



City of Kenmore - 18120 68th Avenue NE - Kenmore, WA 98028
Phone: 425-398-8900 - E-mail: cityhall@kenmorewa.gov

City Council Regular Meeting

ON-SITE

MONDAY, MAY 15, 2023 - 7:00 PM

In addition, we try to provide access to the meeting virtually:

ZOOM LINK: <https://kenmorewa-gov.zoom.us/j/86387889644>

Or One tap Mobile: US: +12532050468,,86387889644#

Or Telephone Dial US: +1 253 205 0468

Callers please dial *9 to raise and lower hand

Webinar ID: 863 8788 9644

If you are having difficulty accessing the meeting virtually, please contact mkang@kenmorewa.gov.

Technical Difficulties - If the virtual component of the meeting disconnects, and we cannot resolve technical difficulties to reconnect the virtual component, the in-person meeting will continue at City Hall if there is a quorum of the body to conduct business.

I. CALL REGULAR MEETING TO ORDER - 7:00 PM

II. ROLL CALL

III. FLAG SALUTE

IV. AGENDA APPROVAL

V. PROCLAMATIONS

- A. Peace Officers Memorial Day, to be accepted by Sheriff Patti Cole-Tindall

PROCLAIMED

[Proclamation - Peace Officers Memorial Day](#)

- B. Safe Boating and Paddling Week, to be accepted by Dale Vodicka and Reed Hockstedler, U.S. Coast Guard Auxiliary

PROCLAIMED

[Proclamation - Safe Boating and Paddling Week](#)

- C. Kids to Parks Day

PROCLAIMED

[Proclamation - Kids to Parks Day](#)

VI. WHERE'S THE FUN?

VII. PUBLIC COMMENTS

- A. We welcome our community members to the Council's meeting. In this forum, the Council does not engage or dialogue with the public; the primary role of the Council is to listen. We will hear from our on-site guests first, followed by our virtual guests. If you're online, please use the "raise hand" feature now if you wish to speak. All guests must address comments to the Mayor and City Council. The Clerk will acknowledge your request and call your name when it is your turn. Your time will start when we confirm that we can hear you. Please state your name and city of residence for the record and keep your comments to the allotted time. We will not split your time with others or reset your time except by express approval of the Presiding Officer. Screen-sharing is not allowed; you can submit materials to the Council or Clerk in advance. Please do not comment about pending development projects on which the Council will make future decisions as those are quasi-judicial matters, and Councilmembers must limit their communications about such matters. This meeting is being recorded. Thank you for taking the time to express your comments.

VIII. CONSENT AGENDA

APPROVED BY UNANIMOUS CONSENT

- A. Cancel the City Council Regular Meeting of June 19, 2023 in observance of Juneteenth.
- B. Approve the City Council Regular Meeting Minutes from April 17, 2023. [City Council Regular Meeting Minutes from April 17, 2023](#)
- C. Approve the City Council Special Meeting Minutes from April 24, 2023. [City Council Special Meeting Minutes from April 24, 2023](#)
- D. Approve Total Check #s 51926 through 52010 totaling \$418,968.82 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 04/21/2023 in the amount totaling \$209,554.44 and ACH Payment to Thomco Construction, Inc. in the amount of \$8,975.86, and ACH Payment to US Bank Purchase Cards in the amount of \$26,368.52, and Payroll Checks #10212 through 10213 in the amount of \$195.25.
[Voucher Certification and Approval 04/15/23 - 04/28/23](#)
- E. Authorize the City Manager to sign the 2023 Pride Parade Vehicle Hold Harmless Agreement for Kenmore's participation in the Parade in a form substantially similar to Exhibit 1, and to take all acts necessary to implement the City's participation in the 2023 Seattle Pride Parade consistent with Council's direction on the event budget.
[Agenda Bill - Pride Parade Participation](#)
[Exhibit 1 - Vehicle Hold Harmless Agreement](#)
[Exhibit 2 - Estimate of Total Cost](#)

IX. BUSINESS AGENDA

- A. Property Maintenance Draft Code and Building and Energy Draft Code, presented by Development Services Director Samantha Loyuk, Building Official Tom Phillips, Code Enforcement Officer Bridgit Baker, Building Inspector Plans Examiner Lukasz Lisowski, King County Green Building Communitywide Program Manager Kathleen Petrie, and King County C&D Program Manager Kinley Deller, *for discussion and direction*

DISCUSSED AND DIRECTION GIVEN

[Agenda Bill - Draft Building Code and Draft Property Maintenance Code](#)

[Attachment 1 - Draft Ordinance No. 23-0576](#)

[Attachment 1 Exhibit A - Draft KMC 15.05 Building Codes](#)

[Attachment 1 Exhibit B - Draft KMC 15.10 Fire Codes](#)

[Attachment 1 Exhibit C - Draft KMC 15.20 Building Codes](#)

[Attachment 1 Exhibit D - Draft KMC 15.30 Construction Admin Codes](#)

[Attachment 2 - Follow-up Email to City Council](#)

[Attachment 3 - Draft Ordinance No. 23-0577](#)

[Attachment 3 Exhibit A - Draft KPMC 15.40](#)

[Attachment 4 - Property Maintenance Survey](#)

[Attachment 5 - Presentation \(updated 5/15\)](#)

X. STUDY SESSION AGENDA

- A. Traffic Calming Policy and Traffic Calming Treatment Types, presented by Engineering Director John Vicente and Traffic Engineer Tobin Bennett-Gold, *for discussion and direction*

DISCUSSED AND DIRECTION GIVEN

[Agenda Bill - Traffic Calming Policy and Treatment Types](#)

[Attachment A - Draft Traffic Calming Policy](#)

[Presentation - Traffic Calming Policy and Treatments \(added 5/15\)](#)

XI. STAFF REPORTS

- A. Land Acknowledgment Update, presented by DEIA Consultant Chanin Kelly-Rae, *for discussion*

STAFF REPORT GIVEN

- B. Updates from Interim Volunteer and Events Supervisor Maurita Colburn

STAFF REPORT GIVEN

- C. Other - City Manager Rob Karlinsey

NO OTHER STAFF REPORT

XII. COUNCILMEMBER REPORTS & COMMENTS

XIII. ADJOURNMENT

XIV. UPCOMING MEETINGS

- A. City Council Regular Meeting of May 22, 2023 at 7:00 PM
City Council Regular Meeting of June 12, 2023 at 7:00 PM
City Council Regular Meeting of June 19, 2023 at 7:00 PM -
TENTATIVELY CANCELED
City Council Special and Regular Meeting of June 26, 2023 at 6:30 PM
City Council Retreat June 30, 2023 - July 1, 2023

XV. NOTICE OF POTENTIAL QUORUMS

[Click here for information about Potential Quorums of the City Council.](#) Now found on the City website under City Council Meetings.

City of Kenmore, Washington Proclamation

WHEREAS, the first Peace Officers Memorial Day was recognized in 1963, several months after President John F. Kennedy signed the bill into law in October 1962; and

WHEREAS, it is important that all residents know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency; and

WHEREAS, police officers recognize their duty to serve the people by safeguarding life and property, protecting against violence and disorder, supporting the building blocks of strong communities, and promoting peace; and

WHEREAS, we recognize that peace officers are frequently exposed to chaos, volatility, and sometimes mortal danger; and

WHEREAS, for officers who have been injured or have fallen in the line of duty, their families and their legacies are forever changed by the loss; and

WHEREAS, the City of Kenmore is proud of the exceptional presence, service, and contributions of the Kenmore police officers serving their residents.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **May 15, 2023** to be **Peace Officers Memorial Day** throughout the City of Kenmore. We urge all residents to join with the City Council in this observance where we commemorate law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to our beautiful and safe Kenmore.

IN WITNESS WHEREOF, signed this 15th day of May 2023.



Signed: _____

Nigel Herbig, Mayor

Attested: _____

Michelle Kang, Acting City Clerk

City of Kenmore, Washington Proclamation

WHEREAS, on average, 650 people die each year in boating related accidents in the U.S., with the vast majority of those accidents caused by human error and poor judgment and not by the boat, equipment, or environmental factors; and

WHEREAS, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

WHEREAS, the City of Kenmore is bounded by 7.8 miles of shoreline along Lake Washington, the Sammamish River, and Swamp Creek; and

WHEREAS, a large number of Kenmore's residents of all ages engage in recreational boating; and

WHEREAS, the mission of the United States Coast Guard Auxiliary is to promote and improve recreational boating safety by teaching boating safety courses; and conducting vessel safety checks.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **May 20 – 26, 2023** to **Safe Boating and Paddling Week** throughout the City of Kenmore. The City Council encourages all Kenmore residents to dedicate themselves to learning about and practicing safe boating, including wearing life jackets.

IN WITNESS WHEREOF, signed this 15th day of May 2023.



Signed: _____
Nigel Herbig, Mayor

Attested: _____
Michelle Kang, Acting City Clerk

City of Kenmore, Washington Proclamation

WHEREAS, Kids to Parks Day is a national day of outdoor play celebrated annually to empower kids and encourage families to get outdoors and visit local parks, public lands, and waters; and

WHEREAS, Kids to Parks Day is intended foster future outdoor enthusiasts and help with developing the next generation of park stewards by engaging kids in memorable outdoor experiences; and

WHEREAS, Kids to Parks Day will broaden children's appreciation for nature and outdoors; and

WHEREAS, the City of Kenmore features spectacular local and state parks, including waterfront activities at the newly opened ʕaǰʕadis (Tl' awh-ah-dees) Park; and

WHEREAS, Kids to Parks Day will recognize the importance of recreating responsibly while enjoying the benefits of the outdoors.

NOW THEREFORE, I, Nigel Herbig, Mayor of the City of Kenmore, on behalf of the City Council, do hereby proclaim **May 20, 2023**, as **Kids to Parks Day** throughout the City of Kenmore. We encourage all Kenmore residents to make time on May 20th to take children in their lives to a neighborhood, state, or national park for safe enjoyment of our beautiful surroundings.

IN WITNESS WHEREOF, signed this 15th day of May 2023.



Signed: _____
Nigel Herbig, Mayor

Attested: _____
Michelle Kang, Acting City Clerk

**City of Kenmore
City Council Meeting
Regular Meeting Minutes
Monday, April 17, 2023**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig
Deputy Mayor Melanie O’Cain
Councilmember David Baker – Virtual
Councilmember Joe Marshall
Councilmember Angela Kugler
Councilmember Debra Srebnik
Councilmember Corina Pfeil

Staff: Acting City Manager Stephanie Lucash
City Attorney Dawn Reitan
Acting City Clerk Michelle Kang
Co-Clerk Brian Randall
Parks Project Manager Rob Sayre-McCord
Engineering Director John Vicente

Speaking Guests: Elizabeth Mooney, Proclamation Recipient on behalf of People for
an Environmentally Responsible Kenmore (PERK)
Jeremy Jones, Proclamation Recipient on behalf of the Sno-King
Watershed Council
Eric Schroeder, Friends of Kenmore Boathouse President
Thomas Sanderson, Friends of Kenmore Boathouse Board Member
Dr. Jeff Tomlin, EvergreenHealth CEO
Rebecca Hirt, EvergreenHealth Commissioner

Public Comments Speaking Guests:
Victoria Grayland, Kenmore Resident
Dakota Rash, Lake Forest Park Resident

CALL REGULAR MEETING TO ORDER

Mayor Herbig called the regular meeting to order at 7:00 PM.

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PROCLAMATIONS

- A. Mayor Herbig read the Earth Day Proclamation and declared April 22, 2023 as Earth Day in the City of Kenmore. The City Council presented the Proclamation to Elizabeth Mooney on behalf of People for an Environmentally Responsible Kenmore (PERK). Elizabeth Mooney provided some remarks. The City Council took a photo with Elizabeth Mooney.

[Proclamation - Earth Day 2023](#)

- B. Mayor Herbig read the Arbor Day Proclamation and declared April 28, 2023 as Arbor Day in the City of Kenmore. The City Council presented the Proclamation to Jeremy Jones on behalf of the Sno-King Watershed Council. Jeremy Jones provided some remarks. The City Council took a photo with Jeremy Jones.

[Proclamation - Arbor Day 2023](#)

PRESENTATIONS

- A. Rhododendron Park Boathouse Fundraising Quarterly Update, presented by Parks Project Manager Rob Sayre-McCord, Friends of Kenmore Boathouse President Eric Schroeder, and Board Member Thomas Sanderson

[Agenda Bill - Quarterly Fundraising Update](#)

[Attachment 1 - Kenmore Public Boathouse Lease and Management Agreement](#)

[Attachment 2 - Kenmore Community Rowing Club \(KCRC\) Partner Letter Update](#)

Parks Project Manager Rob Sayre-McCord, Friends of Kenmore Boathouse President Eric Schroeder, and Board Member Thomas Sanderson presented to the Council a quarterly update of the Rhododendron Park Boathouse fundraising efforts. Eric Schroeder assumed the role of president after the previous president stepped down. The Council encouraged the organization to continue and try different fundraising techniques.

- B. EvergreenHealth Update, presented by CEO Dr. Jeff Tomlin and Commissioner Rebecca Hirt

[Presentation - EvergreenHealth Update](#)

CEO Dr. Jeff Tomlin and Commissioner Rebecca Hirt presented to the Council an update from EvergreenHealth. There have been recent enhancements such as family maternity center upgrades and new software. There is an ongoing concern of limited bed capacity and staffing constraints.

WHERE'S THE FUN?

Acting City Manager Stephanie Lucash presented a photo of Moorlands Park during an early morning sunrise, courtesy of Parks Lead Maintenance Worker Quinn Proffitt. Stephanie Lucash also acknowledged the hard work of the public works crew.

Stephanie Lucash also presented photos and videos from the Hydroplane Event that took place this past Saturday, April 15th, courtesy of Mayor Herbig and Councilmember Marshall.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here:

https://www.youtube.com/live/Eykq1Q_HGrc?feature=share&t=5162

CONSENT AGENDA

- A. Approve Total Check #s 51714 through 51818 totaling \$451,549.27 and Total Payroll/Taxes/Flexible Spending/Retirement & Health Savings Account Electronic Deposits Dated 03/24/2023 in the amount totaling \$213,624.59 and ACH Payment to KBA Inc. in the amount of \$33,005.89, and ACH Payment to Thomco Construction Inc. in the amount of \$225,613.60, and ACH Payments to US Bank Purchase Cards in the amount of \$20,749.88, and Payroll Check #10210 in the amount of \$2,380.15.
[Voucher Certification and Approval 03/18/23-03/31/23](#)

MOTION: Councilmember Kugler moved to approve the consent agenda outlined above. Councilmember Pfeil seconded the motion.

VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

STUDY SESSION AGENDA

- A. Kenmore Municipal Code (KMC) Title 12 Updates continued, presented by Engineering Director John Vicente, *for Discussion and Direction*
[Agenda Bill - KMC Title 12 Updates](#)
[Attachment A - KMC Title 12, Red Lined Changes](#)
[Attachment B - KMC Title 12, Clean Copy](#)
[Attachment C - Summary of Title 12 Changes](#)
[Presentation - KMC Title 12 Updates](#)

Engineering Director John Vicente continued his three-part study session discussion with the Council about KMC Title 12 updates. The focus is on policy-type changes, rather than de minimis changes.

The sections discussed tonight include:

- 12.58 – Wireless Communication Facilities within City Rights-of-Way
- 12.60 – Public and Private Utilities on Real Property
- 12.65 – Snow Emergency Routes
- 12.70 – Sidewalks, Planting Strips, and Street Trees

Councilmembers provided questions and comments.

- Can we do anything to get new towers to disguise themselves?
 - Yes, within our development code we can establish how the towers can look.
- We should be clearer on the right of way part of 12.70. Right of way is public, defined by law.
- Hope that there is a list of potential resources that will help with accessibility and social economic issues.
- Do we have exemptions or discretion where it might be a hardship of maintenance?
 - The only flexibility in the proposed changes would be in those situations where the lot has differing grades. There are no clauses about financial hardships. There would need to be policies put in place that identify what economic hardship is. We have tried our best to accommodate.
 - City Attorney Dawn Reitan noted that at the end of 12.70, there is a possibility of exemption by the City Engineer based on standards that the department develops, so there is some flexibility built into it.

The third and final study session for KMC Title 12 Updates will be during the May 1st Special Meeting. The KMC Title 12 Updates ordinance will be brought before the Council for adoption consideration on May 22, 2023.

STAFF REPORTS

ARPA Pandemic Recover Grants for Kenmore Small Businesses and Non-Profits opens on May 1, 2023. There are two information sessions about the grant process: April 20th and May 11th. The applications are due by May 31, 2023.

COUNCILMEMBER REPORTS & COMMENTS

The Council had consensus to bring back the topic of land acknowledgment for discussion.

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 9:03 PM.

Nigel Herbig, Mayor

Michelle Kang, Acting City Clerk

**City of Kenmore
City Council Meeting
Special Meeting Minutes
Monday, April 24, 2023**

These minutes are created to capture Council action. This is not a verbatim transcript.
Meeting video and audio is available on the City YouTube channel.

PRESENT:

Councilmembers: Mayor Nigel Herbig

Deputy Mayor Melanie O’Cain

Councilmember David Baker – Virtual

Councilmember Joe Marshall

Councilmember Angela Kugler

Councilmember Debra Srebnik

Councilmember Corina Pfeil

Staff:

City Manager Rob Karlinsey

Deputy City Manager Stephanie Lucash

City Attorney Dawn Reitan

Acting City Clerk Michelle Kang

Co-Clerk Brian Randall

Assistant to the City Manager Garrett Oppenheim

Kenmore Police Chief Brandon Moen

Speaking Guests:

Erika Del Villar, Proclamation Recipient

Nancy Thai, Proclamation Recipient

Karen Peterson, Proclamation Recipient

Elsa Kings, Proclamation Recipient

Judge Rebecca C. Robertson

Judge Raul Martinez

Judge Karama H. Hawkins

Prosecutor Sarah Roberts

Public Defender Jeff MacNichols

Regional Crisis Response (RCR) Program Executive Director Brook
Buettner

Public Comments Speaking Guests:

Steve Holmes, Bothell Resident and Kenmore Business Owner

David Dorrian, Kenmore Resident

Andrea Carnes, Kenmore Resident
Kristin Joyner, Bothell Resident
Elizabeth Mooney, Kenmore Resident
Heidi Shepherd, Shoreline Resident and NUHSA's Board Chair
Victoria Grayland, Kenmore Resident
Stacey Valenzuela, Kenmore Resident

CALL SPECIAL MEETING TO ORDER

Mayor Herbig called the special meeting to order at 6:30

ROLL CALL

Councilmember Srebniak arrived at 6:32 PM after Roll Call was taken.

FLAG SALUTE

Mayor Herbig led the Council in the flag salute.

AGENDA APPROVAL

The agenda was approved as presented.

PROCLAMATIONS

- A. Asian American, Native Hawaiian, and Pacific Islander Heritage Month, to be accepted by Erika Del Villar and Nancy Thai

[Asian American, Native Hawaiian, and Pacific Islander Heritage Month Proclamation](#)

Mayor Herbig proclaimed May 2023 as Asian American, Native Hawaiian, and Pacific Islander Heritage Month in the City of Kenmore. Erika Del Villar and Nancy Thai provided remarks. The Council took a photo with the recipients.

- B. Bicycle and Pedestrian Safety Month

[Bicycle and Pedestrian Safety Month Proclamation](#)

Mayor Herbig proclaimed May 2023 as Bicycle and Pedestrian Safety Month in the City of Kenmore.

- C. Affordable Housing Week, to be accepted by Karen Peterson and Elizabeth Murphy on behalf of Plymouth Housing, and Elsa Kings on behalf of A Regional Coalition for Housing (ARCH)

[Affordable Housing Week Proclamation](#)

Mayor Herbig proclaimed the week of May 7-13, 2023, as Affordable Housing Week in the City of Kenmore. Karen Peterson and Elsa Kings provided remarks. The Council took a photo with the recipients.

PRESENTATIONS

A. Introduce our Judges, introduced by Deputy City Manager Stephanie Lucash

- Judge Rebecca C. Robertson
- Judge Raul Martinez
- Judge Karama H. Hawkins

[Presentation - Overview: Kenmore and King County District Court](#)

Judge Rebecca C. Robertson presented to the City Council an overview of King County District Court and how Kenmore fits into it.

Councilmembers provided questions and comments.

- Do you know the number of jury trials happening and how many motions hearings that safeguard constitutional rights?
 - The number is increasing, don't have the exact number at this time.

B. Shoreline-Kenmore Community Court Update, presented by Judge Karama H. Hawkins

[Presentation - Shoreline-Kenmore Community Court](#)

Judge Raul Martinez introduced himself to the Council.

Judge Karama H. Hawkins presented to the Council about Community Court. The mission of community court is to use public resources more productively in reducing crime through service provision and increased community engagement and connection. Unlike traditional court, community court is collaborative, supportive, restorative, and focuses on solving the problems. Community Court is hosted in Shoreline City Hall every Tuesday afternoon at 1:30 PM.

Councilmembers provided questions and comments.

C. Prosecutor Update 2023, presented by Prosecutor Sarah Roberts

[Presentation - Prosecutor Update 2023](#)

Kenmore Prosecutor Sarah Roberts presented an annual update to the Council. Councilmembers provided questions and comments.

D. Public Defender Update, presented by Public Defender Jeff MacNichols and Assistant to the City Manager Garrett Oppenheim

[Presentation - Kenmore Public Defender](#)
[Presentation - Electronic Home Monitoring](#)
[Memo - Electronic Home Monitoring](#)

Kenmore Public Defender Jeff MacNichols presented an annual update to the Council. Councilmembers provided questions and comments.

Assistant to the City Manager Garrett Oppenheim presented to the Council on electronic home monitoring (EHM), an alternative to jail that Courts can use at their discretion for certain offenders and criminal defendants. Staff recommended the City fully fund EHM for indigent defendants in cases where the Courts determine EHM would be an appropriate jail alternative, in order to resolve the equitability issues incumbent in allowing wealthier defendants to utilize EHM and poorer ones to spend time in jail. Councilmembers provided questions and comments.

- E. Regional Crisis Response (RCR) Program Update and 24/7 Crisis Center Update, presented by Deputy City Manager Stephanie Lucash and RCR Executive Director Brook Buettner

[Regional Crisis Response Agency Principals Assembly Information Sheet Presentation - Regional Crisis Response \(RCR\) Agency](#)

Deputy City Manager Stephanie Lucash introduced the new Regional Crisis Response (RCR) Agency Executive Director Brook Buettner.

RCR Agency Executive Director Brook Buettner presented to the Council an update about RCR—mobile crisis response services providing de-escalation resource referral and follow-up tailored to the specific needs of an individual in crisis. Kenmore is part of the interlocal agreement with four other cities that came into effect at the beginning of the year. Councilmembers provided questions and comments.

WHERE'S THE FUN?

City Manager Rob Karlinsey highlighted a love note from the past weekend where Maura Query from Thoughtful Citizens held a trash pick-up on Earth Day. Photos were shown of children and adults during this event, picking up over 115 pounds of trash from Log Boom Park and the Burke Gilman Trail.

PUBLIC COMMENTS

The City Council took comments from the public.

Timestamped link here: <https://www.youtube.com/live/Xx5GYn-owrQ?feature=share&t=9076>

CONSENT AGENDA

- A. Approve the City Council Special and Regular Meeting Minutes from March 20, 2023. [City Council Special and Regular Meeting Minutes from March 20, 2023](#)

- B. Approve the City Council Special Meeting Minutes from April 3, 2023.
[City Council Special Meeting Minutes from April 3, 2023](#)
- C. Adopt Ordinance No. 23-0573 amending Title 8 of the Kenmore Municipal Code to adopt a new Chapter 8.17 KMC entitled "Required Wearing of Personal Flotation Devices" on waters in the City of Kenmore while using human-powered watercraft.
[Agenda Bill - Proposed Ordinance No. 23-0573](#)
[Attachment 1 - Proposed Ordinance No. 23-0573 with Exhibit 1](#)
[Attachment 2 - Map of Lake Washington Marine Patrol Districts](#)
- D. Authorize the City Manager to execute Contract No. 22-C2773 with Tastad Construction, Inc. for an amount up to \$2,436,000 which includes 10% construction contingency for the NE 190th St Culvert Replacement project.
[Agenda Bill - Contract No. 22-C2773 with Tastad Construction, Inc. for the NE 190th St Culvert Replacement Project](#)

MOTION: Councilmember Kugler moved to approve the consent agenda outlined above. Deputy Mayor O'Cain seconded the motion.
VOTE: Consent Agenda was approved by UNANIMOUS CONSENT

STUDY SESSION AGENDA

Public Safety 2022 Police Service Report, presented by Kenmore Police Chief Brandon Moen

[Presentation - 2022 Police Service Report](#)
[2022 Police Service Report](#)

Kenmore Police Chief Brandon presented the 2022 Public Safety Police Service Report to the Council. The report is annually provided to the Police Chief for the previous year in the spring.

Some highlights include:

- Staffing: 1 Police Chief and 12 Patrol Officers
- Emphasis Projects include:
 - Safe Place
 - Free Locking Prescription Bags
 - Target Zero
 - Automated Traffic Enforcement Support
- Dispatched calls for service have decreased from 2021.
- Traffic collisions have increased from 2021.

Councilmembers provided questions and comments about the report.

STAFF REPORTS

- A. City Manager Rob Karlinsey acknowledged the hard work that Deputy City Manager Stephanie Lucash has put into public safety.
- B. City Manager Rob Karlinsey showed photos of the Earth Day event that took place at Rhododendron Park this past Saturday, April 22, 2023.
- C. DEIA Consultant Chanin Kelly-Rae was asked to provide information to the Council about land acknowledgements. Kelly-Rae discussed the purpose of land acknowledgements and read two versions of a suggested land acknowledgement. The longer land acknowledgement is a complete version that should be displayed on the City website and read at more formal events. The concise land acknowledgment should be read at other events and City Council meetings. This version still embodies the language and acknowledgment requirements. Councilmembers provided questions and comments.

Chanin Kelly-Rae will return at a future date to further discuss land acknowledgments. No decisions were made on the ones read to the Council this evening.

COUNCILMEMBER REPORTS & COMMENTS

ADJOURNMENT

Mayor Herbig adjourned the meeting at approximately 10:41 PM.

Nigel Herbig, Mayor

Michelle Kang, Acting City Clerk



Voucher Certification and Approval

City of Kenmore

DATE RANGE:

04/15/23 - 04/28/23

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and the the claim is a just, due and unpaid obligation against the City of Kenmore and that I am authorized to authenticate and certify to said claim. The following checks and electronic payments are approved for payment:

Total Check #s 51926 through 52010: \$418,968.82

Total Payroll/Taxes/Flex Spending/Retirement & Health Savings Acct Electronic Deposits Dated: 04/21/2023 \$209,554.44

ACH Payment-Thomco Construction, Inc.: \$8,975.86

ACH Payments-US Bank Purchase Cards: \$26,368.52

Payroll Checks #10212-10213 dated 04/21/23: \$195.25

Rob Karlinsey
Rob Karlinsey (May 1, 2023 16:29 PDT)

May 1, 2023

City Manager / Date

Melinda Merrell
Melinda Merrell (May 1, 2023 16:28 PDT)

May 1, 2023

Finance & Administrative Services Director / Date

Vendor Name	Check #	Date	Description	Amount
THOMCO CONSTRUCTION, INC.	1347	04/28/23	20-C2144 March Juanita Dr. Ped/Bike Chgs.	8,975.86
U.S. BANK PURCHASE CARDS	1348	04/28/23	Avis Rent-A-Car/WABO	254.27
U.S. BANK PURCHASE CARDS	1349	04/28/23	Alaska Air/Wedgewood Resort	575.16
U.S. BANK PURCHASE CARDS	1350	04/28/23	SCC Online Parking/AmyLynnLuck	222.00
U.S. BANK PURCHASE CARDS	1351	04/28/23	Diva Espresso	62.45
U.S. BANK PURCHASE CARDS	1352	04/28/23	Amazon/DOL Prof. Lic./Inst of Transp Eng	211.91
U.S. BANK PURCHASE CARDS	1353	04/28/23	Council Travel, Translating Services, & Coffee	996.88
U.S. BANK PURCHASE CARDS	1354	04/28/23	Platt Elec/Hawk Equip/All Battery/ETSCo/TotalLight	5,205.09
U.S. BANK PURCHASE CARDS	1355	04/28/23	Zoom/Home Depot/Marriott WA DC	3,544.78
U.S. BANK PURCHASE CARDS	1356	04/28/23	Marriott WA DC/Zoom/Curb Taxi DC	2,064.69
U.S. BANK PURCHASE CARDS	1357	04/28/23	Seattle Out & Proud/Pagliacci/Interstrength Press	2,679.62
U.S. BANK PURCHASE CARDS	1358	04/28/23	Amazon/ST Subscriptions	225.84
U.S. BANK PURCHASE CARDS	1359	04/28/23	Calameo Inc/Kenmore Camera/Canva/Animoto	956.32
U.S. BANK PURCHASE CARDS	1360	04/28/23	Volgistics	45.00
U.S. BANK PURCHASE CARDS	1361	04/28/23	Training, Laptop, CH Phone Service	5,383.15

VIII. D. Approve

Total Check #s 51926 through 52010 totaling \$418,968.82...

