replacement, or weather striping	15
19	Peeling or absence of paint or weather protection on exterior walls, decks, stairs, porches, and other exterior surfaces	5
20	Accessory structure needs to be repaired or demolished	25
21	Exterior unpermitted work, or work not done in conformity with the conditions of any permit that has been issued	50
22	Improper placement or use of cargo containers or use of semi-trailers for storage	50
<b>INTERIOR VIOLATIONS</b>		
<b>Item No.</b>	<b>Violation</b>	<b>Maximum Points</b>
23	Inadequate number of electrical convenience outlets; electrical convenience outlets or switches do not have device plates	10
24	Access to electrical panels is inadequate	15
25	Improper water closets, lavatories, bathtubs, showers, or other plumbing fixtures	15
26	Insufficient number of water closets, lavatories, bathtubs, showers or other plumbing fixtures as required by the size or occupant load of the occupancy	10
27	All lavatories, sinks, bathtubs or similar fixtures where the spigot outlet is below the level of the basin rim, and any other fixtures where cross-connection or back-siphonage is possible	25
28	Plumbing piping or fixtures using non-approved materials	10
29	Leaking plumbing piping (supply and/or waste)	15
30	Sagging, improperly supported or clogged plumbing pipes or fixtures	15
31	Water heater is missing or needs repair	25
32	Kitchen facilities do not meet required minimum standards	15
33	Laundry facilities do not meet required minimum standards	15
34	Appliances, including solid-fuel-burning appliances, which have been installed without proper clearances to combustible materials	25
35	Unlisted appliances which have been illegally installed; improper gas piping or inadequate supply of combustion air for fuel fired equipment	25
36	Inadequate, inoperable, or deteriorated heating, mechanical, or elevator equipment	50
37	Door locks or window locks missing, inoperative or illegal	15
38	Interior doors, trim or cabinetry need repair	5
39	Deteriorated brick, concrete, or stone masonry, or detached veneer	15
40	Deteriorated wood building materials and damaged wood due to inadequate wood to earth clearance	10
41	Deteriorated or crumbling plaster or gypsum board or flaking or scaling or peeling of wallpaper, paint, or other interior wall coverings	10
42	Dampness, mold or mildew within the building	10
43	No windows or inadequate window area to provide natural light or natural ventilation	15

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44	Room and space dimensions less than required by this chapter; unit(s) do not meet the requirements for an efficiency dwelling unit	15
45	Floor, wall or ceiling surfacing needs repair	25
46	Exit signs or exit path lighting are not provided with two sources of power	25
47	Exit stairs have incorrect rise and run	25
48	Lack of or inadequate garbage and rubbish storage and disposal	10
49	Infestations or Vermin	25
50	Overcrowding: Any building or portion thereof, where the exiting is insufficient in number, width, or access for the occupant load served, or where the number of occupants in sleeping rooms exceeds the number permitted by the area of the sleeping room	25
51	Interior unpermitted work or work not done in conformity with the conditions of any permit that has been issued.	50
<b>UNOCCUPIED OR VACANT BUILDING STANDARDS VIOLATIONS</b>		
<b>Item No.</b>	<b>Violation</b>	<b>Maximum Points</b>
52	Exterior openings are not properly secured in accordance with Section 2.01.070	50
53	Weather protection is not adequate to prevent deterioration of the building	50
54	There is debris within the building or on the premises which creates a fire hazard or a nuisance	50
55	Fire alarms or fire sprinkler systems are inoperable	50
56	Adequate heat is not provided to protect the sprinkler system from freezing	50
57	Sewer lines are not capped	50
58	The owner does not inspect the property and keep the property from looking uncared for	50
59	The owner does not repair door(s), window(s), exterior wall(s), or other areas of the building which have been damaged, thereby exposing the building to unauthorized third-party entry or inclement weather	50
<b>FIRE AND LIFE SAFETY HAZARDS</b>		
<b>Item No.</b>	<b>Violation</b>	<b>Maximum Points</b>
60	Exit doors have improper hardware	15
61	Required corridors are not of one-hour construction or are not properly rated (or equivalent)	50
62	Corridor doors do not have closers or have improper hold open devices	50
63	Corridor doors do not have gasketing	25
64	Corridor door frames need to be repaired or replaced	50
65	Transoms above corridor doors are not sealed or fire-rated	50
66	Exit paths are not properly illuminated	50
67	Required exit signs are missing or not illuminated	50
68	Exit stairs need to be repaired or replaced	50
69	Exit stairs need to be provided with handrails/guardrails, or handrails or guardrails need to be repaired or replaced	50
70	Exit stairs are missing or have improper landings	50
71	Stairs need to be enclosed in a fire rated shaft	50
72	Stair enclosures are not of the proper fire rating	50
73	Doors to stair enclosure are missing or are blocked open	50
74	Doors to stair enclosures do not meet required fire assembly requirements, or fire assembly needs to be replaced or repaired	50
75	Exit windows from sleeping rooms are not provided; are too small in area or dimension or have too high a sill height	50
76	Improper or hazardous wiring	50
77	Missing or inoperative smoke detectors, carbon monoxide alarms or fire extinguishers	50
78	Improper storage, building clutter, or other fire hazards	25

79	Required fire sprinkler system or fire alarm system are inoperative, inadequate or missing	50
80	Fire resistive occupancy separation or area separation walls need to be repaired or replaced	25
81	Fire resistive construction needs to be repaired or replaced	25
82	Fire escapes shall be repaired, replaced, or tested in accordance with the provisions of Title 3 of the Tacoma Municipal Code.	50

**TABLE B  
DERELICT BUILDINGS OR STRUCTURES**

<b>Item No.</b>	<b>Violation</b>
1	Interior environment violations, which shall include, but not be limited to, the following, if required specifically by the occupancy classification for the use of the building: a. Lack of, or inadequate, ventilation. b. Infestation by insects, vermin, or rodents.
2	Structural hazards, which constitute a danger to life and limb, but are of limited extent, and are repairable. These shall include, but not be limited to, the following: a. Cracked or crumbling concrete or masonry foundation walls, footings, or posts, or deteriorated or rotting wood foundations or wood posts. b. Flooring or floor supports which are defective, deteriorated, or of insufficient size to carry imposed loads with safety. c. Members of walls, partitions, or other vertical supports that split, lean, list, or buckle due to defective materials or deterioration, or are of insufficient size to carry imposed loads with safety. d. Members or supports of ceilings and roofs, or other horizontal members which sag, split, or buckle due to defective material or deterioration, or are of insufficient size to carry imposed loads with safety. e. Fireplaces or chimneys which list, bulge, or settle due to defective materials or deterioration, or are of insufficient size or strength to carry imposed loads with safety. f. Exterior cantilever walls or parapets, appendages attached to or supported on the exterior of a building located adjacent to a public way or other space used by pedestrians which are not constructed, anchored, and braced to be able to withstand earthquake forces. g. Exterior walls located adjacent to a public way or other space used by pedestrians, which are not constructed, anchored, and braced to be able to withstand earthquake forces.
3	Hazardous, inadequate, or insanitary interior building conditions which present a hazard to health or do not provide the minimum acceptable amenities for occupancy. a. Substandard kitchen or bathroom amenities. b. Deteriorated or crumbling plaster or gypsum board. c. Insanitary or inadequate floor, wall or ceiling surfacing. d. Damage or inadequate interior doors, trim and hardware.
4	Hazardous or inadequate wiring which presents an immediate danger to life or limb: a. Wiring which is inadequately sized for the presently imposed electrical loads. b. Wiring where, due to improper ground, lack of insulation, or other conditions, short circuits can occur. c. Damaged, missing, or insufficient electrical convenience outlets, electrical components, or equipment.
5	Hazardous or inadequate plumbing which present a hazard to health, or do not provide minimum acceptable amenities for occupancy: a. Lack of or inoperable water closets, lavatories, bathtubs, showers, or other plumbing fixtures as required for the occupancy. b. Lack of hot and/or cold running water to plumbing fixtures. c. Lack of or inadequate water heating facilities. d. Plumbing piping and fixtures improperly installed. e. Plumbing piping and connections which leak, are plugged, or otherwise are inoperative. f. Plumbing fixtures which are not properly connected to the waste and vent system, or which are cracked, inoperative, or leak. g. Lack of or inadequate sewage disposal/or connection of plumbing fixtures thereto.

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6	Hazardous mechanical equipment which present a hazard to health, life, or limb, or do not provide minimum acceptable amenities for occupancy: a. Lack of or inadequate heating facilities. b. Mechanical equipment with undersized vents or chimneys. c. Fuel-fired equipment with insufficient combustion air. d. Mechanical equipment which, because of lack of maintenance or improper installation, constitutes a fire hazard.
7	Faulty weather protection: Indications of which shall include, but not be limited to, the following: a. Holes, including broken windows or doors; breaks; cracked, loose, or rotted boards or timbers; and any other conditions in exterior walls and weather-exposed exterior surfaces or attachments which might admit rain or dampness to the interior portions of the walls or occupied spaces of the building. b. Deteriorated or missing roof covering material and flashing. c. Standing water in crawl spaces or basements. d. Deteriorated or rotted stairs, porches, balconies, or decks.
8	Fire Hazard: Any conditions which, in the opinion of the Fire Chief, constitute a distinct hazard to life or property.
9	Faulty materials or construction: "Faulty materials" are defined as all materials not specifically allowed or approved by the Building Code in effect at the time of construction, or this chapter. Faulty materials also include approved materials which are used improperly. "Faulty Construction" is defined as materials assembled using improper or substandard workmanship.
10	Hazardous or unsanitary premises: Those premises on which an accumulation of weeds, vegetation, junk, dead organic matter, debris, garbage, offal, rat harborages, stagnant water, combustible materials, and similar materials or condition which constitute fire, health, or safety hazards or other violations of Chapter 8.30, "Public Nuisance" Code.
11	Inadequate exits: All buildings or portions thereof not provided with exit facilities as required by the Building Code, except those buildings or portions thereof whose exit facilities are safe and conformed with all applicable laws at the time of their construction.
12	Inadequate fire-protection or fire-fighting equipment: All buildings or portions thereof which are not provided with fire-resistive construction, fire extinguishing systems, carbon monoxide or smoke alarm equipment as required by the Tacoma Municipal Code.
13	Improper occupancy: Buildings or portions thereof, where the use or character of its occupancy has changed from the original approved design or intended use, without a recorded action reviewed by the Building Official.

**TABLE C  
UNFIT BUILDINGS OR STRUCTURES**

<b>Item No.</b>	<b>Violation</b>
1	Whenever any door, aisle, passageway, stairway, or other means of exit is not of sufficient width or size, or is not arranged so as to provide safe and adequate means of exit in case of fire or panic.
2	Whenever the walking surface of any aisle, passageway, stairway, or other means of exit is racked, warped, buckled, settled, worn, loose, torn, or otherwise is in such condition so as to not provide safe and adequate means of exit in case of fire or panic.
3	Whenever any portion thereof has been damaged by fire, earthquake, wind, flood, or by any other cause to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the minimum requirements of the Building Code in effect at the time the building was constructed.
4	Whenever any portion, member, or appurtenance thereof is likely to fail, become detached, dislodged, or collapse and thereby injure persons or damage property.
5	Whenever any portion of a building, any member, appurtenance, or ornamentation on the exterior thereof has deteriorated or been damaged so as to be no longer capable of withstanding wind pressures or seismic forces specified in the Building Code in effect at the time the building was constructed.
6	Whenever any portion thereof has wracked, warped, buckled, or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.

7	Whenever the building or structure, or any portion thereof, is likely to partially or completely collapse because of: (i) dilapidation, deterioration, or decay; (ii) faulty construction; (iii) removal, movement, or instability of any portion of the ground necessary for the purpose of supporting such building; (iv) deterioration, decay, or inadequacy of its foundation; or (v) any other cause.
8	Whenever, for any reason, the building or structure, or any portion thereof, is unsafe for the purpose for which it is being used.
9	Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.
10	Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of a supporting member or members, or 50 percent damage or deterioration of non-supporting members, including wall coverings.
11	Whenever the building or structure has been so damaged by fire, wind, earthquake, flood, or other causes, or has become so dilapidated or deteriorated as to become (i) an attractive nuisance to children; (ii) a harbor for transients or vandals; or (iii) a place for performing criminal or unlawful activities.
12	Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the building regulations of this jurisdiction, as specified in the Building Code or this chapter, or of any law or ordinance of this state or jurisdiction relating to the condition, location, or structure of buildings.
13	Whenever any building or structure which, whether or not erected in accordance with all applicable laws and ordinances, has in any non-supporting part, member, or portion less than 50 percent (or in any supporting part, member, or portion less than 66 percent) of the (i) strength; (ii) fire-resisting qualities or characteristics; or (iii) weather-resisting qualities or characteristics required by law in the case of a newly constructed building of like area, height, and occupancy in the same location.
14	Whenever a building or structure used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction, or arrangement, inadequate light, air, or sanitation facilities, or otherwise, is determined to be unsanitary, unfit for human habitation, or in such a condition that is likely to cause sickness or disease.
15	Whenever any building or structure, because of dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined to be a fire hazard.
16	Whenever any building, structure or premise is in such a condition as to constitute a public nuisance, known to the common law or in equity jurisprudence.
17	Derelict Buildings where Alternate Procedures have been undertaken pursuant to the provisions of Section 2.01.050.D.7.b.

(Ord. 28560 Ex. A; passed Nov. 27, 2018: Ord. 28348 Ex. A; passed Mar. 8, 2016: Ord. 28272 Ex. B; passed Dec. 16, 2014: Ord. 28255 Ex. A; passed Nov. 4, 2014)

### **2.01.060 Minimum Building Requirements and Repair Standards.**

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

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

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

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### A. Display of Address Number.

Address numbers posted shall be the same as the number assigned by the City. All buildings shall have address numbers posted permanently in a conspicuous place on contrasting background so they may be read from the street or public way in accordance with the Fire Code. Tenant spaces in buildings shall be clearly numbered or lettered, in a logical and consistent manner.

### B. Foundations.

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

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

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

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

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

#### EXCEPTIONS:

1. Skirting and other non-structural material, or occasional deteriorated or damaged structural members, may be replaced with the approval of the Building Official.
2. When proper under-floor clearance is not provided under an existing building, the Building Official may permit the required clearance to be provided only where plumbing or other equipment is located, provided there is at least adequate clearance to prevent deterioration of materials or where the wood is pressure-treated with approved wood preservatives.
3. Under-floor areas shall be ventilated by an approved mechanical means or by openings in the exterior foundation walls.
4. Mechanical Ventilation: Mechanical ventilation shall meet the Building Code requirements.
5. Natural Ventilation: If the under-floor space is to be provided ventilation by openings in the foundation walls, such openings shall in accordance with the Building Code.

### C. Floors.

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

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

### D. Exterior Walls.

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

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

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

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

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

#### E. Windows and Glazing.

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

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

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

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

#### F. Roofs.

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

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

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

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

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

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

Every exterior stair, ramp, porch, deck, or other exterior appurtenances, including guardrails and handrails, shall be constructed of materials of sufficient strength to perform the function for which it is designed and to carry the live and dead loads prescribed by the Building Code in effect at the time the building was built. All material shall be kept in sound condition and good repair. Replacement of materials shall be made as necessary of flooring treads, risers, stringers, decking, and other materials that show excessive wear and/or are broken, warped, loose, or deteriorated. Weather-exposed surfaces shall be protected in an approved manner.

#### H. Exits.

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

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

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

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### **I. Doors, Latches, and Locks.**

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

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

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

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

### **J. Corridors.**

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

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

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

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

### **K. Stairways and Stair Enclosures.**

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

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

#### **EXCEPTIONS:**

1. Stairways constructed prior to July 1, 1988, which serve occupant loads of ten or more, but which have risers in excess of 7 inches but not exceeding 7.5 inches, and/or have treads with a depth less than 11 inches but not less than 10 inches measured from tread nose to tread nose.
2. Buildings and structures which have fire escapes which have been maintained and tested in accordance with the Building Code and the Fire Code. See Subsection Q, Fire Escapes, of this chapter.

### **L. Ramps.**

Ramps shall be constructed as required by the Building Code.

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

### **M. Guardrails.**

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

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

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



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

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

1. On the loading side of loading docks.
2. On the auditorium side of a stage, raised platforms, and other raised floor areas, such as runways, ramps, and side stages used for entertainment or presentation; along the side of an elevated walking surface, when used for the normal functioning of special lighting or for access and use of other special equipment; at vertical openings in the performance area of stages.
3. Along vehicle service pits not accessible to the public.

EXCEPTION:

1. The top of guardrails for Group R, Division 3 and Group U, Division 1 Occupancies, and interior guardrails within individual dwelling units, Group R, Division 3 congregate living facilities and guest rooms of Group R, Division I Occupancies, do not need to exceed 36 inches in height, or as otherwise required by the Building Code.
2. The top of guardrails on a balcony immediately in front of the first row of fixed seats and which are not at the end of an aisle may be 26 inches in height.
3. The top of guardrails for stairways, exclusive of their landings, may have a height as specified in the Stairway Handrails section of this chapter.

#### N. Stairway Handrails.

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

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

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

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

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

EXCEPTIONS:

1. Stairways less than 44 inches in width or stairways serving one individual dwelling unit in Group R, Division 1 or Division 3 Occupancies, or a Group R, Division 3 congregate living facilities, may have one handrail, or as otherwise permitted by the Building Code.
2. Private stairways 30 inches or less in height may have handrails on one side only.
3. Stairways having less than four risers and serving one individual dwelling unit in Group R, Division 1 or Division 3, or a Group R, Division 3 congregate living facilities, or serving Group U Occupancies, need not have handrails.

#### O. Exit Path Lighting.

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

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

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

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

Emergency systems shall be supplied from storage batteries or an on-site generator set and the system shall be installed in accordance with the requirements of the Electrical Code, as codified in Chapter 12.06A of the Tacoma Municipal Code.

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

### P. Exit Signs.

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

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

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

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

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

### EXCEPTIONS:

1. Main exterior exit doors, which obviously and clearly are identifiable as exits, need not be signed when approved by the Building Official.
2. Group R, Division 3, and individual units of Group R, Division 1 Occupancies.
3. Exits from rooms or areas with an occupant load of less than 50 where allowed within Group I or Group E daycare occupancies.

### Q. Fire Escapes.

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

Fire escapes shall comply with the following:

1. All openings in an exterior wall below or within 10 feet, measured horizontally, of an existing fire escape serving a building over two stories in height, shall be protected by a self-closing fire assembly having a three-fourths-hour fire protection rating. When located within a recess or vestibule, adjacent enclosure walls shall be of not less than one-hour fire-resistive construction.
2. Egress from the building shall be by an opening having a minimum clear width and height of not less than 29 inches. Such openings shall be openable from the interior without the use of a key or special knowledge or effort. The sill of an opening

giving access to the fire escape shall not exceed 30 inches above the floor of the building or balcony. The top of the frame of the opening giving access to the fire escape shall be a minimum of 59 inches above the floor.

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

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

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

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

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

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

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

#### R. Exits for Sleeping Rooms.

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

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

1. The clear horizontal dimensions shall allow the window to be fully opened and provide a minimum accessible net clear opening of nine square feet, with a minimum dimension of 36 inches.
2. Window wells with a vertical depth of more than 44 inches shall be equipped with an approved permanently affixed ladder or stairs that are accessible with the window in the fully open position. The ladder or stairs shall not encroach into the required dimensions of the window well by more than 6 inches.

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

1. The devices are equipped with approved release mechanisms which are openable from the interior without the use of a key or special knowledge or effort; and
2. The building is equipped with smoke detectors installed in accordance with the Building Code.

#### EXCEPTIONS:

1. In buildings constructed prior to May 26, 1981, existing window with a net openable area of five square feet, a minimum clear width of 22 inches, a minimum clear height of 22 inches, and a maximum sill height of 48 inches measured from the floor of the sleeping room, shall be deemed to meet the exit window requirement. Where the window frame is to be replaced,

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

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

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

### S. Minimum Room Dimensions for Residential Buildings.

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

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

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

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

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

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

### T. Efficiency Dwelling Units.

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

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

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

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

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

### U. Residential Dwelling or Dwelling Unit Room Arrangement.

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

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

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

EXCEPTION: Where each bedroom has its own bathroom facilities.

### V. Overcrowding, Residential Buildings.

For single-family dwellings, duplexes, and multi-family dwellings with three or more units, the maximum number of residents of each dwelling unit shall not exceed the gross area divided by 200, rounded to the nearest whole number. Bedrooms will accommodate two persons with a minimum size of 70 square feet, with no dimension being less than seven feet. An additional

50 square feet shall be provided for each person in excess of two. Children less than one year of age shall not be considered in applying the above provisions.

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

1. Smoke alarms.

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

b. Power source. Smoke alarms shall receive their primary power from the building wiring when such wiring is served from a commercial source, and shall be equipped with a battery backup. The detector shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than those required for over-current protection. Smoke alarms may be solely battery operated when installed in existing buildings where no construction is taking place; in buildings that are not served from a commercial power source; and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic crawl space or basement available which could provide access for interconnection without the removal of interior finishes.

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

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

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

3. Fire Alarm Systems.

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

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

EXCEPTIONS:

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

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

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

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

X. Kitchen Facilities.

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

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

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

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

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

### **Y. Laundry Facilities.**

Where laundry facilities are provided, they shall meet minimum requirements such as lighting, ventilation, and water heating in accordance with the provisions of the codes in force at the time the building was constructed. In an apartment house, where laundry facilities are not provided for each unit, laundry trays or washing machines shall be provided elsewhere on site and shall be available to tenants.

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

### **Z. Electrical System and Lighting.**

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

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

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

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

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

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

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

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

### **AA. Heating, Mechanical, and Elevator Equipment.**

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

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

Elevators shall be maintained in compliance with the Building Code.

BB. Water Heating Equipment.

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

CC. Light and Ventilation.

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

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

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

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

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

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

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

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

DD. Solid-Fuel-Burning Appliances.

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

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

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

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

EE. Chimneys.

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

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

FF. Plumbing.

Supply, waste, and vent plumbing piping shall be in good condition and free from leaks. Waste piping shall be adequately sized to safely convey waste water to the City sewer or to other approved plumbing waste disposal systems. Vent piping shall

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be adequately sized and configured to prevent siphoning of plumbing fixture traps. All plumbing fixtures shall be in good condition, free from cracks and leaks, and shall be properly connected to the waste and vent system of the building.

### GG. Number of Plumbing Fixtures.

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

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

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

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

1. There are separate toilet and bathing facilities for each sex.
2. Toilet and bathing facilities shall be separate from each other or of adequate size to permit simultaneous use.
3. The men's toilet facilities shall contain:

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

4. The women's toilet facilities shall contain:

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

5. The bathing facilities for each sex shall contain:

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

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

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

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

### EXCEPTIONS:

1. Commercial and Industrial buildings may provide a single toilet facility with a lockable door where the total occupant load is 15 or less.
2. Restaurants with a total occupant load including customers and employees of 15 or less may provide a single toilet facility with a lockable door.
3. Toilet facilities which provided adequate fixtures in accordance with the Building Code in effect when the building was constructed.

### HH. Sanitation.

1. Floors. In other than dwelling units, toilet room floors shall have a smooth, hard, nonabsorbent surface, such as Portland cement, concrete, ceramic tile, or other approved material, which extends upward onto the walls at least five inches.
2. Walls. Walls within two feet of the front and sides of urinals and water closets shall have a smooth, hard, nonabsorbent surface of Portland cement, concrete, ceramic tile, or other smooth, hard, nonabsorbent surface to a height of four feet, and except for structural elements, the materials used in such walls shall be of a type which is not adversely affected by moisture.

### EXCEPTIONS:

1. Dwelling units and guest rooms.
2. Toilet rooms which are not accessible to the public and which have not more than one water closet.



3. Hardware. In all occupancies, accessories such as grab bars, towel bars, paper dispensers, and soap dishes, provided on or within walls, shall be installed and sealed to protect structural elements from moisture.
4. Bathtub and Shower. Bathtub and shower enclosures in all occupancies shall be finished as specified in items 1 and 2 above, to a height of not less than 70 inches above the drain inlet. Materials other than structural elements used in such walls shall be of a type which is not adversely affected by moisture.
5. Water Closet Room Separation. A room in which a water closet is located shall be separated from food preparation or food storage rooms by tight-fitting doors.

II. Infestation.

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

JJ. Accessory Structures.

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

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

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

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

KK. Accessibility for the Physically Disabled.

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

LL. Exterior Maintenance.

1. Buildings. The exterior of buildings shall be maintained in a manner which appears neat and orderly. Weatherproofing elements, such as roofing and siding, shall be firmly attached and in good condition. Glazing and exterior doors shall be intact and in good repair. Painted surfaces shall be fully covered and all peeling or blisters shall be scraped and repainted.
2. Sidewalks, Retaining Walls and Paving. The owner shall be responsible for maintaining sidewalks and other paving on the property. Sidewalks, retaining walls, and other paving on the property shall provide a reasonably even surface without potential hazards.
3. Exterior Property Areas, Yards, and Courts. The owner shall be responsible for maintaining all exterior property areas, yards, and courts in a reasonably neat, clean, and sanitary condition. Property areas shall be maintained free from any accumulation of garbage, litter, debris, overgrown, or noxious vegetation, or other conditions which constitute a nuisance as defined by Chapter 8.30 of the Tacoma Municipal Code. For the purposes of this section, owners shall be responsible for maintaining the property to the centerline of abutting public streets and alleys, pursuant to Chapter 9.17 of the Tacoma Municipal Code.

MM. Interior Maintenance.

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

NN. Cargo Containers and Semi-Trailers.

1. Except as permitted by the Land Use Regulatory Code, cargo containers shall not be permitted to be used as storage buildings.
2. Semi-trailers shall not be used for storage buildings.

(Ord. 28443 Ex. B; passed Aug. 1, 2017; Ord. 28348 Ex. A; passed Mar. 8, 2016; Ord. 28255 Ex. A; passed Nov. 4, 2014)

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### 2.01.070 Unoccupied, Vacant, or Partially Secured Building Standards.

#### A. Intent.

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

1. All exterior openings shall be properly secured as outlined in Subsection C below, Standards for Securing Buildings. Openings shall be secured by the normal building amenities, including, but not limited to, doors, shutters, grills, and window glazing, which can be considered appropriate for securing an occupied building. If it becomes necessary to temporarily secure openings by covering them with structural paneling, the use of the paneling shall be limited to a maximum of 30 calendar days. Where it becomes impractical to secure buildings using the normal security measures, the Building Official may permit the use of medium density overlay or other approved materials, installed in the window frames and painted with a glossy paint of such color to simulate glazing. In such case, the paneling or other approved materials shall blend with the exterior finish of the building, to provide the building with a neat and tended appearance.
2. The building shall be properly weather-protected to prevent deterioration of the exterior and interior of the building. This weather protection shall be approved by the City and shall include the roof and wall assemblies.
3. All miscellaneous debris which constitutes a fire hazard shall be removed from the building and property, and the property shall comply with the Nuisance Code, Chapter 8.30 of the Tacoma Municipal Code. The property shall remain nuisance free at all times.
4. All buildings which have automatic fire sprinklers systems and/or fire alarm systems shall have such systems maintained in operable condition at all times.
5. Adequate heat shall be maintained within an unoccupied or vacant building to prevent plumbing and automatic fire sprinkler systems from freezing, or alternatively the plumbing, automatic fire sprinkler systems, or any other element in the building sensitive to freezing may be winterized in an approved manner.
6. All sewer lines shall be capped. When approved by Planning and Development Services, this may be accomplished by providing an approved plug at the fixtures within the building.
7. The owner shall inspect the property periodically to assure that the property remains in compliance with this chapter. In the event that the unoccupied building does not conform to this standard, the Building Official may order the owner to inspect the property according to a specific schedule, and to provide written reports that the inspections have been performed and that the property is in compliance with these standards.

#### B. Procedures for Securing Buildings.

##### 1. Vacant Buildings.

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

##### 2. Occupied Buildings.

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

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

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

C. Standards for Securing Buildings.

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

(Ord. 28255 Ex. A; passed Nov. 4, 2014)



**CHAPTER 2.02**  
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*(Repealed and Reenacted by Ord. 28155 Ex. A, passed Jun. 11, 2013; and Ord. 27890 Ex. A, passed Jun. 15, 2010)*

## Sections:

- 2.02.010 Adoption of International Building Code, International Residential Code, and International Existing Building Code.
- 2.02.015 Administrative Provisions.
- 2.02.020 Purpose.
- 2.02.030 International Plumbing Code.
- 2.02.040 *Repealed.*
- 2.02.050 *Repealed.*
- 2.02.060 *Repealed.*
- 2.02.070 *Repealed.*
- 2.02.080 Amendment to IBC Section 105.1 – Permits by addition of a new Section 105.1.3 – Business Licensing.
- 2.02.090 Amendment to IBC Section 105.2 – Work exempt from permit.
- 2.02.100 Amendment to IBC Section 202 – Definitions – L, S, T, and W.
- 2.02.110 *Repealed.*
- 2.02.120 Amendment to IBC Section 113 – Board of Appeals.
- 2.02.130 Amendment to IBC Section 114 – Violations.
- 2.02.135 Amendment to IBC Section 419 – Live/Work units.
- 2.02.136 Amendment to IBC Chapter 4 – by deletion and replacement of the WA State amendment Section 429 – Electric Vehicle Charging Infrastructure.
- 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.
- 2.02.150 Amendment to IBC Section 510.2 – Horizontal building separation allowance by 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.*
- 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.*
- 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-  
2.02.380 *Repealed.*
- 2.02.390 Amendment to IBC Appendix Section G102.2 – Establishment of Flood Hazard Areas.
- 2.02.400 Amendment to IBC Appendix Section G103 – Powers and Duties by the addition of new Sections G103.10 – Additional Conditions for Consideration, and G103.11- Restrictions in Floodways.
- 2.02.410 Amendment to IBC Appendix Section G105 – Variances by Addition of a new Section G105.7.1 – Additional Criteria for Issuance.
- 2.02.500 *Repealed.*
- 2.02.510 *Repealed.*
- 2.02.520 *Repealed.*
- 2.02.530 *Repealed.*
- 2.02.535 Amendment to IRC Section R101.2 – Scope.
- 2.02.540 Amendment to IRC Section R105.2 – Work Exempt From Permit, Building and Electrical Sections.

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- 2.02.550 Amendment to IRC Section R105.3.1.1 – Determination of substantially improved or substantially damaged existing buildings in flood hazard areas.
- 2.02.560 Amendment to IRC Section 105.3.1 by addition of a new Section R105.3.1.2 – Criteria for issuance of a variance for flood hazard areas.
- 2.02.565 Amendment to Section R110.1 – Use and Occupancy – by addition of exemptions.
- 2.02.570 Amendment to Section R112 – Board of Appeals.
- 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.
- 2.02.590 Amendment to IRC Table R301.2 (1) – Climatic and geographic design criteria.
- 2.02.600 Amendment to IRC Section R301.2.3 – Snow loads.
- 2.02.605 Amendment to IRC Section 322 – Flood-Resistant Construction – by addition of new Sections R322.1.11 – Additional Criteria for Development in Flood Hazard Areas, and 322.1.12 Restrictions in Floodways.
- 2.02.610 Amendment to IRC Section R313 – Automatic Fire sprinkler systems.
- 2.02.620 Manufactured homes.
- 2.02.700 *Repealed.*
- 2.02.710 *Repealed.*
- 2.02.720 *Repealed.*
- 2.02.730 Amendment to IEBC Section 105.2 – Work exempt from permit.
- 2.02.735 Amendment to IEBC Section 108 – Fees.
- 2.02.740 Amendment to IEBC Section 112 – Board of Appeals.
- 2.02.750 Amendment to IEBC Section 113 – Violations.
- 2.02.760 Amendment to IEBC Section 202 – General Definitions – L, S, and W.
- 2.02.763 Amendment to IEBC Chapter 3 – Provisions for All Compliance Methods by addition of Section 306 Fire Protection.
- 2.02.765 *Repealed.*
- 2.02.770 *Repealed.*
- 2.02.775 *Repealed.*
- 2.02.776 Amendment to IEBC Section 901.1 – Scope.
- 2.02.780 *Repealed.*
- 2.02.790 *Repealed.*
- 2.02.800 *Repealed.*
- 2.02.805 Amendment to IEBC Section 605.1 – Change of occupancy – Scope – by addition of an exception to 605.1.
- 2.02.810 Amendment to IEBC Section 1006.3 – Seismic Loads – by addition of a new Section IEBC 1006.3.1 – 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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.015 Administrative Provisions.**

The Director of Planning and Development Services, with input from the Tacoma Permit Advisory Task Force or any other City Council appointed permitting advisory body then in existence, shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

**A. Public notifications.**

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

**B. Project Meetings.**

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor's activities.