U.S. BANK PURCHASE CARDS	1362	04/28/23	Event NWPWI/Hydropoint Data Sys/Optisigns	1,882.74
U.S. BANK PURCHASE CARDS	1363	04/28/23	Council Supplies, Computer/ Phone Equipment, New Emp	2,058.62
UNITED STATES POSTMASTER	51926	04/17/23	Postage for Spring Newsletter	2,122.64
AFLAC	51927	4/21/2023	Employee Medical/Disability Plans	209.04
AWC EMPLOYEE BENEFIT TRUST	51928	4/21/2023	Employee Health Insurance	88,244.82
AWC EMPLOYEE BENEFIT TRUST	51929	4/21/2023	Void	-
AWC EMPLOYEE BENEFIT TRUST	51930	4/21/2023	Void	-
DEPARTMENT OF LABOR AND INDUSTRIES	51931	4/21/2023	City of Kenmore	5,026.37
DEPARTMENT OF LABOR AND INDUSTRIES	51932	4/21/2023	Void	-
EMPLOYMENT SECURITY DEPARTMENT	51933	4/21/2023	Paid Family & Medical Leave	3,431.14
EMPLOYMENT SECURITY DEPARTMENT	51934	4/21/2023	Void	-
LINCOLN NATIONAL LIFE INSURANCE	51935	4/21/2023	Life Ins/ADD & LTD	1,818.14
MISSION SQUARE / 109964	51936	4/21/2023	City of Kenmore 401a	22,652.75
MISSION SQUARE 457 / 304745	51937	4/21/2023	ICMA 457 Deferred Comp	5,825.39
NATIONAL LIFE OF VERMONT	51938	4/21/2023	Life Insurance	123.17
UNITED WAY OF KING COUNTY	51939	4/21/2023	Employee Charitable Contribution	40.00
AMERICALL	51940	4/28/2023	March After Hours Call Out Service	149.66
APPLEONE EMPLOYMENT SERVICES	51941	4/28/2023	Temporary Svcs - Records Mgmt. Week Ending 4/15	360.32
AZTECA SYSTEMS, LLC/CITYWORKS	51942	4/28/2023	4/17/23-4/16/24 Cityworks/Utility Locate Software	42,146.28
BCN TELECOM, INC.	51943	4/28/2023	4/15-5/14 City Hall Phones	801.30
BENNETT GOLD, TOBIN	51944	4/28/2023	Tuition Reimbursement for Spring Qtr 2022	803.20
BUILDERS EXCHANGE OF WASHINGTON INC	51945	4/28/2023	Project Publishing - 190th/61st Culvert SW8	160.20
CANON FINANCIAL SERVICES, INC.	51946	4/28/2023	April Copier Lease	266.08
CASCADE PEST CONTROL	51947	4/28/2023	Monthly Rhododendron Park Pest Control	154.58
CASCADIA CONSULTING GROUP, INC.	51948	4/28/2023	22-C2859 2/26-3/25 Climate Action Element Project	17,123.75
CENTER FOR HUMAN SERVICES	51949	4/28/2023	1st Quarter Behavioral Health Clinical Program	1,440.00
CENTER FOR HUMAN SERVICES	51950	4/28/2023	1st Qtr Family Support Programs	3,000.00
CENTRICITY GIS, LLC	51951	4/28/2023	March Cityworks Services	1,250.00
CODE PUBLISHING COMPANY	51952	4/28/2023	Annual Web Fees & Web Update	830.00
COMCAST BUSINESS	51953	4/28/2023	4/10-5/9 TI' awh-ah-dees Internet	71.95
COMCAST BUSINESS	51954	4/28/2023	4/14-5/13 City Hall Internet & Cable	157.40
DTG RECYCLE	51955	4/28/2023	Mulch for SR522 Landscape Medians	144.11
DTG RECYCLE	51956	4/28/2023	Mulch Purchased for ROW Materials	576.44
EARTHCRAFT SERVICES, INC.	51957	4/28/2023	23-C2309 TI' awh-ah-dees Goat Svcs-Vegetation	2,202.00

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ENVIRONMENTAL SYSTEMS RESEARCH INST	51958	4/28/2023	ESRI ArcGIS Licenses	10,080.77
ENVIRONMENTAL SYSTEMS RESEARCH INST	51959	4/28/2023	4/26/23-4/25/24 ArcGIS Annual Renewal	21,941.83
FIRE PROTECTION, INC	51960	4/28/2023	Hangar Bldg. Fire Alarm Annual Maintenance	1,703.69
H.D. FOWLER COMPANY	51961	4/28/2023	Parts for 19501 66th PI Drainage Maint.	46.63
H.D. FOWLER COMPANY	51962	4/28/2023	Irrigation Parts for 61st/SR522	228.15
HERBIG, NIGEL	51963	4/28/2023	Feb. 15th Mileage Reimbursement	97.33
HILLIS CLARK MARTIN & PETERSON P.S.	51964	4/28/2023	March Boyd's Dry Cleaning Site Remediation Svcs.	900.00
HONEY BUCKET	51965	4/28/2023	4/7-5/4 Temporary Rentals @ TI' awh-ah-dees Park	1,114.00
ICLEI	51966	4/28/2023	Annual Membership Dues	1,200.00
INTERNATIONAL CITY/CNTY MGMT ASSOC	51967	4/28/2023	City Manager Dues 7/1/23 - 6/30/24	1,200.00
IRUM YASIR BUTT	51968	4/28/2023	Room Rental Security Deposit Refund	250.00
JET CITY CLEANING	51969	4/28/2023	Drainage Maint. - Asphalt Cleaning	7,186.24
JET CITY PRINTING	51970	4/28/2023	Vinyl Stickers for TI' awh-ah-dees Signs	83.68
KENMORE ELEMENTARY	51971	4/28/2023	1st Qtr Human Services Funding	1,250.00
KING COUNTY FINANCE	51972	4/28/2023	March Road Svcs - Signs/Signals/St. Maint.	6,544.57
KING COUNTY FINANCE	51973	4/28/2023	Jan.-Mar. TI' awh-ah-dees Sewage Capacity Chgs.	612.42
MOTT MACDONALD GROUP, INC.	51974	4/28/2023	17-C1657 March TI' awh-ah dees Design/Permitting	6,374.46
MSPT XXII, LLC C/O FLYWAY RETAIL + LIVING	51975	4/28/2023	Q4 2022 Trash Services - Town Square/Hangar	1,500.00
MSPT XXII, LLC C/O FLYWAY RETAIL + LIVING	51976	4/28/2023	Q3 2022 Trash Services - Town Square/Hangar	1,500.00
NAMI EASTSIDE	51977	4/28/2023	1st Qtr - Youth Mental Health	937.50
NAMI EASTSIDE	51978	4/28/2023	1st Qtr Individual & Family Support/Education	937.50
NARWHAL MET, LLC	51979	4/28/2023	Weather Monitoring Svcs - Replacement for Lost Ck.	400.00
NATIONAL BARRICADE CO., LLC	51980	4/28/2023	Arrowboard Rental	281.14
NORTHSHORE SENIOR CENTER	51981	4/28/2023	1st Qtr Senior Center Human Services Funding	7,812.50
NORTHSHORE SENIOR CENTER	51982	4/28/2023	1st Qtr Human Svcs Funding - Transportation Prog.	2,500.00
OFFICE DEPOT	51983	4/28/2023	Misc. Office Supplies	207.02
OFFICE DEPOT	51984	4/28/2023	Notebooks	11.67
OSBORN CONSULTING INC.	51985	4/28/2023	19-C2012 TI' awh-ah-dees Prof. Svcs through 2/28	61,578.59
PACWEST MACHINERY	51986	4/28/2023	Street Sweeper Class for 3 PW Maint. Workers	247.96
PANIC, ANXIETY, AND STRESS SUPPORT INC.	51987	4/28/2023	PASS Re-Minder Cards	398.46
PRR, INC	51988	4/28/2023	22-C2845 March Missing Middle Housing Svcs.	36,071.47
PUGET SOUND ENERGY	51989	4/28/2023	3/15-4/14 City Hall/Hangar/Traffic Signals/Parks	5,301.79
PUGET SOUND PLANTS	51990	4/28/2023	Plants for City Hall Landscaping	210.67
QUALITY BUSINESS SYSTEMS / WELLS FARGO	51991	4/28/2023	Final Billing 1st Floor Copier Personal Prop. Tax	739.90
QUALITY BUSINESS SYSTEMS INC.	51992	4/28/2023	Jan. - Mar. Xerox B/W & Color Overages	580.44

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SCORE	51993	4/28/2023	March Inmate Booking/Housing/Medical	10,184.66
SEATTLE TIMES	51994	4/28/2023	March Legal Notice Postings	568.29
SMS CLEANING, INC.	51995	4/28/2023	City Hall/Hangar/PW Office Monthly Cleaning	6,495.00
SNOHOMISH COUNTY	51996	4/28/2023	March Drainage Maintenance Disposal	967.00
STAPLES ADVANTAGE	51997	4/28/2023	Parks Supplies for Stock	325.92
STAPLES ADVANTAGE	51998	4/28/2023	Hangar Paper Towels & Trash Liners	132.43
STAPLES ADVANTAGE	51999	4/28/2023	Park Supplies	223.93
STAPLES ADVANTAGE	52000	4/28/2023	Brooms for Parks	85.83
STAPLES ADVANTAGE	52001	4/28/2023	Nitrile Gloves for City Hall & Hangar	74.82
STAPLES ADVANTAGE	52002	4/28/2023	Sprayer Bottles for Parks	37.35
STAPLES ADVANTAGE	52003	4/28/2023	Antibacterial Hand Soap for Parks	290.62
STATE AUDITOR'S OFFICE	52004	4/28/2023	2021 Financial Audit Services	896.70
STEWART MACNICHOLS HARMELL, INC.	52005	4/28/2023	March Public Defense Services	5,000.00
TOTAL LANDSCAPE CORP	52006	4/28/2023	Monthly City Hall & Parks' Landscaping	5,030.02
UTILITIES UNDERGROUND LOCATION CTR	52007	4/28/2023	March Utility Locates	198.66
WA STATE PUBLIC HEALTH LABORATORIES	52008	4/28/2023	City Hall Room Rental Security Deposit Refund	250.00
WM CORPORATE SVCS-COLUMBIA RIDGE LANDFILL	52009	4/28/2023	4/1-4/15 Street Sweeper Debris Disposal	4,546.48
WONDERLAND DEVELOPMENT	52010	4/28/2023	1st Qtr - The Next Level Early Support Program	500.00
DRS 457	DFT0001562	4/21/2023	DRS 457 Deferred Comp	655.00
AVIDIA HEALTH	DFT0001563	4/21/2023	Employee Health Savings Contribution	142.30
DEPARTMENT OF RETIREMENT SYSTEMS	DFT0001564-70	4/21/2023	Public Employees Retirement	33,056.53
NAVIA	DFT0001571	4/21/2023	Employee Flexible Spending Account	996.48
BANK OF AMERICA 941	DFT0001572	4/21/2023	Federal Taxes	27,015.36
BROWN, STEPHANIE	10212	4/21/2023	Void	-
LUCERO, REBECCA	10213	4/21/2023	Payroll Check	195.25
PAYROLL	Electronic Dep.	4/21/2023	Direct Deposit	147,688.77
TOTAL				<u><u>\$ 664,062.89</u></u>

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City of Kenmore

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Vendor	Name	Volume
0022	ASSOCIATION OF WA CITIES	21369.16
0024	BAKER, DAVID	440.11
0054	BULGER SAFE & LOCK, INC.	570.64
0064	CASCADE PEST CONTROL	618.32
0067	CENTER FOR HUMAN SERVICES	9990
0076	CITY OF BELLEVUE	97992.73
0083	CITY OF LAKE FOREST PARK	54026
0092	CODE PUBLISHING COMPANY	1166.37
0099	CONSOLIDATED PRESS	5807.71
0109	DAILY JOURNAL OF COMMERCE	679.9
0121	REPUBLIC SERVICES	5064.75
0130	EMPLOYMENT SECURITY DEPARTMENT	12967.2
0137	FERGUSON ENTERPRISES INC #3011	5679.17
0151	CALPORTLAND COMPANY	1164.8
0173	HOME DEPOT CREDIT SERVICES	1758.62
0184	INSLEE, BEST, DOEZIE & RYDER, P.S.	91564.96
0189	INTERNATIONAL CITY/CNTY MGMT ASSOC	1200
0191	INTERNATIONAL INST OF MUNI CLERKS	225
0197	JET CITY PRINTING	609.96
0205	KENMORE HERITAGE SOCIETY	820
0206	KENMORE MIDDLE SCHOOL	2500
0213	KING COUNTY ANIMAL SVCS	380
0216	KING COUNTY FINANCE	500
0219	KING COUNTY FINANCE	127611.34
0230	KING COUNTY RADIO COMM SERVICES	319.84
0235	KING COUNTY TREASURY	61227.82
0251	LIGHTHOUSE CONSULTING INC	40847.48
0260	MEEHAN, NANCY	46.04
0261	PENDLETON CONSULTING LLC	2534.73
0267	MR. T'S TROPHIES & AWARDS LLC	265.45
0286	NORTHSHORE SCHOOL DISTRICT	15312
0287	NORTHSHORE SENIOR CENTER	25625
0288	NORTHSHORE UTILITY DIST	47188.31
0289	NORTHSHORE YMCA	10000
0292	HONEY BUCKET	1741
0300	OFFICE DEPOT	1914.95
0304	OLYMPIC ENVIRONMENTAL RESOURCES INC	10199.15
0310	PACIFIC TOPSOILS	2911.49
0311	PARAMETRIX INC	32684.63
0314	PETTY CASH CUSTODIAN	357.66
0328	PUGET SOUND ENERGY	142202.55
0329	PUGET SOUND FINANCE OFFICERS ASSOC	75
0345	SEATTLE TIMES	2632.13
0355	STAPLES ADVANTAGE	4384.92
0356	STATE AUDITOR'S OFFICE	2520
0357	STEWART MACNICHOLS HARMELL, INC.	20000
0365	TOTAL LANDSCAPE CORP	31405.34
0371	UNITED STATES POSTMASTER	4245.49
0375	US POSTAL SERVICE (HASLER)	3617.59
0385	WA ASSOC OF BUILDING OFFICIALS	879.31
0387	WA CITIES INSURANCE AUTHORITY	643692
0390	WA FINANCE OFFICERS ASSOCIATION	150

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Vendor	Name	Volume
0391	WASHINGTON MUNICIPAL CLERKS ASSOC	200
0400	WASHINGTON STATE DEPT OF REVENUE	22770.22
0401	WA STATE DEPT OF TRANSPORTATION	2502.15
0405	WASHINGTON STATE OFFICE CASH MGMT	788
0412	WM CORPORATE SVCS - COLUMBIA RIDGE LANDFILL	14911.61
0419	WONDERLAND DEVELOPMENT	500
0424	MISSION SQUARE 457 / 304745	43395.93
0425	DRS 457	4440
0426	AFLAC	836.16
0428	BANK OF AMERICA 941	209866.92
0429	AWC EMPLOYEE BENEFIT TRUST	341398.44
0431	DEPARTMENT OF RETIREMENT SYSTEMS	259332.51
0432	DEPARTMENT OF LABOR AND INDUSTRIES	18720.82
0434	UNITED WAY OF KING COUNTY	160
0436	NATIONAL LIFE OF VERMONT	492.68
0448	UPS STORE KENMORE	83.52
0449	ACF WEST INC	84.63
0450	AURORA RENTS	2474.2
0473	ARTS OF KENMORE	4750
0483	PAT'S TREES AND LANDSCAPE INC.	1541.4
0484	CITY WIDE FENCE COMPANY, INC	11158.64
0494	SECRETARY OF STATE	292.86
0542	AMERICAN SOCIETY OF COMPOSERS	420
0550	KING COUNTY RECORDER'S OFFICE	277.5
0558	SNOHOMISH COUNTY	4732
0586	QUADIENT LEASING USA, INC.	710.14
0588	ENVIRONMENTAL SYSTEMS RESEARCH INST	32022.6
0610	WA STATE DEPT OF TRANSPORTATION	153.68
0685	PACE ENGINEERS, INC.	1961
0689	DIGITAL REPROGRAPHICS SERVICES INC.	126.27
0690	BUILDERS EXCHANGE OF WASHINGTON INC	243
0692	HDR ENGINEERING, INC	183538.52
0696	AMERICAN GENERAL LIFE GPO/4005	971.89
0781	QUALITY BUSINESS SYSTEMS INC.	1914.38
0817	GRAINGER	2662.55
0851	EVERMARK, LLC	264.86
0892	JACOBS ENGINEERING GROUP	24455.02
0898	ZONAR SYSTEMS	528.21
0899	SHRED IT, C/O STERICYCLE, INC>	1243.74
0913	KENMORE ELEMENTARY	2500
0937	ZUMAR	1650.95
0981	COMCAST BUSINESS	937.39
0994	GORDON THOMAS HONEYWELL	13545
1003	IWORQ SYSTEMS	2800
1010	WESTLAKE HARDWARE WA-153	2067.48
1052	FIRE PROTECTION, INC	7493.86
1068	WA STATE DEPT OF LABOR & INDUSTRIES	243.1
1123	AM TEST, INC	680
1140	PAWS	220
1197	MILLER STEPHENS, MARY	3750
1258	SESAC	553
1267	AUTOMATED CONTROLS/ALBIREO ENERGY	1079.64
1297	GOVERNMENT FINANCE RESEARCH GROUP	1995
1299	VERIZON WIRELESS	240.2
1313	BOTHELL KENMORE CHAMBER OF COMMERCE	2100
1322	AABCO BARRICADE COMPANY INC.	793.22
1331	KBA INC.	94824.46
1337	STATE OF WA DEPT. OF LICENSING	2.16

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Vendor	Name	Volume
1358	ALPHAGRAPHS	606.26
1383	CHICAGO TITLE	397.98
1385	AZTECA SYSTEMS, LLC/CITYWORKS	42751.83
1390	UTILITIES UNDERGROUND LOCATION CTR	532.77
1403	OSBORN CONSULTING INC.	180591.19
1431	BRIEN, GAYLYNN	150
1452	CITY OF KENT	500
1459	FLEMINGS HOLIDAY LIGHTING LLC	1598.51
1478	HERBIG, NIGEL	97.33
1482	HIGHWIRE	2059.7
1485	WA ASSOC OF PUBLIC RECORDS OFFICERS	25
1504	SCORE	48207.35
1544	METROPOLITAN TRANS. COMMISSION	2000
1547	LOYUK, SAMANTHA	513.5
1550	THE EVP GROUP	7500
1555	LINCOLN NATIONAL LIFE INSURANCE	7205.47
1596	NW ENVIRONMENTAL TRAINING CENTER	195
1629	WESTERN DISPLAY FIREWORKS, LTD.	6875
1634	SREBNIK, DEBRA	1670.99
1673	KPFF CONSULTING ENGINEERS	82129.79
1689	MOTT MACDONALD GROUP, INC.	29685.54
1711	SOFTWAREONE, INC.	16135.49
1731	NORTHWEST ARBORICULTURE LLC	7491.2
1754	RFI ENTERPRISES INC.	1582.28
1763	REID, JAMES FALCONER	3995
1816	NAVIA	15217.69
1828	QUALITY BUSINESS SYSTEMS / WELLS FARGO	2768.32
1838	AVIDIA HEALTH	1088.4
1884	HEIDELBERG MATERIALS	1119.09
1885	NATIONAL BARRICADE CO., LLC	900.69
1889	WILLIAMS, KASTNER & GIBBS PLLC	674.5
1900	ASPECT CONSULTING LLC	1280
1914	MCNAMARA SIGNS	2235.03
1930	T MOBILE USA, INC.	4152.75
1932	U.S. BANK N.A. / CUSTODY	90
1943	BALDWIN DESIGN WORKS, LTD.	1469
1960	WALTER E. NELSON CO.	1393.38
1979	MSPT XXII, LLC C/O FLYWAY RETAIL + LIVING	1500
1980	HRA VEBA TRUST	20545.92
1991	WASHINGTON STATE TREASURER	4451
1993	HYAS GROUP, LLC	3750
1994	LAKE CITY PARTNERS ENDING HOMELESSNESS	1125
1999	KING COUNTY POLICE CHIEFS ASSOCIATION	50
2004	RED BARN ENGINEERING, INC.	24830
2047	PUGET SOUND PLANTS	1678.11
2048	SMS CLEANING, INC.	25980
2052	J. A. BRENNAN ASSOCIATES, PLLC	24006.96
2078	WA RECREATION & PARK ASSOC.	1250
2081	SHANNON & WILSON, INC.	2850
2126	SCHWARZWALTER, MARK	218
2137	ECIVIS, INC.	4000
2142	MISSION SQUARE / 109964	177848.86
2175	ELECTRONIC BUSINESS MACHINES	537.08
2176	CANON FINANCIAL SERVICES, INC.	1064.32
2183	SISKUN POWER EQUIPMENT	877.85
2209	MORUP SIGNS, INC.	715.65
2210	PACWEST MACHINERY	2224.27
2221	O'REILLY/FIRST CALL	157.34

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2236	COMCAST	8343.54
2249	KING COUNTY BAR ASSOCIATION	450
2250	NAMI EASTSIDE	2625
2252	TRUGREEN	338.01
2254	U.S. BANK PURCHASE CARDS	85900.01
2262	DILIGENT CORPORATION	17736.86
2270	LAKESIDE INDUSTRIES	1185.78
2282	RICK BURNSTEAD CONSTRUCTION, LLC	2932
2284	ENVIROTECH	7973.66
2285	QUALITY WATER FINANCIAL	613.77
2327	PACIFIC AIR CONTROL, INC.	3649.81
2330	PROMOTIONS NOW	236.05
2334	NORTHSHORE YOUTH SOCCER ASSOC.	55
2338	58 STARS TRAVEL	2442.6
2353	NORTHSHORE SCHOOLS FOUNDATION	750
2360	O'CAIN, MELANIE	295.5
2361	BFI 4 LLC	2000
2369	MARIA SZABLYA RIVAS	150
2386	CECCANTI, INC.	401677.46
2389	JET CITY CLEANING	7186.24
2393	SEATTLE PUMP & EQUIPMENT CO./JETTERS NORTHW	457.47
2396	ZIPLY FIBER	2471.55
2403	AMERICALL	600.94
2413	ICLEI	1200
2425	THOMCO CONSTRUCTION, INC.	698851.75
2437	LOUDEDGE, INC.	1125
2459	NELSON ELECTRIC, INC.	5752.44
2464	D.P. NICOLI, INC.	301.45
2468	DAVIDSON MACRI SWEEPING, INC.	4157.38
2484	LUKASZ LISOWSKI	322.64
2486	CASCADIA LAW GROUP	5259.38
2489	THE ORIGINAL POOP BAGS	1319.89
2503	NORTH AMERICAN SAFETY, INC.	3098.5
2511	SALCIDO, LETICIA	80.32
2530	CASCADIA CONSULTING GROUP, INC.	35815
2531	BCN TELECOM, INC.	2420.86
2537	HUNTINGTON TECHNOLOGY FINANCE	44525.18
2540	BRIGHT SPARK EARLY LEARNING SERVICES	375
2545	KLB CONSTRUCTION, INC.	201914.84
2561	PRR, INC	73331.77
2570	H.D. FOWLER COMPANY	1674.45
2577	APPLEONE EMPLOYMENT SERVICES	10967.24
2578	CENTRICITY GIS, LLC	1625
2579	CHANIN KELLY-RAE CONSULTING LLC	14685
2589	ABRACADABRA PRINTING	1350.56
2598	WAGNER ARCHITECTS	49354
2609	DTG RECYCLE	1172.67
2617	STRIDER CONSTRUCTION CO., INC.	652533.31
2618	STEPHANIE LUCASH	512.91
2641	VENTILATION POWER CLEANING, INC.	6176.3
2642	WASHINGTON AUDIOLOGY SERVICES, INC.	1080.5
2660	WASHINGTON FEDERAL BANK	17292.82
2661	JASON RICHARD SPERLING	600
2667	CREATION ORGANICS, LLC	2182.38
2691	E SQUARED SYSTEMS, LLC	264.24
2692	PREMIER MEDIA GROUP	1000
2707	ONTRA MARKETING GROUP	300
2728	NARWHAL MET, LLC	800

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Vendor	Name	Volume
2731	ROBERT SAYRE-MCCORD	148.8
2736	PAUL LEE	28684
2737	THERESA TIMMES KING	150
2738	JULIANA FISHER	150
2745	HOME COMFORT ALLIANCE	228.48
2747	CHRISTINE CABATIT	298.49
2748	GOURAV MITRA	250
2750	MID SOUND FISHERIES	250
2751	MERANDA DIRECTO	311.85
2752	MEADOWDALE MARINA LLC	7500
2755	CITY OF KIRKLAND	41049.69
2756	DIVYA GATTU	150
2757	KAT ZUO	100
2758	ALEXA'S CATERING INC.	1531
2759	SAID HAMOOD	150
2761	KARA VAN LUCHENE	150
2762	APPLIANCE REPAIR MM LLC	78.73
2763	LA CONNER INN	758
2764	RHOMAR INDUSTRIES, INC.	42.96
2765	TRUSTEES OF THE HAMLINE UNIVERSITY OF MINNESC	4433.02
2767	GAMES2U	572.5
2769	DEBUG MOBILITY PRODUCTS	2865
2770	EARTHCRAFT SERVICES, INC.	3853.5
2771	GIRL SCOUTS OF WESTERN WA	150
2772	POLYGON WLH LLC	7500
2773	REGIONAL CRISIS RESPONSE AGENCY	41049.69
2774	KISHORE SERALATHAN	17731.35
2775	LIUBOV UZIK	150
2776	KERALA ASSOCIATION OF WASHINGTON	250
2778	OUTCOMES BY LEVY, LLC	7300
2779	SYDNEY DANZIGER	150
2780	XEROX CORPORATION	160.07
2781	PANIC, ANXIETY, AND STRESS SUPPORT INC.	398.46
2782	HILLIS CLARK MARTIN & PETERSON P.S.	900
2783	IRUM YASIR BUTT	250
2784	WA STATE PUBLIC HEALTH LABORATORIES	250
Vendor Set Vendor Set 01 Total:		6228074.14

VIII. D. Approve
Total Check #s 51926 through 52010 totaling \$418,968.82...



Council Business Agenda Item City of Kenmore, WA

<p>Subject/Topic:</p> <p>Kenmore's Participation in the 2023 Seattle Pride Parade</p> <p>Proposed Council Action/Motion: Council authorization for the City Manager to sign the 2023 Pride Parade Vehicle Hold Harmless Agreement for Kenmore's participation in the Parade in a form substantially similar to Ex. 1, and to take all acts necessary to implement the City's participation in the 2023 Seattle Pride Parade consistent with Council's direction on the event budget.</p>	<p>For Council Meeting Agenda of: 5/15/2023</p> <p>Department: City Manager's Office</p> <p>Prepared by: Nancy Meehan</p> <table border="0"><tr><td>Approved by Department Head:</td><td><u>RGK</u></td></tr><tr><td>Approved by City Attorney:</td><td><u>DR 5/10/23</u></td></tr><tr><td>Approved by Finance Director:</td><td><u>MM</u></td></tr><tr><td>Approved by City Manager:</td><td><u>RGK</u></td></tr></table> <p>Exhibits/Attachments:</p> <ol style="list-style-type: none">1. 2023 Pride Parade Vehicle Hold Harmless Agreement2. Chart of estimate of total costs for Kenmore's participation in the Parade	Approved by Department Head:	<u>RGK</u>	Approved by City Attorney:	<u>DR 5/10/23</u>	Approved by Finance Director:	<u>MM</u>	Approved by City Manager:	<u>RGK</u>
Approved by Department Head:	<u>RGK</u>								
Approved by City Attorney:	<u>DR 5/10/23</u>								
Approved by Finance Director:	<u>MM</u>								
Approved by City Manager:	<u>RGK</u>								
<p>Information/Background:</p> <p>Members of the DEIA Advisory Committee approached the City for approval to participate in the 2023 Seattle Pride Parade, as they did last year, but this year the group wanted greater visibility in the parade and have requested to enter a City Fleet vehicle in the parade as a designated "float", which will be decorated by the participants and driven by a Kenmore city employee. All vehicles participating in the Seattle Pride Parade are required to sign a Hold Harmless Agreement.</p>									
<p>Fiscal Consideration:</p> <p>The registration fee to participate in the 2023 Seattle Pride Parade with a city vehicle, is \$2,000.00. There will be additional costs including the purchase of T-shirts to be worn in the parade, printing of posters and flyers, and possibly some "shareables" (stickers, candies, etc.), all of which will come to a total of approximately \$3,865.00.</p>									
<p>Council Goal/Budget being Addressed:</p> <p>The DEIA Advisory Group would like the City of Kenmore to participate in the Seattle Pride Parade as part of their community engagement and outreach.</p>									



2023 Vehicle Hold Harmless Agreement Form

THIS FORM is required for each motor vehicle participating in the *2023 Seattle Pride Parade and March*, hereinafter known as the *Seattle Pride Parade*. The owner and operator of the vehicle are required to complete this form and provide a copy of the registration and insurance for the vehicle. Failure to provide the required information, or submitting false or misleading information, will immediately disqualify the vehicle, owner, and operator from participation in the *Seattle Pride Parade*.