**C. Construction Nuisances.**

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

Violations of TMC 2.02 or any provision as required by the Director of Planning and Development Services under TMC 2.02.015 shall be administered as outlined in TMC 1.82 - Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

(Ord. 28701 Ex. A; passed Nov. 17, 2020)

**2.02.020 Purpose.**

The State Legislature has established the State Building Code applicable throughout all cities and counties in the State of Washington for the purpose of promoting the health, safety, and welfare of the occupants or users of buildings and structures and the general public. Accordingly, this Chapter is designed to effectuate the following purposes, objectives, and standards of the State Building Code:

A. To require minimum performance standards and requirements for construction and construction materials, consistent with accepted standards of engineering, fire, and life safety;

B. To require standards and requirements in terms of performance and nationally accepted standards;

C. To permit the use of modern technical methods, devices, and improvements;

D. To eliminate restrictive, obsolete, conflicting, duplicating and unnecessary regulations and requirements which could unnecessarily increase construction costs or retard the use of new materials and methods of installation or provide unwarranted preferential treatment to types or classes of materials or products or methods of construction;

E. To provide for standards and specifications for making buildings and facilities accessible to and usable by physically disabled persons; and

F. To consolidate within each authorized enforcement jurisdiction, the administration and enforcement of building codes.

(Repealed and reenacted by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.030 International Plumbing Code.**

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

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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### **2.02.040 Repealed by Ord. 28363. Amendment by deletion from the 2012 IBC and deletion of Washington State Building Code Council amendments from City of Tacoma Adoption of the 2012 International Building Code.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.050 Repealed by Ord. 28363. General amendments.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.060 Repealed by Ord. 28363. Washington State Building Code Council amendments.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.070 Repealed by Ord. 28363. Amendment to IBC Section 102.4 – Referenced codes and standards.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Ord. 28327 Ex. A; passed Nov. 3, 2015; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

105.1.3 Business Licensing.

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

(Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

105.2 Work exempt from permit.

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

Building:

1. One-story detached accessory structures used as tool and storage sheds, playhouses and similar uses, provided the floor area does not exceed 120 square feet (11 m<sup>2</sup>).
2. Fences not over 7 feet (1829 mm) high.
3. Oil derricks.
4. Retaining walls which are not over four feet (1219 mm) in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids. A Fence supported by a retaining wall shall be considered a surcharge.
5. Water tanks supported directly on grade if the capacity is not greater than 5,000 gallons (18,925 L) and the ratio of height to diameter or width is not greater than 2:1.
6. Sidewalks and driveways not more than 30 inches (762 mm) above adjacent grade and on grade concrete patios with a cumulative impact not exceeding 2,000 Sq. Ft. (185.81 sq-M), provided they are not over any basement or story below and are not part of an accessible route.
7. Painting, papering, tiling, carpeting, cabinets, counter tops, and similar finish work.
8. Temporary motion picture, television, and theater stage sets and scenery.
9. Prefabricated swimming pools accessory to a Group R-3 occupancy, as applicable in Section 101.2, which are less than 24 inches (610 mm) deep, are not greater than 5,000 gallons (18,925 L), and are installed entirely above ground.
10. Shade cloth structures constructed for nursery or agricultural purposes, not including service systems.



11. Swings and other playground equipment accessory to detached one- and two-family dwellings.
12. Window awnings in Group R-3 and U occupancies supported by an exterior wall which do not project more than 54 inches (1372mm) from the exterior wall and do not require additional support.
13. Non-fixed and movable fixtures, cases, racks, counters and partitions not over 5 feet 9 inches (1753 mm) in height.

Electrical: See TMC Chapter 12.06A.

Gas:

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

Mechanical:

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

Plumbing:

1. The stopping of leaks in drains, water, soil, waste, or vent pipe, provided, however, that if any concealed trap, drain pipe, water, soil, waste, or vent pipe becomes defective and it becomes necessary to remove and replace the same with new material, such work shall be considered as new work and a permit shall be obtained and inspection made as provided in this code.
2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures, and the removal and reinstallation of water closets, provided such repairs do not involve or require the replacement or rearrangement of valves, pipes, or fixtures.

#### 105.2.1 Emergency repairs.

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

#### 105.2.2 Repairs.

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

#### 105.2.3 Public service agencies.

A building permit shall not be required for the installation, alteration, or repair of generation, transmission, distribution, or metering, or other related equipment that is under the ownership and control of public service agencies by established right. Other City permits shall still be required unless specifically exempted.

#### 105.2.4 City of Tacoma Projects and Department of Transportation Projects.

A building permit shall not be required for the construction of roads, highways, freeways, and other structures related to such construction, by or under contract to the City of Tacoma, or the Washington State Department of Transportation. Other City permits shall still be required unless specifically exempted.

Exceptions:

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A. Buildings and other structures not normally included in road or highway construction shall require building and other construction permits.

(Ord. 28701 Ex. A; passed Nov. 17, 2020; Ord. 28561 Ex. A; passed Nov. 27, 2018; Ord. 28443 Ex. C; passed Aug. 1, 2017; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Ord. 28089 Ex. B; passed Sept. 25, 2012; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.100 Amendment to IBC Section 202 – Definitions –L, S, T, and W.**

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
2. The International Residential Code ("IRC"), including IRC Appendices F, Q, and 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
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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020; Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28327 Ex. A; passed Nov. 3, 2015; repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.110 Repealed by Ord. 28729. Amendment to IBC Section 111.2 – Certificate issued.**

(Repealed by Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.120 Amendment to IBC Section 113 – Board of Appeals.**

Section 113 in the IBC shall be replaced in its entirety with the following:

113.1 The Board of Building Appeals.

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

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

113.2 Limitations of Authority.

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

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.130 Amendment to IBC Section 114 – Violations.**

Section 114 of the IBC shall be replaced in its entirety with the following:

114.1 Unlawful acts.

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

114.2 Notice of violation.

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

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

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

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

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

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

114.3 Penalties and Certificate of Complaint.

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

114.3.1 First and subsequent civil penalties \$250.00;

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

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Each day that a property or person is not in compliance with the provisions of this code may constitute a separate violation. Penalties shall be billed to the property owner or, if appropriate, the permit holder. Penalties unpaid after 60 calendar days may be collected in any lawful means, including but not limited to, referral to a collection agency.

### 114.4 Administrative Reviews by the Building Official.

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

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

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

### 114.5 Appeals of the Administrative Review by the Building Official.

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

### 114.6 Alternate Criminal Penalty.

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

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

## **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.

419.1.1 General.

A live/work unit shall comply with Sections 419.1.1 through 419.1.9.

Exception: Dwelling or sleeping units that include an office that is less than 10 percent of the area of the dwelling unit are permitted to be classified as dwelling units with accessory occupancies in accordance with Section 508.2.

419.1.1.1 Limitations. The following shall apply to all live/work areas:

1. The live/work unit is permitted to be not greater than 3,000 square feet (279 m<sup>2</sup>) in area; and
2. The nonresidential area of a live/work unit is permitted to be not more than 50 percent of the area of each live/work unit; and
3. The nonresidential area function shall be limited to the first or main floor only of the live/work unit.

419.1.2 Occupancies.

Live/work units shall be classified as a Group R-2 occupancy. Separation requirements found in Sections 420 and 508 shall not apply within the live/work unit where the live/work unit is in compliance with Section 419.1. Nonresidential uses which would otherwise be classified as either a Group H or S occupancy, or occupancies related to marijuana growing, processing or retail sales shall not be permitted in a live/work unit.

Exception: Storage shall be permitted in the live/work unit provided the aggregate area of storage in the nonresidential portion of the live/work unit shall be limited to 10 percent of the space dedicated to nonresidential activities.

419.1.3 Means of egress.

Except as modified by this section, the means of egress components for a live/work unit shall be designed in accordance with Chapter 10 for the function served.

419.1.3.1 Egress capacity. The egress capacity for each element of the live/work unit shall be based on the occupant load for the function served in accordance with Table 1004.1.5.

419.1.3.2 Spiral stairways. Spiral stairways that conform to the requirements of Section 1011.10 shall be permitted.

419.1.4 Vertical openings.

Floor openings between floor levels of a live/work unit are permitted without enclosure.

[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 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.

Accessibility shall be designed in accordance with Chapter 11 for the function served.

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 1107.6.2.1, the plumbing fixtures specified by Chapter 29 shall be accessible.

419.2 Work/Live Units.

General. A work/live unit shall comply with Sections 419.2.1 through 419.2.14.

419.2.1 Limitations.

The following shall apply to all work/live areas:

1. A work/live unit shall be located within a building that complies with the provisions of Chapters 5, 9, and 10.
2. A work/live unit is permitted to be not greater than 3,000 square feet (279 m<sup>2</sup>) in area;

Exception: Work/live units shall not be limited in size for the following:

- a. Buildings classified as A, B, F-2, or M occupancy, and
  - b. Buildings compliant with height and area requirements in Table 503, and
  - c. Buildings with an approved automatic sprinkler system installed in accordance with 903.3.1.1 throughout, and
  - d. Where the nonresidential uses are separated from the residential uses in accordance with Section 508.4.4.
3. The residential area of the work/live unit is permitted to be not greater than 50 percent of the total area of the work/live unit and shall not exceed 1,500 square feet (139 m<sup>2</sup>);

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4. A work/live unit shall not be located on a floor that is greater than 75 feet above the lowest level of fire department vehicle access.

Exception: Work/live units located in high-rise buildings complying with Section 403.

5. The nonresidential area function shall be limited to the first or main floor only of the work/live unit.

6. For the purposes of this section, the residential area is considered a Group R occupancy.

### 419.2.2 Occupancies.

Work/live units shall be classified in accordance with Chapter 3 for the type of nonresidential occupancy. Permitted occupancies for work/live units are A, B, F, and M. Nonresidential uses which would otherwise be classified as either a Group H or S occupancy, or occupancies related to marijuana growing, processing or retail sales shall not be permitted in a work/live unit. For the purposes of this section, requirements in the International Building, Mechanical Code, Fuel Gas, Uniform Plumbing Code, or Washington State Energy Code related to residential occupancies shall be applied to the residential portion of the unit where applicable.

Exception: Storage shall be permitted in the work/live unit provided the aggregate area of storage in the nonresidential portion of the work/live unit shall be limited to 10 percent of the space dedicated to nonresidential activities.

### 419.2.3 Fire and smoke protection features

419.2.3.1 Separations within work/live units. Separations between and within work/live units shall be accordance with Sections 419.2.3.1.1 or 419.2.3.1.2.

419.2.3.1.1 The residential use area within the work/live unit shall be separated from the nonresidential use by 1-hour fire barriers walls and/or horizontal assemblies.

Exception: For work/live units of A, B, F-2, and M occupancies, separation between the residential use and the nonresidential use is not required where the building is fully equipped with an automatic sprinkler system installed in accordance with 903.3.1.1; however, the residential use must be clearly delineated from the nonresidential use.

419.2.3.2 Separations between work/live units and between work/live units and other occupancies. Work/live units shall be separated from other work/live units and other occupancies in accordance with Section 508 or with 1-hour fire partition walls and/or horizontal assemblies, whichever is more restrictive.

419.2.4 Hazardous Materials. The maximum allowable quantities per control area for the storage and use of hazardous materials shall be reduced to 25 percent of those values in IFC Tables 5003.1.1(1) and 5003.1.1(2). Additional requirements may be imposed by the Building or Fire Code Official depending on the specific hazardous materials associated with the nonresidential use.

### 419.2.5 Fire Protection Systems

419.2.5.1 Automatic Sprinkler Systems. Buildings containing work/live units shall be equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

Exception: Buildings lawfully in existence prior to December 5, 1989 may alternatively comply with Sections 419.2.5.1.1 through 419.2.5.1.3.

419.2.5.1.1 Buildings may be partially equipped with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 and the following:

1. All stories containing work/live units and all stories below work/live units, including basements, shall be equipped with an automatic sprinkler system installed in accordance with Section 903.3.1.1.
2. The means of egress shall be equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

419.2.5.1.2 Buildings may be partially equipped with an approved automatic sprinkler system installed in accordance with Section 903.3.1.2 and the following:

1. The residential use within the work/live unit shall be separated from the nonresidential use in accordance with Section 419.2.3.1.1.
2. The residential space within the work/live unit shall not be required to exit through the nonresidential space.
3. Work/live units shall be located on a level of exit discharge.

4. The means of egress for the residential use area shall be provided with an automatic sprinkler system installed in accordance with Section 903.3.1.2.

5. A building shall contain no more than four work/live units.

Exception: Work/live units of F-1 occupancy shall be equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

419.2.5.1.3 Buildings may be partially equipped with an approved automatic sprinkler system installed in accordance with Section 903.3.1.3 and the following:

1. The residential use within the work/live unit shall be separated from the nonresidential use in accordance with Section 419.2.3.1.1.

2. The residential space within the work/live unit shall not be required to exit through the nonresidential space.

3. Buildings containing work/live units shall be single-story without basements.

4. The residential use area shall be provided with direct access to an exit and shall not be required to exit through the nonresidential area of the work/live unit.

5. A building shall contain no more than one work/live unit.

Exception: Work/live units of F-1 occupancy shall be equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1.

419.2.5.1.4 Water Supply. Automatic sprinkler systems installed in accordance with Sections 419.2.5.1.2 or 419.2.5.1.3 are permitted to be connected to the domestic service. Such combination services shall comply with the following requirements:

1. Valves shall not be installed between the domestic water riser control valve and the sprinkler system.

Exception: An approved indicating control valve supervised in the open position in accordance with Section 903.4.

2. The domestic service shall be capable of supplying the simultaneous domestic demand and the sprinkler demand required to be hydraulically calculated by NFPA 13D or NFPA 13R.

419.2.5.2 Alarm and Detection Systems.

419.2.5.2.1 Manual fire alarm system. A manual fire alarm system that activates the occupant notification system in accordance with Section 907.5 shall be installed throughout work/live occupancies.

Exception: Manual fire alarm boxes shall not be required where the building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 and the occupant notification system or emergency voice/alarm communication system will activate throughout the notification zones upon sprinkler water flow.

419.2.5.2.2 Automatic smoke detection system. In addition to those required by Chapter 9, area smoke detectors shall be provided throughout buildings with a work/live use. The activation of any detector required by this section shall activate the occupant notification system in accordance with Section 907.5.

Exception: Area smoke detection shall not be required in rooms/areas where an approved automatic sprinkler system has been provided and the occupant notification system or emergency voice/alarm communication system will activate throughout the notification zones upon sprinkler water flow.

419.2.5.2.3 Single- and multiple-station smoke alarms. Listed single- and multiple-station smoke alarms complying with UL 217 shall be installed in accordance with Sections 419.2.5.2.3.1 through 419.2.5.2.3.3 and NFPA 72.

419.2.5.2.3.1 Location. Single- or multiple-station smoke alarms shall be installed in the following locations:

1. In each room used for sleeping purposes.

2. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

3. In each story within a dwelling unit, including basements but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

419.2.5.2.3.2 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. Physical interconnection of smoke alarms shall not be required where listed wireless alarms are installed

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and all alarms sound upon the activation of one alarm. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

419.2.5.2.3.3 Power Source. Smoke alarms shall receive their primary power from the building wiring where such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery back-up shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent without a disconnecting switch other than as required for overcurrent protection.

Exception: Smoke alarms are not required to be equipped with battery backup where they are connected to an emergency electrical system.

419.2.5.2.4 Carbon monoxide alarms. Work/live occupancies shall be provided with single station carbon monoxide alarms installed outside of each separate sleeping area in the immediate vicinity of the bedrooms in dwelling units and on each level of the dwelling. The carbon monoxide alarms shall be listed as complying with UL 2034 and installed and maintained in accordance with NFPA 720-2012 and the manufacturer's instructions.

419.2.5.2.4.1 Carbon monoxide detection systems. Carbon monoxide detection systems, that include carbon monoxide detectors and audible notification appliances, installed and maintained in accordance with this section for carbon monoxide alarms and NFPA 720-2012 shall be permitted. The carbon monoxide detectors shall be listed as complying with UL 2075.

419.2.6 Means of egress.

Except as modified by this section, the means of egress components for a work/live unit shall be designed in accordance with Chapter 10 for the function served.

419.2.6.1 Egress capacity. The egress capacity for each element of the work/live unit shall be based on the occupant load for the function served in accordance with Table 1004.1.1.

419.2.6.2 Spiral stairways. Spiral stairways that conform to the requirements of Section 1009.12 shall be permitted only for the residential portion of the work/live unit.

419.2.7 Vertical openings.

Floor openings between floor levels of a work/live unit are permitted without enclosure where the residential and nonresidential uses are permitted to be nonseparated.

419.2.8 Structural.

Floor loading for the areas within a work live unit shall be designed to conform to Table 1607.1 based on the function within the space.

419.2.9 Accessibility.

Work/live unit shall be accessible in accordance with Chapter 11 for the function served. 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 1107.6.2, 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 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 1207.



419.2.14 Certificate of Occupancy.

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

(Ord. 28729 Ex. A; passed Jan. 26, 2021: Ord. 28701 Ex. A; passed Nov. 17, 2020: Ord. 28363 Ex. A; passed Jun. 14, 2016: Ord. 28327 Ex. A; passed Nov. 3, 2015)

**2.02.136 Amendment to IBC Chapter 4 – by deletion and replacement of the WA State amendment Section 429 – Electric Vehicle Charging Infrastructure.**

429.1 Scope.

The provisions of this section shall apply to the construction of new buildings, and building additions that require 10 or more new or additional parking spaces in accordance with Tacoma Municipal Code (“TMC”) Title 13.

429.2 Required electric vehicle charging stations and infrastructure.

Where parking is provided, Table 1 identifies the thresholds that will trigger electric vehicle spaces served by charging stations and/or charging station infrastructure. Table 1 also provides the percentage of parking spaces to be served by an electric vehicle charging station and the percentage of spaces to be provided with electric vehicle charging infrastructure according to the occupancy group and use of the building served. New or additional parking shall comply with Sections 429.3, 429.4, 429.5, and 429.6. When the calculation of percent served results in a fractional parking space, the applicant shall round up to the next whole number.

Where parking spaces serve buildings with multiple occupancies or uses, or serve multiple buildings with different occupancies or uses, the applicant shall use the occupancy or use that provides the greatest number of electric vehicle spaces with charging stations and/or infrastructure in accordance with Table 1.

<b>Table 1: Required Electric Vehicle Parking Quantities</b>			
<b>Occupancy Group and Use</b>	<b>Thresholds applied for electric vehicle stalls served by stations and infrastructure</b>	<b>Parking spaces to be served by an installed electric vehicle charging station</b>	<b>Parking spaces served by electric vehicle charging infrastructure only</b>
Group R-1 - Hotel/Motel Only	Applies to all.	3% of new parking provided	7% raceway AND 20% electrical room capacity
Group R-2 Multi-family	Where 10 or more parking spaces, and/or 10 or more dwelling or sleeping units are provided.	None	20% raceway AND 20% electrical room capacity.
Group B - Adult Education	Where the building area is 12,000 sq. ft. or greater.	3% of new parking provided, up to 6 spaces.	7% raceway AND 20% electrical room capacity.
Group B – Other than Adult Education	Where 6 or more parking spaces are provided.	3% of new parking provided, up to 6 spaces.	7% raceway AND 20% electrical room capacity.
Group I - Institutional	Where the building area is 12,000 sq. ft. or greater.	3% of new parking provided, up to 6 spaces.	7% raceway AND 20% electrical room capacity.
Group M - Mercantile	Where the building area is 15,000 sq. ft. or greater.	1% of new parking provided, up to 8 spaces.	9% raceway AND 20% electrical room capacity.
Group A – Assembly	Where 6 or more parking spaces are provided.	1% of new parking provided, up to 12 spaces.	9% raceway AND 20% electrical room capacity.

429.3 Electrical room(s).

Electrical room(s) serving areas with electric vehicle charging parking spaces shall be designed to accommodate the electrical equipment and distribution required to serve a minimum of 20 percent of the total parking spaces with 208/240 volt 40-ampere electric vehicle charging infrastructure.

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### 429.4 Electric vehicle charging infrastructure.

The electrical service capacity and raceway size shall be designed to accommodate the installed and future electric vehicle charging spaces and required infrastructure for the number of spaces specified in section 429.2.

#### 429.4.1 Installed electric vehicle charging spaces.

Installed electric vehicle charging spaces shall be provided with a dedicated 40-ampere, 20/240-volt dedicated branch circuit, raceways, and all other electric vehicle charging equipment. The branch circuit shall be identified for electric vehicle service in the service panel or subpanel directory.

Electric vehicle charging station equipment shall be maintained in all respects, including the functioning of the charging equipment. A phone number or other contact information shall be provided on the charging station equipment for reporting when the equipment is not functioning or other problems are encountered.

#### 429.4.2 Future electric vehicle charging spaces.

Electric panel capacity and space for future electric vehicle charging spaces shall support a minimum 208/240 volt 40-ampere branch circuit for each future EV parking space. The branch circuit shall be identified as “EV Ready” in the service panel or subpanel directory.

Raceways shall be installed for any portion of the pathway located below slabs, below grade, or within floor, wall, or roof assemblies, and shall terminate at a point in close proximity to the proposed location of the electric vehicle charging spaces. The raceways shall be permanently and visibly marked as “EV Ready.” Where future electric vehicle charging spaces are located within exterior on-grade parking spaces that are more than four feet from a building, the raceways shall be extended either below grade to a pull box, or stubbed out above grade with protection from vehicles by a curb or other device.

Exception: In lieu of a surface-mounted raceway between the electrical panel and the future electric vehicle charging locations, it is permitted to provide permanent markings indicating the pathway for future raceway, and one-inch diameter capped sleeves through each wall and floor assembly that are penetrated along that route. This pathway and the locations of capped sleeves shall also be indicated on the electrical plans. Raceways shall be installed for any portion of the pathway located below slabs, below grade, or within floor, wall, or roof assemblies.

### 429.5 Electric vehicle charging infrastructure for accessible parking spaces.

When electric vehicle charging infrastructure is required, a minimum of one accessible parking space shall be served by electric vehicle charging infrastructure. The electric vehicle charging infrastructure may also serve adjacent parking spaces not designated as accessible parking.

### 429.6 Electric vehicle charging station signage.

Electric vehicle signage must meet the requirements of RCW 46.08.185. Each charging station space shall be posted with signage indicating the space is only for electric vehicle charging purposes. Days and hours of operations shall be included if time limits or tow away provisions are to be enforced. Way-finding signage shall also be provided where electric vehicle parking is provided in multi-level parking garages.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28640 Ex. A; passed Dec. 10, 2019)

## **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 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 504.4 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 most currently adopted NEC Section 701.12, options (A), (B), (C), (D), (E), (F), or (G) or subsequent revised section number(s).

## 504.4.1.1 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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28590 Ex. A; passed Jun. 18, 2019; Repealed and reenacted by Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.150 Amendment to IBC Section 510.2 – Horizontal building separation allowance by addition of a new Section 510.2(7).**

510.2(7) For the condition in Section 504.4.1 as amended by the State Building Code, the maximum building height in feet (mm) for the Type VA construction as set forth in Section 504.3 for the Type VA construction may be measured from the horizontal building separation, provided the finished floor level of the highest occupied floor does not exceed 75 feet above the lowest level of fire department access to the building, whichever provides the lowest height.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.155 Amendment to IBC Section 1010.1.9.4 – Locks and Latches.**

Section 1010.1.9.4 of the State Building Code shall be replaced in its entirety with the following:

1010.1.9.4 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 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.

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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 m<sup>2</sup>) 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 area permitted on doors to balconies, decks, or other exterior spaces of 250 square feet or less, serving a private office space.

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28590 Ex. A; passed Jun. 18, 2019)

### **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 replace 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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021)

### **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 m<sup>2</sup>) of net floor area. Other habitable rooms shall have a net floor area of not less than 70 square feet (6.5 m<sup>2</sup>).

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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021)

**2.02.160 Amendment to IBC Section 1502 – Roof Drainage.**

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

## 1502.1 General.

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

## 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.

## 1503.6 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.

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

## 1503.7 Concealed Piping.

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

## 1503.8 Over Public Property.

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

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28327 Ex. A; passed Nov. 3, 2015; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.170 Repealed by Ord. 28729. Amendment to IBC Section 1511 – Re-roofing – by addition of a new Section 1511.7 – Energy Code Requirements for Re-Roofing.**

(Repealed by Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

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

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1608 Snow loads.

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

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

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

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

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.185 Amendment to IBC Section 1612.3 – Establishment of Flood Hazard Areas.**

1612.3 Establishment of Flood Hazard Areas.

The City of Tacoma hereby adopts the most recent flood study and accompanying flood insurance rate map(s) (FIRM) with any revisions thereto for Pierce County, Washington and Incorporated Areas published by Federal Emergency Management Agency Region X that delineate areas of special flood hazards and include the risk premium zones applicable to the City of Tacoma. The City of Tacoma also additionally adopts the Puyallup Levee Overtopping layer established by the 2007 FEMA Region X Flood Insurance Study and accompanying Flood Insurance rate map for Pierce County, Washington and Incorporated Areas. The adopted flood hazard map and supporting data area hereby adopted by reference and declared to be part of this section.

Where the flood insurance map and studies do not provide adequate information, the City, through Planning and Development Services, shall consider and interpret information produced by the Army Corps of Engineers, Natural Resource Conservation Service, Department of Housing and Urban Development, or any other qualified person or agency to determine the location of the Flood Hazard areas and Coastal High Hazard Areas. Designation as Coastal A Zone(s) shall be determined by the maps on file with City of Tacoma Planning and Development Services Permit Services.

(Ord. 28410 Ex. A; passed Feb. 21, 2017; Ord. 28363 Ex. A; passed Jun. 14, 2016)

### **2.02.190 Amendment to IBC Section 1613 by addition of a new subsection 1613.7 – Tension-only bracing.**

1613.7 Tension-Only Bracing.

The body of the tension element, in a tension-only bracing assembly, shall be designed for the seismic load effect, including the Overstrength Factor, in accordance with ASCE 7-10, Section 12.4.3.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

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

(Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.201 Repealed by Ord. 28729. Amendment to IBC Section 2902.2 – Separate Facilities.**

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28590 Ex. A; passed Jun. 18, 2019)

### **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 public facilities shall be provided with signs that designate the sex for separate facilities or indicate gender-neutral facilities. Single-occupant toilet facilities shall be provided with signs compliant with TMC 1.29.180. 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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28590 Ex. A; passed Jun. 18, 2019)

**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.**

## 3108.1.1 Amplification Factor for Structures Bracketed to Supporting Structure.

The following amendments shall be made to Section 2.7.2.1.1 of TIA-222:

1. For structures bracketed to the supporting structure at the mid-height of the structure or below, the amplification factor shall be equal to 1.0.
2. For structures bracketed to the supporting structure above the mid-height of the structure, the amplification factor shall be equal to 3.0 or may be linearly interpolated between 3.0 and 1.0 based on the elevation of the bracket with respect to the mid-height of the structure.

(Ord. 28363 Ex. A; passed Jun. 14, 2016)

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

Section 3202.3 in the IBC shall be replaced in its entirety with the following:

## 3202.3 Encroachments eight feet or more above grade.

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

## 3202.3.1 Awnings, canopies, marquees, and signs.

Awnings, canopies, marquees, and signs shall be constructed so as to support applicable loads as specified in Chapter 16. Awnings, canopies, marquees, and signs with less than 16.5 feet (5029 mm) clearance above the sidewalk shall not extend into or occupy more than two-thirds the distance from the property line to the face of the curb, but in no case shall extend closer than two feet to the curb. All portions of awnings, canopies, marquees, and signs shall be not less than eight feet above any public walkway. Stanchions or columns that support awnings, canopies, marquees and signs shall be located not less than 2 feet (610 mm) in from the curb line.

## 3202.3.2 Windows, balconies, architectural features, and mechanical equipment.

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

## 3202.3.3 Encroachments 16.5 feet or more above grade.

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

Exception:

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

## 3202.3.4 Pedestrian walkways.

The installation of a pedestrian walkway over a public right-of-way shall require that the air rights above the right-of-way be vacated by City of Tacoma ordinance. The vertical clearance from the public right-of-way to the lowest part of the pedestrian walkway shall be subject to the approval of the City of Tacoma, but in no case shall be less than 16.5 feet (5029 mm) minimum.

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Exception:

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

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.220 Repealed by Ord. 28155. Amendment to IBC Section 708.13.1 – Refuse and laundry chute enclosures.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.230 Repealed by Ord. 28155. Amendment to IBC Section 708.14.2 – Enclosed elevator lobby pressurization alternative.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.240 Repealed by Ord. 28155. Amendment to IBC Section 1002 definitions by addition of a definition for lobby.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.250 Repealed by Ord. 28155. Amendment to IBC Chapter 10 by addition of Section 1010.11 – Enclosures under ramps.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.260 Repealed by Ord. 28155. Amendment to IBC Section 1015.2.2 – Three or more exits or exit access doorways.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27629 Ex. A; passed Jun. 26, 2007)

**2.02.270 Repealed by Ord. 28155. Amendment to IBC Section 1022 – by addition of a New Subsection 1022.10 – Re-entry requirements.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.280 Repealed by Ord. 28155. Amendment to IBC Section 1027.1 – Exit Discharge – General.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.290 Repealed by Ord. 28155. Amendment to IBC Section 1503.4 – Roof drainage.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.300 Repealed by Ord. 28155. Amendment to IBC Section 1608 – Snow loads.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.310 Repealed by Ord. 28155. Amendment to IBC Section 1609.1 – Wind Loads – Applications.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.320 Repealed by Ord. 28155. Amendment to IBC Section 1613.1 – Earthquake Loads – Scope by addition of exception 5.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.330 Repealed by Ord. 28155. Amendment to IBC Section 1613 by addition of a new Subsection 1613.8 – Tension-only bracing.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)



**2.02.340 Repealed by Ord. 28155. Amendment to IBC Section 2405 by addition of a new Subsection 2405.6 – Location of sloped glazing and skylights.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013; Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.350 Repealed by Ord. 28155. Amendment to IBC Section 3202.3 – Encroachments 8 feet or more above grade.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013; Ord. 28109 Ex. F; passed Dec. 4, 2012; Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.360 Repealed by Ord. 28155. Amendment to Chapter 32 by addition of a new IBC Section 3202.5 – Entryway canopies.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013; Ord. 28109 Ex. F; passed Dec. 4, 2012; Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.370 Repealed by Ordinance 28089. Amendment by addition of a new Chapter 36 to the IBC – City of Tacoma – Clearing and grading code.**

(Repealed by Ord. 28089 § 1; passed Sept. 25, 2012; Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.380 Repealed by Ordinance 28089. Amendment by addition of a new IBC Chapter 37 – Off-site improvements.**

(Repealed by Ord. 28089 § 1; passed Sept. 25, 2012; Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.390 Amendment to IBC Appendix Section G102.2 – Establishment of Flood Hazard Areas.**

Section G102.2 of Appendix G in the IBC shall be replaced in its entirety with the following:

G102.2 Establishment of flood hazard areas.

Flood hazard areas are established in Section 1612.3 of this code. The City of Tacoma has regulated flood hazard areas under ordinance since March 25, 1986.

(Ord. 28363 Ex. A; passed Jun. 14, 2016)

**2.02.400 Amendment to IBC Appendix Section G103 – Powers and Duties by the addition of new Sections G103.10 - Additional Conditions for Consideration, and G103.11 - Restrictions in Floodways.**

G103.10 – Additional Conditions for Consideration.

The Building Official shall also review the project for compliance with the Endangered Species Act.