SPECIAL NOTE for motorized scooters, mopeds, and other applicable motor vehicles: Although the State of Washington does not require motor vehicle insurance to operate scooters on public streets, **Seattle Out & Proud, hereinafter known as Seattle Pride, and the Seattle Pride Parade require the operator of every motor vehicle to carry motor vehicle personal injury and liability insurance as a condition of participation.** Failure to provide proof of insurance disqualifies the vehicle from participation.

I, _____, declare that I am the owner operator of the vehicle participating in the *Seattle Pride Parade* occurring on **June 25, 2023**, in Seattle, WA, and that I am participating in the parade contingent with:

Name of Group, Organization, or Business: _____

Vehicle Information

Year: _____

Make/Model: _____

Color: _____

Plate #: _____

I further declare and certify:

- ☐ I am fully licensed and insured to operate said vehicle/float.
- ☐ I carry liability insurance to cover property damage and physical injuries to others, as required by the State of Washington, and per the Special Note above, as applicable.
- ☐ The vehicle is not modified in any way that may interfere with or prevent the safe operation of this vehicle. There are no modifications that may obstruct my view or prevent my safe operation of the named vehicle.
- ☐ A copy of my proof of insurance certificate or policy is attached, along with a copy of my driver's license and the vehicle registration.

In consideration of the acceptance of this application, I agree to release and hold Seattle Pride, the *Seattle Pride Parade*, their directors, officers, agents, representatives, employees,

2023 Vehicle Hold Harmless Agreement Form

and volunteers harmless and to promptly indemnify same from and against any and all claims, actions, damages, liability of every type, and nature, including all costs and legal expenses incurred by me or any other party, by reason of any activity arising under or in connection with my participation in the *Seattle Pride Parade*, including loss of life, personal injury, and/or damage to property arising from or out of any occurrence, omission or, activity relating to such participation.

In the event Seattle Pride or the *Seattle Pride Parade* shall be made a party to any litigation commenced by or against me, I shall proceed and hold Seattle Pride and the Seattle Pride Parade harmless and shall pay all costs, expenses, and reasonable attorney's fees incurred or paid by them in connection with such litigation. Furthermore, I agree to pay all costs, expenses, and reasonable attorney's fees that may be incurred or paid by Seattle Pride or the *Seattle Pride Parade* in the enforcement of any of the covenants, provisions, and agreements hereunder.

Printed Name: _____

Signature: _____

Date: _____

Please attach a copy of:

- ☐ Vehicle's registration certificate
- ☐ Operators driver's license
- ☐ Insurance certificate for the vehicle

**Important: The vehicle operator is required to keep
a copy of this agreement and supporting documentation
with the vehicle during the parade.**

Estimate of total cost for participation in the Seattle Pride Parade

As prepared by Lily Bishop, DEIA Advisory Committee Member and organizer of Kenmore's participation in the Pride Parade

	Vendor/Provider	Unit #	Unit \$	Total Cost
Parade Fee	Seattle Pride (by 03/02/23)	1	2,000	2,000
T-Shirts	Jet City Printing, Kenmore	50	17.50	875
T-Shirt Art	Concession	1	-	-
Fliers	Jet City Printing, Kenmore	300	0.20	59
Posters	Jet City Printing, Kenmore	30	1.25	38
Prompts	TBD	75	2.00	150
Sharables	TBD	1,000		100
Float or Vehicle	Concession	1	-	-
			Subtotal	3,221
Contingencies		@	20%	644
			Total	3,865



City Council Agenda Bill City of Kenmore, WA

Subject/Topic:

Development Services is presenting the draft building code (Ordinance no. 23-0576) and draft property maintenance code (Ordinance no. 23-0577) for City Council review and feedback.

For Council Meeting Agenda of: May 15, 2023

Department: Development Services

Prepared by: Samantha Loyuk, Development Services Director

Initial & Date

Approved by Department Head: SL 4/27/23

Approved by City Attorney: DR 5/2/23

Approved by Finance Director: MM 5/1/23

Approved by City Manager: RGK 5/4/23

Proposed Council Action/Motion:

Feedback from the City Council is requested prior to final draft and ordinance adoption(s) scheduled for the June 26, 2023 Regular Council Meeting.

Exhibits/Attachments:

1. Draft Ordinance no. 23-0576
 - 1.A. Draft KMC 15.05
 - 1.B. Draft KMC 15.10
 - 1.C. Draft KMC 15.20
 - 1.D. Draft KMC 15.30
2. Follow-up email to City Council (Q&A)
3. Draft Ordinance no. 23-0577
 - 3.A. Draft KMC 15.40
4. Property Maintenance Survey Results
5. PowerPoint Presentation

Summary:

Staff is seeking direction on the following:

1. Is the City Council in agreement on including Appendices T, P, Y, and Z in the building code update (as proposed by staff)?
2. Is the draft building code acceptable in its current form or are there changes that need to be made prior to adoption (6/26/2023)?
3. Is the draft property maintenance code acceptable in its current form or are there changes that need to be made prior to adoption (6/26/2023)?

Information/Background:

The code updates are separated into the following draft ordinances:

- Ordinance no. 23-0576: Construction Codes (typically referred to as "Building Codes")
- Ordinance no. 23-0577: The Property Maintenance Code.

Part I: Building Codes – Draft Ordinance 23-0576

On March 20, 2023, Development Services staff provided an informational presentation to City Council on upcoming changes to the building code. Staff summarized required code changes, described optional amendments, estimated impacts to staff and builders, and requested direction from City Council on optional amendments. City Council had questions that required staff research; those questions were answered in an email dated 3/26/2023 (Attachment 2). Feedback provided by City Council is summarized in the table below; all feedback has been incorporated into the draft code and is described in the third column titled "Action".

Staff Questions (3/20/2023)	Council Direction (3/20/2023)	Action
(1) Should the City revise the code to require residential construction projects be completed on the outside of the house within two years?	Yes	This is included in the draft building code
(2) Should the City revise the code to extend building permits for multifamily and commercial projects to 3 years?	Yes	This is included in the draft building code
(3) Should the City follow Seattle's policy and require an energy certificate for commercial buildings at the point of sale (e.g., metering to collect data)?	Yes	Staff will work with Mybuildingpermit.com cities to partner on this project
(4) Should the City revise the code to exempt all single-family residential solar panels from building permit (regardless of size)?	Need more information	Additional information was provided via email on 3/26/2023; the code remains as-is (no changes)
(5) Should the City adopt IRC Appendix Y and IBC Appendix P (construction and demolition materials)?	Need more information	Additional information to be provided at 5/15/23 Council Meeting (see presentation). This is included in the draft building code
(6) Should the City adopt IRC Appendix Z (building deconstruction)?	Need more information	Additional information to be provided at 5/15/23 Council Meeting (see presentation). This is included in the draft building code
(7) Should the City adopt IRC Appendix T (solar-ready provisions)?	Yes	This is included in the draft building code

Representing the Regional Code Collaboration (RCC), Kathleen Petrie, King County, Green Building Communitywide Program Manager and Kinley Deller, King County C&D Program Manager, recently hosted two informational sessions to discuss the appendices (optional amendments) available for adoption during this code cycle; sessions were held March 30, 2023 and April 4, 2023 via Zoom. The sessions were well attended and included representatives from jurisdictions including Kenmore, Tacoma, Medina, Bothell, Maple Valley, Issaquah, Kirkland, Shoreline, Redmond, Renton, Bainbridge Island, Snohomish County, Pierce County, and Port of Seattle.

King County will likely adopt all of the appendices discussed at the informational sessions, in addition to Seattle's Energy Code amendments. However, it is not yet known what appendices (if any) other jurisdictions will adopt; like Kenmore, most jurisdictions are doing their due diligence now. The list of attendees provides insight as to which jurisdictions are considering the appendices for adoption.

To assist with questions on the appendices as they may arise, Kathleen Petrie and Kinley Deller are attending the City of Kenmore Council Meeting as panelists.

The draft code (Attachments 1, 1.A, 1.B, 1.C, and 1.D.) includes all State-mandated amendments, including:

- 2021 International Building Code (IBC)
- 2021 International Mechanical Code (IMC)
- 2021 International Fire Code (IFC)
- 2021 Uniform Plumbing Code (UPC)
- 2021 International Fuel Gas Code (IFGC)
- 2020 Liquefied Petroleum Gas Code (NFPA 58)
- 2021 International Residential Code (IRC)
- 2021 Washington State Energy Code (WSEC)
- 2021 International Existing Building Code (IEBC)
- 2021 International Wildland-Urban Interface Code (IWUIC)
- 2021 National Fuel Gas Code (NFPA 54)
- 2021 International Swimming Pool and Spa Code

The draft code also includes the following appendices (optional amendments):

- 2021 IRC Appendix T (solar-ready provisions)
- 2021 IBC Appendix P (construction and demolition materials)
- 2021 IRC Appendix Y (construction and demolition materials)
- 2021 IRC Appendix Z (building deconstruction)

Collectively, the amendments result in positive and negative impacts (pros and cons):

Pros	Cons
Supports the goals of the Climate Action Plan (CAP) by reducing GHG emissions associated with the consumption of materials and waste practices related to construction and demolition.	Slower permit review times, especially in the first 6 months as reviewers and developers adjust to new requirements.
Supports the goals of the CAP by increasing energy efficiency for new buildings.	Increased staff time (review, inspection, and processing).
Supports the goals of the CAP by improving conservation of energy and other natural resources.	Increased construction costs to builders (which trickle down to buyers).
Updates structural provisions to the most recent engineering standards.	
Allows use of newer technology, materials, and installation methods.	
Provides increased protection from wildfires for new structures in certain areas.	
Complies with State law.	

Part II: Property Maintenance Code – Draft Ordinance 23-0577

On January 9, 2023, Development Services staff presented information to City Council on existing code enforcement processes, cases, challenges, resources, and potential code changes (e.g., the International Property Maintenance Code or “IPMC”). Feedback provided by City Council is summarized in the table below; all feedback has been incorporated into the draft code and is described in the third column titled “Action”.

Staff Recommendation (1/9/2023)	Council Feedback (1/9/2023)	Action
(1) To emphasize sanitation, should the City require mandatory garbage collection (currently voluntary)?	Yes	While not mandatory, the draft code includes standards that more clearly prohibit accumulation of garbage
(2) Should the City restrict tarps (color, size and/or duration), canopies, tent-like storage structures, and temporary pole-buildings?	No	No action
(3) Should the City require lawn and vegetation maintenance to allow a maximum grass height of six-inches (6”) for properties adjacent to an arterial street and of twelve-inches (12”) for all other properties?	No	No action
(4) Should the City limit the use of cargo containers to (1) per property and limited duration?	Need more information	Based on survey responses and existing requirements in KMC 8.35.010.A.5, additional restrictions on cargo containers are not included in the draft code
(5) Should the City adopt applicable sections of the IPMC to create a Kenmore Property Maintenance Code (KPMC)?	Yes	This is included in the draft code
(6) Should the City coordinate with local churches, non-profit organizations, and King County programs to assist with home maintenance and repair services, and build an internal resource library of assistance services available to Kenmore residents, property owners, and businesses?	Yes	The Code Enforcement Officer continues to build a list of community resources and will collaborate with the Housing and Human Services Manager once the position is filled

In addition, City Council emphasized the need for public engagement and directed staff to obtain feedback from the community as the draft code was prepared. The department worked with the City's Communications Specialist, Lauren Chomiak to encourage public participation and collect feedback. An online survey, advertised through various means (website, email, verbal communication, social media, signage, etc.), was open from March 15, 2023 through April 5, 2023. The survey collected responses from 179 participants (Attachment 4). The survey revealed the following:

1. Most survey participants live in single-family residential homes (89.77%).
2. Only 14% of participants live in a neighborhood with an active HOA.

3. Most participants think their neighbors do a good or excellent job of maintaining their private property (25.3% excellent; 52.2% good).
4. In contrast to item #3 above, 41.6% of participants often see things like overgrown vegetation, accumulated garbage or outdoor storage (sometimes called “hoarding”), dilapidated structures, and/or junk vehicles in their neighborhood. However, based on the comments provided in the write-in portion, much of this feedback is outside of the KPMC scope since it pertained to vegetation in the right-of-way (e.g., vegetation encroaching into sidewalk areas).
5. 57.9% of participants think the City should do more enforcement to remedy nuisances like overgrown vegetation, accumulated garbage or outdoor storage (sometimes called “hoarding”), dilapidated structures, and junk vehicles.
6. 29.6% of participants think the City should always require garbage service and 43% think the City should require garbage service but only in response to a violation. 17.3% of participants think the City should not require mandatory garbage service.
7. 40.78% of participants think the City should limit the number of storage containers (e.g., large cargo or shipping containers) on private property, where it does not apply to shipping containers converted to dwelling units. 30.7% of participants did not think the City should limit the number of storage containers and 28.5% weren’t sure.