G103.11 –Restrictions in Floodways.

The following restrictions shall be applied to development proposed in the floodway:

1. Water wells shall be located on high ground that is not in the floodway.
2. Construction or reconstruction of residential structures is prohibited within the designated floodway.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016)

**2.02.410 Amendment to IBC Appendix Section G105 – Variances by Addition of a new Section G105.7.1 – Additional Criteria for Issuance.**

G105.7.1 Additional Conditions for Issuance.

In addition to the conditions for issuance listed in IBC G105.7, the Board of Building Appeals shall also require the applicant to demonstrate the following:

1. The proposed development will not destroy or adversely affect a fish and wildlife habitat conservation area or create an adverse effect to federal, state or locally protected species or habitat.
2. The proposed development project will not affect, or be affected by, channel migration.
3. There is good and sufficient cause for providing relief.

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4. The variance pertains to a physical piece of property, and is not personal in nature and not based on the inhabitants or their health, economic, or financial circumstances.
5. The project is compliant with the Endangered Species Act.
6. The project will not adversely affect features or quality of habitat supporting local, state or federally protected fish or wildlife.
7. The applicant's circumstances are unique and do not represent a problem faced by other area properties.
8. All requirements of other permitting agencies will still be met.
9. For new construction, substantial improvements as defined in Subsection 2.02.585, and other development necessary for the conduct of functionally dependent uses, the project will not adversely affect federal, state or locally protected fish, wildlife and their habitat.

(Ord. 28363 Ex. A; passed Jun. 14, 2016)

### **2.02.500 Repealed by Ord. 28363. Amendment by deletion from the 2012 International Residential Code.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.510 Repealed by Ord. 28363. General amendments.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.520 Repealed by Ord. 28363. Chapters and sections of the Code deleted by the Washington State Building Code Council.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.530 Repealed by Ord. 28363. Washington State Building Code Council amendments.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021)

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

The following exceptions shall be added 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 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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020; Ord. 28443 Ex. C; passed Aug. 1, 2017; Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28327 Ex. A; passed Nov. 3, 2015; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

Section R105.3.1.1 in the IRC is amended to consider substantial improvement or repair pursuant to the definition in TMC 2.02.585.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

R105.3.1.2 Criteria for Issuance of a Variance for Flood Hazard Areas. A variance shall be in accordance with TMC 2.02.410.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.565 Amendment to IRC Section 110.1 – Use and Occupancy – by addition of exemptions.**

Exemptions:

3. Certificates of occupancy are not required for remodels to One- and Two-family dwellings.
4. Certificates of occupancy are not required for additions less than 50 percent of the original building area for One- and Two-family dwellings.

(Ord. 28363 Ex. A; passed Jun. 14, 2016)

**2.02.570 Amendment to IRC Section R112 – Board of Appeals.**

Section R112 in the IRC is hereby deleted, and replaced by reference to TMC 2.02.120.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.580 Amendment to IRC Section R113 – Violations.**

Section R113 – Violations in the IRC is hereby deleted, and replaced by reference by TMC 2.02.130.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.585 Amendment to IRC Chapter 2 – Definitions with the addition of a definition for Substantial Improvement or Repair.**

Substantial Improvement or Repair or Substantial Alteration or Construction.

Reconstruction, rehabilitation, addition, alteration, repair, or other improvement to an existing building or structure, the cost of which 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 the 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 or the last substantial improvement. For all other purposes, this shall be cumulative over a two-year period, as measured from the issuance date of the initial building permit for the project.

(Ord. 28363 Ex. A; passed Jun. 14, 2016)

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

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

ROOF SNOW LOAD	WIND DESIGN				SEISMIC DESIGN CATEGORY <sup>f</sup>	SUBJECT TO DAMAGE FROM			WINTER DESIGN TEMP <sup>e</sup>	ICE BARRIER UNDER-LAYMENT REQUIRED <sup>h</sup>	FLOOD HAZARDS <sup>g</sup>	AIR FREEZ-ING INDEX <sup>i</sup>	MEAN ANNUAL TEMP <sup>j</sup>
	Speed <sup>d</sup> (mph)	Topographic effects <sup>k</sup>	Special wind region <sup>l</sup>	Wind-borne debris zone <sup>m</sup>		Weathering <sup>a</sup>	Frost line depth <sup>b</sup>	Termite <sup>c</sup>					
25	110	K <sub>z</sub> =2	No	No	D <sub>1</sub>	Moderate	12 in	Moderate to Heavy	20° F	No	Adoption: 3/25/1986; Flood Insurance Studies: 2017 FIRM and Puyallup Levee Overtopping layer from 2007 FIRM map	350	50° F

For SI: 1 pound per square foot = 0.0479 kPa, 1 mile per hour = 0.447 m/s.

- a. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The weathering column shall be filled in with the weathering index “negligible,” “moderate” or “severe” for concrete as determined from Figure R301.2 (3). The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.
- b. The frost line depth may require deeper footings than indicated in Figure R403.1 (1). The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.
- c. The jurisdiction shall fill in this part of the table to indicate the need for protection depending on whether there has been a history of local subterranean termite damage.
- d. The jurisdiction shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2 (4)A]. Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.
- e. The outdoor design dry-bulb temperature shall be in accordance with the Washington State Energy Code, as adopted and amended by the City of Tacoma in TMC Chapter 2.10.
- f. The jurisdiction shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.
- g. The jurisdiction shall fill in this part of the table with (a) the date of the jurisdiction’s entry into the National Flood Insurance Program (date of adoption of the first code or ordinance for management of flood hazard areas), (b) the date(s) of the Flood Insurance Study, and (c) the panel numbers and date(s) of all currently effective FIRMs and FBFMs, or other flood hazard map adopted by the community, as amended.
- h. In accordance with Sections R905.1.2, R905.5.3.1, R905.7.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a history of local damage from the effects of ice damming, the jurisdiction shall fill in this part of the table with “YES.” Otherwise, the jurisdiction shall fill in this part of the table with “NO.”
- i. The jurisdiction shall fill in this part of the table with the 100-year return period air freezing index (BF-days) from Figure R403.3(2) or from the 100-year (99%) value on the National Climatic Data Center data table “Air Freezing Index- USA Method (Base 32°Fahrenheit)”.
- j. The jurisdiction shall fill in this part of the table with the mean annual temperature from the National Climatic Data Center data table “Air Freezing Index-USA Method (Base 32°Fahrenheit)”.
- k. Topographical effects shall be considered by performing a topographical analysis or using the topographical effects as published on the City of Tacoma Web Site. The appropriate KZT factor shall be applied and the analysis shall be in accordance with the provisions of the International Building Code and/or ASCE 7-05.

(Ord. 28410 Ex. A; passed Feb. 21, 2017; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

Section R301.2.3 in the IRC is hereby deleted, and replaced by reference to TMC 2.02.180.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.605 Amendment to IRC Section 322 – Flood-Resistant Construction – by addition of new Sections R322.1.11 – Additional Criteria for Development in Flood Hazard Areas, and 322.1.12 Restrictions in Floodways.**

R322.1.11 Additional Criteria for Development in Flood Hazard Areas.

In addition to the requirements established in R322, the Building Official shall review projects in flood hazard areas for compliance with the Endangered Species Act.

R322.1.12 –Restrictions in Floodways.

The following restrictions shall be applied to development proposed in the floodway:

1. Water wells shall be located on high ground that is not in the floodway.
2. Construction or reconstruction of residential structures is prohibited within the designated floodway.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016)

**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 residential fire sprinkler system shall be 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.

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

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28155 Ex. A; passed Jun. 11, 2013)

**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.

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

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

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

1. Vertical stability.

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

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

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

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

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

H. The roof shall be designed to support 25 pounds per-square-foot snow load, in conformance with TMC 2.02.600.

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

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

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28155 Ex. A; passed Jun. 11, 2013)

### **2.02.700 Repealed by Ord. 28363. General amendments.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.710 Repealed by Ord. 28363. Washington State Building Code Council amendments deleted from the City of Tacoma Adoption of the 2012 International Existing Building Code.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.720 Repealed by Ord. 28363. Washington State Building Code Council amendments.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

Section 105.2 in the IEBC is hereby deleted, and replaced by reference by TMC 2.02.090.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021)

**2.02.740 Amendment to IEBC Section 112 – Board of Appeals.**

IEBC Section 112 in the IEBC is hereby deleted, and replaced by reference to TMC 2.02.120.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.750 Amendment to IEBC Section 113 – Violations.**

Section 113 in the IEBC is hereby deleted, and replaced by reference by TMC 2.02.130.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**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.

For the purpose of determining compliance with the flood provisions of this code, any repair, alteration, addition, or improvement 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. 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 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 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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021: Ord. 28363 Ex. A; passed Jun. 14, 2016: Ord. 28327 Ex. A; passed Nov. 3, 2015; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

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

Section 306 Fire Protection.

306.1 Group R occupancies.

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

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1. Building exceeds 5,000 square feet in area; or
2. Building exceeds two stories in height; or
3. Building contains five or more dwelling or sleeping units. Installation of an automatic fire sprinkler system, in accordance with Section 903.3.1.2 (NFPA 13R), may be approved in non-high-rise buildings exceeding four stories in height when approved by the fire code official and the building official.

Exception: Buildings regulated by the International Residential Code.

### 306.1.1 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.

### 306.1.2 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.

### 306.1.3 Level II Alterations.

Throughout dwelling or sleeping units where work areas exceed 50 percent of the floor area of the dwelling or sleeping unit.

### 306.1.4 Level III Alterations and Substantial Improvements.

Throughout buildings undergoing level III alterations or substantial improvements as defined in TMC Chapter 2.02.

(Ord. 28729 Ex. A; passed Jan. 26, 2021)

## **2.02.765 Repealed by Ord. 28729. Amendment to IEBC Section 403 – Alterations – by addition of a new Section 4.3.1.1 – Substantial Alteration or Construction.**

(Repealed by Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016)

## **2.02.770 Repealed by Ord. 28729. Amendment to IEBC Section 407.1 – Conformance by addition of new Sections 407.1.1, Minimum Standards, and 407.1.2, Work/Live Use.**

(Repealed by Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28327 Ex. A; passed Nov. 3, 2015; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

## **2.02.775 Repealed by Ord. 28729. Amendment to IEBC Section 504.1 – Alteration – Level 2.**

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28327 Ex. A; passed Nov. 3, 2015)

## **2.02.776 Amendment to IEBC Section 901.1 – Scope.**

### 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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28327 Ex. A; passed Nov. 3, 2015)

## **2.02.780 Repealed by Ord. 28729. Amendment to IEBC Section 603 – Fire Protection – by addition of a new subsection EB603.2.**

(Repealed by Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)



**2.02.790 Repealed by Ord. 28729. Amendment to IEBC Section 703 – Fire Protection – by addition of a new subsection EB703.2.**

(Repealed by Ord. 28729 Ex. A; passed Jan. 26, 2021: Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.800 Repealed by Ord. 28363. Amendment to IEBC Section 1007.1 – Change of occupancy – Structural.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.02.805 Amendment to IEBC Section 605.1 – Change of Occupancy – Scope – by addition of an exception to 605.1.**

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.

( Ord. 28729 Ex. A; passed Jan. 26, 2021:Ord. 28363 Ex. A; passed Jun. 14, 2016: Ord. 28327 Ex. A; passed Nov. 3, 2015)

**2.02.810 Amendment to IEBC Section 1006.3 – Seismic Loads by addition of a new Section IEBC 1006.3.1 – Seismic Requirements for Unreinforced Masonry and Hollow Clay Tile Buildings.**

The following section shall be added to IEBC Section 1006.3:

IEBC 1006.3.1 – 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 full seismic forces when the occupancy is increased to a higher relative hazard level in accordance with IEBC Table 1006.1.

**IEBC TABLE 1006.1 – 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"> <li>• Buildings and other structures whose primary occupancy is assembly with an occupant load greater than 99.</li> <li>• Buildings and other structures containing Group E occupancies with an occupant load greater than 50.</li> <li>• Group I occupancies not categorized under Risk Categories III and IV.</li> <li>• Group H occupancies.</li> <li>• Any other occupancy with an occupant load greater than 500.</li> </ul>
Medium	<ul style="list-style-type: none"> <li>• Buildings and other structures whose primary occupancy is assembly with an occupant load of 99 or less.</li> <li>• Buildings and other structures containing Group E occupancies with an occupant load of 49 or less.</li> <li>• Group R-1, R-2.</li> <li>• Group F-1 and S-1 with an occupant load of 500 or less.</li> <li>• Group B or M with an occupant load of 100 to 500.</li> </ul>

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Low	<ul style="list-style-type: none"><li>• Group B or M with an occupant load less than 100.</li><li>• Group F-2, S-2, R-3, and U with an occupant load of 500 or less</li></ul>
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(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.820 Amendment to IEBC Chapter 14 – Relocated or moved buildings.**

Chapter 14 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:

Single family or duplex buildings or structures are not required to comply if:

1. The original occupancy classification is not changed,
2. The building complies with TMC 2.01, Minimum Building and Structures Code, or TMC 2.02.870, and
3. The original building is not substantially remodeled or rehabilitated. For the purposes of this section only, 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.

Site development and off-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.

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

Prior to issuing a building permit for a building to be moved onto a site within the City of Tacoma, the permittee shall post a performance bond, or other financial security acceptable to the Building Official, to be used to demolish the building if 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.

(Ord. 28729 Ex. A; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.830 Repealed by Ord. 28363. Amendment to IEBC Appendix Section A113.9 – Secondary load paths – by addition of a new Section A113.9.1**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.840 Repealed by Ord. 28155. Amendment of IEBC Chapter 12 – Relocated or moved buildings.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013; Ord. 28089 Ex. B; passed Sept. 25, 2012; Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.850 Repealed by Ord. 28155. Amendment of IEBC appendix Section A107 – Quality Control.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013; Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.02.860 Repealed by Ord. 28155. Amendment of IEBC Appendix Section A113.9 – Secondary Load Paths.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013; Ord. 27890 Ex. A; passed Jun. 15, 2010)

**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**

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

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

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.

**Section AJ102. Compliance**

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.

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.

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.

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.

AJ102.4.3 Emergency Escape openings.

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

1. In buildings constructed prior to May 26, 1981, existing windows with a net openable area of five square feet, a minimum clear width of 22 inches, a minimum clear height of 22 inches, and a maximum sill height of 48 inches measured from the floor of the sleeping room, shall be deemed to meet the exit window requirement.
2. Where the window frame is to be replaced, this exception shall not apply, except as necessary to fit within the rough framed opening, in which case the opening dimensions shall be maximized. (Note: If a new opening needs to be created or an existing opening needs to be enlarged to provide an exit window from a sleeping room, this exception shall not apply).
3. Where the sill height exceeds the maximum specified, a landing with a minimum depth of 24 inches and width equal to the width of the window and frame, but not less than 36 inches, may be provided directly below the exit window within the sleeping room, provided the following are met:
  - a. Stairs shall be provided to the landing if its height exceeds 12 inches above the sleeping room floor.
  - b. The landing and stairs do not decrease the minimum required dimensions of the sleeping room below those required by this chapter and the Building Code.
  - c. The replacement window is not part of a change of occupancy and/or new habitable space.

AJ102.4.4 Window control devices.

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

1. The window is operable.
2. The window replacement includes replacement of the sash and the frame.
3. The top of the sill of the window opening is at a height less than 24 inches (610 mm) above the finished 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.

### **AJ102. Features exceeding code requirements.**

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

## **Section AJ301 Repairs**

### **AJ301.1. Definition.**

Repair shall be defined as the patching, restoration or minor replacement of materials, elements, components, equipment or fixtures for the purposes of maintaining those materials, elements, components, equipment or fixtures in good or sound condition.

### **AJ301.2. Materials.**

Except as otherwise required herein, work shall be done using like materials or materials permitted by this code for new construction.

#### **AJ301.2.1 Hazardous materials.**

Hazardous materials no longer permitted, such as asbestos and lead-based paint, shall not be used.

#### **AJ301.2.2 Plumbing materials and supplies.**

The following plumbing materials and supplies shall not be used:

1. All-purpose solvent cement, unless listed for the specific application.
2. Flexible traps and tailpieces, unless listed for the specific application.
3. Solder having more than 0.2-percent lead in the repair of potable water systems.

### **AJ301.3 Water closets.**

Where any water closet is replaced with a newly manufactured water closet, the replacement water closet shall comply with the requirements of the City of Tacoma Plumbing Code.

AJ301.4 Electrical.

This section deleted with a reference to comply with TMC 12.06A.

**Section AJ401 Renovations**

AJ401.1 Definition.

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

AJ401.2 Materials and methods.

The work shall comply with the materials and methods requirements of this code.

AJ401.3 Door and window dimensions.

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

AJ401.4 Interior finish.

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

AJ401.5 Structural.

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

**Section AJ501 Alterations**

AJ501.1 Newly constructed elements.

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

Exceptions:

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

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.

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.

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

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.

AJ501.5 Electrical Equipment and wiring.

This section deleted with a reference to comply with TMC 12.06A.

AJ501.6 Ventilation.

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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.

### **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.

### **AJ501.8 Stairs**

#### **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.

#### **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.

#### **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.

## **Section AJ601 Reconstruction**

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

#### **AJ601.1.1 Stairways.**

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

#### **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.

#### **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.

#### **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.

#### **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**

ASTM F2090—17	Specification for Window	AJ1024.3
	Fall Prevention Devices with Emergency Escape (Egress) Release Mechanism	AJ1024.4
IEBC—18	International Existing Building Code	AJ102.6

(Ord. 28729 Ex. A; passed Jan. 26, 2021)

**2.02.1000 Earthquake Recording Instrumentation.**

There is hereby established in the City of Tacoma a strong-motion instrumentation program for the purpose of administering the program and of acquiring strong-motion instruments and installing and maintaining such instruments, as needed, in representative geologic environments and structures throughout the City, and for dangerous building abatement.

The Building Official shall organize and monitor the strong-motion instrumentation program with the advice of the Board of Building Appeals.

The Building Official shall purchase and install instruments in representative structures and geologic environments throughout the City as deemed necessary and desirable by the Building Code Board of Appeals.

The Building Official shall negotiate with a competent agency an agreement by which such agency shall maintain and service the strong-motion instruments installed. The Building Official shall negotiate with appropriate agencies to interpret all records from the instruments and make the records and interpretations available to all interested parties.

The City of Tacoma shall collect a fee from all applicants for building permits, which shall be equal to ten percent of the building permit fee.

All fees collected pursuant to this section shall be deposited in the Earthquake Recording Instrumentation Program Fund. Said fund may also be used to support earthquake preparedness activities, as well as to support the Earthquake Recording Instrumentation Program.

The Building Official shall notify the building owner at the time of reviewing the plans for the proposed construction if the earthquake recording instruments are required for his/her building. The owner of the building shall provide, at no cost to the City, suitable space, acceptable to the Building Official, for the equipment to be installed and maintained.

(Reenacted by Ord. 28198 Ex. A; passed Jan. 14, 2014: Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Ord. 27890 Ex. A; passed Jun. 15, 2010)





**CHAPTER 2.03**

***REPEALED***

**ALLEY OCCUPANCIES**

*Repealed by Ord. 27890*

(Repealed by Ord. 27890 Ex. B; passed Jun. 15, 2010; Ord. 15732 § 2; passed Nov. 5, 1956)

**CHAPTER 2.04**

***REPEALED***

**ELECTRICAL CODE**

*Repealed by Ord. 28443. Reenacted as Chapter 12.06A*

(Repealed by Ord. 28443; passed Aug. 1, 2017; repealed and reenacted by Ord. 28300; passed Jun. 30, 2015; repealed and reenacted by Ord. 27907; passed Jul. 20, 2010)



**CHAPTER 2.05**  
**SIGN CODE<sup>1</sup>**

*(Repealed and Reenacted by Ord. 27629, passed Jun. 26, 2007)*

Sections:

- 2.05.010 Signs, General.  
2.05.275 Political Signs.

**2.05.010 Signs, General.**

Regulation of the location, size, appearance and number of signs shall be regulated by title 13, except as modified in TMC Chapters 1.42 and 13.07 which provide regulations for Landmarks Special Review Districts. The illumination and electrical aspects shall be regulated by the Electrical Code as adopted by TMC Chapter 12.06A. The energy regulations and illumination controls shall be in accordance with the Washington State Energy Code as adopted and amended by the City of Tacoma in TMC Chapter 2.10. The structural design and support of signs shall be in accordance with the Building Code as adopted and amended by the City of Tacoma in TMC Chapter 2.02.

(Ord. 28443 Ex. D; passed Aug. 1, 2017; Ord. 27629 Ex. A; passed Jun. 26, 2007)

**2.05.275 Political signs.**

A. Regulations.

All signs which are displayed out-of-doors on real property relating to the nomination or election of any individual for a public political office or advocating any measure to be voted on at any special or general election are political signs which shall be subject to the following regulations:

1. Such political signs shall not be displayed more than seven days after the date of the election for which intended. In cases where a general election follows a primary election, those signs for candidates whose names will appear on the ballot in the general election may be displayed during the interim period and up to seven days after the general election. In all instances herein in which political signs are required to be removed within seven days after the election for which the political sign was displayed, if said signs are not removed, they will be subject to removal by the City of Tacoma Public Works Department; provided, however, that this provision shall not prohibit political signs in areas where other provisions of the Official Code of the City of Tacoma allows the same as legally licensed outdoor advertising displays.
2. Political signs placed in residential zones as the same are defined by the Zoning Code of the City of Tacoma shall not exceed eight square feet each in area.
3. No political signs shall be erected upon any private property without the permission of the resident or owner thereof, and in cases where there is no occupied structure on the property; no political signs shall be placed thereon without the written consent of the owner of the property.
4. Signs on public property. No person, firm, or corporation, except a public officer or employee in the performance of his public duty, shall post, paint, nail, fasten, place, or locate any card, banner, handbill, sign, poster, or advertising or notice of any kind, or cause the same to be done, on any public street or highway or upon any curbstone, lamppost, street sign, pole, hydrant, bridge, tree, or other thing situated upon any public street or highway or any publicly owned property within the City of Tacoma, except as may be authorized by ordinances of the City of Tacoma, laws of the state of Washington or of the United States; provided, however, the prohibition contained herein shall not apply to political signs placed preceding a primary or general election upon public rights-of-way, and installed in such a manner as not to constitute a traffic hazard or impair or impede pedestrian thoroughfares. Provided further that signs placed in planting strips must have the permission for such placement of the abutting property owner.

B. Penalty for Violation.

Any person who installs, places, displays and/or fails to remove or who directs, requests, or aids and abets the installation, placement or display of a political sign in violation of this section, and any owner of property or occupant having control thereof, who permits a political sign to be displayed on such property in violation of the this section, shall be guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of \$25.00 for each sign which is displayed in violation of this section, and each day that such a violation exists shall constitute a separate offense.

<sup>1</sup> Sign regulations in zoning – See Sections 13.06.090 (previously Sections 13.06.520 through 13.06.522). (Ord. No. 26934 § 3; passed Mar. 5, 2002)

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(Ord. 27629 Ex. A; passed Jun. 26, 2007)

**CHAPTER 2.06**  
**PLUMBING CODE**

*(Repealed and Reenacted by Ord. 28155 Ex. A, passed Jun. 11, 2013; and by Ord. 27890 Ex. A, passed Jun. 15, 2010)*

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 are hereby deleted from the UPC as amended in this chapter.

(Ord. 28729 Ex. B; passed Jan. 26, 2021; Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.06.015 Administrative Provisions.**

The Director of Planning and Development Services shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

A. Public notifications.

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

B. Project Meetings.

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor’s activities.

C. Construction Nuisances.

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

Violations of TMC 2.06 or any provision as required by the Director of Planning and Development Services under TMC 2.06.015 shall be administered as outlined in TMC 1.82 – Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

(Ord. 28701 Ex. A; passed Nov. 17, 2020)

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

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

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City sewer availability, building sewers (from a point two feet after passing through or under a building foundation), and private sewage disposal systems shall be in accordance with the City of Tacoma Side Sewer and Sanitary Sewer Availability Manual, as authorized by TMC 12.08.740. If there is a conflict between the UPC as adopted and amended in this chapter and the “City of Tacoma Side Sewer and Sanitary Sewer Availability Manual”, the “City of Tacoma Side Sewer and Sanitary Sewer Availability Manual” shall govern.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.06.030 Repealed by Ord. 28363. Adoption of Washington State Building Code Council amendments to the 2012 Uniform Plumbing Code.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.06.040 Repealed by Ord. 28363. Amendments by deletion.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.06.050 Repealed by Ord. 28363. General amendments.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.06.060 Addition of a new UPC Section 101.11.6 – Substantial Building Improvements.**

101.11.6 Substantial Building Improvements. Buildings which are substantially improved, as defined in TMC 2.02.760, shall be provided with an educational flyer regarding inflow and infiltration pursuant to the requirements of TMC 12.08.720.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.06.070 Amendment to UPC Section 107.0 – Board of Appeals.**

Section 107.0 in the UPC is hereby deleted, and replaced by reference by TMC 2.02.120.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.06.080 Amendment to UPC Section 106.0 – Violations.**

Section 106.0 in the UPC is hereby deleted, and replaced by reference by TMC 2.02.130.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

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

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

(Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.06.100 Amendment to UPC Section 304.0 by addition of a new Section 304.2 – Public Sewer Availability.**

304.2 Public Sewer Availability.

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

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.06.110 Repealed by Ord. 28363. Amendment to UPC Section 403.4 – Metered Faucets.**

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.06.120 Amendment to UPC Chapter 4 by addition of a new UPC Section 423.0 – Water Conservation for Irrigation Systems.**

423.0 Water Conservation for Irrigation Systems.

The purpose of this section shall be to implement water conservation performance standards for irrigations systems installed within the City of Tacoma. A new installation of an automatic in-ground irrigation system shall comply with the following:

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

Exception:

The following landscaped areas are exempt:

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

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Ord. 28155 Ex. A; passed Jun. 11, 2013)

**2.06.130 Addition of a new UPC Section 603.1.1 – City of Tacoma Requirements for Cross-Connection Control.**

603.1.1 City of Tacoma Requirements for Cross-Connection Control.

Cross-connection control requirements of the City of Tacoma Department of Public Utilities, Water Division, as administered and enforced by this department shall be met.

(Ord. 28363 Ex. A; passed Jun. 14, 2016)

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**CHAPTER 2.07**  
**MECHANICAL CODE**

*(Repealed and Reenacted by Ord. 28155 Ex. A, passed Jun. 11, 2013; and by Ord. 27890 Ex. A, passed Jun. 15, 2010)*

Sections:

- 2.07.010 Adoption of the International Mechanical Code.
- 2.07.015 Administrative Provisions.
- 2.07.020 *Repealed.*
- 2.07.030 *Repealed.*
- 2.07.040 *Repealed.*
- 2.07.050 Amendment to IMC Section 108 – Violations.
- 2.07.060 Amendment to IMC Section 109 – Board of Building Appeals.
- 2.07.070 *Repealed.*

**2.07.010 Adoption of the International Mechanical Code.**

The IMC as adopted by the State Building Code as defined in TMC 2.02.100 is hereby included in the City of Tacoma Mechanical Code as adopted by this chapter.

*(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)*

**2.07.015 Administrative Provisions.**

The Director of Planning and Development Services shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

A. Public notifications.

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

B. Project Meetings.

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor's activities.

C. Construction Nuisances.

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

Violations of TMC 2.07 or any provision as required by the Director of Planning and Development Services under TMC 2.07.015 shall be administered as outlined in TMC 1.82 – Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

*(Ord. 28701 Ex. A; passed Nov. 17, 2020)*

**2.07.020 *Repealed by Ord. 28363.* Adoption of Washington State Building Code Council amendments to the 2012 International Mechanical Code.**

*(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)*

**2.07.030 *Repealed by Ord. 28363.* Administration.**

*(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)*

**2.07.040 *Repealed by Ord. 28363.* General amendments.**

*(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)*

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### **2.07.050 Amendment to IMC Section 108 – Violations.**

Section 108 in the IMC is hereby deleted, and replaced by reference by TMC 2.02.130.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.07.060 Amendment to IMC Section 109 – Board of Building Appeals.**

Section 109 in the IMC is hereby deleted, and replaced by reference by TMC 2.02.120.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.07.070 *Repealed by Ord. 28155.* Amendment of IMC Section 109 – Board of Building Appeals.**

(Repealed by Ord. 28155 Ex. A; passed Jun. 11, 2013: Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)

**CHAPTER 2.08**

***REPEALED***

**BUILDING AND FACILITY SPECIFICATIONS FOR THE PHYSICALLY HANDICAPPED**

*Repealed by Ord. 25283*

(Ord. 25283 § 1; passed Mar. 23, 1993; Ord. 19152 § 1 and 2; passed Jul. 14, 1970)



**CHAPTER 2.09**  
**FEE CODE<sup>2</sup>**

## Sections:

2.09.010	Purpose.
2.09.020	Adjustments.
2.09.030	Fee refunds and exemptions.
2.09.040	Dedicated fees.
2.09.050	Building permit fees.
2.09.060	<i>Repealed.</i>
2.09.070	Mechanical and plumbing permit fees.
2.09.080	<i>Repealed.</i>
2.09.090	Signs and billboards permit fees.
2.09.100	<i>Repealed.</i>
2.09.110	<i>Repealed.</i>
2.09.120	<i>Repealed.</i>
2.09.130	Right-of-way use permit fees.
2.09.140	Site development and right-of-way construction permit fees.
2.09.150	<i>Repealed.</i>
2.09.160	<i>Repealed.</i>
2.09.170	Land use permit fees.
2.09.175	Special fees.
2.09.176	General permit services and fees.
2.09.180	Severability.

**2.09.010 Purpose.**

The purpose of this section is to establish the fee code for permit services provided by Planning and Development Services (“PDS”) and shall be herein referred to as the Fee Code. This Fee Code establishes the types of fees to be charged for providing these services and methodology for calculating those fees. Fee amounts shall be ratified by Resolution, or approved by the City Manager, or designee, under the limited authority granted in TMC 2.09.020, and shall be calculated pursuant to the PDS Fee Schedule (on file in [Tacomapermits.org](http://Tacomapermits.org)). The fee schedule includes administrative/processing fees, permit and plan review fees, and inspection fees as applicable for building/mechanical/plumbing permits, land use permits, site development and right-of-way permits, and preapplication and other special permit services.

The payment of fees pursuant to this Chapter does not preclude the assessment of other applicable fees. Permit fees for fire permits are in TMC Chapter 3.09, and permit fees for electrical and water service permits are on file in the Customer Service Policies for Power and Water.

(Ord. 28561 Ex. A; passed Nov. 27, 2018: Repealed and reenacted by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27009 § 1; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

**2.09.020 Adjustments.**

Fees will be evaluated and adjusted as needed on an annual basis in accordance with the PDS Financial Policy. The City Manager, or designee, is delegated limited authority to approve the following:

1. Annual adjustments to the PDS Fee Schedule shall be made using the “Seattle-Tacoma- Bremerton, WA Consumer Price Index (CPI) for All Urban Consumers.” In January of each year, the CPI for the most recent June-to-June index comparison shall be used to adjust the fees and charges. Permit fees adjusted by the CPI will be rounded to the nearest \$0.50 for fees under \$10, to the nearest \$1 for fees between \$10 and \$100, and to the nearest \$10 for fees greater than \$100. Total permit fees due at issuance will be rounded to the nearest dollar.

All other adjustments or new fees shall be ratified by resolution.

(Ord. 28701 Ex. A; passed Nov. 17, 2020: Ord. 28561 Ex. A; passed Nov. 27, 2018: Repealed and reenacted by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27305 § 1; passed Dec. 14, 2004: Ord. 27009 § 2; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

<sup>2</sup> Prior legislation: Ords. 20263, 21902, 22885, 23087, 23585, 23747, 24221, 24264, 24286, 24819, 24984, 25105, 25150, 25211, 25438, 25651, 25673, 25829, 26411, 26557.

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### 2.09.030 Fee refunds and exemptions.

#### A. Fee refunds.

1. Permit fees. In the event of abandonment or discontinuance of work, a refund of certain portions of permit fees may be approved subject to the following:

- a. A written request is made by the Permit Applicant.
- b. The period of time since the permit was issued is less than 180 days.
- c. The work approved to date does not present negative visual, health, safety, environmental, or fiscal impacts to adjacent properties or the neighborhood.
- d. The permit has not been revoked by the Building Official.
- e. The following charges shall be deducted from any fee amount that may be refunded:

(1) Dedicated fund charges including the Technology Fund, Emergency Preparedness Fund, Natural Resources Fund, and Reserve Fund, and

(2) State Building Code fee and other applicable sales taxes and charges, and

(3) Metered parking charges, where applicable, and

(4) Minimum Counter Transaction fee per the PDS Fee Schedule, or

(5) Twenty-five percent of the permit fee as calculated from the PDS Fee Schedule, whichever is greater.

2. Plan Review Fees. In the event of abandonment or discontinuance of work, or as otherwise approved, a refund of a portion of the plan review fee may be approved subject to the following:

a. The period of time since the permit application has been submitted is less than 180 days.

b. Review of the permit has not started.

c. The following charges shall be deducted from any fee amount that may be refunded:

(1) Dedicated fund charges, including the Technology Fund, Emergency Preparedness Fund, Natural Resources Fund, and Reserve Fund, and

(a) State Building Code fee and other applicable sales taxes and charges, and

(b) Metered parking charges, where applicable, and

(c) Minimum Counter Transaction fee per the PDS Fee Schedule, or

(d) Twenty-five percent of the plan review fee as calculated from the PDS Fee Schedule, whichever is greater.

d. Where the Director of Planning and Development Services has approved a refund for either all or a portion of the plan review fee for a new commercial building permit upon the applicant's submittal of a refund request in accordance with PDS' Fast, Friendly, or Free guarantee.

3. Land use fees. In the event of abandonment or discontinuance of the permit, a refund by the City of a portion of the fee may be approved subject to the following:

a. Discretionary land use permits. The applicant may submit a written request for a refund of the fee for a discretionary land use permit. The maximum fee refund in accordance with the PDS Fee Schedule shall be as follows:

(1) Permit intake completed, but review not started – Maximum of 75 percent of the fee may be refunded

(2) Staff review completed, but public notice has not been prepared or sent – Maximum of 25 percent of the fee may be refunded

(3) Public notice is completed – permit is not eligible for any refund.

(4) The following charges shall be deducted from any fee amount that may be refunded:

(a) Dedicated fund charges including the Technology Fund, Emergency Preparedness Fund, Natural Resources Fund, and Reserve Fund, and

(b) Minimum Counter Transaction fee per the PDS Fee Schedule, or

(c) Twenty-five percent of the permit fee as calculated from the PDS Fee Schedule, whichever is greater.

b. Non-discretionary land use permits. The applicant may submit a written request for a refund of the fee for a non-discretionary land use permit. The maximum percent of the permit fee in accordance with the PDS Fee Schedule shall be as follows:

- (a) The period of time since the permit application has been submitted is less than 180 days.
- (b) Review of the permit has not started.
- (c) The following charges shall be deducted from any fee amount that may be refunded:
- (d) Dedicated fund charges including the Technology Fund, Emergency Preparedness Fund, Natural Resources Fund, and Reserve Fund, and
- (e) Minimum Counter Transaction fee per the PDS Fee Schedule, or
- (f) Twenty-five percent of the permit fee as calculated from the PDS Fee Schedule, whichever is greater.

c. Land use appeal fees. Where an appeal is made for a land use application, the appeal fee shall be refunded if the appellant substantially prevails in the appeal, in the judgment of the Hearing Examiner, City Council, or superior court which finally rules on the appeal.

4. Special Fees. Special fees in accordance with the PDS Fee Schedule are eligible for refunds as follows:

- a. Preapplication fees – not eligible for refund.
- b. Expedited plan review – may be eligible per the conditions of this chapter for plan review fees.
- c. Project services – not eligible for refund.
- d. Special inspection fees - not eligible for refund.
- e. E-permits - not eligible for refund.
- f. Alternate method or modification request - may be eligible per the conditions of this chapter for plan review fees.
- g. Noise variance - may be eligible per the conditions of this chapter for plan review fees.
- h. Floodplain development review – may be eligible per the conditions of this chapter for plan review fees.
- i. Appearance as a witness – not eligible for refund.

5. General services and fees: General services and fees per the PDS Fee Schedule are not eligible for any refund.

B. Fee exemptions/adjustments.

1. Building permit and plan review fees.

Where approved by the Director of Planning and Development Services and/or Fire Chief, building, mechanical, plumbing, and fire permit fees and associated plan review fees may be waived or modified for the permits in Table I:

**Table I. Permits eligible for fee exemptions or adjustments**

Type of Project	Type of Permit Fees	Eligibility Requirements
Residential		
Single family/duplex	Building, plumbing, mechanical, permits for: – Alterations and repairs	Owned and occupied by: – senior citizen(s) <sup>(1)</sup> and – eligible for tax exemption due to financial status
		Owned and occupied by: – permanently disabled person(s) <sup>(2)</sup> and – eligible for tax exemption due to financial status
	Building, plumbing, mechanical, fire permits for: Alterations and repairs New construction	All of the following conditions: – intended for low income families – construction involves volunteer labor – constructed by 501(c)(3) organization
	Building, plumbing, mechanical, fire permits for: – Alterations and repairs – New construction	Projects sponsored and developed by a public authority created under RCW 35.82.030

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Type of Project	Type of Permit Fees	Eligibility Requirements
Multifamily	Building, plumbing, mechanical, fire permits for: – Alterations and repairs	All of the following conditions: – intended for low income families – construction involves volunteer labor – constructed by 501(c)(3) organization – primarily owned and operated by a 501(c)(3) non-profit organization.
	Building permits for: – Alterations and repairs – New construction	Projects sponsored and developed by a public authority created under RCW 35.82.030
Commercial	Building, plumbing, mechanical, fire, land use, or site development	Community service program(s) subsidized by the City of Tacoma
	building, plumbing, mechanical, fire, land use, or site development	Projects that meet the Strategic Goals of the City and are funded by the General Fund, as approved by the City Manager

<sup>(1)</sup> Senior Citizen: Any person having attained the age of 62 years or older who qualifies for property tax reduction under the limited income guidelines as established by the State of Washington.

<sup>(2)</sup> Disabled Person: Any person who has permanent physical or mental impairment which substantially limits that person’s ability to perform one or more of the following activities: walking, seeing, hearing, speaking, breathing, learning, and/or manual tasks. “Substantially” shall mean a degree of impairment which places that person at an obvious disadvantage when compared to a person without said impairment. The applicant has the burden of establishing the fact of disability to the satisfaction of the Building Official. The applicant must also qualify for property tax reduction under the limited income guidelines established by the State of Washington.

2. Other fee waivers.

The Director of Planning and Development Services or designee may waive or modify fees for building or other permits under the following situations:

- a. Re-inspection fees if the Building Official determines that the original order or notice of non-compliance was invalid or when mitigating circumstances beyond the responsible party’s control exist including, but not limited to, conflicting enforcement requirements by other agencies or conditions caused by third parties.
- b. Permit and plan review fees where the project valuation may need to be adjusted.
- c. The Director of Planning and Development Services, or designee, shall have limited authority to adjust, delay, modify, refund, or remove any fee item, or other charge on a restricted basis to facilitate the administrative functions, advance strategic objectives, or as otherwise deemed necessary by the Director.
- d. Other fees as determined by the City Manager to be paid for by the General Fund.

(Ord. 28701 Ex. A; passed Nov. 17, 2020; Ord. 28561 Ex. A; passed Nov. 27, 2018: Repealed and reenacted by Ord. 28502 Ex. A; passed Apr. 10, 2018; Ord. 27305 § 2; passed Dec. 14, 2004; Ord. 27009 § 3; passed Nov. 19, 2002; Ord. 26557 § 3; passed Dec. 14, 1999)

**2.09.040 Dedicated fees.**

Additional fees, in accordance with the PDS fee schedule, shall be collected to: (1) support and improve the delivery of permitting services and enhance public outreach and engagement in the permitting process through the specific programs listed below, and (2) to build and maintain adequate reserves to provide continuity of permitting services. Fees collected shall be placed in the Permit Enterprise Fund. The PDS Financial Policy shall establish policies for adjustments to these fees, as well as further clarify the uses of said fees.

A. Permitting Services Programs.

The following programs shall be created to support and improve the delivery of permitting services. Revenues generated from fees associated with these programs may be used for administration, public outreach and engagement, management, strategic planning, capital purchases and/or other purposes directly related to said programs as determined by the Director of Planning and Development Services:



1. Technology Program. Fees collected shall be used for expenditures related to technology operations, technology that improves customer experience, technology that enhances the speed and timeliness of issuing permits, and/or other technology that support permitting services.

2. Emergency Preparedness Program. Fees collected shall be used for expenditures related to emergency preparedness, evaluation of structures, other civil infrastructure, training, and/or other services related to emergency preparedness that support permitting services.

3. Natural Resources Program. Fees collected shall be used for expenditures related to evaluation and permitting related to natural resource protection, including, but not limited to, permitting within designated environmentally critical areas of City.

B. Reserve Fund.

1. Reserve Fund. Fees shall be used as reserve funds to maintain adequate staffing and service levels during periods of emergency, economic fluctuation, or to fund other unanticipated permit service funding needs. Reserve Fund balances shall be maintained in accordance with the PDS Financial Policy.

(Ord. 28701 Ex. A; passed Nov. 17, 2020: Repealed and reenacted by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 28109 Ex. G; passed Dec. 4, 2012: Ord. 27629 Ex. B; passed Jun. 26, 2007: Ord. 27305 § 3; passed Dec. 14, 2004: Ord. 27009 § 4; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

**2.09.050 Building permit fees.**

A. Permit fees.

Building permit fees shall be charged in accordance with the PDS Fee Schedule for the construction, alteration, relocation, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures, unless exempt by Chapter 2.02. Fees for each building permit shall be based upon the valuation of the work.

1. Valuation. The determination of value or valuation under any of the provisions of this Code shall be made by the Building Official. The valuation to be used in computing the permit and plan review fees shall be the total value of all construction work for which the permit is issued. Finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire extinguishing systems, site work, and any other permanent work or permanent equipment shall be considered part of the valuation.

The valuation of construction for new structures and additions shall be based upon floor area whenever possible, and shall be calculated from the most recent available “Building Valuation Data” (“BVD”) published by the International Code Council. The BVD shall be updated as directed by the Director of Planning and Development Services. Where fees are based on building floor area, such floor area shall include all floor area within the exterior surfaces of the exterior walls, basement areas, areas of exterior exit stairways and balconies, and those parts of other exterior balconies and walkways under roof overhangs. Where it is not possible to base the permit fee on floor area, the permit shall be based on valuation of work directly, subject to approval by the Building Official. The building permit fee for alterations, repairs, towers, retaining walls tanks (other than domestic fuel oil tanks), and similar construction shall be based on valuation.

2. Phased building permits. Fees for phasing building permits shall be in accordance with the PDS Fee Schedule. For the purposes of determining fees, the building permit can be separated into the following phases:

- a. Foundation/Structural Shell permit: Where the foundation and structural elements are being authorized by the permit and there are no building walls or spaces above the foundation approved for occupancy.
- b. Shell Building: Where tenant spaces are not included in the permit and the spaces do not receive certificate of occupancy. A certificate of completion is issued for the completed shell space.
- c. Initial tenant improvement: Non-structural initial tenant alterations, which were not included in the building permit for the new building Work authorized at this rate will be limited to improvements to previously unoccupied space.

Fees for all tenant alterations beyond the first permit will be computed on the basis of valuation.

3. Permits fees for single-family residential and duplex buildings. A residential combination permit shall be a combined permit for new single-family/duplex and remodels and additions to single-family/duplex buildings. The combined permit includes the following permits:

- a. New single-family/duplex. Building, plumbing, mechanical, and site development/right-of-way construction permit. The site development work includes the water service connection (from meter to house), storm and sanitary sewer connections, driveway, and grading and erosion control.

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b. Addition to single-family/duplex. Building, plumbing, and mechanical, and site development permit. The site development work includes only grading and erosion control.

c. Remodel to single-family/duplex. Includes building, plumbing, and mechanical permits.

Separate permits are required, as follows:

a. Other right-of-way construction permits that were not included in the combination permit as described above.

b. Electrical permits for all single-family/duplex buildings in accordance with the TPU Fixed Fee Schedule.

c. Water meter and system development charges in accordance with the TPU Fixed Fee Schedule.

d. Fire permits in accordance with TMC 3.09.

Additional provisions for adjusting the valuations for single-family/duplex permits and/or carports/decks associated with such permits are provided in the PDS Fee Schedule.

### B. Plan review fees.

A plan review fee shall be charged for all building permits in accordance with the PDS Fee Schedule, and shall be based on a percentage of the permit fee. The fee for combination permits for new or additions to single-family/duplex buildings includes building, mechanical and plumbing plan reviews and site development plan reviews for the site development work included in those permit types. The fee for combination permits for remodels to single-family/duplex buildings includes the building, mechanical and plumbing plan reviews.

Deferred submittals may be allowed upon approval of the Building Official. All deferred submittals shall be assessed an additional plan review fee based on an hourly rate established in the PDS Fee Schedule. The plan review fee shall be paid at the time of submittal. An application is not considered complete until the plan review fee has been paid as required. . Any discrepancies between the plan review fee calculated at the time of submittal and the actual plan review fee shall be corrected at the time the permit is issued.

When, in the course of plan review, it is determined that the plans must be substantially revised and resubmitted, or if the plans are substantially revised by the proponent during or after the plan review, an additional plan review fee shall be assessed and charged. A new plan review fee shall be charged for each resubmittal.

Exception: Where the aspects of the plans required to be resubmitted are minor in nature, or revisions instituted by the proponent are limited in scope, the Building Official may waive the additional plan review fee and instead assess the additional plan review fee based on an hourly rate established in the PDS Fee Schedule. Such additional plan review fee shall not exceed the original plan review fee for each resubmittal or additional review.

### C. Demolition permits.

Demolition permit fees for buildings shall be charged in accordance with the PDS Fee Schedule. All demolition that is not the full building demolition or is for a non-building structure, including signs and billboards, shall be charged based on valuation of the work. In addition, demolition work that affects the exterior building footprint or other surrounding site features may require additional permits related to the earthwork, paving, and stormwater management and erosion control.

(Ord. 28701 Ex. A; passed Nov. 17, 2020; Ord. 28502 Ex. A; passed Apr. 10, 2018; Ord. 27305 § 4; passed Dec. 14, 2004; Ord. 27009 § 5; passed Nov. 19, 2002; Ord. 26557 § 3; passed Dec. 14, 1999)

## **2.09.060 Repealed by Ord. 27009. Boiler and pressure vessel permits and fees.**

(Ord. 27009 § 6; passed Nov. 19, 2002; Ord. 26557 § 3; passed Dec. 14, 1999)

## **2.09.070. Mechanical and plumbing permit fees.**

### A. Mechanical permit fees.

1. Mechanical permit fees shall be charged in accordance with the PDS Fee Schedule for all work to add to, alter, relocate, or replace any mechanical system, system components, equipment, and appliances. In addition, permit fees shall be charged for fuel gas distribution, piping and equipment, fuel gas-fired appliances, and fuel gas-fired appliance venting systems regulated by the International Fuel Gas Code.

Exception:

a. A separate mechanical permit fee is not required for mechanical work associated with a building permit for a new, addition, or remodeled single-family/duplex building.

2. A plan review fee in accordance with the PDS Fee Schedule shall be charged for all mechanical permits that are either not associated with a building permit or are a deferred submittal from the building permit.

**B. Plumbing permit fees.**

1. Plumbing permit fees shall be charged in accordance with the PDS Fee schedule for all work to add to, alter, relocate, or replace any plumbing, drainage, or part thereof. Plumbing permits also include any boilers or water heaters not inspected and approved by Washington State Labor & Industries, and any piping, venting, and accessory equipment for all boilers, including those inspected and approved by Washington State Labor & Industries.

Exception: a. A separate plumbing permit fee is not required for plumbing associated with a building permit for a new, addition, or remodeled single-family/duplex building.

2. A plan review fee in accordance with the PDS Fee Schedule a plan review fee shall be charged for all plumbing permits that are either not associated with a building permit or are a deferred submittal from the building permit.

(Repealed and reenacted by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27305 § 5; passed Dec. 14, 2004: Ord. 27009 § 7; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

**2.09.080 Repealed by Ord. 28502. Plumbing permit fees.**

(Repealed by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27305 § 6; passed Dec. 14, 2004: Ord. 27009 § 8; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999: Ord. 26411 § 1; passed Apr. 27, 1999)

**2.09.090 Signs and billboards permit fees.**

A. Permit fees and plan review fees for signs shall be based on the value of the sign and the cost of its installation and shall be assessed in accordance with the PDS Fee Schedule.

B. Permit fees for the issuance of relocation, inactive relocation, and transfer of inactive relocation of billboards shall be in accordance with the PDS Fee Schedule.

(Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27305 § 7; passed Dec. 14, 2004: Ord. 27009 § 9; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

**2.09.100 Repealed by Ord. 27009. City scale fees.**

(Ord. 27009 § 10; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

**2.09.110 Repealed by Ord. 28502. Permit fees for billboards.**

(Repealed by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27305 § 8; passed Dec. 14, 2004: Ord. 27009 § 11; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

**2.09.120 Repealed by Ord. 28502. Fee schedule - special and miscellaneous services.**

(Repealed by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27445 § 1; passed Dec. 6, 2005: Ord. 27305 § 9; passed Dec. 14, 2004: Ord. 27009 § 12; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

**2.09.130 Right-of-way use permit fees.**

Fees shall be charged in accordance with the Permit Services Fee Schedule for the following uses of the right-of-way:

A. Special events and barricade permits. Barricade permits shall also be charged for metered parking fees for the equivalent number of spaces being used and any applicable taxes that must be paid to other agencies.

B. Temporary street occupancy permits – Fees are in accordance with Chapter 9.08.

C. Building and over legal moving permits.

D. Overtime parking permits, including metered parking fees for the equivalent number of spaces being used and any other applicable taxes that must be paid to other agencies.

E. Street banners and streamers, and holiday decorations.

Permit counter transaction fees may be charged for these permits as required in the PDS Fee Schedule.

(Repealed and reenacted by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27305 § 10; passed Dec. 14, 2004: Ord. 27009 § 13; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

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### **2.09.140 Site development and right-of-way construction permit fees.**

Permit fees in accordance with the PDS Fee Schedule shall be charged for development which includes, but is not limited to, grading, clearing, erosion control, storm and sanitary installations, trenches and drains, City survey work, ROW tree planting, sidewalks, pathways, parking lots, roadways and all other site surface development. Additional criteria for Site Development and Right-of-Way Construction permits are as follows:

1. Site development permits shall be categorized as either minor or major and fees shall be charged in accordance with the PDS Fee Schedule.
2. Individual permit fees shall also be charged for:
  - a. Storm and sanitary sewer connections and repairs;
  - b. Sidewalk, curb and gutter;
  - c. New or repaired water service connections (meter to house);
  - d. Asphalt or concrete paving for parking lots or driveways;
  - e. Miscellaneous trenching; and
  - f. Any retaining walls or other structures.

Exceptions:

1. The combination permit fee for new single-family/duplex buildings includes the storm and sanitary sewer connection, new water service connection (meter to house), driveway access from the City right-of-way, and grading and erosion control on the site.
2. The combination permit for residential additions includes grading and erosion control on the site.

Additional charges for review and inspection of all other work in the City right-of-way as required by Chapter 10.22 shall be paid in addition to the fees in the PDS Fee Schedule. Permit counter transaction fees may be charged for these permits as required in the PDS Fee Schedule.

(Repealed and reenacted by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27305 § 11; passed Dec. 14, 2004: Ord. 27009 § 14; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

### **2.09.150 *Repealed by Ord. 28502.* Appearance as witnesses or to provide testimony for depositions and court appearances.**

(Repealed by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 28109 Ex. G; passed Dec. 4, 2012: Ord. 27305 § 12; passed Dec. 14, 2004: Ord. 27009 § 15; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

### **2.09.160 *Repealed by Ord. 28502.* Concurrency fees.**

(Repealed by Ord. 28502 Ex. A; passed Apr. 10, 2018: Ord. 27305 § 13; passed Dec. 14, 2004: Ord. 27009 § 16; passed Nov. 19, 2002: Ord. 26557 § 3; passed Dec. 14, 1999)

### **2.09.170 Land use permit fees.**

Fees for land use permits and land use services are in the PDS Fee Schedule. Land use permits include both discretionary and non-discretionary permits, including the following permit types:

1. Subdivision – BLA, Short Plat (2-4 lots), Subdivision (5 or more lots), Final Plat, Plat by binding site approval.
2. Reclassification – 1-2 family dwelling districts, and all other districts.
3. Site Approval.
4. Conditional Use Permit.
5. Shoreline Permit – Substantial development permit, Conditional use, Variance; Revision, Sign waiver, and Exemption approval.
6. Wetland Permit – Development permit, Minor Development permit, Verification, Mitigation Monitoring Review, Activities Allowed with Staff Review.
7. Variance – 1-2 family, Other than 1-2 family, and height of main building or accessory building.

- 8. Special Development Permit.
- 9. Environmental Permits: SEAPA, EIS, Supplemental/addendum EIS.
- 10. Open Space Use Classification.
- 11. Temporary Homeless Encampment.

Other land use permit services include the following:

- 1. Permit Waiver.
  - 2. Permit Modification.
  - 3. Appeal of a land uses permit.
  - 4. Additional Notice.
  - 5. Information Requests: Determination/interpretation by Director of Planning and Development Services, Determination of Off-site improvement requirements and/or wetland inspection review, or Zoning Verification letter
  - 6. GIS Drafting and scanning/indexing of plats, short plats, and BLAs.
- (Ord. 28701 Ex. A; passed Nov. 17, 2020; Ord. 28576 Ex. A; passed Mar. 19, 2019; Repealed and reenacted by Ord. 28502 Ex. A; passed Apr. 10, 2018; Ord. 28216 Ex. A; passed Apr. 22, 2014; Ord. 27445 § 2; passed Dec. 6, 2005; Ord. 27305 § 14; passed Dec. 14, 2004; Ord. 27009 § 17; passed Nov. 19, 2002; Ord. 26557 § 3; passed Dec. 14, 1999)

**2.09.175 Special fees.**

**A. Preapplication services.**

For inspection of existing buildings made at the request of the owner, tenant, mortgage company, or realty firm, to determine compliance with applicable City ordinances, or when inspections are requested of a structure for which a permit is only contemplated or for any special application review conducted by the Fire Department, an hourly fee shall be charged for review and/or inspection in accordance with the PDS Fee Schedule. This shall also include review and inspection of Adult Family Homes that are exempt from building permits.

**B. Expedited Plan Review Fees.**

Where requested by the applicant and approved by the Director of Planning and Development Services or designee, expedited permit fees may be paid to shorten the review time for a permit application. Expedited plan review fees shall be paid in accordance with the PDS Fee Schedule and shall be in addition to all other permit and plan review fees for the permit application.

**C. Project services.**

Planning and Development Services may require a contract for outside services to meet specific project or permit needs. Additional fees shall be charged for the actual cost of said services and shall be added to all other permit and/or plan review fees, including all administrative and overhead costs.

**D. Special inspection fees.**

When, in the opinion of the Building Official, special inspections are necessary to review or evaluate the correction of noted violations for buildings or structures, the Building Official shall charge inspection fees in accordance with the PDS Fee Schedule.

**E. E-Permits.**

E-permits are a type of permit of limited scope that does not require a plan review and can be applied for and issued online. Additional charges for Dedicated Funds in accordance with this chapter or other applicable taxes, charges, and fees for other agencies shall be applied to E-permits.

Alternate method or modification request: Whenever a building owner or other responsible party proposes to use an alternate material or method to meet the intent or requirement of the Building Code or Fire Code, the responsible party shall pay an hourly fee in accordance with the PDS Fee Schedule for field inspection, research and analysis performed by City staff to evaluate the proposal.

**F. Noise variance.**

Fees for review and inspection of projects submitting a noise variance shall be charged an hourly fee in accordance with the PDS Fee Schedule.

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### G. Floodplain development review.

FEMA defines “development” as any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. For any development, as defined by FEMA, in a floodplain regulated by Chapter 2.02 of this code, and where the work is exempt from a building or site development permit, fees for plan review and inspection shall be charged an hourly fee in accordance with the PDS Fee Schedule for this development.

### H. Appearance as a witness or to provide testimony.

A fee may be required in accordance with the PDS Fee Schedule for civil interviews with City staff. A civil interview shall include any conversation with City employees regarding the employee’s knowledge regarding a referenced incident or generalized knowledge relating to expert testimony and written exchange, including, but not limited to, informal interviews, depositions, court testimony, arbitrations and similar hearings, and requests to review and/or sign documents. Determination of whether a fee will be required will be made by the Director of Planning and Development Services, or designee.

(Ord. 28701 Ex. A; passed Nov. 17, 2020: Ord. 28502 Ex. A; passed Apr. 10, 2018)

## **2.09.176 General permit services and fees.**

Fees shall be charged in accordance with the PDS Fee Schedule for the following services:

### A. Inspections.

1. Building, plumbing, mechanical, site development and right-of-way permit reinspections. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which inspection is called is not complete or when corrections previously identified are not made. Reinspection fees may be assessed when the inspection record card is not posted or otherwise available on the work site, the approved plans are not readily available to the inspector, for failure to provide access on the date for which inspection is requested, or for deviating from the approved plans.

In instances where reinspection fees have been assessed, no additional inspection of the work will be performed until the required fees have been paid. Reinspection fees are at the discretion of the inspector; however, for all E-permits, a reinspection fee shall be charged if a second inspection is required due to the conditions stated above.

2. Other inspections. A fee shall be paid on an hourly basis in accordance with the PDS Fee Schedule for inspections outside of normal business hours.

### B. Minimum counter transaction fee.

A counter transaction fee may be charged for any permit in this chapter. This fee shall not apply to E-permits as defined in this chapter and in the PDS Fee Schedule.

### C. Work without permits.

Where work for which a permit is required by the regulations for which this chapter sets fees is started or proceeded with prior to obtaining said permit, the fees specified in the PDS Fee Schedule, including plan review fees, shall be doubled, but the payment of such double fee shall not relieve any persons from fully complying with all applicable codes in the execution of the work, nor from any other penalties prescribed by law. In no case shall such double fee be less than double the minimum permit fee.

In addition, additional Special Inspection Fees in accordance with this chapter may be charged where it is determined to be necessary to evaluate the correction of noted violations.

### D. Permit extensions.

For unexpired permits, the permittee may pay a fee to request an extension of time within which work under that permit may be continued when permittee is unable to commence or continue work within the time required. Fees will be charged for each permit extension in accordance with the PDS Fee Schedule.

For expired building, mechanical, or plumbing permits, a new plan review and permit fee shall be paid in accordance with the PDS Fee Schedule. The Building Official, or designee, may adjust the plan review or permit fee for building permits where the Building Official determines the full fees are not required. For other permit types, new permit fees shall be paid in accordance with the PDS Fee Schedule. The Director of Planning and Development Services, or designee, may adjust the permit fees when they determine the full fees are not required.

Approval of permit extensions shall be at the discretion of either the Director of Planning and Development Services, Building Official, Director of Environmental Services, City Engineer, or other designee who has authority over the code for which a permit has been issued.

E. Permit transfers.

A fee shall be charged for transferring a permit in accordance with the PDS Fee Schedule. Permits may be transferred from one permit holder to a new permit holder on approval of the Director of Planning and Development Services, Building Official, Director of Environmental Services, City Engineer, or other designee who has authority over the code for which a permit has been issued, provided the applicant submits documentation of permission to use the permit documents.

F. Certificate of Occupancy fees.

A Temporary Certificate of Occupancy may be issued at the discretion of the Building Official for a time certain set by the Building Official, not to exceed 180 days when, in the Building Official's opinion, work has progressed sufficiently to allow occupancy of a structure, but where a Final Certificate of Occupancy cannot be issued. When a Temporary Certificate of Occupancy is issued, a fee in accordance with the PDS Fee Schedule shall be charged.

Temporary Certificates of Occupancy may be extended by the Building Official for a time certain, not to exceed 180 days. Application for such extension must be made in writing to the Building Official prior to expiration of the previous temporary certificate of occupancy. A fee in accordance with the PDS Fee Schedule shall be charged for each extension of Temporary Certificates of Occupancy.

In the event that a Temporary Certificate of Occupancy is allowed to expire prior to issuance of a Final Certificate of Occupancy, a new Temporary Certificate of Occupancy fee shall be charged.

A separate fee in accordance with the Chapter 3.09 shall be charged for Fire Department inspection and approval of the Temporary Certificate of Occupancy.

A separate fee shall be charged for review and inspection of buildings where the owner has requested a new certificate of occupancy be provided when there is no associated building permit.

(Ord. 28701 Ex. A; passed Nov. 17, 2020; Ord. 28502 Ex. A; passed Apr. 10, 2018)

**2.09.180 Severability.**

The provisions of this chapter are declared to be separate and severable. If any clause, sentence, paragraph, subdivision, section, subsection or portion of this chapter, or the application thereof to any person or circumstance, is held to be invalid, it shall not affect the validity of the remainder of this chapter, or the validity of its application to other persons or circumstances.

(Ord. 26557 § 3; passed Dec. 14, 1999)





**CHAPTER 2.10  
ENERGY CODE**

*(Repealed and Reenacted by Ord. 28155 Ex. A, passed Jun. 11, 2013; and by Ord. 27890 Ex. A, passed Jun. 15, 2010)*

Sections:

- 2.10.010 Adoption of Washington State Energy Code.
- 2.10.020 Administration.
- 2.10.030 *Repealed.*
- 2.10.040 *Repealed.*
- 2.10.050 *Repealed.*

**2.10.010 Adoption of the Washington State Energy Code.**

The WSEC as adopted by the State Building Code as defined in TMC 2.02.100 is hereby included in the City of Tacoma Energy Code as adopted by this chapter.

*(Ord. 28363 Ex. A; passed Jun. 14, 2016; Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)*

**2.10.020 Administration.**

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

*(Repealed and reenacted by Ord. 28155 Ex. A; passed Jun. 11, 2013; Repealed and reenacted by Ord. 27890 Ex. A; passed Jun. 15, 2010)*

**2.10.030 *Repealed by Ord. 28363. General amendments.***

*(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28155 Ex. A; passed Jun. 11, 2013)*

**2.10.040 *Repealed by Ord. 28363. Amendment to WSEC Section C402.2.1.1 – Roof solar reflectance and thermal emittance.***

*(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28155 Ex. A; passed Jun. 11, 2013)*

**2.10.050 *Repealed by Ord. 28363. Amendment to WSEC Table C402.2.1.1 – Reflectance and Emittance Options.***

*(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28155 Ex. A; passed Jun. 11, 2013)*



**CHAPTER 2.11**

***REPEALED***

**BOILER AND PRESSURE VESSEL CODE**

*Repealed by Ord. 26683*

(Repealed by Ord. 26683 § 1; passed Aug. 29, 2000; Ord. 24918 § 1; passed Jun. 4, 1991;  
Ord. 23087 § 1; passed Dec. 27, 1983)

**CHAPTER 2.12**

***REPEALED***

**FLOOD HAZARD AND COASTAL HIGH HAZARD AREAS**

*Repealed by Ord. 28363*

(Repealed by Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28109 Ex. H; passed Dec. 4, 2012;  
Repealed and Reenacted by Ord. 27890 Ex. A, passed Jun. 15, 2010)

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**CHAPTER 2.13**  
**WATERFRONT STRUCTURES AND MARINA CODE**

*(Repealed and Reenacted by Ord. 27890 Ex. A, passed Jun. 15, 2010)*

Sections:

- 2.13.010 Title.
- 2.13.020 Scope.
- 2.13.030 Tacoma Fire Code.
- 2.13.040 Existing installations.
- 2.13.050 Definitions.
- 2.13.060 Waterfront structures.
- 2.13.070 Dry boat storage.
- 2.13.080 Marinas.