The draft code (Attachments 3 and 3.A) adopts the 2021 International Property Maintenance Code, with amendments and repeals the 1997 Uniform Housing Code, 1997 Uniform Code for the Abatement of Dangerous Buildings and KMC 8.35 Public Nuisances. The new code will be adopted not by reference, but instead by adding it directly to the Kenmore Municipal Code (KMC). Doing so increases access to the code for the community and creates a Kenmore Property Maintenance Code (KPMC).

The new KPMC will accomplish the following:

- (1) The KPMC will be easier to understand and enforce.
- (2) The KPMC is focused on public safety and sanitation.
- (3) The KPMC addresses rodent harborage (not previously addressed).
- (4) The KPMC clearly prohibits accumulation of garbage in exterior and interior areas (sometimes called “hoarding”).
- (5) The KPMC provides safety requirements for boarding and securing vacant structures.
- (6) The KPMC limits boarding of structures to 6 months (helps reduce the accumulation of dilapidated buildings in the community and vagrant occupancy).
- (7) The KPMC requires vacant land and structures to be secured in a clean, safe, and sanitary condition.
- (8) The KPMC requires development sites to be secured in a clean, safe, and sanitary condition.
- (9) The KPMC provides clear requirements for owners to restore areas damaged by graffiti.
- (10) The KPMC aligns with the current ICC codes that have already been adopted by the City.
- (11) The KPMC creates a centralized location combining three code sections into one.
- (12) The KPMC honors Diversity, Equity, Inclusion, and Accessibility (DEIA) values by including a new section specific to DEIA.

The new KPMC does not include:

- (1) Mandatory garbage service by Republic Services is not included in the draft KPMC. The KPMC includes new (and stronger) language on garbage disposal requirements and limitations of garbage accumulation (i.e., hoarding); see draft code section KMC 15.40.308. Staff believe this section is adequate for enforcement.

(2) New requirements/limitations on large storage containers (e.g., cargo or shipping containers used for storage) are not included in the draft KPMC. Existing limitations in KMC 8.35.010.A.5 remain unchanged.

Fiscal Consideration:

In terms of impacts to Development Services staff workload (i.e., staffing), code changes like the mandatory triennial building code adoption create additional workload on the front-end as staff adjust to new code requirements. Codes that go beyond what is mandatory and/or exceed codes adopted by our eCityGov Alliance members cities create a unique impact to staff that is longer-lasting and more significant in terms of time and resources. For example, adoption of IRC appendices T, Y, or Z, would result in the need for additional training, new forms, increased time for permit processing, increased time for plan review, and increased time for inspections.

Additionally, the code changes will impact the building industry by increasing the cost of construction for private developers. This could impact the City financially if development slows (e.g., property tax revenues).

Council Goal/Budget Being Addressed:

- City Council Priority #1: Implement the adopted Climate Action Plan and promote environmental stewardship, including water, air, forest, and habitat restoration and preservation.
- City Council Priority #6: Enhance public safety.
- City Council Priority #9: Foster community engagement and participation.

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 23-0576**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, ADOPTING THE 2021 EDITIONS OF THE INTERNATIONAL BUILDING CODE, THE INTERNATIONAL RESIDENTIAL CODE, THE INTERNATIONAL MECHANICAL CODE, THE INTERNATIONAL FIRE CODE, THE INTERNATIONAL WILDLAND-URBAN INTERFACE CODE THE INTERNATIONAL FUEL GAS CODE, THE WASHINGTON STATE ENERGY CODE, INTERNATIONAL EXISTING BUILDING CODE, THE UNIFORM PLUMBING CODE, THE INTERNATIONAL SWIMMING POOL AND SPA CODE, THE NATIONAL FUEL GAS CODE, THE 2020 EDITION OF THE LIQUEFIED PETROLEUM GAS CODE; THE 2020 EDITION OF THE WASHINGTON CITIES ELECTRICAL CODE; AMENDING SECTION 15.05.015 OF THE KENMORE MUNICIPAL CODE; AMENDING CHAPTERS 15.10, 15.20, AND 15.30 OF THE KENMORE MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Washington State Legislature enacted the State Building Code Act (Chapter 19.27 RCW) adopting the International Building Code, International Residential Code, International Mechanical Code, International Fire Code, International Wildland-Urban Interface Code and Uniform Plumbing Code and directed the State Building Code Council to adopt a process for the review of proposed statewide amendments and proposed or enacted local amendments as amended and adopted by the State Building Code Council; and

WHEREAS, the State Building Code Council amended and adopted the 2021 editions of such codes, and all jurisdictions in the state are required to enforce the 2021 editions of such codes effective as of July 1, 2023; and

WHEREAS, the City Council has determined that adoption of the 2021 codes with certain local amendments is in the public interest; and

WHEREAS, the construction codes adopted by the State also reference other construction codes and their adoption would benefit the City of Kenmore; and

WHEREAS, the City Council previously adopted and amended the construction codes to be consistent with the regional model code established by the jurisdictions participating within eCityGov.net and MyBuildingPermit.com;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Amendment. Section 15.05.015 of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit A** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 2. Amendment. Chapter 15.10, Fire Code, of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit B** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 3. Amendment. Chapter 15.20, Building Codes, of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit C** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 4. Amendment. Chapter 15.30, Construction Administrative Code, of the Kenmore Municipal Code is hereby amended and replaced to read as set forth on **Exhibit D** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, phrase or word thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words be declared unconstitutional.

Section 6. Effective Date. This Ordinance shall take effect and be in force on July 1, 2023, which is more than five (5) days after the date of publication of this Ordinance.

PASSED by the City Council this XX day of June 2023.

CITY OF KENMORE

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

15.05.015 Copies of codes on file.

A. Pursuant to State law (Chapters [19.27](#) and [19.27A](#) RCW), the Kenmore building code includes the Washington State Building Code, composed of the codes in subsections (A)(1) through (6) of this section, and the additional codes in subsections (A)(~~3~~) and (~~7~~) through (~~14~~) (15) of this section, all as modified in this title. The City shall at all times keep on file with the city clerk, for reference by the general public, a copy of the codes and resolutions, or parts thereof, as herein adopted by reference, together with the amendments and supplements thereto herein made a part of this title:

1. ~~2018~~ **2021** International Building Code, published by the International Code Council, Inc.;
2. ~~2018~~ **2021** International Residential Code, published by the International Code Council, Inc.;
3. ~~2018~~ **2021** International Existing Building Code, published by the International Code Council, Inc.;
4. ~~2018~~ **2021** International Mechanical Code, published by the International Code Council, Inc.;
5. ~~2018~~ **2021** International Fire Code, published by the International Code Council, Inc.;
6. ~~2018~~ **2021** Uniform Plumbing Code, published by the International Association of Plumbing and Mechanical Officials;
7. **2021** International Wildland-Urban Interface Code, published by the International Code Council, Inc.;
8. ~~2018~~ **2021** National Fuel Gas Code (NFPA 54), published by the National Fire Protection Association;
9. 2020 Liquefied Petroleum Gas Code (NFPA 58), published by the National Fire Protection Association;
10. ~~2018~~ **2021** International Fuel Gas Code, published by the International Code Council, Inc.;

11. **2018 2021** Washington State Energy Code;
12. **2018 2021** International Swimming Pool and Spa Code, published by the International Code Council, Inc.;
13. 1997 Uniform Housing Code, published by the International Conference of Building Officials;
14. 1997 Uniform Code for the Abatement of Dangerous Buildings, published by the International Conference of Building Officials;
15. 2020 **National Washington Cities** Electrical Code (**NEPA 70-2020**), published by **the MyBuildingPermit.com**;
16. All amendments, supplements, modifications, exclusions, exemptions and additions to the codes identified in subsections (A)(1) through (7) of this section adopted by the Washington State Building Code Council and published in WAC Title 51, including, but not by way of limitation, Chapters 51-11C, 51-11R, 51-50, 51-51, 51-52, 51-54A, 51-55 and 51-56 WAC;

~~16. All amendments, supplements, modifications, exclusions, exemptions and additions to the code identified in subsection (A)(14) of this section adopted by the Washington State Department of Labor and Industries and published in Chapter 296-46B WAC.~~

B. The copies of codes on file may be placed by the city clerk in the custody of the office of the building official in order to make them more readily available to inspection and use by the general public.

Chapter 15.10 FIRE CODE

15.10.005 International Fire Code adopted.

The 2018-2021 Edition of the International Fire Code, together with Appendix B (Fire-Flow Requirements for Buildings), as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-54A WAC.

15.10.010 IFC Section 101.1, Title, amended.

Section 101.1 of the International Fire Code is hereby amended by inserting the phrase "City of Kenmore."

15.10.012 IFC Section 102.5, Application of Residential Code, amended.

Section 102.5 of the International Fire Code is hereby amended to read as follows:

102.5 Application of Residential Code. Where structures are designed and constructed in accordance with the International Residential Code, the provisions of this code shall apply.

15.10.015 IFC Section 102.7, Referenced Codes and Standards, amended.

Section 102.7 of the International Fire Code is hereby amended by adding the following:

When allowed by the fire code official, editions of standards not herein referenced may be utilized provided the entire standard is utilized.

15.10.020 IFC Section 102.7.3, Alternative Standards, added.

Section 102.7 of the International Fire Code is hereby amended by adding a new Subsection 102.7.3 to read as follows:

102.7.3 Alternative Standards. The fire code official is authorized to approve an alternative standard where the fire code official determines that the alternate standard, applied in its entirety, complies with the intent of the provisions of this code, and that the alternate standard is, for the purpose intended, at least the equivalent of those listed in Chapter 80 in effectiveness, quality, fire resistance, durability and safety.

15.10.020 IFC Section 104, General Authority and Responsibilities, amended.

Section 104 of the International Fire Code is hereby amended by adding the following:

~~Section 104.12 Indigent housing guidelines. The fire code official, in cooperation with the building official, is hereby authorized to develop a policy regarding the application and exemption of the construction codes for temporary homeless shelters in accordance with WAC 51-16-030.~~

15.10.025 IFC Section 105.1, General, amended.

Section 105.1 of the International Fire Code is hereby amended to read as follows:

Section 105.1 General. Permits shall be in accordance with Sections 105.1 ~~through 105.7.30.~~ 105.6.

15.10.030 IFC Section ~~105.6.30~~ 105.5.32 Mobile Food Preparation Vehicles, amended.

~~Section 105.6.30~~ 105.5.32 of the International Fire Code is hereby amended to read as follows:

~~105.6.30~~ 105.5.32 Mobile food preparation vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors or that utilize flammable gases such as LP-gas or natural gas. ~~The fire code official is authorized to develop policies that clarify the permit requirements and participate in a regional permitting program. The fire code official may accept a permit from an approved agency in lieu of a Shoreline Fire Department operational permit.~~

15.10.032 IFC Section 105.5.53, Interim Use Emergency Shelter, added.

Section 105.5 of the International Fire Code is hereby amended with the addition of a new Subsection 105.5.53 to read as follows:

105.5.53 Interim Use Emergency Shelter. An operational permit is required to open an interim use emergency shelter and must comply with Department policy FMO 318.

15.10.035 IFC Section ~~105.7~~ 105.6, Required Construction Permits, amended.

Section ~~105.7~~ 105.6 of the International Fire Code is hereby amended by adding the following:

~~105.7.27~~ 105.6.26 Emergency and standby power systems. A construction permit is required to install or modify an Emergency Power Supply System (EPSS) that supplies power to life safety systems, fire pumps, elevators or any system required by the International Fire Code or the International Building Code.

~~105.7.28~~ 105.6.27 High-piled combustible storage. A construction permit is required to install, alter or increase the hazard level of storage under the following criteria: Storage area including aisles exceeds 500 square feet floor area, and either Class I – IV commodities are stored more than 12 feet high, or high hazard materials are stored more than 6 feet high.

~~105.7.29~~ 105.6.28 Mechanical refrigeration. A construction permit is required to install, modify or expand any mechanical refrigeration system containing more than 220 pounds of a Group A1 refrigerant or more than 30 pounds of any other group refrigerant.

~~105.7.30~~ 105.6.29 Emergency alarm system. A construction permit is required to install an emergency alarm system in accordance with Section 5307. An emergency alarm is required for carbon dioxide systems with more than 100 pounds of carbon dioxide.

15.10.040 IFC Section ~~108.6~~ 109.6 Overcrowding, amended.

Section 180.6 of the International Fire Code is hereby amended to read as follows:

~~108.6~~ 109.6 Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or a portion thereof shall not be allowed. The fire code official, upon finding any overcrowding conditions or obstructions in aisles, passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to direct actions to be taken to reduce the overcrowding or to cause the event to be stopped until such condition or obstruction is corrected.

15.10.045 IFC Section 409.111, Board Means of Appeals, replaced.

Section 409.111 of the International Fire Code is hereby deleted and replaced with a new section 111 to read as follows the following:

Section 409.111 Hearing Examiner. Appeals of orders, decisions or determinations made by the fire code official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.10.050 IFC Section 440.3 112.4, Violation Penalties, amended.

Section 440.3 112.4 of the International Fire Code is hereby deleted and replaced with a new section 112.4 to read as follows the following:

Notice of violation. Any person who violates the provisions of this code or fails to comply with any of the requirements thereof or lawful directive of the fire code official, shall be subject to penalties as prescribed by law.

15.10.055 IFC Section 308.3, Open Flame in Group A Occupancies, amended.

Section 308.3 of the International Fire Code is hereby amended by adding the following exception:

4. Where approved by the fire code official.

15.10.060 IFC Section 319, Mobile Food Preparation Vehicles, amended.

Section 319 of the International Fire Code is hereby amended by adding a new section 319.11 to read as follows the following:

319.11 Location. Mobile food facilities shall not be located within ten feet (10') of buildings, tents, canopies or membrane structures or within ten feet (10') of any other mobile food facility.