**2.13.010 Title.**

Chapter 2.13 of the TMC shall be known as the Waterfront Structures and Marina Code (“WFS&MC”).

(Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.13.020 Scope.**

This chapter shall pertain to and regulate the fire protection and construction of waterfront structures and marinas, as defined herein, which shall be subject to all requirements of the codes and ordinances of the City of Tacoma relating to other structures, including but not limited to the Building Code, Residential Code, Mechanical Code, Fire Code, Plumbing Code, Minimum Building and Structures Code, Electrical Code, Energy Code, Land Use Regulatory Code, and the Shoreline Management Act as officially adopted by the City of Tacoma, except as may be specifically limited, modified, or amended herein.

Exception: This Chapter shall not apply to existing waterfront structures where the International Residential Code is applicable, or classified as Group R, Division 3 occupancies, as defined in the International Building Code.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.13.030 Tacoma Fire Code.**

The Tacoma Fire Code requirements pertaining to marinas are specifically included in the City of Tacoma’s Water Front Structures and Marina Code by reference.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.13.040 Existing installations.**

Except as specifically provided within this chapter, facilities regulated by this chapter, and in existence at the time of the adoption of this chapter may have their existing use or occupancy continued, subject to the provisions of the building and fire codes, if such occupancy was an approved use at the time of the adoption of this chapter on March 31, 1992.

(Ord. 27890 Ex. A; passed Jun. 15, 2010)

**2.13.050 Definitions.**

The following terms used in the succeeding sections of this chapter relating to waterfront structures and marinas shall have the meanings herein indicated. Where specific terms are not defined within this section, their meaning shall be as defined using the International Building Code definitions as adopted and amended by TMC Chapter 2.02, or the International Fire Code as adopted and amended by TMC Chapter 3.02.

A. Definitions:

Approach Way: A structure used to gain access to a pier or wharf, but not used to moor vessels.

B. Definitions:

Beam: Maximum overall width of a vessel.

Berth: A place where a vessel may be secured to a fixed or floating structure and left unattended.

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**Boat House:** A boat house shall be a specific type of vessel designed to be moored to a main float system to enclose and protect another vessel or vessels from the elements. The construction of boat houses shall be regulated by this ordinance and the building and fire codes.

**Building Code:** The International Building, the International Residential, and the International Existing Building Codes, published by the International Code Council as adopted and amended by Chapter 2.02 of the TMC.

**Building Official:** The individual authorized by the City of Tacoma, charged with the administration and enforcement of the Building Code, or his or her duly authorized representatives.

### C. Definitions:

**Corrosion Resistant Steel:** For the purposes of this ordinance, unless specifically stated otherwise, corrosion resistant steel shall mean steel which is galvanized, painted or otherwise coated to retard corrosion, or any uncoated steel alloy which is defined by The American Society for Testing and Materials (ASTM) specifications as corrosion resistant.

### D. Definitions:

**Datum:** is the zero point established by the City of Tacoma for measuring elevations. NOAA datum and the City of Tacoma Datum as of July 1, 1990 are approximately interchangeable. (Tacoma Datum and NOAA Datum have a zero point which would correspond approximately with +14.03 feet according to the old City of Tacoma Datum. (Datum published prior to July 1, 1990.))

**Deck:** That element of a waterfront structure which provides the lowest floor level or platform for use, under which occur only the structural support system for the structure, and no usable space.

**Dry Boat Storage:** A building, which is either open or subdivided into stalls and is used primarily for the dry storage of vessels, or a building for the dry storage of vessels in racks.

### E. Definitions:

### F. Definitions:

**Fire Chief:** Chief of the City of Tacoma Fire Department.

**Fire Code:** The International Fire Code published by the International Code Council, as adopted and amended by Chapter 3.02 of the TMC.

**Float:** A floating structure normally used as a point of transfer for passengers and/or goods, and/or for mooring purposes.

1. **Finger Float:** A narrow float connected to a main float, which defines the length of a berth and separates that berth from adjacent berths.

2. **Float System:** A combinations of a main float and finger floats, either open or covered, designed to be used to moor vessels.

3. **Main Float:** A float connected by a gangway to the shore or to a waterfront structure, being restrained laterally by an anchorage system, normally of piles, but free to move vertically, and which provides access to berths. Finger floats may be attached to one or both sides of main floats.

### G. Definitions:

**Gangway:** A bridge affording access from shore, or a waterfront structure to a main float.

### H. Definitions:

### I. Definitions:

**I.B.C. International Building Code.** See Definition of Building Code.

**I.B.C. Standards:** International Building Code Standards shall mean the referenced standards listed in the International Building Code, the International Residential Code, and the International Existing Building Code, as applicable to the subject and existing conditions.

**I.F.C. International Fire Code.** See Definition of Fire Code.

**I.F.C. Standards:** International Fire Code Standards shall mean the referenced standards listed in the International Fire Code.

### J. Definitions:

### K. Definitions:

### L. Definitions:

Length, Vessels: For the purposes of this code, vessel length shall be the overall length of the vessel including, but not limited to, bowsprits, overhangs, swimming platforms and dinghies.

Limit Line for Obstructions: Is the imaginary vertical plane along a water access aisle, which is the limit beyond which obstructions are not permitted to encroach into the water access aisle.

M. Definitions:

Marina: Any portion of the ocean or inland water, either naturally or artificially protected, for the mooring, servicing or safety of vessels and shall include artificially protected works, the public or private lands ashore, and structures or facilities provided within the enclosed body of water and ashore for the mooring or servicing of vessels or the servicing of their crews or passengers.

Mean High Water: 5.00 feet City of Tacoma or NOAA Datum. (See the definition of Datum).

Mean Lower Low Water: Minus 6.33 feet City of Tacoma or NOAA Datum. (See the definition of Datum).

Mean Sea Level: Mean sea level is the zero point for tide measurement, and is 0.58 feet City of Tacoma or NOAA Datum established by the National Oceanic and Atmospheric Administration (NOAA). (See the definition of Datum).

Moor: The act of securing a vessel into a berth at a pier, wharf, or float system.

N. Definitions:

NOAA: National Oceanic and Atmospheric Administration.

Nominal Size (Lumber): The commercial size designation of width and depth, in standard sawn lumber and glue-laminated lumber grades; somewhat larger than the standard net size of dressed lumber, in accordance with DOC PS 20 for sawn lumber and with the AF&PA NDS for structural glued laminated lumber.

O. Definitions:

P. Definitions:

Pier: A fixed waterfront structure, usually of greater length projecting from the shore than the width, constructed of timber, stone, concrete, steel, or other material, having a deck and projecting from the shore over waters subject to the Shoreline Management Act so that vessels may be moored alongside for loading and unloading or for storage or repairs. For the purpose of this code, where the word "pier" is used it shall be construed as including "wharf". (Note: This definition supersedes the definition set forth in IFC Chapter 45).

PSF: Pounds per square-foot

Q. Definitions:

R. Definitions:

S. Definitions:

Substructure: That portion of a waterfront structure below and including the deck.

1. Combustible Substructures. A substructure which does not qualify as either a fire resistive substructure or a noncombustible substructure.

2. Fire Resistive Substructures. A noncombustible substructure with all elements, including the deck, having a four hour fire-resistive rating, except that wood piles or wood cribwork or steel piles, which are not fire rated, may be used if they do not extend above Mean Lower Low Water.

3. Noncombustible Substructures. A noncombustible substructure with only the deck having a four hour fire-resistive rating, except that wood piles or wood crib work may be used if they do not extend above Mean Lower Low Water.

Superstructure: That portion of a waterfront structure constructed above the deck.

T. Definitions:

U. Definitions:

V. Definitions:

Vessel: A motorized and/or wind powered watercraft, other than seaplanes on the water, used or capable of being used as a means of transportation. Non-transportation vessels, such as houseboats and boathouses, are included in this definition. (Note: This definition supersedes the definition set forth in IFC Chapter 45).

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See the definition of Boat House.

### W. Definitions:

**Waterfront Structure:** A structure or improvement which at any time is over water subject to the Shoreline Management Act, and is constructed with a deck supported on piles or other types of open structural framing, where the under-deck area facing the water remains unenclosed except for fender systems.

**Wharf:** A fixed waterfront structure, usually of greater width along the shoreline than the length projecting from the shore, constructed of timber, stone, concrete, steel, or other material, having a deck built over, along and parallel to waters subject to the Shoreline Management Act so that vessels may be moored alongside for loading and unloading, or for storage or repairs. For the purpose of this code, where the word "wharf" is used it shall be construed as including "pier". (Note: This definition supersedes the definition set forth in IFC Chapter 45).

### X. Definitions:

### Y. Definitions:

### Z. Definitions:

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Ord. 28109 Ex. I; passed Dec. 4, 2012: Ord. 27890 Ex. A; passed Jun. 15, 2010)

## **2.13.060 Waterfront structures.**

### a. General.

All piers, wharves and waterfront structures as herein defined shall comply and conform to all of the requirements set forth herein.

### b. Protection Against Mechanical Damage.

Waterfront structures shall be designed for impact loads from vessels and floating debris.

Regardless of the type of construction of the substructure, fender systems may be built of wood members with a minimum nominal dimension of four inches and a minimum nominal area of forty-eight square inches, provided the outside face of said fender system is located no more than three feet inside the outermost edge of the deck.

### c. Combustible Substructures.

#### 1. Piles and Stiffening Members.

The piling and cross bracing of those portions of the substructure which are over water at any time shall be so designed to allow the passage of a six-foot wide boat for access to all points for the purpose of inspection, maintenance or repair.

#### 2. Pier Decks and Supports.

A. Pile caps shall consist of sawed or glue-laminated timber not less than eight-inch nominal minimum dimension and ninety-six square inches nominal cross-sectional area.

B. Deck framing members shall be not less than six-inch nominal minimum dimension and seventy-two square inches nominal cross-sectional area.

C. Deck planking on the deck framing shall be not less than four inches in nominal thickness and on this shall be laid a wearing surface of two-inch nominal wood sheathing, or a layer of concrete or asphalt, or other material of equivalent durability. The sheathing and deck planks shall be laid at right angles, except that in the driveways the sheathing may be laid diagonally.

Exception Pier decks without superstructures may have decks of wood decking or planking of not less than three inches nominal thickness.

D. Pier decks of composite laminated wood and concrete construction shall be acceptable, provided that the wood decking or planking used shall be not less than two inches in nominal thickness and shall be pressure preservative treated in accordance with the Building Code.

E. Piers and walkways which are ten feet or less in width may be constructed with caps and girders which have a minimum nominal width and depth of six-inches. Beams and other members shall have a minimum nominal width of three inches. Wood decking or planking may have a nominal thickness of two inches; and bracing may have a minimum nominal dimension of two inches.

#### 3. Automatic Fire Sprinkling of Combustible Substructures.



A. General. All combustible substructures shall be provided with a complete automatic fire sprinkler system (NFPA 13), in accordance with the IBC and IFC provisions, in the under-deck areas.

B. Standards. Installation of sprinkler equipment shall be in accordance with the Building Code, Fire Code, and the Fire Code Standards. In those parts of waterfront structures where automatic fire sprinkler systems are subject to damage by floating debris, such as beneath depressed sections of pier decks, deviations from the strict application of the standards will be permitted and alternative methods of protection may be required. Where damage to sprinkler equipment by floating objects may occur, adequate provision shall be made to prevent such damage.

C. Additional Provisions. In addition to the standards referred to in subsection B hereof, the following provisions shall apply:

i. Sprinkler systems, including fittings and hangers, used in under-deck areas shall be protected from corrosion in accordance with NFPA Standards for the Construction and Fire Protection of Marine Terminals, Piers and Wharves, current edition.

ii. Water supply mains on substructures without superstructures shall be installed in under-deck space. If it is inadvisable to install mains in the under-deck space, they may be installed in the superstructure or on the deck of the substructure, with approval from the Building and Fire Officials.

iii. Automatic fire sprinkler systems and supply piping subject to freezing shall be installed as dry pipe systems.

iv. Automatic fire sprinkler systems installed in waterfront structures shall be maintained in accordance with the Fire Code.

#### 4. Subdivision of Combustible Substructures.

All substructures of combustible construction shall have the under-deck area subdivided as follows:

A. Fire Walls. Fire walls shall be required in combustible substructures at intervals not to exceed 450 feet in each direction. Fire walls shall also be provided at each location a fire wall occurs in a superstructure located on the substructure and shall constitute a continuation of the fire walls in the superstructure. Substructure fire walls shall be of reinforced concrete having a fire resistance of at least four hours, except that fire walls made of other approved noncombustible materials may be used, provided they are equivalent in stability and have an equivalent fire resistance. Walls shall be free of holes and shall extend from the deck down to Mean Lower Low Water. Where aprons or platforms are built along the sides of the waterfront structure, fire walls shall extend to the outside edges of such aprons or platforms.

B. Fire Stops. Spacing between fire walls and fire stops or between fire stops shall not exceed 150 feet. Fire stops shall fit tightly up against the deck and around any structural members or pipes that pass through the fire stop so that an effective barrier to fire and draft will be maintained. Fire stops shall be constructed of wood planking built up to a thickness of six inches and securely fastened to the supporting structure, or they may be of other construction approved by the Building Official. Fire stops shall extend from the deck down to Mean Lower Low Water. Where aprons or platforms are built along the sides of the waterfront structure, fire stops shall extend to the outside edges of such aprons or platforms.

#### d. Fire Flow Required.

A water supply for fire flow shall be provided in accordance with the Fire Code.

#### e. Water Supply and Design of System.

Water may be supplied from the municipal water system or any other water supply meeting the approval of the Fire Code Official. The minimum residual water pressure shall be 20 psi at all fire hydrants. Private water systems shall be designed and installed in accordance with the applicable requirements of referenced standards NFPA 24, Standard for the Installation of Private Fire Service Mains and their Appurtenances.

#### f. Superstructures.

##### 1. General.

Superstructures shall comply with all the provisions of the Building and Fire Codes. Superstructures which are required by the provisions of the Building Code to be either type IA or type IB construction shall be constructed on fire-resistive substructures. Superstructures which are required by provisions of Building Code to be either IIA or IIB construction shall be constructed on noncombustible substructures.

##### 2. Automatic Fire Sprinkler Systems.

All superstructures shall be provided with an automatic fire sprinkler system complying with the provisions of the Building Code, and the Fire Code. Area and height limits for superstructures may be increased as permitted by the Building Code for automatic fire sprinkler systems.

Exception: Automatic fire sprinkler systems need not be installed in superstructures constructed on noncombustible substructures as defined herein, provided that all of the following conditions are met:

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- i. The aggregate area of all superstructures on the substructure does not exceed 1,500 square feet, and
- ii. The aggregate occupant load of the superstructures, as calculated in accordance with the provisions of the Building Code, does not exceed fifteen, and
- iii. The occupancy classification of the superstructures on the substructure is Group B, Group F, Division 2 or Group S, Division 2 occupancies as defined in the Building Code.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.13.070 Dry boat storage.**

#### a. General.

Dry boat storage shall meet all requirements of the Building and Fire Codes for a Group S, Division 1 Occupancy, and the requirements set forth within this section.

#### b. Automatic Fire Sprinkler Systems.

When required by the building code or fire code dry boat storage shall have an automatic fire sprinkler system (NFPA 13 system) installed throughout which meets the requirements of the Building Code and Fire Code Fire Protection Standards for Marinas.

#### c. Area.

Dry boat storage shall be limited in area as set forth in the Building Code for Group S, Division 1 Occupancies, including allowing increases for yards, and automatic fire sprinkler systems, except as modified within this section:

#### d. Construction Type:

Dry boat storage may be constructed of any type of construction permitted by the Building Code for a group S, division 1 occupancy, except an automatic fire sprinkler system shall not be substituted for one-hour fire resistive construction.

In non-rated types of construction, floors in multistory dry boat storage buildings shall be of one-hour fire-resistive construction, or heavy timber construction as defined in the Building Code.

#### e. Height:

Dry boat storage shall be limited in height in accordance with the provisions of the Building Code.

#### f. Rack Storage of Boats:

Rack storage shall meet the following conditions:

1. Rack boat storage buildings or structures shall be a maximum of one story in height and constructed entirely of noncombustible construction conforming to the requirements for type IA, IB, IIA or IIB construction for a group S, division 1 occupancy. Buildings or structures housing rack boat storage shall be fully protected with an automatic fire sprinkler system (NFPA 13 system) meeting the requirements of the Building Code. The allowable area for the building may be increased by open areas around the building in accordance with the building code, and for the automatic fire sprinkler system. The automatic fire sprinkler system shall not be used to increase the building height beyond the one story maximum height limitation, but may be used to increase the height of the building in feet in accordance with the building code.
2. Interior longitudinal walls shall not be permitted. Interior noncombustible transverse walls which are a minimum of two-hour fire-resistive fire walls shall be permitted for the purposes of dividing the rack boat storage buildings into two or more structures for purposes of area limitation. No other transverse walls shall be permitted. Except for the first level of the rack storage, there shall be no floors and no permanent catwalks.
3. Rack structures shall be limited to a maximum of three levels of boat storage. An automatic fire sprinkler system shall be installed within all boat storage racks in accordance with the building and fire codes and reference standard for the installation of sprinkler systems and the NFPA Fire Protection Standard for Marinas, so as to provide coverage of all stored boats.  
  
Exception: Additional levels of boat storage within a rack may be permitted, provided technical assistance in the form of a technical opinion and report will be required in accordance with the Fire Code to evaluate the level of safety of the proposed design. However, when this provision is used, the maximum number of in rack storage racks shall not exceed five.
4. A Class I standpipe system designed and installed with the Fire Code reference standard N.F.P.A Standard for Installation of Standpipe and Hose systems shall be provided for all rack boat storage structures.
5. Rack structures shall be designed to support the weight of all the boats plus the weight of water any two boats in a vertical storage column may collect in the event that the automatic fire sprinkler systems are triggered.

6. Boats shall be prepared for storage in racked storage by:

A. Disconnecting the battery while the boat is in storage. An adequately sized power disconnect switch shall be provided for this purpose.

B. The bilge drain plug shall be removed.

C. A water impermeable boat cover shall be installed to cover all open parts of the boat while being stored in the rack. The cover when installed shall be taut and shall not have sags or other concavities which will collect water. (Note: the cover is to prevent filling the boats with water in the event that the automatic fire sprinkler systems are triggered.)

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 27890 Ex. A; passed Jun. 15, 2010)

### **2.13.080 Marinas.**

a. General:

Marinas, because of their character, present unique problems in providing access for fire-fighting purposes, for providing water supply, and for providing exiting. In order to mitigate these problems all Marinas shall conform to the provisions of this section and the Fire Code.

b. Float System Layout.

1. Water Access Aisles:

A. Where vessels are moored to a main float system on either side of the maneuvering aisle such that the berths are not parallel to the maneuvering aisle, the clear distance between the limit lines for obstructions, measured perpendicular to the maneuvering aisle, shall be a minimum of 1.25 times the length of the longest vessel served but not less than forty (40) feet.

Vessels in berths between finger floats may extend a maximum of five (5) feet beyond the ends of the finger floats into the access aisle, thereby establishing the limit line for obstructions. The extension into the access aisle shall be measured to the furthest extension of the vessel which shall include but not be limited to bowsprits, overhangs, swimming platforms and dinghies.

Where vessels are housed in boat houses, the boat houses may extend to the limit line for obstructions. The maneuvering aisle shall be established by assuming a center line between or along the rows of boat houses. The limit lines for obstructions shall be established at points on both sides of the assumed center line of not less than five-eighths (5/8) of the longest boat house along the aisle, but not less than twenty feet. The centerline shall be relatively straight down the aisle length, with no changes of direction by less than a 40 foot radius, except at the ends of aisles where additional maneuvering room is provided. Where vessels are housed in boat houses, and the water access aisles exceed 300 feet in length the limit lines for obstructions shall be not less than 40 feet on each side of the assumed center line for the entire length of the aisle.

Exception: Where water access aisles exceed 300 feet, the Fire Chief may allow narrower water access aisles where site conditions require or permit narrower water access aisles, and alternate fireboat access is possible.

B. Where vessels are moored parallel to and on one side of a water access aisle, the water access aisle widths shall be not less than forty (40) feet, plus 1.25 times the beam of the largest vessel expected to be moored at the facility. If vessels are moored parallel to and on both sides of an access aisle, the access aisle shall be not less than forty (40) feet, plus 2.5 times the beam of the largest vessel expected to be moored at the facility.

C. Water access routes and entries for vessels to a marina facility, shall be not less than forty (40) feet in width.

2. Fire Department Access Passages:

Access passages along uncovered finger floats, through covered boat storage sheds or between boat houses shall be provided between the water access aisles and the main floats, at intervals not to exceed two-hundred (200) feet. When vessels are moored on both sides of main floats the access passages shall be staggered by one-hundred (100) feet from one side to the other. Access Passages shall extend to the limit line for obstructions.

Fire Department access passages shall have a minimum unobstructed width of forty-eight (48) inches. Toe rails or curbs a minimum of five (5) inches in height shall be provided along both sides of access passages. The clear distance between the toe rails shall be not less than forty-one (41) inches.

3. Main Float Length:

No portion of a main float shall exceed one-thousand (1000) feet in distance from the bottom of a gangway providing access to the shore or to a waterfront structure. The position of the bottom of the gangway shall be measured at Mean High Water (+5.00 Feet NOAA Datum).

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For fuel dispensers on a float system see the Fire Code provisions for marine service stations.

4. Main Float Widths: Main floats shall provide an unobstructed pathway with minimum dimensions of forty-four (44) inches in width by seven (7) feet in height, which shall be maintained the length of the main float at all times.

5. Finger Float Widths:

Finger floats shall be not less than thirty-six (36) inches in width.

6. Gangway Width:

Gangways shall have a minimum clear width of forty-four (44) inches. Handrails may extend a maximum of 3.5 inches into the required width on each side.

7. Gangway Slope:

Gangways which are ramps shall not slope more than one (1) vertical to two and one-half (2.5) horizontal when tide is at Mean Lower Low Water (-6.33 Feet NOAA Datum). Cleats and a nonslip surface shall be provided on ramp gangways. Gangways constructed with self-leveling stairs shall provide treads runs of not less than eleven (11) inches nor more than eighteen (18) inches, and risers of not less than four (4) inches nor more than seven (7) inches. An approved nonslip surface shall be applied to all stair treads.

8. Gangway Handrails and Guardrails:

Guardrails shall be provided on both sides of gangways. Guardrails shall be a minimum of forty-two (42) inches in height measured perpendicular to the slope of the gangway surface. Guardrails shall be provided with intermediate bars or a pattern spaced to prevent a sphere four (4) inches in diameter from passing through. Handrails shall be provided on both sides of the gangway and shall be placed thirty-four (34) inches measured perpendicular to the slope of the gangway surface. The grip portion of the handrail shall be of a graspable shape not less than one and one-half (1.5) inches nor more than two (2) inches in diameter, and there shall be a space of one and one-half (1.5) inches between the backside of the handrail and the guardrail.

**c. Covered Moorage Size and Spacing Limitations**

Covered moorage shall be considered to be of two types, enclosed and open. Enclosed covered moorage are boat houses which are enclosed on three or more sides. Open covered moorage are roof structures which are generally supported on posts or frames, and which are open on two or more sides. The area of covered moorages shall be subject to the limitations set forth in the following table:

**Allowable Areas For Covered Moorages** <sup>2, 3, 4, 5, 6, 7</sup>

Building Code Type of Construction	Allowable Single Boat House Area <sup>1</sup>	Allowable Area for Boat Covers and Area of Combined Boat Houses <sup>7</sup>
VB	3000 sq-ft	9000 sq-ft
IIB	3000 sq-ft	17,500 sq-ft

**Footnotes:**

<sup>1</sup> Sidewalls for all new boat houses, for all new enclosed boat covers and all boat houses relocated from other locations outside the marina in question, shall be sheathed with corrosion resistant steel. Aluminum, wood and plastic siding materials shall be prohibited.

<sup>2</sup> Provide smoke venting for all new structures and for all structures relocated from other locations outside of the marina in question in accordance with the Fire Code.

<sup>3</sup> Clearances for calculated area increases shall be in accordance with the building code.

<sup>4</sup> Unroofed areas to separate adjacent covered moorage areas on the same float system shall be a minimum of sixteen (16) feet or 33 percent of the longest finger float whichever is greater. Unroofed areas may be used for moorage.

<sup>5</sup> The areas listed in the table, including those for single boat houses may be tripled if the boat house or the covered boat moorages are provided throughout with an automatic fire sprinkler system. The area of individual boat houses may be tripled if the boat house alone is fire sprinklered, but no area increase is permitted for the combined boat house areas unless all the boat houses and open boat covers are fire sprinklered.

<sup>6</sup> Draft curtains shall be provided in accordance with the Fire Code; however, if draft stops are constructed of sheet metal, the sheet metal shall be steel, with rust protection.

<sup>7</sup> The areas of open boat covers and the combined area of boat houses may be increased for yards or open spaces in accordance with the provisions of the Building Code. The area of individual boat houses shall not be increased for yards or open spaces.

## d. Structural Design Criteria

## 1. Vertical Design Loads.

A. Float systems including the finger floats shall be designed to support all dead loads plus a superimposed live load of twenty (20) pounds per square-foot over their entire walking surface.

B. Covers or boat houses supported by a float system shall be designed to support all dead loads plus a snow load of twenty (20) pounds per square-foot. Float systems supporting covers or boat houses shall be designed to support the dead loads and snow loads contributed by the covers or boat houses plus the live and dead loads prescribed in item A above. Snow sliding off upper roofs onto floats or lower roofs shall be taken into consideration in the design.

C. Float systems, including the finger floats shall be designed to withstand a minimum concentrated load at any location on the walking surfaces of five-hundred (500) pounds, without causing any of the elements of the float system to tilt more than six (6) degrees from level (10.5% Slope). The concentrated load is to be located at any thirty (30) by thirty (30) inch square on the walking surface and shall be applied simultaneously with the uniform load. Snow loading on covers or boat houses may be reduced to ten (10) pounds per square-foot while applying the concentrated loads.

D. Gangways shall be designed to support a minimum of fifty (50) pounds per square-foot live load over their horizontal projected area at Mean High Water, along with all dead loads. Gangways shall also be designed to support a concentrated load of one-thousand pounds (1000) pounds on any thirty (30) by thirty (30) inch square on the gangway; however the concentrated load need not be applied simultaneously with the required uniform live load. The reaction of the gangway under full load shall not cause the main float to tilt out of level by more than six (6) degrees (10.5% slope).

## 2. Wind Design Loads

The float systems and their anchorages shall be designed to withstand wind as prescribed in the building code; however the design wind load need not exceed twenty (20) pounds per square-foot. The wind load shall be applied to the projected areas of the covers, boat houses and moored vessels. It shall be assumed that all berths are occupied. Covers and boat house structures shall be designed to withstand wind uplift loads as prescribed in the Building Code.

## 3. Stresses Induced by Waves

A. Vertical Loads: Float systems shall be designed to carry all dead loads, plus 20 PSF live load on all walking surfaces, plus 20 PSF snow load on all covers supported by the float system, over a span of not less than ten (10) feet. The float system shall be able to carry these loads over the design spans in both the transverse and longitudinal directions. The design spans shall be located along the floats system for analysis to produce the greatest stresses along the float system.

B. Lateral Loads: In addition to the wind loads, float systems and their anchorage systems shall be designed to resist lateral loads induced by wave action. Unless supported by a dynamic analysis, those float systems and their anchorage systems protected by breakwaters or otherwise sheltered from wind and waves or are subject to waves with heights of two (2) feet or less, shall be designed to withstand lateral loads of not less than one-half (1/2) gravity. Those float systems exposed to open water, or subject to waves in excess of two (2) feet in height shall be designed to withstand lateral loads of not less than full gravity. The calculation of lateral forces shall be based on the total dead load of the float system and all structures supported by the float system.

## 4. Special Loads.

Guardrail and Handrail Assemblies: Guardrail and Handrail assemblies shall be designed to withstand a load of not less than twenty (20) pounds per lineal foot applied horizontally at the top most rail of the guardrail and handrail assembly.

## 5. Special Considerations

Provision shall be made to prevent individual boat houses from "hammering" into each other.

## e. Construction Materials:

## 1. Flotation Materials:

A. Timber logs and other wood flotation shall not be used within float systems in Marinas.

Exception: Wood flotation may be approved by the Building Official when unusual circumstances warrant its use.

B. Foam flotation shall meet the following minimum specifications:

## i. Physical Properties:

Density: Not less than 0.9 pounds per cubic foot. (ASTM D-1622)

Compressive Strength: Not less than 10 psi. (ASTM D-1621)

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Flexural Strength: Not less than 25 psi ultimate strength. (ASTM C-203)

Moisture Absorption: The maximum water absorption shall be not greater than four (4) percent when tested by the immersion method. (ASTM C-272)

### ii. Chemical Properties:

Hydrocarbon Resistance: Foam flotation to be used within flotation systems shall be resistant to the chemical reaction with hydrocarbon fuels and lubricants or protected by an approved encapsulation system.

### iii. Protection from Mechanical Damage:

Foam flotation systems shall be protected from direct contact by vessels, floating debris and foot traffic by wood or concrete decking and wood or concrete fender or skirt systems.

C. Steel or metal flotation systems are not permitted in salt water applications but may be used in fresh water marinas.

Exception: The Building Official may permit steel or metal flotation systems in applications which are temporary. Approvals shall be limited to a maximum of one-year. An additional year may be approved if, on inspection after the first year, it is determined that the flotation system is in good condition.

D. Concrete pontoon floats shall be constructed using an approved concrete design mix of not less than six (6) sacks of cement per cubic yard, and a 28 day ultimate strength of not less than 4000 pounds per square inch. The concrete mix shall meet ACI specifications for use within a salt water environment and to provide corrosion resistance for the structural, temperature and shrinkage reinforcement within the concrete pontoons. Concrete pontoon reinforcing shall be epoxy coated. The interior cavity of the concrete pontoons shall be filled with foam flotation meeting the requirements of this code.

E. Fueling Floats: All floats used for fuel docks shall have a Portland cement concrete or other approved nonabsorbent surface impervious to fuel spillage.

## 2. Decking, Fender, and Float Encasement Materials:

Decking, fender and float encasement materials shall be sized to withstand the design loads, both vertical and horizontal as prescribed by this code. Materials shall be compatible with the marine environment.

Wood materials shall be pressure treated meeting AWWPA standards for the species, product, preservative, and end use.

Concrete materials shall have a minimum compressive stress of 4000 psi at 28 days. Concrete mixes shall have a minimum of six (6) sacks of cement per cubic yard.

Metal materials shall be galvanized, painted or otherwise coated to retard corrosion, and if necessary cathodically protected.

## 3. Boat House and Boat Cover Framing:

Boat house and boat cover framing shall be sized to meet the design criteria prescribed in this code, for vertical, horizontal and uplift loads.

Materials shall meet the requirements for decking, fenders and float encasement as prescribed in item No. 2 above for a minimum distance of three (3) feet above the float system. From three (3) feet above the float system, framing materials shall comply with the Building Code.

## 4. Boat House and Boat Shed Roof and Wall Coverings:

Boat house and boat shed roof and wall coverings shall be galvanized or painted steel. Approved wood-based structural panels manufactured with exterior glue may be used in boat houses, under the steel roof or wall covering, to provide vertical and/or lateral strength. Such structural panels shall not be directly exposed to the weather, and shall not be used in locations which become submerged or are subject to water splash.

Exception: Approved wood-based structural panels manufactured with exterior glue may be used in open boat covers for the construction of gusset plates.

### f. Draft Curtains:

Draft curtains shall be provided in accordance with the Fire Code; however, if draft stops are constructed of sheet metal, the sheet metal shall be steel, with rust protection.