Exceptions:

1. When mobile food facilities are positioned on public streets, the distance from buildings may be reduced to five feet (5'). This exception is designated for events lasting a maximum of no more than three (3) consecutive calendar days in a row.
2. When located on private property, the distance from buildings may be reduced to five feet (5') from a fire wall constructed of non-combustible materials and having no openings such as windows or doors within 10 feet of the vehicle.

15.10.065 IFC Section 401.7.1, Evacuation Required, added.

Section 401.7.1 of the International Fire Code is added to Section 401.7 to read as follows:

401.7.1 Evacuation required. In the event of activation of a fire, emergency alarm, or at the direction the fire code official, occupants of the building or portion of the building in which the alarm is activated shall make a safe and orderly evacuation out of the building, or as provided in the building's fire safety and evacuation or high-rise emergency operations plan.

Exceptions:

1. Where the occupant's physical or other disability make the occupant unable to evacuate without assistance and no assistance is immediately available; or
2. Where the presence of smoke, fire, structural collapse or other hazard or obstruction of the occupant's means of egress make evacuation unsafe.

15.10.070 IFC Section 503.1, Where Required, amended.

Section 503.1 of the International Fire Code is hereby amended to read as follows:

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

503.1.1 Buildings and facilities. *Approved* fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within a jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet of all portions of the facility and all portions of the *exterior* walls of the first story of the building as measured by an *approved* route around the exterior of the building or facility.

Exception:

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

1.1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3.

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

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

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

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

15.10.075 IFC Section 503.2, Specifications, amended.

Section 503.2 of the International Fire Code is hereby amended **to read** as follows:

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.8 and the adopted Road Standards.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches. Driveways serving not more than two single-family residences shall comply with the provisions of the Road Standard.

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

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

503.2.4 Turning radius. The required turning radius of a fire apparatus access road shall be 20 feet interior and 40 feet exterior or as determined by the fire code official.

503.2.5 Dead ends. Dead-end fire apparatus access roads in excess of 150 feet- as measured from the centerline of the accessing street- shall be provided with an approved area for turning around fire apparatus. Private access tracts serving not more than four single-family residences are permitted to construct a hammerhead turn around that meets the layout and size requirements of the fire code official.

503.2.6 Bridges, structures and elevated surfaces. Where a bridge, structure or an elevated surface is part of a fire apparatus access road, the bridge shall be constructed and maintained in accordance with AASHTOHS-25. Bridges and elevated surfaces shall be designed for a live load sufficient to carry the live

loads of fire apparatus. In addition, these structures shall be designed to support a 45,000 lb point-load over four square feet. Vehicle load limits shall be posted at both entrances to bridges where required by the fire code official. Where elevated surfaces are designed for emergency vehicle use are adjacent to surfaces which are not designed for such use, approved barriers, approved signs or both shall be installed and maintained where required by the fire code official.

503.2.7 Grade. Where the grade of a fire apparatus access road exceeds 15% at any point along the roadway mitigation of the restricted access must be provided as determined by the fire code official.

503.2.8 Angles of approach and departure. The angles of approach and departure for fire apparatus access roads shall be within the limits established by the fire code official and the City Engineer.

15.10.080 IFC Section 503.3, Marking, amended.

Section 503.3 of the International Fire Code is hereby amended **to read** as follows:

503.3 Marking. Where required by the fire code official, approved signs or other approved notices, as described in the Northshore Fire Department Access Standard, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Signs or notices shall be maintained a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

15.10.085 IFC Section 503.4, Obstruction of Fire Apparatus Access Roads, amended.

Section 503.4 of the International Fire Code is hereby amended as follows:

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

Exception: Parking of vehicles along residential streets where all homes along the road are protected by approved fire sprinkler systems.

15.10.090 IFC Section 506.1, Where Required, amended.

Section 506.1 of the International Fire Code is hereby amended to read as follows by adding the following:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. All occupancies equipped with an automatic sprinkler system, fire alarm system, or hazardous occupancies, or when required by the fire code official, shall have an emergency access key box mounted in an approved location. The key box shall be of an approved type listed in accordance with UL 1037, and shall contain keys to gain necessary access as required by the fire code official.

Exception: One- and two-family dwellings.

15.10.095 IFC Section 507.5.1, Where Required, amended.

Section 507.5.1 of the International Fire Code is hereby amended to read as follows:

507.5.1. Where required. Where a facility or building hereafter constructed or moved into or within the city is more than 150 feet from a hydrant on a fire apparatus access road, onsite fire hydrants and mains shall be provided where required by the fire code official. At least one hydrant shall be located within 400 feet of all portions of the exterior wall of the first story of the facility or building as measured by an approved route around the exterior of the building. All fire hydrants required by this section, whether existing or new shall be equipped with a 4-inch Storz fitting on the steamer port. A 4-inch Storz fitting shall also be installed on any hydrant required for protection of existing structures where the valuation of the improvement or alteration exceeds 50% of the assessed

valuation or where the square footage is increased by 25% or 1,000 square feet, whichever is less.

Exceptions:

1. For one- and two-family dwellings and Group U occupancies, the maximum distance to the structure shall be ~~300 feet and 450~~ 500 feet when protected by an approved fire sprinkler system.
2. Distances may be modified by the fire code official for facilities or buildings equipped with approved automatic sprinkler systems.

15.10.0100 IFC Section 510, Emergency Responder Radio Coverage, amended.

Section 510 of the International Fire Code is hereby amended to read as follows:

510.1 Emergency responder radio coverage in new buildings. Approved radio coverage for emergency responders shall be provided within buildings meeting any of the following conditions:

1. High rise buildings;
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more; or
4. There are floors used for human occupancy more than 30 feet below the finished floor of the lowest level of exit discharge.
5. Buildings or structures where the Fire or Police Chief determines that in-building radio coverage is critical because of its unique design, location, use or occupancy.

The radio coverage system shall be installed in accordance with Sections 510.4 through 510.5.5 of this code and with the provisions of NFPA 1221 (2019). This section shall not require improvement of the existing public safety communication systems.

Point of Information

When determining if the minimum signal strength referenced 510.4.1.1 exists at a subject building, the signal strength shall be measured at any point on the exterior of the building up to the highest point on the roof.

Exceptions:

1. Buildings and areas of buildings that have minimum radio coverage signal strength levels of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1 without the use of a radio coverage system.
2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the *fire code official* shall have the authority to accept an automatically activated emergency responder radio coverage system.
3. One- and two-family dwellings and townhouses.
4. Subject to the approval of the fire code official, buildings other than high-rise buildings, colleges, universities and buildings primarily occupied by Group E or I occupancies that have completed a Mobile Emergency Responder Radio Coverage application and submitted payment as outlined in the application.

510.2 Emergency responder radio coverage in existing buildings. Existing buildings shall be provided with approved radio coverage for emergency responders as required in Chapter 11.

510.3 Permit required. A construction permit for the installation of or modification to emergency responder radio coverage systems and related equipment is required as specified in Section 105.7.6. Maintenance performed in accordance with this code is not considered a modification and does not require a permit.

Point of Information

Prior coordination and approval from the Public Safety Radio System Operator is required before installation of an Emergency Responder Radio System. Until 2022, such approval is required from [EPSCA](#), [King County](#), [Seattle](#) or [ValleyCom](#)

depending on the location of the installation. In 2022 PSERN will be the single operator of a county wide system.

In order to be forward compatible, designers and contractors should be aware of PSERN's requirements for Distributed Antenna Systems which can be found via <https://psern.org/requirements/>

510.4 Technical requirements. Systems, components and equipment required to provide the emergency responder radio coverage system shall comply with Sections 510.4.1 through 510.4.2.8.

510.4.1 Emergency responder communication enhancement system signal strength. The building shall be considered to have acceptable emergency responder communications enhancement system coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements in Sections 510.4.1.1 through 510.4.1.3.

Exception: Critical areas, such as the fire command center(s), the fire pump room(s), interior exit stairways, exit passageways, elevator lobbies, standpipe cabinets, sprinkler sectional valve locations, and other areas required by the fire code official, shall be provided with 99 percent floor area radio coverage.

510.4.1.1 Minimum signal strength into the building. The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The inbound signal level shall be a minimum of -95dBm in 95% of the coverage area and 99% in critical areas and sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology for either analog or digital signals.

510.4.1.2 Minimum signal strength out of the building. The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an equivalent SINR applicable to the technology for either analog or digital signals. A minimum signal strength of -95 dBm shall be received by the King

County Regional 800 MHz Radio System when transmitted from within the building.

510.4.1.3 System performance. Signal strength shall be sufficient to meet the requirements of the applications being utilized by public safety for emergency operations through the coverage area as specified by the radio system manager in Section 510.4.2.2.

510.4.2 System design. The emergency responder radio coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1221 (2019).

510.4.2.1 Amplification systems and components. Buildings and structures that cannot support the required level of radio coverage shall be equipped with systems and components to enhance the public safety radio signals and achieve the required level of radio coverage specified in Sections 510.4.1 through 510.4.1.3. Public safety communications enhancement systems utilizing radio-frequency-emitting devices and cabling shall be allowed by the Public Safety Radio System Operator. Prior to installation, all RF-emitting devices shall have the certification of the radio licensing authority and be suitable for public safety use.

510.4.2.2 Technical criteria. The Public Safety Radio System Operator shall provide the various frequencies required, the location of radio sites, the effective radiated power of radio sites, the maximum propagation delay in microseconds, the applications being used and other supporting technical information necessary for system design upon request by the building owner or owner's representative.

510.4.2.3 Power supply sources. Emergency responder radio coverage systems shall be provided with dedicated standby batteries or provided with 2-hour standby batteries and connected to the facility generator power system in accordance with Section 1203. The standby power supply shall be capable of operating the emergency responder radio coverage system at 100-percent system capacity for a duration of not less than 12 hours.

510.4.2.4 Signal booster requirements. If used, signal boosters shall meet the following requirements:

1. All signal booster components shall be contained in a National Electrical Manufacturer's Association (NEMA) 4, IP66-type waterproof cabinet or equivalent.

Exception: Listed battery systems that are contained in integrated battery cabinets.

2. Battery systems used for the emergency power source shall be contained in a NEMA 3R or higher-rated cabinet, IP65-type waterproof cabinet or equivalent.

3. Equipment shall have FCC or other radio licensing authority certification and be suitable for public safety use prior to installation.

4. Where a donor antenna exists, isolation shall be maintained between the donor antenna and all inside antennas to not less than 20dB greater than the system gain under all operating conditions.

5. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall be fitted with anti-oscillation circuitry and per-channel AGC

6. The installation of amplification systems or systems that operate on or provide the means to cause interference on any emergency responder radio coverage networks shall be coordinated and approved by the Public Safety Radio System Operator.

7. Unless otherwise approved by the Public Safety Radio System Operator, only channelized signal boosters shall be permitted.

Exception: Broadband BDA's may be utilized when specifically authorized in writing by the Public Safety Radio System Operator.

Point of Information

BDA's must also comply with PSERN's (www.psern.org/requirements) detailed requirements, which include channelized, minimum of 28 channels, supporting analog, P25 Phase I (FDMA), and P25 Phase II (TDMA).

510.4.2.5 System monitoring. The emergency responder radio enhancement system shall include automatic supervisory and trouble signals that are monitored by a supervisory service and are annunciated by the fire alarm system in accordance with NFPA 72. The following conditions shall be separately annunciated by the fire alarm system, or, if the status of each of the following conditions is individually displayed on a dedicated panel on the radio enhancement system, a single automatic supervisory signal may be annunciated on the fire alarm system indicating deficiencies of the radio enhancement system:

1. Loss of normal AC power supply.
2. System battery charger(s) failure.
3. Malfunction of the donor antenna(s).
4. Failure of active RF-emitting device(s).
5. Low-battery capacity at 70-percent reduction of operating capacity.
6. Active system component malfunction.
7. Malfunction of the communications link between the fire alarm system and the emergency responder radio enhancement system.

510.4.2.6 Additional frequencies and change of frequencies. The emergency responder radio coverage system shall be capable of modification or expansion in the event frequency changes are required by the FCC or other radio licensing authority, or additional frequencies are made available by the FCC or other radio licensing authority.

510.4.2.7 Design documents. The fire code official shall have the authority to require "as-built" design documents and specifications for emergency responder communications coverage systems. The documents shall be in a format acceptable to the fire code official.

510.4.2.8 Radio communication antenna density. Systems shall be engineered to minimize the near-far effect. Radio enhancement system designs shall include sufficient antenna density to address reduced gain conditions.

Exceptions:

1. Class A narrow band signal booster devices with independent AGC/ALC circuits per channel.
2. Systems where all portable devices within the same band use active power control.

510.5 Installation requirements. The installation of the public safety radio coverage system shall be in accordance with NFPA 1221 and Sections 510.5.1 through 510.5.7.

510.5.1 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the Public Safety Radio System Operator.

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid FCC-issued general radio telephone operators license.
2. Certification of in-building system training issued by an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.

510.5.3 Acceptance test procedure. Where an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is in accordance with Section 510.4.1.

The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas, with a maximum test area size of 6,400 square feet. Where the floor area exceeds 128,000 square feet, the floor shall be divided into as many approximately equal test areas as needed, such that no test area exceeds the maximum square footage allowed for a test area.

2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for each of the test grids. A diagram of this testing shall be created for each floor where coverage is provided, indicating the testing grid used for the test in Section 510.5.3(1), and including signal strengths and frequencies for each test area. Indicate all critical areas.

3. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire code official. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets shall be tested and recorded in the grid square diagram required by section 510.5.3(2): each grid square on each floor; between each critical area and a radio outside the building; between each critical area and the fire command center or fire alarm control panel; between each landing in each stairwell and the fire command center or fire alarm control panel.

4. Failure of more than 5% of the test areas on any floor shall result in failure of the test.

Exception: Critical areas shall be provided with 99 percent floor area coverage.

5. In the event that two of the test areas fail the test, in order to be more statistically accurate, the floor shall be permitted to be divided into 40 equal test areas. Failure of not more than two nonadjacent test areas shall not result in failure of the test. If the system fails the 40-area test, the system shall be altered to meet the 95-percent coverage requirement.

6. A test location approximately in the center of each test area shall be selected for the test, with the radio enabled to verify two-way communications to and from the outside of the building through the public agency's radio communications

system. Once the test location has been selected, that location shall represent the entire test area. Failure in the selected test location shall be considered to be a failure of that test area. Additional test locations shall not be permitted.