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 27890; passed Jun. 15, 2010)

**CHAPTER 2.14**

***REPEALED***

**ELEVATOR SAFETY CODE**

*Repealed by Ord. 22476*

(Repealed by Ord. 22476; passed Jul. 21, 1981)

**CHAPTER 2.15**

***REPEALED***

**WEIGHTS AND MEASURES CODE**

*Repealed by Ord. 28362*

(Repealed by Ord. 28362 Ex. A; passed Jun. 7, 2016; Ord. 28109 Ex. J; passed Dec. 4, 2012;  
Ord. 16665; passed Nov. 15, 1960; Ord. 16388; passed Jun. 29, 1959)





**CHAPTER 2.16**  
**MOBILE HOMES AND HOUSE TRAILERS**

## Sections:

- 2.16.010 Definitions.
- 2.16.020 Parking automobile house trailers or mobile homes.
- 2.16.030 Nonconforming parking.
- 2.16.040 Enforcement.
- 2.16.050 Application for building permit.
- 2.16.060 Location, setbacks, screening and densities.
- 2.16.070 Trailer court site planning.
- 2.16.080 Mobile home park site planning.
- 2.16.090 Water.
- 2.16.100 Electrical and telephone service.
- 2.16.110 Garbage and waste.
- 2.16.120 Insect and rodent control.
- 2.16.130 Sewage and waste water.
- 2.16.140 Service buildings – Trailer courts.
- 2.16.145 Service buildings – Mobile home parks.
- 2.16.150 Fuel service.
- 2.16.160 Fire protection.
- 2.16.170 Alterations and additions to trailers.
- 2.16.180 Violations and penalties.
- 2.16.190 Repeal of conflicting ordinances and codes.
- 2.16.200 Severability.

**2.16.010 Definitions.**

For the purposes of this chapter, the following terms and words are defined as follows:

- A. “Automobile house trailer” means any structure used for human habitation, constructed on wheels and capable of being moved from place to place either under its own power or under tow. For purposes of this chapter, house trailer or trailer shall convey the one and same meaning.
- B. “Automobile house trailer lot” shall mean a parcel of land within a trailer court reserved for the exclusive use of the occupants of an automobile house trailer and including one parking space for such trailer.
- C. “Board of inspectors” shall mean a board of investigators consisting of the Health Officer, Building Inspector and Fire Inspector.
- D. “Building Inspector” shall mean the authorized representative of the Building Official, whose primary function is the inspection of buildings and/or the enforcement of the City ordinances.
- E. “Cabana” shall mean any building located upon a mobile home lot and used for living or sleeping purposes, and/or to house toilet and/or laundry facilities in conjunction with an automobile house trailer or mobile home.
- F. “Dwelling” shall mean any building, or any portion thereof, which is used for living or sleeping by human occupants. For the purposes of this chapter an automobile house trailer shall be construed to constitute a dwelling.
- G. “Dwelling unit” shall mean a group of two or more habitable rooms located within a dwelling and forming a single habitable unit with facilities which are used for living, sleeping, cooking and eating. For the purposes of this chapter a mobile home shall be construed to constitute a dwelling unit.
- H. “Fire Inspector” shall mean the legally designated Chief of the Fire Department, City of Tacoma, or his authorized representative.
- I. “Habitable room” shall mean a room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes; excluding bathrooms, water closet compartments, laundries, pantries, foyers, utility rooms, cellars, unfinished attics, or communicating corridors and closets.
- J. “Health Officer” shall mean the legally designated Director of the Health Department, City of Tacoma, or his authorized representative.

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K. "Mobile home" shall mean a movable dwelling unit designed for year-around occupancy and including a flush toilet, lavatory and bath or shower, except that an automobile house trailer located on the one and same mobile home lot with a building providing a private flush toilet, lavatory and bath or shower shall constitute a mobile home for purposes of this chapter. This shall refer to and include all portable contrivances capable of being moved by their own power, towed or transported by another vehicle.

L. "Mobile home lot" shall mean a parcel of land within a mobile home park reserved for the exclusive use of the occupants of a mobile home and including one parking space for such mobile home, or automobile house trailer when combined with a cabana, as provided herein. (See definition of Mobile Home and Cabana.)

M. "Mobile home park" shall mean a parcel of land which has been planned and improved for the parking and location of two or more occupied mobile homes for periods of over 90 days.

N. "Occupancy" is the purpose for which a room or building is used. Change of occupancy is not intended to include change of tenants.

O. "Occupant" shall mean any person over one year of age, living, sleeping, cooking, or eating in, or having actual possession of, a dwelling or dwelling unit.

P. "Occupied" for the purposes of this chapter, will refer to a dwelling or dwelling unit with one or more occupants.

Q. "Trailer court" shall mean a trailer court which is designed and operated exclusively for the transient automobile house trailer whose length of stay does not exceed 30 days.

R. "Unit" shall mean a given dwelling or dwelling unit comprising a component part of a trailer court or mobile home park.

(Ord. 28109 Ex. K; passed Dec. 4, 2012; Ord. 19397 § 1; passed Aug. 3, 1971; Ord. 16297; passed Mar. 2, 1959)

### **2.16.020 Parking automobile house trailers or mobile homes.**

No person shall park or locate and use any house trailer or mobile home for human occupancy on any lot, tract or parcel of land in the City of Tacoma for a period longer than three hours except as authorized by the Zoning Regulations of the City of Tacoma contained in Chapter 13.06 of the Official Code of the City of Tacoma.

Provisions for the parking of individual house trailers and mobile homes shall not apply to the following: Emergency parking of less than 24 hours subject to limitations that may be imposed by codes, ordinances and regulations of the City of Tacoma relative to parking; and, unoccupied trailers or mobile homes for demonstration and sales purposes located within any district permitted by the zoning ordinances for such use.

(Ord. 16993 § 1; passed Feb. 20, 1962; Ord. 16297; passed Mar. 2, 1959)

### **2.16.030 Nonconforming parking.**

All existing occupied automobile house trailers and mobile homes located outside a licensed trailer court or mobile home park and which are not authorized by the Zoning Regulations of the City of Tacoma contained in Chapter 13.06 of the Official Code of the City of Tacoma shall be removed to a licensed court or park within 12 months after the effective date of this chapter. No light, water or sewer connection shall be made to such trailers or mobile homes after such date, nor to any other trailer or mobile home thereafter, except those trailers and mobile homes authorized by said Zoning Regulations of the City of Tacoma.

(Ord. 19286 § 1; passed Jan. 26, 1971; Ord. 16297; passed Mar. 2, 1959)

### **2.16.040 Enforcement.**

The Board of Inspectors as above defined is hereby created and it shall be the duty of said Board to enforce all provisions of this chapter as prescribed herein, or such provisions as may hereafter be enacted, and for the purpose of securing such enforcement any of the above members or their duly authorized representatives and agents shall have the right and are hereby empowered to enter upon any premises on which any trailer court or mobile home park is located, or is about to be located, and inspect the same and all accommodations connected therewith at all reasonable times. Administrative organization and procedures shall be established by the Board itself subject to the approval of the City Manager. The Health Officer shall be designated as the Chairman of the Board.

(Ord. 16297; passed Mar. 2, 1959)

**2.16.050 Application for building permit.**

Application for a trailer court or mobile home park building permit shall be filed at the office of the Building Inspector and after filing shall be referred to the Chairman, Board of Inspectors.

The initial application for a trailer court or mobile home park building permit shall be in writing, signed by the legal property owner and shall include the following:

- A. The name and address of the applicant and legal property owner;
- B. The location and legal description of the lot, tract, or parcel of land upon which the trailer court or mobile home park will be located;
- C. A complete plot plan of the trailer court or mobile home park in conformity with all requirements for such a court or park as contained in this chapter;
- D. Plans and specifications of all buildings, improvements, other facilities and utilities such as electrical wiring, telephone service lines, water service pipes, gas service pipes, sewer service pipes, and plumbing constructed or to be constructed within said trailer court or mobile home park;
- E. Such further information as may be requested by the Board of Inspectors to enable them to determine if the proposed trailer court or mobile home park will comply with all the requirements of this chapter;
- F. Before any application as required by this chapter may be approved, a concurring recommendation of approval must be received from the Public Utilities Department in regards to the minimum standards governing utilities and facilities to be provided in the supplying of water or electrical service. Before any application for a mobile home park may be approved, a concurring recommendation of approval must be received from the Planning and Development Services Department in regard to its compliance with site location, design, and layout regulations and requirements of this chapter and other applicable codes, ordinances, and regulations of the City of Tacoma;
- G. If such plans and specifications for the trailer court or mobile home park are in compliance with all provisions of this chapter and all other applicable codes, ordinances, and regulations, the Board shall approve the application and the issuance of a building permit; and upon completion of said trailer court or mobile home park according to the approved plans and specifications as certified by the Board of Inspectors, the office of the Director of Finance shall be duly authorized to issue a license for such upon payment of the fee or fees as provided for in Chapter 6.54 of this code. No changes shall be made in the approved plans and specifications during, before, or after construction without the approval of the Board of Inspectors. Copies of the approved plans and specifications shall be kept in the office of the Building Inspector and any approved changes shall be noted thereon;
- H. All existing trailer courts or mobile home parks not meeting the requirements of this chapter shall be declared nonconforming and shall not be permitted to add spaces or make any improvements that are not in full compliance with the regulations and requirements of this chapter. Any nonconforming trailer court or mobile home park which is not operated for a period of one year shall not reopen until the regulations and requirements of this chapter shall have been met. Further, all operating trailer courts or mobile home parks that are nonconforming, shall, within a reasonable period of time, not to exceed 12 months, make necessary alterations and improvements to be fully in compliance with the regulations and requirements of this chapter, except that trailer courts or mobile home parks operating at the time of the passage of this chapter shall not be required to conform to the minimum lot area and setback requirements for facilities in existence at the time of the passage of this chapter.

(Ord. 28109 Ex. K; passed Dec. 4, 2012; Ord. 26386 § 20; passed Mar. 23, 1999; Ord. 16297; passed Mar. 2, 1959)

**2.16.060 Location, setbacks, screening and densities.**

- A. A trailer court or mobile home park shall be located only in those districts as provided for in the zoning ordinance;
- B. Such trailer courts or mobile home parks shall provide setbacks from abutting property, streets and highways; screening; off-street parking spaces; and development densities as provided for in the Official City Code.

(Ord. 16297; passed Mar. 2, 1959)

**2.16.070 Trailer court site planning.**

- A. A trailer court shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools of water, and free from rocks, weeds and litter. The materials and construction of buildings, accessory buildings and structures related thereto shall be substantial, of a good quality and shall conform to the Building Code of the City of Tacoma,

## Tacoma Municipal Code

Washington and all other regulations, codes and ordinances applicable to insure the health, safety, morals and the general welfare of occupants.

B. House Trailer Lots. The number of house trailer lots in a trailer court shall be computed by dividing the total land area (including streets and service area) by 1,800.

C. House trailer parking spaces shall be well marked on each house trailer lot. Any dwelling, building or structure located on an individual house trailer lot shall be so placed to provide at least 10 feet of clearance between it and all other buildings, structures or dwellings located on abutting individual house trailer lots; provided that a minimum of 15 feet of clearance be provided between a dwelling, building or structure on an individual house trailer lot and a dwelling, building or structure not located on an individual house trailer lot. No dwelling, building or structure located on an individual house trailer lot shall be closer than 10 feet from a public parking area, or a roadway within the court; and further, no such dwelling shall be closer than 15 feet from any City street right-of-way, or State or Federal highway right-of-way. Dwellings, dwelling units, buildings and structures located within a trailer court, but not on an individual house trailer lot, shall comply with such area requirements as are provided in Chapter 13.06 of the Official City Code for the zoning district within which they are located.

D. All house trailer lots within a trailer court shall be afforded adequate access and such access shall be by a private roadway within the trailer court. Such roadways shall be no less than 20 feet in width and shall have unobstructed access to a public street or highway. The sole vehicular access to a trailer court shall not be by an alley. All dead end roadways shall include adequate vehicular turning space or cul-de-sacs. Direct access from a public right-of-way to an individual trailer lot shall only be allowed upon a determination by the Traffic Engineer that such access will not cause a traffic hazard; provided that such access driveways shall be installed in full compliance with Chapter 10.14 of the Official City Code.

E. One off-street parking space for an automobile shall be provided on each individual house trailer lot or in common parking bays at the rate of at least one space per lot. No lot shall be located more than 100 feet from its designated parking bay. A combination of the above two methods also may be used.

F. All roadways and walkways within the trailer court shall be all weather surfaced to at least minimum City standards, maintained, and lighted at night with electric lamps of not less than 100 watts each spaced at intervals of not more than 100 feet or equivalent illumination as may be supplied by other types of lamps approved by the Board of Inspectors.

G. A service building or buildings housing toilet, lavatory, and bathing facilities shall be provided as hereinafter specified and no house trailer lot shall be farther than 300 feet from such a service building.

H. Recreational facilities may be provided so long as they are properly protected from adjacent streets, highways, roadways and parking areas.

I. Electrical service to each individual house trailer shall be provided through a weatherproof polarized grounding type 3 wire 115/230 volt electrical plug outlet, of at least 20 ampere capacity and installed in accordance with the regulations and requirements of the Tacoma Electrical Code.

(Ord. 19397 § 2; passed Aug. 3, 1971; Ord. 16297; passed Mar. 2, 1959)

### **2.16.080 Mobile home park site planning.**

A. A mobile home park shall be located on a well-drained site properly graded to insure rapid drainage and freedom from stagnant pools of water, and free from rocks, weeds and litter. The materials and construction of buildings, accessory buildings and structures related thereto shall be substantial and of a good quality and shall conform with the Building Code of the City of Tacoma, Washington and all other regulations, codes and ordinances applicable to insure the health, safety, morals and the general welfare of occupants.

B. Mobile home lots shall be a minimum of 1,800 square feet in area with a minimum average width of 30 feet and shall be clearly defined and marked.

C. Mobile home parking spaces shall be well marked on each mobile home lot. Any dwelling unit, building or structure located on an individual mobile home lot shall be so placed to provide at least 15 feet of clearance between it and all other buildings, structures or dwelling units other than those located on the one and the same mobile home lot. Where placed end-to-end, dwelling units on abutting lots may have a minimum clearance of 10 feet. No dwelling unit, building or structure located on an individual mobile home lot shall be closer than 15 feet from a public parking area or a roadway within the park; and further, no such dwelling unit shall be closer than 20 feet from any City street right-of-way, or State or Federal highway right-of-way. Dwelling units, buildings and structures located within a mobile home park but not on an individual mobile home lot shall comply with such area requirements as are provided in Chapter 13.06 of the Official City Code for the zoning district within which they are located.

D. A cabana may be placed on a mobile home lot if its use is related to the mobile home or house trailer parked on the one and same lot and so long as its use is restricted to that of a residential nature.

E. All mobile home lots within a mobile home park shall be afforded adequate access and such access shall be by a private roadway within the mobile home park. Such roadways shall be no less than 20 feet in width and shall have unobstructed access to a public street or highway. The sole vehicular access to a mobile home park shall not be by an alley. All dead end roadways shall include adequate vehicular turning space or cul-de-sacs. Direct access from a public right-of-way to an individual mobile home lot shall only be allowed upon a determination by the Traffic Engineer that such access will not cause a traffic hazard; provided that such access driveways shall be installed in full compliance with Chapter 10.14 of the Official City Code.

F. One off-street parking space for an automobile shall be provided on each individual mobile home lot or in common parking bays at the rate of at least one space per lot. No lot shall be located more than 100 feet from its designated parking bay. A combination of the above two methods also may be used.

G. All roadways and walkways within the mobile home park shall be all weather surfaced to at least minimum City standards, maintained, and lighted at night as per residential street lighting standards of the City of Tacoma, Washington.

H. Only mobile homes shall be allowed to park and be located in a mobile home park as hereinbefore provided in the definition of the mobile home.

I. A service building shall be provided housing laundry facilities as hereinafter specified and no mobile home lot shall be farther than 200 feet from such a building. All weather surfaced walkways shall be provided giving access from all mobile home lots to their respectively designated service building. A clothes drying area shall be provided at the rate of 50 square feet per mobile home lot and may be placed in one or more locations so long as they are adjacent to a service building housing laundry facilities. Equivalent drying facilities may be provided in lieu of the above as approved by the Board of Inspectors.

J. A playground area shall be provided with at least 150 square feet of ground area per mobile home lot and shall be restricted to such use. Such an area shall further be placed within the mobile home park so as to be properly protected from streets, highways, roadways, and parking areas. Such playground space may be provided in one or more locations within the mobile home park site.

K. Additional recreational facilities may be provided so long as they are properly protected from streets, highways, roadways and parking spaces.

L. Electrical distribution systems and telephone service systems to each mobile home lot shall be underground except for outlets and risers at each individual lot.

M. Electrical service to each individual mobile home lot shall be provided through a weatherproof polarized grounding type 3 wire 115/230 volt electrical plug outlet of at least 50 ampere capacity installed in accordance with the regulations and requirements of the Tacoma Electrical Code.

(Ord. 16297; passed Mar. 2, 1959)

**2.16.090 Water.**

Each site used as a trailer court or mobile home park shall be provided with an accessible, adequate, safe and potable supply of water capable of furnishing a minimum supply of water approved by the Board of Inspectors as follows:

Trailer Courts	50 gallons per day per unit
Mobile Home Park	125 gallons per day per unit

Where the Water Division of the Public Utilities Department, City of Tacoma, has service available, connection shall be made thereto and its supply shall be used exclusively. The development of an independent water supply to serve a trailer court or mobile home park shall be made only after expressed approval has been granted by the Board. All water service lines shall be underground and shall comply fully with all Plumbing Code and Water Division regulations.

At least one water outlet connection on a riser terminating above the ground surface shall be provided at each house trailer and/or mobile home parking space and shall be properly connected with the potable water supply system as provided hereinbefore in compliance with the regulations and requirements of the Plumbing Code.

(Ord. 19397 § 3; passed Aug. 3, 1971: Ord. 16297; passed Mar. 2, 1959)

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### **2.16.100 Electrical and telephone service.**

All electrical installations shall comply with the Tacoma Electrical Code and other related codes, ordinances and regulations. Telephone installations shall be in full accord with standard practices of the Pacific Telephone and Telegraph Company and applicable sections of the National Electrical Safety Code of the National Board of Fire Underwriters.

(Ord. 16297; passed Mar. 2, 1959)

### **2.16.110 Garbage and waste.**

Each trailer court or mobile home park shall be provided with safe and adequate means for the collection and removal of waste and garbage, as approved by the Board and complying with all Utility Service Division regulations and related ordinances of the City.

Racks or holders shall be provided for all refuse containers and such racks shall be so designed as to prevent containers from being tipped and to minimize spoilage and container deterioration and to facilitate the cleaning around said container units as specified by Utility Service Division Regulations and related ordinances of the City.

(Ord. 16297; passed Mar. 2, 1959)

### **2.16.120 Insect and rodent control.**

Insect and rodent control measures to safeguard public health, as reasonably required by the Board of Inspectors in compliance with existing codes and ordinances, shall be applied where necessary in trailer courts and mobile home parks.

(Ord. 16297; passed Mar. 2, 1959)

### **2.16.130 Sewage and waste water.**

It shall be unlawful to permit waste water or material from sinks, showers or other fixtures to be deposited on any street, trailer court or mobile home park or upon any lot within the City. Proper drainage shall be provided for all outside water connections, faucets and hydrants. Sinks, showers, toilets, lavatories and other similar fixtures in units and service buildings of trailer courts and mobile home parks shall be connected to a proper and acceptable sewer system. Such a connection shall be to the City sewer system where such is available, or to a private sewage disposal system where a City sewer system is not available, all of which shall comply fully with the City's plumbing and sanitary codes, and other ordinances, codes and regulations of the City relating thereto.

Each house trailer and/or mobile home parking space shall be equipped with a sewer connection so located on a riser and so fitted to provide a water tight junction between the house trailer or mobile home sewer extension and the sewer connection in full compliance with regulations and requirements of the Plumbing Code. Such an individual trailer or mobile home sewer connection shall be further constructed so as to be closed when not linked to a house trailer or mobile home and shall be trapped in such a manner as to maintain it in an odor free condition as required by the Plumbing Code.

(Ord. 16297; passed Mar. 2, 1959)

### **2.16.140 Service buildings – Trailer courts.**

An automobile house trailer court shall be provided with one or more service buildings adequately equipped with flush type toilets, lavatories, and shower baths. Service buildings shall be located within the trailer court so that no one house trailer lot is more than 300 feet from a service building. The floors and splash zones of such service buildings shall be of concrete or similar impervious material, the floors being elevated not less than four inches above grade and each room provided with floor drains properly connected to the sewer system as hereinbefore provided.

Service buildings shall be provided with a heating facility capable of maintaining a temperature within the building of 70 degrees Fahrenheit at a point three feet above the floor under ordinary minimum winter conditions.

Cold water shall be provided at a minimum rate of 50 gallons per day per house trailer lot. Water heating facilities shall be properly installed, maintained in safe and good working condition and properly connected to hot water lines as specified in the Plumbing Code and shall be capable further of heating water to such a temperature as to permit its being drawn at every required lavatory, shower bath, and service sink fixture at a temperature of not less than 120 degrees Fahrenheit. Such water heating equipment must be able to meet the above requirements independent of any space heating equipment.

Service buildings shall be well ventilated and all exterior openings from toilet rooms shall be covered with 16 pound mesh screen during fly seasons. Toilet rooms shall be provided with self-closing doors. Toilet rooms shall be well lighted at all times and provided with window areas equivalent to at least 12 percent of the floor area.

Service buildings shall be provided with bathroom facilities as follows:

a.	Lots	Toilets	Showers	Lavatories
	1-25	1	1	1
	26-70	2	2	2

One additional toilet shall be provided for each sex for each 100 additional lots or fractional part thereof in excess of 70 lots.

Toilets shall be enclosed in separate compartments with a minimum of 12 square feet and with a minimum width of three feet;

b. Each toilet room provided for men shall have in addition one water-flushed urinal stall per each 100 trailer lots or fractions thereof;

c. Shower baths shall be provided for each sex within a minimum three-foot by three-foot area. Showers for women shall be provided with an enclosed dressing compartment with a stool or bench in a minimum three-foot by three-foot area as a contiguous part of the shower stall improvement.

(Ord. 19397 § 4; passed Aug. 3, 1971; Ord. 16993 § 2; passed Feb. 20, 1962; Ord. 16297; passed Mar. 2, 1959)

**2.16.145 Service buildings – Mobile home parks.**

A mobile home park shall be provided with one or more service buildings adequately equipped with laundry facilities as provided below. The floors and splash zones of such service buildings shall be of concrete or similar impervious material, the floors being elevated not less than four inches above grade and each room provided with floor drains properly connected to the sewer system as hereinbefore provided.

Service buildings shall be provided with a heating facility capable of maintaining a temperature within the buildings of 70 degrees Fahrenheit at a point three feet above the floor under ordinary minimum winter conditions.

Cold water shall be provided at a minimum rate of 125 gallons per day per mobile home lot being served by said service buildings. Hot water shall be provided at a minimum rate of three gallons per hour per mobile home lot being served by said service buildings. Water heating facilities shall be properly installed and maintained in a safe and good working condition and properly connected to hot water lines as specified in the Plumbing Code and shall be capable further of heating water to such a temperature as to permit its being drawn at every required laundry tray at a temperature of not less than 120 degrees Fahrenheit. Such water heating equipment must be able to meet the above requirements independent of any space heating equipment.

Service buildings shall be well ventilated and all exterior openings from toilet rooms shall be covered with 16 pound mesh screen during fly seasons. Toilet rooms shall be provided with self-closing doors. Toilet and laundry rooms shall be well-lighted at all times and provided with window areas equivalent to at least 12 percent of the floor area. A service building, or all provided service buildings, shall be provided with a minimum of the following laundry facilities in total to wit: One double laundry tray for each 20 mobile home lots, or fractions thereof, shall be provided in total among all service buildings to be provided. In lieu of the above requirement, one fully automatic washing machine may be provided for each 20 mobile home lots or fractions thereof, when properly connected to a sewer drainpipe as per Plumbing Code requirements. Further, an exception may be permitted by the Board to the above laundry facility requirements, where cabanas are equipped with like laundry facilities on individual mobile home lots. Where cabanas are not provided on every lot with such laundry facilities, the Board shall waive a proportionate share of the service building laundry facility requirements, but only in direct relationship to the number of lots actually equipped with such cabanas. In this respect, drying yard space or equivalent facilities must be provided for all lots having cabanas equipped with laundry facilities as approved by the Board.

Laundry facilities provided in service buildings shall be separated by a permanent wall from any area within such buildings where toilets, lavatories and bathing facilities may be located.

(Ord. 16993 § 3; passed Feb. 20, 1962)

**2.16.150 Fuel service.**

Liquefied petroleum gas or piped gas for cooking or heating purposes, or fuel oils, shall not be used at individual dwellings or dwelling units unless such containers, lines and appliances comply with provisions set forth in the Heating Code and Fire Ordinance. Liquefied petroleum gas cylinders shall be securely fastened in place and shall be adequately protected. No cylinder containing liquefied petroleum gas shall be located within a dwelling or dwelling unit or within five feet of any door thereof. Piped gas service to individual dwellings or dwelling units shall be fully in compliance with the Plumbing Code and fully protected from danger of breakage due to vehicular or trailer passage over such lines.

(Ord. 16297; passed Mar. 2, 1959)

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### **2.16.160 Fire protection.**

Trailer courts and mobile home parks shall be subject to the rules and regulations of the Fire Department, and all playground, setback and screening areas shall at all times be kept free from litter, rubbish and other flammable materials. First aid fire extinguishing equipment of a type or types approved by the National Board of Fire Underwriters shall be kept in the service buildings and all other locations named by the Fire Department and the same shall be maintained in good operating condition. Standard fire hydrants shall be located when possible within 300 feet of each trailer court or mobile home park.

(Ord. 16297; passed Mar. 2, 1959)

### **2.16.170 Alterations and additions to trailers.**

No permanent additions of any kind shall be built onto, nor become a structural part of any house trailer or mobile home except that a cabana may be fastened in a temporary manner as approved by the Board of Inspectors. Skirting is permissible, but such skirting shall not attach the house trailer or mobile home permanently to the ground, provide a harborage for rodents or create a fire hazard. The wheels of the house trailer or mobile home shall not be removed, except temporarily when necessary for repairs. Jacks or stabilizers may be placed under the frame of a house trailer or mobile home to prevent movement on the springs while it is parked and occupied.

(Ord. 16297; passed Mar. 2, 1959)

### **2.16.180 Violations and penalties.**

Any person, firm, corporation or association violating or failing to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine in any sum not exceeding \$300.00, or by imprisonment in the county jail for a period not exceeding 90 days, or both, in the discretion of the court.

(Ord. 16297; passed Mar. 2, 1959)

### **2.16.190 Repeal of conflicting ordinances and codes.**

In any case where a section, subsection, sentence, clause, phrase or portion of this chapter is found to be in conflict with a section, subsection, sentence, clause, phrase or portion of any other ordinance or code of the City of Tacoma, Washington, existing on the effective date of this chapter, the provisions of this chapter shall be controlling and such other ordinances or codes are hereby declared to be repealed to the extent that they apply to trailer courts and mobile home parks and may be found in conflict with this chapter.

(Ord. 16297; passed Mar. 2, 1959)

### **2.16.200 Severability.**

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

(Ord. 16297; passed Mar. 2, 1959)



**CHAPTER 2.17**  
**BOARD OF BUILDING APPEALS**

*(Repealed and Reenacted by Ord. 27629, passed Jun. 26, 2007)*

Sections:

- 2.17.010 Board of Building Appeals.
- 2.17.020 Duties and authority of Board of Building Appeals.
- 2.17.030 Hearings – Procedures – Appeals.
- 2.17.040 Board member liability.

**2.17.010 Board of Building Appeals.**

There is hereby created and established the Board of Building Appeals of the City of Tacoma, hereinafter called “the Board,” which shall consist of seven members to be appointed by the City Council, pursuant to Section 2.4 of the Charter of the City of Tacoma. Such members shall be selected from persons qualified by training and experience to pass upon matters pertaining to the Building Code, Residential Code, Existing Building Code, Mechanical Code, Fire Code, Plumbing Code, Waterfront Structures and Marina Code, Minimum Building and Structures Code, and Energy Code, none of whom may be a public employee or paid public official. Each member shall hold office for a term of five years or until a successor is appointed. In the event of the death, resignation or removal of any member of the Board, a successor, to serve the unexpired term, shall be appointed in the same manner heretofore provided. The members of the Board shall serve without compensation. The City of Tacoma shall provide such clerical help to the Board as may be required. The Board shall select from among its members a chair and a vice chair who shall serve for one year or until their successors are selected. The Board shall adopt its own rules or procedures to fulfill its function under this Code.

The Building Official, or appointed representative, shall serve as secretary to the Board of Building Appeals.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Ord. 28109 Ex. L; passed Dec. 4, 2012: Ord. 27629; passed Jun. 26, 2007)

**2.17.020 Duties and authority of Board of Building Appeals.**

The Board of Building Appeals shall:

A. Determine the suitability of alternate materials and methods of construction pertaining to the Building Code, Residential Code, Existing Building Code, Mechanical Code, Fire Code, Plumbing Code, Waterfront Structures and Marina Code, Minimum Building and Structures Code, and Energy Code.

B. Review an interpretation of the Building Code, Residential Code, Existing Building Code, Mechanical Code, Fire Code, Plumbing Code, Waterfront Structures and Marina Code, Minimum Building and Structures Code, or Energy Code by the Building Official, or duly authorized representative, or the Chief of the Fire Department, or duly authorized representative, when such interpretation is appealed. The Board shall either concur with the contested interpretation or provide a new interpretation.

Exception: Limitations of Authority. The Board of Building Appeals shall have no authority relative to interpretation of the administrative provisions of these codes, nor shall the Board be empowered to waive requirements of these codes or to grant variances.

C. Hear appeals of orders or decisions based on the Building Code, Residential Code, Existing Building Code, Mechanical Code, Fire Code, Plumbing Code, Waterfront Structures and Marina Code, Minimum Building and Structures Code, or the Energy Code. The Board shall have the authority to concur with or modify such orders provided both of the following conditions are considered:

1. That life safety and/or building structural integrity are not compromised by modification of the Building Official’s Order.
2. Where life safety and building structural integrity is not a factor, whether the improvement provided by the Building Official’s Order is relevant to the financial impact imposed.

D. Review new editions, suggested amendments, and proposed changes to the Building Code, Residential Code, Existing Building Code, Mechanical Code, Fire Code, Plumbing Code, Waterfront Structures and Marina Code, Minimum Building and Structures Code, and Energy Code, and may propose amendments to and changes of the aforementioned codes. The Board shall rule on the appropriateness of new editions along with amendments and changes to the aforementioned codes and make recommendations to the City Council concerning the adoption of said editions, amendments or changes.

(Ord. 28363 Ex. A; passed Jun. 14, 2016: Ord. 27629; passed Jun. 26, 2007)

## Tacoma Municipal Code

### **2.17.030 Hearings – Procedures – Appeals.**

A. An aggrieved party in interest may appeal to the Board, an interpretation, or a decision and order of the Building Official, or duly authorized representative, or of the Chief of the Fire Department, or duly authorized representative, by filing a notice of appeal with the City Clerk and with the secretary of the Board within 30 calendar days from the date of the written interpretation, decision, or order.

B. The appeal shall be in writing and shall clearly and concisely state the basis for such appeal.

C. The Board is authorized to promulgate procedural rules for appeal hearings conducted pursuant to this Chapter.

D. The secretary to the Board shall review the requested appeal and make an initial determination whether said appeal is within the authority of the Board. In the event it is determined that an appeal is not within its authority, the aggrieved party shall be notified, in writing, by the secretary of the Board within ten days following such determination.

E. The Board shall conduct hearings of all timely appeals, determined to be within the Board's authority, at a date and time certain after having given the aggrieved party in interest not less than ten days' notice thereof. At said hearing the Board shall receive evidence as may be presented by any department of the City of Tacoma and by the aggrieved party in interest. Failure of the aggrieved party, or representative, to appear at the hearing properly noticed may be cause for dismissal of the appeal.

F. The Board shall render its interpretation of the code, or its decision, as it pertains to the question before it, and make its recommendation within 60 days from the date of the completion of the hearing. Such recommendation or decision shall be made to the Building Official, or duly authorized representative, or to the Chief of the Fire Department, or duly authorized representative. Such recommendation or decision shall include findings of facts based on the evidence presented at the hearing.

G. For those appeals of dangerous building orders issued by the Hearing Officer pursuant to TMC 2.01.060, the appeal hearing shall be de novo. The Board shall have the authority to affirm, modify, or reverse the Hearing Officer's decision.

H. The Building Official, or duly authorized representative, or the Chief of the Fire Department, or duly authorized representative, may seek the advice of the Board as to its interpretation of any section of a code by filing a request therefore, as described in subsection A, above.

I. Appeals of the Board of Building Appeals' interpretations, decisions, penalties, and/or orders pertaining to appeals filed relative to the codes and laws assigned to the authority of the Board shall be made to the superior court within 21 calendar days, from the date of receipt of the interpretation, decision, penalty, and/or order in conformance with RCW 35.80.030(2).

(Ord. 28363 Ex. A; passed Jun. 14, 2016; Ord. 28149 Ex. B; passed May 7, 2013; Ord. 28109 Ex. L; passed Dec. 4, 2012; Ord. 27629; passed Jun. 26, 2007)

### **2.17.040 Board member liability.**

Members of the Board of Building Appeals, when executing the duties of the Board as authorized by TMC 2.17.020, are officers of the City of Tacoma and are provided all the protection against personal legal liability provided by TMC 1.12.920.

(Ord. 27629; passed Jun. 26, 2007)

**CHAPTER 2.18**

***REPEALED***

**SOUTH TACOMA COMMERCIAL REVITALIZATION DISTRICT  
FACADE MAINTENANCE AND DESIGN CODE**

*Repealed by Ord. 26386*

(Repealed by Ord. 26386 § 21; passed Mar. 23, 1999; Ord. 23270 § 1; passed Oct. 9, 1984)



**CHAPTER 2.19**  
**SITE DEVELOPMENT CODE**

## Sections:

- 2.19.010 General.
- 2.19.015 Administrative Provisions.
- 2.19.020 Definitions.
- 2.19.030 Site Development Standards and Permit Requirements.
- 2.19.040 *Repealed.*
- 2.19.050 Clearing and Grading Requirements.
- 2.19.060 Surface Water Drainage and Erosion Control Requirements.
- 2.19.070 Inspection Requirements.

**2.19.010 General.**

## A. Scope and Intent:

This chapter provides requirements for the development and maintenance of building and building sites to minimize negative impacts to the environment and improvements to protect restore and enhance features and environmental quality of the site, including off-site improvements.

## B. Referenced codes and standards:

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. To the extent any differences exist between the provisions of this code and the referenced standards, the most restrictive shall apply as determined by the Director of Planning and Development Services, or their designees.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28089 Ex. A; passed Sept. 25, 2012)

**2.19.015 Administrative Provisions.**

The Director of Planning and Development Services shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

## A. Public notifications.

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

## B. Project Meetings.

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor's activities.

## C. Construction Nuisances.

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

Violations of TMC 2.19 or any provision as required by the Director of Planning and Development Services under TMC 2.19.015 shall be administered as outlined in TMC 1.82 - Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020)

**2.19.020 Definitions.**

For the purposes of this Chapter the following definitions shall apply:

## 2.19.020.A

AS-GRADED is the extent of surface conditions on completion of grading.

## 2.19.020.B

BENCH is a relatively level step excavated into earth material on which fill is to be placed.

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**BUILDING SITE** (also **SITE**) shall be a platted or unplatted parcel of land unified as a single property for the purpose of constructing a single building or a group of buildings being constructed as a unified project.

### **2.19.020.C**

**CIVIL ENGINEER** is a professional engineer licensed in the State of Washington and specialized in the design, analysis and supervision of the construction of public and private works, especially roads, excavations, grading, filling, drainage, and erosion control.

**CLEARING** means the removal of vegetative material and includes, but is not limited to the removal of logs, cutting of scrub-shrubs, trees or any vegetative material in a manner that does not disturb or expose the surface of the native soil. Clearing does not include normal property maintenance, such as pruning of trees and shrubbery, lawn mowing, and removal of noxious or nuisance vegetation.

**COMPACTION** is the densification of a fill by mechanical means.

**COTSWMM** is the most current version of the City of Tacoma Surface Water Management Manual.

**CRITICAL AREAS**, as defined in TMC 13.11, include the following ecosystems: areas with a critical recharging effect on aquifers used for drinking water, fish and wildlife habitat conservation areas, frequently flooded areas, geologically hazardous areas, wetlands, and streams.

### **2.19.020.D**

**DRAINAGE SYSTEM** is a system, which includes natural or artificial means of conveyance or control of surface waters prior to delivery to a legal point of disposal and may include one or more of the following components:

1. **Drainage Course** - a natural open depression, which carries away surface water.
2. **Drainage Facility** – a structure used for the purpose of conveyance or control of surface water.
3. **Drainage Channel** - an artificial open depression, which carries away surface water.

### **2.19.020.E**

**EARTHWORK** is the set of operations connected with the construction of embankments of earth or excavation of earth (cut) or placement of earth (fill).

**EMBANKMENT** is a raised structure of earth or gravel designed to retain water or to carry a roadway.

**EROSION** is the wearing away of the ground surface as a result of the movement of wind, water, ice, or any other means.

**EROSION CONTROL** is any approved method of preventing the migration of soil by water, wind, ice, tracking by mechanical equipment, or any other means.

**EXCAVATION** is the mechanical removal of soil.

### **2.19.020.F**

**FILL** is dumping or placing, by artificial means, any material on any soil or sediment surface, including temporary stockpiling of material and is also the material placed in such a manner.

### **2.19.020.G**

**GEOLOGICALLY HAZARDOUS AREA** means an area that is susceptible to erosion, landslides, severe risk of earthquake damage, or other geological events. Geologically hazardous areas are regulated and defined in TMC Chapter 13.11. They include, but are not limited to, erosion hazard areas, landslide hazard areas, moderate and steep slopes, and seismic hazard areas.

**GEOLOGIST** is a scientist experienced and knowledgeable in the practice of subsurface soil and bedrock investigations, and analysis of mineralogy, landforms and geological processes.

**GEOTECHNICAL ENGINEER** is a civil engineer experienced and knowledgeable in the practice of subsurface soil investigation and analysis, settlement analysis, hydro-geological investigation, and earthwork, retaining wall, and foundation design.

**GRADE** is the vertical elevation of the ground surface.

1. **Existing grade** is the grade prior to grading.
2. **Rough grade** is the stage at which the grade approximately conforms to the approved plan.

3. Finish grade is the final grade of the site, which conforms to the approved plan.

GRADING is any excavating or filling or combination thereof.

1. Regular Grading is the grading involving the relocation of soil on any lot, parcel or group of lot or parcels being simultaneously developed.
2. Engineered Grading is the grading, as designed by a civil engineer, involving the relocation of soil on any lot, parcel or group of lots or parcels being simultaneously developed.

GRUBBING is removal of roots or stumps in a manner that clears or breaks and exposes the surface of the native soil.

2.19.020.K

KEY is a designed excavation in the soil beneath a fill slope to hold the fill in place.

2.19.020.R

RECOGNIZED ENGINEERING PRACTICES are the most current effective practices, science, and methods which are used to manage surface water, erosion, and soil/slope stability and which may include, but not be limited to, the most current version of the COTSWMM.

2.19.020.S

SLOPE is an inclined ground surface, the inclination of which is expressed as a percent ratio of the vertical distance to the horizontal distance and is categorized as follows:

1. Level to Shallow Slope – a slope less than 25 percent.
2. Moderate Slope - a slope greater than or equal to 25 percent and less than 40 percent.
3. Steep Slope - a slope greater than or equal to 40 percent

SOIL is any unconsolidated material composed of naturally occurring discrete solid particles with void spaces between.

SPECIAL INSPECTION is the inspection required by this chapter to be performed by, or under the supervision of a civil engineer, and shall include, but not be limited to compaction testing, inspection of retaining wall construction, excavations, fills and other grading activities, and inspection for soil/slope stability. Inspections shall be either continuous or periodic as defined as follows:

1. Continuous – the full-time observation of work requiring special inspection by an approved special inspector who is present in the area where the work is being performed.
2. Periodic – the part-time or intermittent observation of work requiring special inspection by an approved special inspector who is present in the area where the work has been or is being performed and at the completion of the work.

2.19.020.T

TERRACE is a relatively level step constructed in the face of a graded slope surface for drainage control, maintenance, or aesthetic purposes.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020; Ord. 28089 Ex. A; passed Sept. 25, 2012)

**2.19.030 Site Development Standards and Permit Requirements.**

A. Standards.

The standards for testing listed below are adopted standards in addition to the standards in IBC Chapter 35, which was adopted by reference at TMC 2.02.010.

1. ASTM D 1556, In-Place Density of Soils by the Sand-Cone Method
2. ASTM D 2167, In-Place Density of Soils by the Rubber-Balloon Method
3. ASTM D 2922, In-Place Moisture Content of Soils by Nuclear Methods
4. ASTM D 2937, In-Place Density of Soils by the Drive-Cylinder Method
5. ASTM D 3017, In-Place Density of Soils by Nuclear Methods

B. Permit Requirements.

1. Permit Requirements.

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Except as specified below, no person shall grade, clear, pave, level, alter, construct, repair, remove or excavate, soils, pavement, walkways, vaults, private side sewers, private storm drainage facilities, or other site improvements in the City of Tacoma without first having obtained a Site Development Permit. The Director of Planning and Development Services, or designee, shall have the authority to determine if a permit is required for all other activities.

### C. Permit Expiration.

At any time during the permitting process: application, plan review, or construction; a permit will expire if no applicant activity within the specific process occurs within 180 days. The City will notify the applicant of its intent to cancel the permit at the end of 180 days. Upon notification, the applicant may request an extension of their permit in writing.

### D. Application.

Application for a Site Development Permit shall be accompanied by plans and, as applicable, specifications, and shall conform to the provisions of IBC Section 106. In addition, the application shall state the estimated quantities of excavations, fills, grubbing, and relocation of soil in cubic yards and the area to be graded or cleared in square feet. Prior to plan submittal the applicant shall determine whether the proposed project is located in a Critical Area as governed by TMC 13.11 and so state on the permit application.

### E. Bonds.

The City may require bonds in such form and amounts as may be deemed necessary to assure that the work, if not completed in accordance with the approved plans and specifications, will be corrected to eliminate hazardous conditions.

In lieu of a surety bond, the applicant may file a cash bond or assignment of funds with the City in an amount equal to that which would be required in the surety bond.

### F. Exempted Work.

A Site Development Permit is not required for the following unless such work is in a Critical Area governed by TMC Chapter 13.11; however, all such work is subject to application of the Recognized Engineering Practices to mitigate the anticipated conditions:

1. Grading, to include grubbing, less than 50 cubic yards or an area not to exceed 7,000 square feet, whichever is less, performed in a two-year period that is not part of a building project or new impervious surface that requires a permit.
2. Clearing less than 7,000 square feet in area meeting at least one of the following:
  - a. Activities in preparation for site surveying, or other associated work. This does not permit grubbing or activities that cause soil disturbance.
  - b. Clearing within ten feet of the perimeter of buildings.
  - c. General property and utility maintenance, landscaping, or gardening in pre-existing developed land.
3. An excavation below finished grade for basements and footings of a building, retaining wall, or other structure authorized by a valid building permit. This shall not exempt any fill made with the material from such excavation, or exempt any excavation having an unsupported height greater than five feet after the completion of such structure, or exempt any grading over 50 cubic yards.
4. Refuse disposal sites controlled by other regulations.
5. Hazardous waste remediation under the jurisdiction of other agencies.
6. Excavation on private property for wells or tunnels. Backfill is also exempt, provided it is not transported off site, or the backfill is not imported from off-site. Other filling with the material from such excavation requires a permit. This does not exempt the Contractor from being required to follow Recognized Engineering Practices.
7. Mining, quarrying, excavating, processing or stockpiling rock, sand, gravel, aggregate or clay where local regulation is pre-empted by state or federal law. Such operations shall follow Recognized Engineering Practices and be in compliance with the COTSWMM.
8. Exploratory excavations under the direction of a civil engineer or geologist. This shall not exempt any fill made with the material from such excavation. Clearing or grading to construct an access road to an exploratory site shall require a permit if construction requires more than 50 cubic yards of grading or disturbs an area more than 7,000 square feet, whichever is less.
9. Clearing associated with routine maintenance by utility agencies or companies. This does not exempt the utility agencies or companies from being required to follow Recognized Engineering Practices.



10. Clearing or grading in the right-of-way associated with street, alley, or sewer work approved by the Public Works Department or road maintenance conducted in accordance with the Regional Road Maintenance Program.

11. Removal of trees or other vegetation, which cause sight distance obstructions at intersections so determined by the City of Tacoma Traffic Engineer.

12. Removal of hazardous trees on private property provided no more than 50 cubic yards of grading is required and no more than 7,000 square feet of area is disturbed, whichever is less.

13. Forest practices under the jurisdiction of other agencies.

14. Graves in legally established cemeteries.

Exemption from the permit requirements of this chapter shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this chapter or any other laws or ordinances of the City of Tacoma.

G. Emergency Work and Hazards.

1. Emergency Grading.

Emergency Clearing and Grading activities, which if not performed immediately would substantially endanger life or property, are exempt from permits prior to beginning work only to the extent necessary to meet the emergency. Permits authorizing the emergency work will be required as soon as practical after starting work.

2. Slope Stability Hazards.

The owner of the property upon which a landslide or other slope stability hazard has occurred shall be required to repair the slope for the following conditions:

- a. The landslide or slope stability hazard has occurred within 50 feet of a building structure.
- b. Where determined by the City to be a hazard to life, limb, property or the public welfare.
- c. Where determined by the City to adversely affect the safety, use, or stability of a public way or drainage channel.

The owner of the property, upon which the landslide or slope stability hazard is located, or other person or agent in control of said property, upon receipt of notice in writing from the City, shall, within the period specified therein, repair or eliminate the hazard and be in conformance with the requirements of this code. Repair measures must be in conformance with a plan designed by a civil engineer.

H. Definitions.

For the purposes of this chapter, the definitions listed herein shall be construed as specified in TMC 2.19.020.

(Ord. 28701 Ex. A; passed Nov. 17, 2020: Ord. 28561 Ex. A; passed Nov. 27, 2018: Ord. 28502 Ex. B; passed Apr. 10, 2018: Ord. 28089 Ex. A; passed Sept. 25, 2012)

**2.19.040 Repealed by Ord. 28701. Off-site improvements.**

(Repealed by Ord. 28701 Ex. A; passed Nov. 17, 2020: Ord. 28327 Ex. A; passed Nov. 3, 2015; Ord. 28089 Ex. A; passed Sept. 25, 2012)

**2.19.050 Clearing and Grading Requirements.**

A. Application Requirements.

1. General.

The plans shall contain the location of the work, limiting dimensions of the proposed clearing, including any setbacks, and the location of any existing improvements or structures where work is to be performed, and the location of any existing improvements or structures within 50 feet of the proposed clearing area. The plans shall also contain provisions for the preservation of natural land and water features, vegetation, drainage, and other indigenous features of the site. Clearing associated with Engineered Grading work or within geohazard areas, or as determined by the Director of Planning and Development Services, or designee, shall require a plan prepared by a civil engineer and/or approved hydrologist or forest management expert.

2. Clearing.

Clearing shall be accomplished in a manner that will not create, or contribute to, flooding, erosion, or increased turbidity, siltation, or other forms of pollution. Clearing shall be conducted so as to expose the smallest practical area of soil to erosion

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for the least possible time, consistent with the construction schedule. Provisions shall be made for interim erosion control measures. Clearing shall be accomplished in a manner that will not create, or contribute to, landslides, accelerated soil creep, settlement, and subsidence on the subject property and/or adjoining properties.

### 3. Site Cleanup.

Vegetative material from the cleared site shall be removed or chipped in an approved manner, within 60 days from the completion of the operation. Chipped material deposited on an interim basis shall be protected from becoming a fire hazard.

### 4. Grading.

The grading plan shall show the existing grade and finished grade in contour intervals of sufficient clarity to indicate the nature and extent of the work and show in detail that it complies with the requirements of this code. The plans shall show the existing grade on adjoining properties, including public rights-of-way, for a distance as required by the City from the proposed grading area, but not less than is necessary to provide sufficient detail to identify how grade changes will conform to the requirements of this code. The plan shall also identify all drainage courses and surface water flow to and from the site, both existing and proposed.

#### B. Earthwork.

##### 1. Excavations.

Unless otherwise recommended in an approved soils engineering report, excavations shall conform to the provisions of this section. The slope of excavated surfaces shall be no steeper than is safe for the intended use, and shall be no steeper than two horizontal to one vertical (50 percent). Steeper slopes, if specifically addressed in the soils engineering report, may be authorized by the City.

EXCEPTIONS: An excavated surface may be at a slope of 1.5 horizontal to 1 vertical (67 percent), provided that all of the following are met:

- a. It does not support structures or surcharges.
- b. It is protected against erosion.
- c. It is no more than 8 feet in height.
- d. It is approved by the Building Official.

##### 2. Fills.

###### a. General.

Unless otherwise recommended in an approved soils engineering report, fills shall conform to the provisions of this section.

EXCEPTION: These provisions may be waived by the Building Official for minor fills not intended to support structures, sanitary or storm sewers, sidewalks, and private or public roads.

###### b. Surface Preparation.

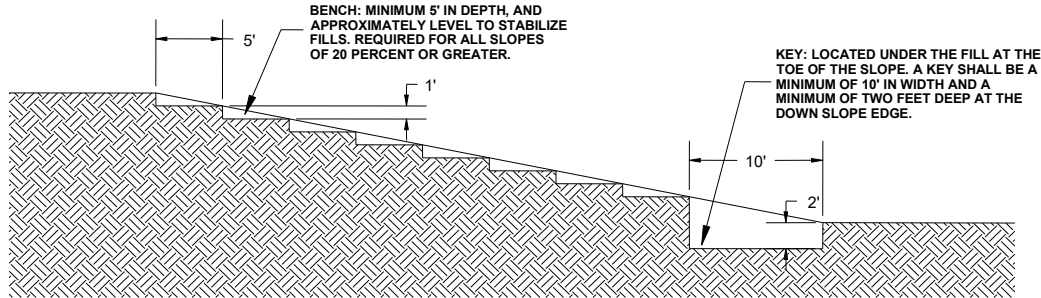
The ground surface shall be prepared to receive fill by removing vegetation, topsoil, and other unsuitable materials, and scarifying the ground to provide a bond with the fill material.

###### c. Benches and Keys.

Where existing grade is at a slope steeper than 5 horizontal to 1 vertical (20 percent) and the depth of the fill exceeds 5 feet, benching and keying shall be provided. Benches shall be essentially level and a minimum of 5 feet in width. Keys shall be at the toe of the fill slope in undisturbed native soil and be placed beneath the fill. They shall be at least 10 feet in width and 2 feet in depth. (See Figure 2.19.1)

###### d. Fill Material.

Fill material shall not include organic, frozen, or other deleterious materials. Except as approved by the Building Official, no rock, broken concrete, or similar irreducible material greater than 12 inches in any dimension shall be included in fills.



**FIGURE 2.19.1**

e. Compaction.

All fills supporting buildings and other structures shall be compacted to a minimum of 90 percent Modified Proctor in accordance with ASTM D1557, or as specified by the civil engineer of record. Lifts shall not exceed 12 inches in depth. Special inspection to verify compaction is required for fills supporting buildings or other structures. The number and frequency of field tests shall be specified by the civil engineer of record. Compaction in existing or future City rights of way shall be in accordance with the requirements of the City of Tacoma Public Works Department Standards and the most current City of Tacoma Design Manual.

f. Maximum Slope.

The slope of fills shall be no steeper than is safe for the intended use. Fill slopes shall not be steeper than two horizontal to one vertical, unless justified by a soils engineering report.

3. Setbacks.

a. General.

Cut and fill slopes shall be set back from site boundaries in accordance with this section. Setback dimensions shall be horizontal distances measured perpendicular to the site boundary. Setback dimensions shall be as shown in Figure 2.19.2, unless alternate setbacks are approved by the Building Official and/or a soils engineering report. The Building Official may require greater setbacks to protect public property.

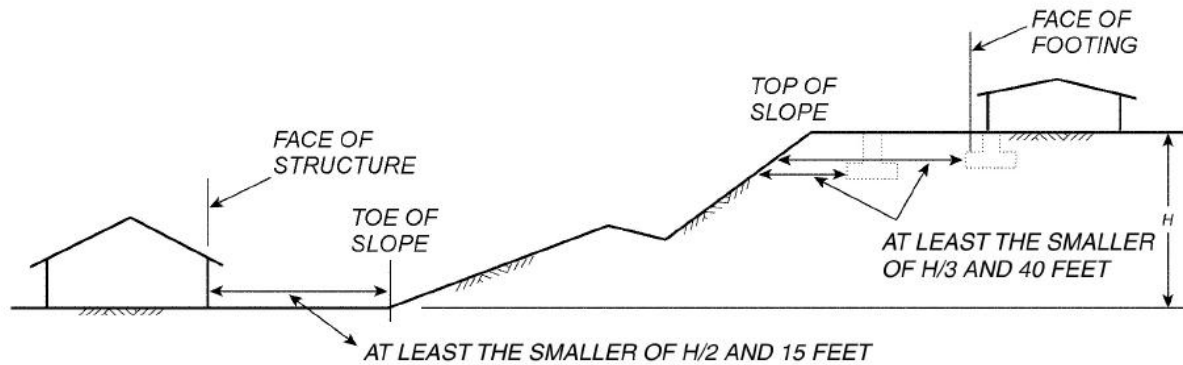
b. Slope Setbacks.

The top of slopes shall not be graded closer to the face of the footing than one-third of the vertical height of the slope with a maximum of 40 feet (Figure 2.19.2). The setback may need to be increased for any required interceptor drains. The toe of slopes shall be graded not closer to the face of the structure than one-half the height of the slope, with a maximum of 15 feet.

c. Special Provisions.

Where a graded slope is to be located near the site boundary and the adjacent off-site property is developed, special precautions shall be incorporated into the work as the Building Official and/or soil engineering report deem necessary to protect the adjoining property from damage as a result of such grading. These precautions may include, but are not limited to:

- (1) Additional setbacks.
- (2) Provisions for retaining walls or similar structures.
- (3) Terracing.
- (4) Erosion protection of slopes, and other provisions for the control of surface water.



**FIGURE 2.19.2**  
FOUNDATION CLEARANCES FROM SLOPES

4. Terracing and Associated Drainage

a. General.

Unless otherwise recommended by a civil engineer, terracing and associated drainage facilities shall conform to the provisions of this section:

EXCEPTION: Terracing and associated drainage facilities are not required where the ground slope is not steeper than 3 horizontal to 1 vertical (33 percent), and provided surface water runoff and erosion are controlled.

b. Terraces.

Terraces at least 6 feet in width shall be established at not more than 30-foot vertical intervals on all cut or fill slopes to control surface drainage and debris, except that where only one terrace is required, it shall be at mid-height. For cut or fill slopes greater than 60 feet and up to 120 feet in vertical height, one terrace at approximately mid-height shall be 12 feet in width. Terrace widths and spacing for cut and fill slopes greater than 120 feet in height shall be designed by a civil engineer and approved by the Building Official. Terraces shall be backsloped and cross sloped to capture surface water and to direct it to swales, ditches, and/or interceptor drains. Suitable access shall be provided to permit proper cleaning and maintenance.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020)

**2.19.060 Surface Water Drainage and Temporary Erosion Control Requirements.**

A. Surface Water Drainage.

1. General.

All drainage facilities shall be designed per the requirements of the COTSWMM. Site drainage shall not be directed onto/across adjacent properties without first obtaining necessary easements from the property owner and approval of the Public Works Department. All existing and proposed drainage courses shall be identified on the plans. Existing drainage shall be maintained unless an alternative drainage system is provided that is approved by the Building Official. When approved by the Building Official, site drainage may be discharged into public streets, but may not drain directly over the public sidewalks and driveways. Recorded drainage facility easements across adjacent properties are required prior to issuance of the grading permit. Connections to the City storm drainage system require a separate permit.

2. Swales and Ditches.

Swales or ditches, where provided, shall have a minimum gradient of 50 horizontal to 1 vertical (two percent) where paved and a minimum gradient of 20 horizontal to 1 vertical (five percent) otherwise. Paving for swales and ditches shall be with reinforced concrete not less than three inches in thickness, or other material approved by the Building Official. Unpaved swales and ditches shall be grass or rock lined. They shall have a minimum depth at the deepest point of 12 inches where paved and 24 inches where unpaved, and a minimum width of 5 feet. A single run of swale or ditch shall not collect runoff from a tributary area exceeding 13,500 square feet of horizontal projected area without discharging to a private or public storm sewer pipeline.

3. Interceptor Drains.

Interceptor drains shall be installed along the top of all slopes receiving drainage from a tributary width greater than 40 feet, measured horizontally. Interceptor drains shall be paved with a minimum of three inches of concrete or gunite, or other material approved by the Building Official. They shall have a minimum depth of 12 inches and a minimum paved width of

three feet, measured horizontally across the drain. The slope of the drain shall be approved by the Building Official, but shall not be less than 50 horizontal to 1 vertical (2 percent). Discharge from the drain shall be accomplished in a manner to prevent erosion and shall be approved by the Building Official.

4. Subsurface Drains:

Cut and fill slopes shall be provided with subsurface drainage as necessary for stability. Subsurface drains shall be designed by a civil engineer.

5. Disposal.

All drainage facilities shall be designed to carry waters to the nearest practicable drainage-way that is approved by the Building Official or other approving agency as a safe place to deposit such waters. Erosion of ground in the area of discharge shall be prevented by installation of non-erosive down drains or other devices.

B. Erosion Control and Temporary Surface Water Control.

1. Erosion and Sediment Control.

The faces of cleared or graded slopes shall be prepared and maintained to control erosion. Such control shall consist of approved erosion and sediment control best engineering practices. Permanent protection for slopes shall be installed as soon as practicable and prior to calling for final approval.

2. Thresholds.

A Construction Stormwater Pollution Prevention Plan (SWPPP) is required for all projects proposing to:

- a. Add or replace 2,000 square feet or more of impervious surface; and/or
- b. Disturb 7,000 square feet or more of land.

3. Erosion and Sediment Control (ESC) Lead.

For all sites or projects requiring engineered grading in excess of 500 cubic yards, either a civil engineer or other person possessing an approved certificate for erosion and sediment control training shall be identified in the Construction SWPPP and shall be on-site or on-call at all times. Certification may be through the Washington State Department of Transportation/Associated General Contractors (WSDOT/AGC) Construction Site Erosion and Sediment Control Certification Program or any equivalent local or national certification and training program as approved by the Building Official.

4. Special Approved Discharge Permit (Construction Dewatering).

All discharges during construction to the City sewer system (storm or sanitary) require prior City approval. Discharge to the City sewer system during construction may require a separate Special Approved Discharge permit.

C. Soils Engineering Report.

1. Soils Engineering Report Conditions.

A soils engineering report will be required for the following conditions:

- a. Clearing or grading in an area with moderate to steep slopes (greater than 25 percent slopes).
- b. Grading that will require a cut or fill greater than 10 feet in height vertically.
- c. Grading in excess of 5,000 cubic yards, except where grading consists of fills less than 2 feet in depth on level to shallow slopes.
- d. Grading that may impact support or stability of public right-of-way, existing building foundations or adjacent property.
- e. Grading work that will include installing retaining walls greater than 8 feet in height, or walls supported by soil nailing or tiebacks.
- f. Grading in areas where previous grading or uncontrolled filling has been conducted without a grading permit.
- g. Where groundwater seepage has been identified on the site.
- h. As required by the Building Official.

2. Soils Engineering Report Contents.

The soils engineering report shall include, but not be limited to:

- a. Data regarding a description of geology of the site, the nature, distribution, and strength of existing soils.

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- b. Design criteria for retaining walls or similar structures.
- c. Conclusions and recommendations for filling and grading procedures.
- d. Design criteria for corrective measures, including buttress fills, when necessary.
- e. Stability analysis of moderate and steep slopes.
- f. Opinion on adequacy for the intended use of sites to be developed by the proposed grading as affected by geotechnical engineering and geologic factors.
- g. Design parameters for and evaluation of the geologic impact of proposed retaining wall structures and soil nails and tiebacks on adjacent properties and City rights-of-way. Soil nails or tiebacks extending into public right-of-way are required to obtain a street occupancy permit from the City of Tacoma, and shall be temporary in nature. Where retaining wall structures, soil nails or tiebacks extend into private property, a recorded easement is required prior to issuing said permits. Soil nailing and tiebacks shall be required to comply with the City of Tacoma Soil Nail Policy.

### 3. Liquefaction Study.

For sites with mapped maximum considered spectral response accelerations at short periods (Ss) greater than 0.5g as determined by IBC Section 1613, a study of the liquefaction potential of the site shall be provided, and the recommendations incorporated in the plans.

EXCEPTION: A liquefaction study is not required where the Building Official determines from established local data that liquefaction potential is low.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020)

## **2.19.070 Inspection Requirements.**

### A. General.

Grading operations for which a permit is required shall be subject to inspection by the Director of Planning and Development Services, or designee. Special inspection of grading operations shall be provided by a civil engineer retained to provide such services where required by the Director of Planning and Development Services, or designee.

### B. Inspections.

#### 1. Civil Engineer Inspections.

The civil engineer shall provide inspection within such engineer's area of technical specialty, which shall consist of the following:

- a. Observation and review as to the establishment of line, grade, and surface drainage of the development area.
- b. Observation during grading and testing for required compaction to verify required compaction called for in the specifications has been met.
- c. Observation during the preparation of the natural ground, placement of fill, and construction of retaining walls to verify that such work is being performed in accordance with the conditions of the approved plan and the appropriate requirements of this chapter.

#### 2. Erosion Control Inspections.

Where required by the Director of Planning and Development Services, or designee, either a civil engineer or other person possessing an approved certificate for erosion and sediment control training shall provide inspection of erosion and sediment control at the site. The erosion control inspector shall report to the Director of Planning and Development Services, or designee, and be responsible for assuring that all erosion control systems are installed and maintained until the site has been permanently stabilized. It shall also be the responsibility of this inspector to supervise the proper removal of temporary erosion control systems at the end of the project.

### C. Notification of Noncompliance.

If, in the course of fulfilling their respective duties under this chapter, the civil engineer finds that the work is not being done in conformance with this chapter or the approved grading plans, the discrepancies shall be reported immediately to the Director of Planning and Development Services, or designee.

### D. Transfer of Responsibility.

If the civil engineer of record is changed during grading, the work shall be stopped until the replacement has agreed in writing to accept their responsibility within the area of technical competence for approval upon completion of the work. It shall be the duty of the permittee to notify the Director of Planning and Development Services, or designee, in writing of such change prior to the recommencement of such grading.

**E. Completion of Work.**

**1. Final Reports.**

Upon completion of the rough grading work and at the final completion of the work, the Director of Planning and Development Services, or designee, may require a Completion Report which may include, but not be limited to, the following:

- a. A record drawing prepared by the civil engineer showing original ground surface elevations, as-graded ground surface elevations, lot drainage patterns, and the locations and elevations of surface drainage facilities and the outlets of subsurface drains. The civil engineer shall also provide a signed and stamped letter certifying the private storm drainage system was constructed as designed.
- b. A report prepared by the civil engineer including locations and elevations of field density tests, summaries of field and laboratory tests, observations and testing during retaining wall construction, as-constructed locations, elevations, and details of subsurface drains, and comments on any changes made during grading and their effect on the recommendations made in the approved soil engineering report.
- c. Reports of erosion control inspections performed by either the civil engineer or other person possessing an approved certificate for erosion and sediment control training, details of replacement or maintenance of erosion and sediment control systems and cleanup of any spills during grading activities.

**2. Notification of Completion.**

The permittee shall notify the Director of Planning and Development Services, or designee, when the clearing and grading operation is ready for final inspection. Final approval shall not be given until all work, including installation of all drainage facilities and their protective devices, and all erosion control measures have been completed in accordance with the final approved clearing and grading plan, and the required reports have been submitted.

(Ord. 28701 Ex. A; passed Nov. 17, 2020)





**CHAPTER 2.21**  
**HOUSING CODE REQUIREMENTS FOR TEMPORARY SHELTERS**

## Sections:

- 2.21.100 Purpose.
- 2.21.200 General.
- 2.21.300 Definitions.
- 2.21.400 Permits and inspections.
- 2.21.410 Permits.
- 2.21.420 Permit application.
- 2.21.430 Permit expiration or revocation.
- 2.21.500 Shelter capacity and staffing.
- 2.21.510 Maximum shelter capacity.
- 2.21.520 Temporary shelter staff.
- 2.21.600 Life-safety requirements.
- 2.21.610 Egress requirements.
- 2.21.620 Hazard evaluation and separation from hazards.
- 2.21.630 Smoke and fire protection.
- 2.21.640 Electrical requirements.
- 2.21.700 Emergency Evacuation Plan.
- 2.21.800 Lighting, heat, ventilation, and sanitation.

**2.21.100 Purpose.**

This chapter is adopted pursuant to Washington Administrative Code (“WAC”) 51-16-030 that allows the adoption of exemptions from the state building code requirements for temporary changes of use or occupancy to existing buildings in order to provide housing for individuals and families who are homeless. Those buildings or structures shall be required to comply with the provisions of this chapter while being used as temporary shelters for housing in addition to all existing provisions required by the approved certificate of occupancy for the existing use and occupancy unless it conflicts with the provisions of this chapter. Where code requirements conflict with the provisions of this chapter, the most restrictive provisions of this chapter shall apply as determined by the Building Official and/or Fire Code Official, or their designees.

(Ord. 28507 Ex. A; passed May 1, 2018)

**2.21.200 General.**

Temporary shelters for individuals and families who are homeless may be located in existing buildings owned and/or operated by either a non-profit or public agency without undergoing a change of use or occupancy, subject to the provisions in this chapter. Other code provisions not included in this chapter shall be in accordance with Tacoma Municipal Code (“TMC”) Chapters 2.02, Building Code; 2.06, Plumbing Code; 2.07, Mechanical Code; 2.10, Energy Code; and 2.13, Waterfront Structures and Marinas, as applicable. Temporary shelters shall also comply with applicable requirements in TMC Title 13, Land Use Regulatory Code. (Emergency provisions for sheltering individuals and temporary shelters allowed pursuant to TMC 13.06.635 are not addressed in this chapter.)

(Ord. 28507 Ex. A; passed May 1, 2018)

**2.21.300 Definitions.**

For the purposes of this code, the following definitions shall be used as stated in this chapter:

**Approved Non-Profit Temporary Shelter Operator.** A nonprofit organization certified as tax-exempt by the Internal Revenue Service and approved as a temporary shelter operator by the City of Tacoma Neighborhood and Community Services Department.

**Homeless.** A condition for an individual or family who do not have fixed, regular, adequate, or safe shelter nor sufficient funds to pay for such shelter.

**Supportive services.** Writing, training, vocational, and psychological counseling, or other similar programs designed to assist those who are homeless into independent living.

**Temporary Shelter (Permitted).** A facility whose primary purpose is to provide temporary or transitional shelter and/or supportive services to individuals or families who are homeless.

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Temporary Shelter (Exempt). Structures being used to provide shelter to an individual person that are exempt from building permits such as single occupant tents (fabric, plastic, or wood), or other similar temporary structures less than 120 square feet erected on an emergency or temporary basis that provide shelter from the elements.

(Ord. 28507 Ex. A; passed May 1, 2018)

### **2.21.400 Permits and inspections.**

The 400 section contains requirements for permitting and inspections, including the following:

- 2.21.410 Permits.
- 2.21.420 Permit Application.
- 2.21.430 Permit expiration or revocation.

(Ord. 28507 Ex. A; passed May 1, 2018)

#### **2.21.410 Permits.**

A Temporary Shelter Permit shall be required for occupancy of any existing building or structure to be used as a temporary shelter which does not comply with the requirements of the proposed occupancy for residential use in accordance with TMC 2.02. An application and fees in accordance with TMC 2.09 shall be submitted to the Building Official prior to occupancy of the building or structure. Inspections are also required with the Temporary Shelter Permit application pursuant to the requirements of this chapter.

(Ord. 28507 Ex. A; passed May 1, 2018)

#### **2.21.420 Permit application.**

The following shall be required for the issuance of a Temporary Shelter Permit:

##### A. Permit application.

The applicant shall submit a complete application for a Temporary Shelter Permit in accordance with this chapter. The application shall include a minimum of the following:

1. Site address, building owner, and operator name;
2. Site plan showing external facility layout and fire department access route, including location/distances to nearest fire hydrant(s);
3. Internal facility layout showing sleeping rooms and other spaces including restrooms and bathing facilities, kitchens, and other common spaces, and other portions of the building not being used;
4. Locations of doors, a schedule of door hardware, and exit signage;
5. Location of smoke/carbon monoxide alarms, and other fire/life safety equipment including fire alarms and sprinklers, fire alarm control panels, knock boxes, emergency communication devices, and other associated life safety systems;
6. Other permits being applied for related to this proposed use including land use/critical area, electrical, health department, site development, or others;
7. Operations and security plan;
8. Emergency evacuation plan; and
9. Staff training plan.

##### B. Feasibility inspection.

A minimum of 30 days prior to submitting an application for a temporary shelter, the shelter operator shall schedule a pre-inspection of the facility with the Building Official, the Fire Code Official, and the TPU Chief Electrical Inspector, or their designees. The inspection shall determine if the building and/or area are suitable for the temporary shelter and identify work to be completed prior to occupancy.

Exception: Shelters to be operated for a period less than 30 days may schedule the pre-inspection a minimum of seven days prior to submitting their application.

C. Pre-occupancy inspection.

After work is completed and the permit application is approved, the Building Official and Fire Code Official, or their designees, shall conduct an inspection to verify life safety systems are in place and operational, and all requirements of the Temporary Shelter Permit have been met. Additional permits may be required for any proposed modification, whether permanent or temporary, to mechanical, electrical, plumbing, building, or fire elements or systems, or any onsite or offsite infrastructure or signage.

D. Permit renewal/annual inspection.

If the temporary shelter is in operation for more than one year, the Temporary Shelter Permit applicant shall submit an application for an annual permit renewal. As part of the annual permit renewal, an annual inspection shall be conducted by the Building Official and Fire Code Official, or their designees, to verify continued compliance with the requirements of the permit and any additional provisions which may need to be provided. Any deficiencies identified in this inspection shall be corrected prior issuance of the renewed permit.

City inspectors may perform other inspections during periods of shelter operation and shall be allowed full access to the shelter area and adjacent vicinities. When possible, inspections will be scheduled to minimize disruptions to shelter activities and shelter residents.

(Ord. 28507 Ex. A; passed May 1, 2018)

**2.21.430 Permit expiration or revocation.**

A. Permit expiration.

Temporary shelter permits are authorized for no longer than one year. Provided no significant changes are made in the operation of the shelter, the permit may be renewed annually for up to four additional consecutive years, provided the following are met:

1. The building has not fallen into a state of disrepair;
2. Fire-life safety systems and mechanical and electrical systems are maintained; and
3. The shelter is not under an enforcement action under TMC 2.01, Minimum Buildings and Structures Code.

After five years of consecutive operation, a new application for a temporary shelter may be submitted subject to the approval of the Fire Code Official and Building Official.

B. Permit Revocation.

The Building Official and/or Fire Code Official are authorized to suspend or revoke a permit issued under the provisions of this chapter wherever the permit is issued in error or on the basis of incorrect, inaccurate, or incomplete information, or in violation of any ordinance or regulation of this or any other city, state or federal codes.

(Ord. 28507 Ex. A; passed May 1, 2018)

**2.21.500 Shelter capacity and staffing.**

The 500 section contains requirements for shelter capacity and staffing, including the following:

- 2.21.510 Maximum shelter capacity.
- 2.21.520 Temporary shelter staff.

(Ord. 28507 Ex. A; passed May 1, 2018)

**2.21.510 Maximum shelter capacity.**

The maximum number of allowable temporary shelter residents shall be calculated using a factor of one individual for every 35 square feet of room area. Increases to shelter capacity may be permitted as approved by the Building Official and Fire Code Official, or their designees.

Temporary shelters shall be limited to a maximum capacity of 99 residents, and shall be required to be located on a level(s) of exit discharge.

Exceptions:

1. Buildings that are equipped with a fire sprinkler system and where the shelter spaces are located within one story of a level of exit discharge.

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2. Where shelter spaces are located within buildings constructed of unreinforced masonry, a structural evaluation of the building shall be required where shelter capacity will exceed 99 persons. The structural evaluation of the building shall evaluate whether the building meets the lateral and vertical force requirements set forth in TMC 2.01, Minimum Building and Structures Code. If the building does not meet the required force requirements, retrofits will be required to the extent that it is in compliance with TMC 2.01 requirements. In addition, all parapets and exterior walls along public ways shall be braced for seismic loads.

(Ord. 28507 Ex. A; passed May 1, 2018)

### **2.21.520 Temporary shelter staff.**

Whenever the temporary shelter is occupied with residents, trained staff with assigned responsibilities shall be present and awake at a ratio of staff-to-resident of not less than 1:50 for buildings not equipped with an approved automatic fire sprinkler system, and 1:100 for buildings equipped with an automatic fire sprinkler system. Where the shelter sleeping areas are separated from each other, a higher staff-to-resident ratio may be required by the Building Official and Fire Code Official.

The temporary shelter operator shall provide in the Operations Plan a Point of Contact staff person to be onsite and available at all times during shelter operation. A revised Operations Plan shall be provided to the Building Official and Fire Code Official prior to any changes of Point of Contact(s). The Point of Contact staff person(s) shall be an adult, be present and awake at all times, be equipped with a flashlight, and have immediate access to a phone. This duty can be shared by more than one adult; however, this must be clearly defined in the shelter's Operations Plan.

(Ord. 28507 Ex. A; passed May 1, 2018)

### **2.21.600 Life-safety requirements.**

The 600 section contains life-safety requirements, including the following:

- 2.21.610 Egress requirements.
- 2.21.620 Hazard evaluation and separation from hazards.
- 2.21.630 Smoke and fire protection.
- 2.21.640 Electrical requirements.

(Ord. 28507 Ex. A; passed May 1, 2018)

#### **2.21.610 Egress requirements.**

A. Exit location and exit access.

The shelter shall be located on a level of exit discharge and must be clearly defined in the shelter facility plan submitted with the Temporary Shelter Permit application.

Exception: The shelter may be located no more than one level above or below a level of exit discharge if the building is equipped throughout with an automatic fire sprinkler system. Exit access travel distance shall not exceed 250 feet for a building equipped throughout with an automatic fire sprinkler system and 200 feet without a sprinkler system. Common path of egress travel shall not exceed 75 feet unless approved by the Building Official and Fire Code Official.

B. Number of Exits.

Exits within the temporary shelter shall comply with the following requirements:

1. All stories within a temporary shelter area shall have a minimum of two means of egress (exits) from each story.
2. Shelter sleeping rooms on a level of exit discharge with less than 10 residents shall have at least one exit and, where the sleeping rooms are provided as separate rooms, from the rest of the story, shall have at least one window qualifying as an emergency escape and rescue window.

Exception: Buildings equipped with a fire sprinkler system are not required to have an emergency escape and rescue window.

3. Shelter sleeping rooms that are located on stories above or below the level of exit discharge shall have two exits from any room. The exits serving the room shall be separated by a distance equal to at least one-third of the longest diagonal distance of the room.

C. Emergency Lighting.

1. Exits and exit access doors shall be marked with an exit sign readily visible from any direction of egress travel. In addition, the path of travel to exits and within exits shall be marked by readily visible exit signs to clearly indicate the direction of egress travel where the direction of egress travel is not immediately visible to the occupant.

2. Exit signs shall be illuminated at all times by either electrically powered self-luminous, or photo luminescent signs listed and labeled in accordance with UL 924. Backup power in the form of batteries, unit equipment, or an onsite generator is required for exit signs that are electrically powered.
3. Every exit sign and directional exit sign shall have lettering and illumination in conformance with the most recently adopted City of Tacoma Building Code requirements.
4. Exit paths shall be unobstructed and exit doors shall be maintained to be readily openable at all times without the use of a key or special knowledge or effort.
5. Sleeping rooms that exit only to a hallway shall be provided with at least one working flashlight when occupied.
6. The path of exit travel shall be illuminated at a minimum of one-foot candle.

(Ord. 28507 Ex. A; passed May 1, 2018)

### **2.21.620 Hazard evaluation and separation from hazards.**

#### **A. Hazard evaluation.**

The Building Official and Fire Code Official, or their designees, shall evaluate the hazards associated with the proposed temporary shelter use in the building and compare it to the hazards associated with the existing use. Any increased hazard shall be addressed as either identified in this chapter or as additional mitigation that may be required by the Building Official during the application and inspection process. Criteria to be evaluated in the comparison of hazards may include, but is not limited to, the following:

1. Location on the property and location of nearest fire hydrants;
2. Adjacent or interior building uses;
3. Systems for egress and exiting;
4. Fire resistive properties of building walls and ceilings;
5. Fire protection systems and equipment;
6. Hazards associated with building structures and/or plumbing and mechanical systems;
7. Presence of combustible materials in the shelter area; and
8. Presence of any other hazardous materials in or near the shelter area.

#### **B. Separation from hazards.**

The shelter must be adequately separated from any hazards to the residents per the requirements as follows:

1. The shelter cannot be located in a building that includes any H occupancies.
2. The shelter may be located in a building that is also being occupied by S and/or F occupancies provided the building is equipped with an automatic fire sprinkler system.
3. The shelter may be located in a building that is also being occupied by A, B, E, I, M, and R occupancies, provided the shelter is meets all other requirements of this chapter.
4. Combustible materials, including refuse containers, shall be kept to a minimum and evaluated for any potential hazard by the Building Official and Fire Code Official, or their designees.
5. Any quantities of combustible materials in the areas used for sleeping and egress, and areas that are atmospherically connected, shall be subject to inspection and approval onsite by the Building Official and Fire Code Official, or their designees.
6. Except for warming of pre-cooked food, no cooking is allowed within the shelter unless performed in a kitchen equipped with an approved hood and duct. Outdoor cooking equipment shall be kept a reasonable distance away from the shelter.
7. There shall be no open flames, smoking, incense, or candles within the shelter. Designated smoking areas are permitted as regulated by Washington State law.

Exceptions (where under the control or supervision of shelter staff):

- a. Listed central heating equipment or cooking appliances.
- b. Small open flame devices used for the warming of food in serving trays or chafing dishes.

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c. Open flame candles used for religious purposes when in conformance with the provisions of the City of Tacoma Fire Code.  
(Ord. 28507 Ex. A; passed May 1, 2018)

### **2.21.630 Smoke and fire protection.**

The Shelter Operations Plan shall address the response plan to smoke and carbon monoxide alarms or other life safety equipment, and the maintenance of such equipment. Specific requirements for this equipment are provided in this section.

#### **A. Smoke and carbon monoxide alarms.**

All shelter sleeping areas shall be provided with either interconnected smoke alarms or a complete smoke detection system. Smoke alarms may be battery operated, and can be interconnected wirelessly. Each room used for sleeping and any hallways or other spaces between the sleeping room and the shelter egress shall be provided with an approved smoke alarm and carbon monoxide alarm. Other shelter spaces shall be provided with smoke alarms that are also interconnected with sleeping area smoke alarms. Smoke alarms shall be spaced using NFPA 72 spacing requirements for smoke detectors.

Exception: Where sleeping areas are not separated and are located in one room, smoke alarms and carbon monoxide alarms are not required to be interconnected. Spacing of alarms shall be provided per NFPA 72 spacing requirements for smoke detectors, with a maximum of 30 foot by 30 foot per smoke alarm.

#### **B. Fire Watch.**

Buildings that are not equipped throughout with an automatic sprinkler system and monitored fire alarm system with occupant notification shall be required to have a Fire Watch. The Fire Watch position must be served by a trained staff person who has a high degree of familiarity with the building layout and emergency egress routes in the event of an emergency, and has the authority to conduct an emergency evacuation of the building in the event of an emergency. The Fire Watch must be maintained at all times when the facility is housing residents, and shall maintain a daily log indicating that staff has inspected the premises for fire on 30 minute intervals. If approved by the Building Official and Fire Code Official, or their designees, the Fire Watch may also serve a dual role as the Point of Contact person for shelter staffing.

#### **C. Fire Extinguishers.**

A 2A10BC fire extinguisher shall be located within five feet of each required exit, within five feet of any appliances used to warm food, and within 75 feet of all other areas within the shelter. Additional extinguishers may be required for specific hazards as outlined in the International Fire Code Section 906.

(Ord. 28507 Ex. A; passed May 1, 2018)

### **2.21.640 Electrical requirements.**

New or modified electrical equipment within the existing building or structure shall be in conformity with the provisions of TMC 12.06A, Electrical Code; and the Tacoma Power Customer Service Policies. Existing electrical equipment must also meet these code requirements for the purpose served within the temporary shelter. Verification of conformity to these code requirements may be required by the Building or Fire Code Official, or their designees, with the application for the shelter or at the annual inspection for permit renewal. The layout and use of extension cords and other outlet modifications must be approved by the Building Official and Fire Code Official, or their designees.

(Ord. 28507 Ex. A; passed May 1, 2018)

### **2.21.700 Emergency Evacuation Plan.**

All temporary shelters shall create and maintain an emergency evacuation plan addressing the evacuation of all residents, staff, and visitors to the shelter in the event of an emergency. The shelter evacuation plan must be posted at each exit, and all new shelter residents shall be given orientation training, which includes familiarization with the emergency evacuation plan. The shelter operator shall provide a copy of the evacuation plan to each shelter resident. A daily registration and total count of all shelter residents shall also be available for Fire Department rescue purposes.

At a minimum, the emergency evacuation plan shall contain the following:

#### **A. Shelter Floor Plans.**

Floor plans for each floor being used as temporary shelter with the sleeping rooms and all other adjacent spaces clearly identified.

#### **B. Room Size.**

The square footage of the rooms used as sleeping rooms and the use of adjacent rooms.

C. Egress Path.

A plan to show egress from the proposed sleeping spaces to the exterior of the building; along with egress for all assembly areas and other spaces used as part of the shelter.

D. Life-Safety Systems.

A floor plan showing the location of fire extinguishers, fire alarm pull stations, or emergency communication devices.

(Ord. 28507 Ex. A; passed May 1, 2018)

**2.21.800 Lighting, heat, ventilation, water, and sanitation.**

The Shelter Operations Plan shall address the how lighting, heat, ventilation, water, and sanitation will be provided and maintained for the shelter residents. Adequate lighting, heat, ventilation, potable water, and sanitation in compliance with applicable requirements of WAC 246-360 shall be provided. In addition, the Shelter Operations Plan shall also address management, collection, and disposal of other waste and debris generated by the shelter and shelter residents.

Exceptions:

1. Bottled water may be provided in lieu of a municipal water system for potable water.
2. For existing buildings and structures that are unheated or semi-heated spaces, approved portable or other temporary heating and cooling devices may be used to heat or cool the space; however, the minimum heating temperature set forth in WAC 246-360 may be modified in extreme temperatures where technically infeasible as approved by the Building Official. Measures to heat the building during periods of extreme temperatures shall also be addressed in the Operations Plan.

A. Specific Requirements for Restrooms and Bathing Facilities.

Restrooms and bathing facilities shall be provided for the shelter residents. The shelter residents shall be provided a minimum of one toilet, one lavatory for each 25 residents, or fraction thereof, and one shower or tub for each 50 residents, or fraction thereof.

Exceptions:

1. Portable toilets, handwashing stations, and showers can be provided in lieu of a municipal sewage system for existing buildings and structures not equipped with such facilities.
2. Where the shelter will be operational for fewer than 30 consecutive days, bathing facilities are not required.
3. Where bathing facilities are available within 500 feet of the shelter, or transportation is provided to bathing facilities for shelter residents, bathing facilities are not required.

(Ord. 28507 Ex. A; passed May 1, 2018)





**CHAPTER 2.22**  
**RIGHT-OF-WAY DEVELOPMENT CODE**

## Sections:

- 2.22.010 General Provisions.
- 2.22.015 Administrative Provisions.
- 2.22.020 Definitions.
- 2.22.030 Permit Requirements.
- 2.22.040 Off-site Improvement Requirements.

**2.22.010 General Provisions.**

## A. Scope and Intent.

This chapter is intended to supplement the requirements of TMC 10.22 and provide guidance for permitting construction and maintenance activities within the City right-of-way.

## B. Authority.

The provisions of this chapter are under the authority of the Director of Planning and Development Services, or designee.

## C. Referenced codes, reports, and standards.

This code may reference separate codes or standards, and the provisions of those reference codes or standards shall apply unless they conflict with the provisions in this code. Where there are conflicts, the most restrictive code shall apply as determined by the Director of Planning and Development Services, or their designees.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020)

**2.22.015 Administrative Provisions.**

The Director of Planning and Development Services shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

## A. Public notifications.

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

## B. Project Meetings.

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor's activities.

## C. Construction Nuisances.

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

Violations of TMC 2.07 or any provision as required by the Director of Planning and Development Services under TMC 2.22.015 shall be administered as outlined in TMC 1.82 – Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020)

**2.22.020 Definitions.**

**ADMINISTRATIVE PROCEDURES:** The written process followed to implement a policy.

**CIVIL ENGINEER:** A professional engineer licensed in the State of Washington and specialized in the design, analysis and supervision of the construction of public and private works, especially roads, excavations, grading, filling, drainage, and erosion control.

**OFF-SITE IMPROVEMENTS:** The improvements required beyond the BUILDING SITE, as defined in TMC 2.19.020.B, contained with right-of-way or easement necessary to support public health and safety meeting applicable codes and design standards as required by federal, state or Tacoma Municipal Code. Improvements required may be, but are not limited to,

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street paving, concrete curbs and gutters, surface and subsurface storm water drainage, utility extensions, sidewalks, trees, landscaping, signage, traffic and street lights, vaulted walk, retaining walls, accessible curb ramps, and driveways.

**POLICY:** A written direction provided to City staff by the Director of any City of Tacoma Department, often providing clarification and interpretation of code or other requirements.

**PROJECT MEETINGS:** Either a private meeting with the City or a publicly accessible meeting with the public for a specific permit to discuss the project and any concerns or nuisances with the City, the permit holder, and the project contractor.

**PUBLIC NOTIFICATIONS:** A mechanism to inform the public regarding the scope and status of a project.

**RIGHT-OF-WAY:** Any public street or easement as defined in TMC 10.22

**RULES:** A written enforceable directive by the Director of any City of Tacoma Department.

**STREET FRONTAGE:** The abutment of privately owned property along one side of a street between the intersections of streets, alleys, and other public ways.

**WORK/LIVE AND LIVE/WORK:** See definitions in Chapter 2.02.100.

(Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020)

### **2.22.030 Permit Requirements.**

#### A. Permit Requirements.

All construction and maintenance activities shall require a permit as outlined in TMC 10.22.050.

#### B. Permit Expiration.

At any time during the permitting process: application, plan review, or construction; a permit will expire if no applicant activity within the specific process occurs within 180 days. The City will notify the applicant of its intent to cancel the permit at the end of 180 days. Upon notification, the applicant may request an extension of their permit and additional fees may be required for inspections or additional review.

#### C. Modifications or Alternate Means.

1. Where there are practical difficulties involved in carrying out the provisions of this code, the Director of Planning and Development Services, or designee, shall have the authority to grant modifications for individual cases provided that the modification is in compliance with the intent and purpose of this code. In addition, the provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that the Director of Planning and Development Services, or designee, finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material or method is for the purpose intended and not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, durability, and safety.

2. A Modification or Alternative Means request shall be in writing and shall fully describe the request including the code, design standard, regulatory requirements, and/or Engineering Best Practice and how the alternative proposal is in compliance with the intent and purpose of the code, design standard, regulatory requirements, or Engineering Best Practice. Upon review by the City, which may include requests for additional information, the Modification or Alternative Means will be denied or conditionally approved by the Director of Planning and Development Services, or designee, before being used for a project.

(Ord. 28701 Ex. A; passed Nov. 17, 2020)

### **2.22.040 Off-site Improvement Requirements.**

#### A. Scope and Intent.

1. The intent of this code is to consider the health, safety and general welfare of the public. Development shall not impact City Right-of-Way inconsistent with the most applicable current City codes and standards. In addition, development shall not impact adjacent and/or downstream property owners in a detrimental manner.

2. Proposed improvements shall require the submittal of plans completed by a professional civil engineer and/or surveyors licensed in the state of Washington consistent with the state licensure requirements and engineering best practice. In addition, all work shall be compliant with the City of Tacoma design requirements and using City of Tacoma benchmarks for surveying.

#### B. Off-site Improvements.

1. Off-site improvements shall be required for all New Construction, Additions, Site Uses, Change of Occupancies as defined in the International Existing Building Code, Moved Buildings, and Remodels/Alterations to existing buildings. Projects involving more than one project type (New Construction, Additions, Change of Occupancy, and Remodel/Alteration) shall apply the most restrictive criteria in Table 2.22.1.

2. The Director of Planning and Development Services, or designee, is authorized to establish and modify or eliminate the off-site improvement requirements shown in Table 2.22.1 for individual cases where there are practicable difficulties involved in implementation of the requirements of this code. The Director of Planning and Development Services, or designee, shall determine the order of preference when determining off-site improvement requirements, considering health, safety, and welfare, along with environmental protections as the primary objectives. Secondary objectives may include considerations for transportation corridors and proximity to schools and parks. Although a maximum level of off-site improvements that may be imposed by project type is shown in Table 2.22.1, this limitation shall not apply to any additional improvements for projects that have requirements imposed by a SEPA, Conditional Use Permit, or other conditioning documents. Nor does it absolve the property owner of the responsibility to repair any damaged or defective sidewalk.

3. Off-site improvements, as defined in TMC 2.22.020, shall be constructed to conform to City of Tacoma Standards as defined by, but not limited to, the City of Tacoma’s most current: Right-of-Way Design Manual; Right-of-Way Restoration Policy; Stormwater Management Manual; and/or Side Sewer and Sanitary Sewer Availability Manual.

4. The following off-site improvement requirements shall apply to all applicable project types listed in Table 2.22.1.

- a. Alleys: When a lot adjoins an alley or street intersection, improvements shall also be installed at the alley or street intersection. Alleys shall be improved to City of Tacoma Standards when any access to the site is provided from the alley.
- b. Off-site improvements are dependent on the project type and threshold listed in Table 2.22.1, and shall require the development of cement concrete curb and gutter, sidewalks, curb ramps, paving, safety measures, other right-of-way elements and drainage of all dedicated streets along the lot frontages, except, in cases where the topography or other conditions make it impractical.

c. Access to Property.

Driveway approaches shall be in accordance with TMC 10.14 (Driveway Ordinance). Public roads fronting the property shall be comprised of an all-weather surface per the requirements of TMC 13.06, or will need to be paved to provide an all-weather surface.

d. Where a site has existing improvements such as sidewalks, curbs, gutters, and paving, these improvements shall be replaced if they are broken, damaged or hazardous. Pavement shall also be required to be replaced when it does not meet the current standard pavement section for residential or arterial streets contained in the City of Tacoma Standards. Live/Work and Work/Live developments which are exempt from off-site improvements per Table 2.22.1 are only required to replace broken, damaged, or hazardous sidewalks along the street frontage.

C. Fee In Lieu of.

Upon approval of the Director of Planning and Development Services, or designee, a fee may be paid in lieu of construction of the required off-site improvements. In addition, the Director of Planning and Development Services, or designee, shall determine the eligible off- site improvements and fee in lieu amount. The fees shall be paid at the time of permit issuance and deposited in the Fee In Lieu of Off-site Improvements Fund.

D. Covenant and Easement Agreement.

Where development has been exempted from off-site improvement requirements for Live/Work or Work/Live uses, a covenant/use restriction shall be recorded on title of the exempt property as a covenant running with the land that the use giving rise to the exemption must be maintained for a minimum of 10 years. If Live/Work or Work/Live use changes within the 10-year covenant/restriction period, off-site improvement requirements may be imposed at the time of change of use.

**Table 2.22.1 Off-site Improvement Determinations<sup>(1)</sup>**

Project Type	Threshold	Off-site Improvement Requirement <sup>(2, 4)</sup>
<b>New Construction</b>		
Commercial <sup>(3)</sup>	All new and moved buildings	No limit defined. Off-site improvements pursuant to Section 2.22.040.B and as determined by the Director of Planning and Development Services, plus all utility construction or relocation and installation of safety mitigation measures.

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Project Type	Threshold	Off-site Improvement Requirement <sup>(2, 4)</sup>
Single family and two family dwellings	All new and moved buildings	No limit defined. Offsite improvements as determined by the Director of the Planning and Development Services. Fee In-lieu available pursuant to Section 2.22.040.C.
Single family and two family accessory structures and garages		None required; Access to property shall be in accordance with Section 2.22.B.4.
<b>Additions</b>		
Commercial - Large	50% or greater than building area	No limit defined. Off-site improvements pursuant to Section 2.22.040.B, and as determined by the Director of Planning and Development Services, plus all utility construction or relocation and installation of safety mitigation measures.
Commercial - Small	Less than 50% of building area	Off-site Improvement Requirements up to approximately 10% of Addition Valuation.
Single family and two family dwelling	Additions	None required; Access to property shall be in accordance with Section 2.22.040.B.4.c, and compliance with Section 2.22.040.B.4.d.
<b>Change of Occupancy</b>		
Large	Change of Occupancy to 50% or greater of the building area	Off-site Improvement Requirements up to the greatest of either: a. 10% of Remodel Valuation <sup>(3)</sup> b. 10% of the change to the building valuation based on the most current ICC Building Valuation table. Fee In-lieu available pursuant to Section 2.22.040.C.
Small	Change of Occupancy to greater than 10% but less than 50% of the building area	Off-site Improvement Requirements up to the greatest of either: a. 5% of Remodel Valuation <sup>(3)</sup> b. 5% of the change to the building valuation based on the ICC Building Valuation. Fee In-lieu available pursuant to Section 2.22.040.C.
Exceptions	Change of use to: a. Live/work occupancy for up to 10 dwelling units; b. Work/live use for buildings less than 30,000 square feet (2787 m <sup>2</sup> )	None required
<b>Remodel/Alterations</b>		
Large	Remodel Valuation 50% or greater than ICC Building Valuation	Off-site Improvement Requirements up to approximately 10% of Remodel Valuation <sup>(3)</sup> Fee In-lieu available pursuant to Section 2.22.040.C.
Small	Remodel Valuation greater than 10% but less than 50% of ICC Building Valuation	Off-site Improvement Requirements up to approximately 5% of Remodel Valuation <sup>(3)</sup> Fee In-lieu available pursuant to Section 2.22.040.C.
Exception	Remodel Valuation less than 10% of ICC Building Valuation	Off-site improvements may be required at the discretion of the Director of Planning and Development Services.
Exception	Water or Fire Damages repairs that are valued at less than 50% of the ICC Building Valuation	None required

- (1) Limits listed are approximate, and the Director of Planning and Development Services, or designee, may impose additional requirements as needed to protect the health, safety, and general welfare of the public.
  - (2) Costs for utility construction or relocation and safety mitigation measures shall not be included in the owner's/developer's percentage of off-site improvement requirements. Off-site improvement requirements contributing to the percentage shall include, but not be limited to: street paving, concrete curbs and gutters, asphalt wedge curb, sidewalks, driveways, and curb ramps.
  - (3) The Remodel Valuation limit shall be defined as the estimated construction cost of the project submitted by the contractor or owner at time of permit submittal as a percentage of the most recent version of the International Code Council Building Valuation Data. The estimate shall detail all major cost elements of the project. The remodel valuation limit shall not apply to projects that have requirements imposed by a SEPA, Conditional Use Permit, or other conditioning document.
  - (4) Determination of the off-site improvement cost maximum limitation shall be for the finished construction costs not including soft costs (Permitting, Engineering, Inspection, etc.).
- (Ord. 28797 Ex. A; passed Dec. 14, 2021; Ord. 28701 Ex. A; passed Nov. 17, 2020)

**Tacoma Municipal Code**