7. The gain values of all amplifiers shall be measured, and the test measurement results shall be kept on file with the building owner so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the building owner shall be required to rerun the acceptance test to reestablish the gain values.

8. As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and at subsequent annual inspections.

9. Systems incorporating Class B signal booster devices or Class B broadband fiber remote devices shall be tested using two portable radios simultaneously conducting subjective voice quality checks. One portable radio shall be positioned not greater than 10 feet (3048 mm) from the indoor antenna. The second portable radio shall be positioned at a distance that represents the farthest distance from any indoor antenna. With both portable radios simultaneously keyed up on different frequencies within the same band, subjective audio testing shall be conducted and comply with DAQ levels as specified in Sections 510.4.1.1 and 510.4.1.2.

10. Documentation maintained on premises. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall place a copy of the following records in the DAS enclosure or the building engineer's office. The records shall be available to the fire code official and maintained by the building owner for the life of the system:

- a. A certification letter stating that the emergency responder radio coverage system has been installed and tested in accordance with this code, and that the system is complete and fully functional.
- b. The grid square diagram created as part of testing in Sections 510.5.3(2) and 510.5.3(3).

c. Data sheets and/or manufacturer specifications for the emergency responder radio coverage system equipment; back up battery; and charging system (if utilized).

d. A diagram showing device locations and wiring schematic.

e. A copy of the electrical permit.

11. Acceptance test reporting to fire code official. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall submit to the fire code official a report of the acceptance test by way of the department's third-party vendor thecomplianceengine.com.

510.5.4 FCC compliance. The emergency responder radio coverage system installation and components shall comply with all applicable federal regulations including, but not limited to, FCC 47 CFR Part 90.219.

510.5.5 Mounting of the donor antenna (s). To maintain proper alignment with the system designed donor site, donor antennas shall be permanently affixed on the highest possible position on the building or where approved by the fire code official. A clearly visible sign shall be placed near the antenna stating, "movement or repositioning of this antenna is prohibited without approval from the fire code official." The antenna installation shall be in accordance with the applicable requirements in the International Building Code for weather protection of the building envelope.

510.5.6 Wiring. The backbone, antenna distribution, radiating, or any fiber-optic cables shall be rated as plenum cables. The backbone cables shall be connected to the antenna distribution, radiating, or copper cables using hybrid coupler devices of a value determined by the overall design. Backbone cables shall be routed through an enclosure that matches the building's required fire-resistance rating for shafts or interior exit stairways. The connection between the backbone cable and the antenna cables shall be made within an enclosure that matches the building's fire-resistance rating for shafts or interior exit stairways, and passage of the antenna distribution cable in and out of the enclosure shall be protected as a penetration per the International Building Code.

510.5.7 Identification Signs. Emergency responder radio coverage systems shall be identified by an approved sign located on or near the Fire Alarm Control Panel or other approved location stating “This building is equipped with an Emergency Responder Radio Coverage System. Control Equipment located in room_____”.

A sign stating “Emergency Responder Radio Coverage System Equipment” shall be placed on or adjacent to the door of the room containing the main system components.

510.6 Maintenance. The emergency responder radio coverage system shall be maintained operational at all times in accordance with Sections 510.6.1 through 510.6.4.

510.6.1 Testing and proof of compliance. The owner of the building or owner’s authorized agent shall have the emergency responder radio coverage system inspected and tested annually or where structural changes occur including additions or remodels that could materially change the original field performance tests. Testing shall consist of the following items (1) through (7):

1. In-building coverage test as required by the *fire code official* as described in Section 510.5.3 “Acceptance test procedure” or 510.6.1.1 “Alternative in-building coverage test”.

Exception: Group R Occupancy annual testing is not required within dwelling units.

2. Signal boosters shall be tested to verify that the gain/output level is the same as it was upon initial installation and acceptance or set to optimize the performance of the system.

3. Backup batteries and power supplies shall be tested under load of a period of 1 hours to verify that they will properly operate during an actual power outage. If within the 1-hour test period the battery exhibits symptoms of failure, the test shall be extended for additional 1-hour periods until the integrity of the battery can be determined.

4. If a fire alarm system is present in the building, a test shall be conducted to verify that the fire alarm system is properly supervising the emergency responder communication system as required in Section 510.4.2.5. The test is performed by simulating alarms to the fire alarm control panel. The certifications in Section 510.5.2 are sufficient for the personnel performing this testing.

5. Other active components shall be checked to verify operation within the manufacturer's specifications.

6. At the conclusion of the testing, a report, which shall verify compliance with Section 510.6.1, shall be submitted to the *fire code official* by way of the department's third-party vendor thecomplianceengine.com.

7. At the conclusion of testing, a record of the inspection and maintenance along with an updated grid diagram of each floor showing tested strengths in each grid square and each critical area shall be added to the documentation maintained on the premises in accordance with Section 510.5.3.

510.6.1.1 Alternative In-building coverage test. When the comprehensive test documentation required by Section 510.5.3 is available, or the most recent full five-year test results are available if the system is older than six years, the in-building coverage test required by the fire code official in Section 510.6.1(1), may be conducted as follows:

1. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire code official. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets in the following locations shall be tested: between the fire command center or fire alarm control panel and a location outside the building; between the fire alarm control panel and each landing in each stairwell.

2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for:

- (a) Three grid areas per floor. The three grid areas to be tested on each floor are the three grid areas with poorest performance in the acceptance test or the most recent annual test, whichever is more recent; and
- (b) Each of the critical areas identified in acceptance test documentation required by Section 510.5.3, or as modified by the fire code official, and
- (c) One grid square per serving antenna.

3. The test area boundaries shall not deviate from the areas established at the time of the acceptance test, or as modified by the fire code official. The building shall be considered to have acceptable emergency responder radio coverage when the required signal strength requirements in 510.4.1.1 and 510.4.1.2 are located in 95 percent of all areas on each floor of the building and 99 percent in Critical Areas, and any non-functional serving antenna are repaired to function within normal ranges. If the documentation of the acceptance test or most recent previous annual test results are not available or acceptable to the fire code official, the radio coverage verification testing described in 510.5.3 shall be conducted.

Point of Information

The alternative in-building coverage test provides an alternative testing protocol for the in-building coverage test in subsection (1) of section 510.6.1. There is no change or alternative to annual testing requirements enumerated in subsections (2) – (7) of Section 510.6.1, which must be performed at the time of each annual test.

510.6.2 Additional frequencies. The building owner shall modify or expand the emergency responder radio coverage system at his or her expense in the event frequency changes are required by the FCC or other radio licensing authority, or additional frequencies are made available by the FCC public safety radio system operator or FCC license holder. Prior approval of a public safety radio coverage system on previous frequencies does not exempt this section.

510.6.3 Nonpublic safety system. Where other nonpublic safety amplification systems installed in buildings reduce the performance or cause interference with

the emergency responder communications coverage system, the nonpublic safety amplification system shall be corrected or removed.

510.6.4 Field testing. Agency personnel shall have the right to enter onto the property at any reasonable time to conduct field testing to verify the required level of radio coverage or to disable a system that due to malfunction or poor maintenance has the potential to impact the emergency responder radio system in the region.

15.10.105 IFC Section 901.7, Systems Out of Service, amended.

Section 901.7 of the International Fire Code is hereby amended to read as follows:

901.7 System out of service. Where a fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with at least one means for notification of the fire department and their only duty shall be to perform constant patrols of the protected premises and keep watch for fires.

15.10.110 IFC Section 903.2, Where Required, amended.

Section 903.2 of the International Fire Code is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.13.

The exception has been deleted.

15.10.115 IFC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.

Section 903.2 of the International Fire Code is hereby amended by adding a new Section 903.2.13 as follows:

903.2.13 Additional fire sprinkler requirements for new and existing buildings.

NEW BUILDINGS

1. An automatic sprinkler system shall be installed in all occupancies requiring 2,000 gallons per minute or more fire flow, or where the gross square footage exceeds 5,000 square feet. This applies to all buildings regardless of type or use.
2. All newly constructed buildings regardless of gross square footage shall be provided with an automatic sprinkler system if adequate fire flow, hydrant spacing, or approved fire department access is not provided as required in IFC Section 503, Appendix B, and or Title 15 of the Kenmore Municipal Code.
3. An automatic sprinkler system shall be installed in new residential occupancies.

Exception: Detached accessory dwelling units (ADU's).

EXISTING BUILDINGS

1. The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds ~~50%~~ 75% of the King County Assessors Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.
2. The provisions of this section shall apply to existing buildings where the gross floor area of the building is increased. Additions to buildings that would result in a gross floor area greater than 5,000 square feet shall be retrofitted throughout with an approved automatic sprinkler system.

Exception: The floor area of an existing building may be increased by up to 25%, not to exceed 5,000 square foot floor area increase. This exception shall be allowed one time only and acknowledgement of its use shall be recorded to run with the property title prior to permit issuance.

15.10.120 IFC 903.3.1.1.1, Exempt locations, amended.

Item 6 from Section 903.3.1.1.1 of the International Fire Code is hereby amended to read as follows:

6. Machine rooms, machinery spaces, control rooms and control spaces associated with traction elevators. The elevator machinery shall not be of the hydraulic type.

15.10.125 IFC Section 903.3.1.2, NFPA 13R Sprinkler Systems, amended.

Section 903.3.1.2 of the International Fire Code is hereby amended to read as follows:

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet in height, as measured from the lowest point of fire department access, shall be permitted to be installed throughout in accordance with NFPA 13R.

The number of stories of Group R constructed in accordance with Sections 510.2 and 510.4 of the International Building Code shall be measured from the horizontal assembly creating separate buildings.

15.10.130 IFC Section 903.4.3, Floor Control Valves, amended.

Section 903.4.3 of the International Fire Code is hereby amended to read as follows:

903.4.3. Floor control valves. In multi-level buildings *approved*, supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the fire code official.

15.10.135 IFC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.

Section **903.5.1** of the International Fire Code is hereby amended by adding a new Section 903.5.1 as follows:

903.5.1 Fire sprinkler and standpipe drains. Fire sprinkler and standpipe main/express drains shall be positioned to drain to the sanitary sewer. Additionally, maintenance or testing discharges from fire pumps shall be treated in order to comply with the National Pollution Discharge Elimination System (NPDES) requirements.

15.10.140 IFC Section 907.2, Where Required – New Buildings and Structures, amended.

Section 907.2, excluding subsections 907.2.1 through 907.2.23, of the International Fire Code is hereby amended to read as follows:

907.2 Where required—new buildings and structures.

All occupancies exceeding 3,000 square feet gross floor area shall be required to provide an approved, monitored automatic fire detection system. Fire walls as noted in Section 706 of the International Building Code shall not be considered to be a separate building to enable deletion of the required fire detection system.

Exception: Group U or IRC regulated structures.

An approved fire alarm system installed in accordance with this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23. and provide occupant notification in accordance with Section 907.6, unless other requirements are provided by another section of this code. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

A minimum of one fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

EXISTING BUILDINGS

The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessor's Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.

15.10.145 IFC Section 5003.9, General Safety Precautions, amended.

Section 5003.9 of the International Fire Code is amended to read as follows:

5003.9 General safety precautions. General precautions for the safe storage, handling or care of hazardous materials shall be in accordance with Sections 5003.9.1 through 5003.9.11.

15.10.150 IFC Section 5003.9.11, Manufacturer's Limitations, added.

Section 5003.9 of the International Fire Code is amended by adding a new section 5003.9.11 as follows:

5003.9.11 Manufacturer's Limitations. The storage and use of hazardous materials shall not exceed the manufacturer's limitations on shelf life and any other restrictions on use.

~~15.10.155 IFC Section 5307.5.2, Emergency Alarm System, amended.~~

~~Section 5307.5.2 of the International Fire Code is hereby amended to read as follows:~~

~~5307.5.2 Emergency alarm systems. An emergency alarm system shall comply with all of the following:~~

1. Continuous gas detection shall be provided to monitor areas where carbon dioxide can accumulate.

2. The threshold for activation on an alarm shall not exceed 5,000 parts per million.

3. Activation of the emergency alarm system shall initiate a local alarm at the entrance to the room(s) and inside the room(s) where CO₂ systems are installed.

4. A warning sign shall be posted at the entrance to the room that reads: "Carbon Dioxide Alarm. Do Not Enter. Call 911."

15.10.160 IFC Section 5604.1, General, amended.

Section 5604.1 of the International Fire Code is hereby amended by adding the to read as following follows:

5604.1 General. The storage of blasting agents, detonators, explosives, explosive materials and special industrial explosive devices is prohibited within the city limits.

Exceptions:

1. Approved storage areas in law enforcement facilities and as otherwise provided in the Municipal Code.
2. When approved by the fire code official.

15.10.165 IFC Section 5704.2.9.6.1, Locations Where Above-Ground Tanks Are Prohibited, amended.

Section 5704.2.9.6.1 of the International Fire Code is amended to read as follows:

5704.2.9.6.1 Locations where above-ground tanks are prohibited. Throughout the city, the use of above ground storage tanks outside of buildings shall be limited to flammable or combustible liquids in outside above ground tanks of 2,000 gallons per tank with an aggregate capacity of 4,000 gallons per site, unless otherwise specifically approved by the fire code official. All above ground

storage tanks containing flammable or combustible liquids with a capacity of 500 gallons or more shall be protected tanks designed in accordance with Section 5704.2.9.7 and UL2085, or other systems with prior approval of the fire code official. Above ground combustible liquid tanks, used for the storage of heating oil, for a single family residence shall not exceed 300 gallons. Above ground flammable liquid tanks shall not be permitted in a residential zone or within 100 feet of a residential zone within the city, except that such tanks may be located at fire stations or municipal facilities. Temporary uses may be permitted during periods of construction with the approval of the fire code official. Permits for above ground tanks shall be approved by the fire code official prior to installation or placement.

Exception: Existing installations exceeding 2,000 gallon tank or aggregate capacity of 4,000 gallons per site shall be allowed to continue until tank replacement is necessary or tank decommissioning.

15.10.170 IFC Section 5707, On-Demand Mobile Fueling Operations, amended.

Section 5707 of the International Fire Code is amended to read as follows:

5701.1 General. On-demand mobile fueling operations that dispense Class I, II and III liquids into the fuel tanks of motor vehicles shall comply with Sections 5707.1 through 5707.6. 6.

Exception: Fueling from an *approved* portable container in cases of an emergency or for personal use.

5707.1.1 Approval required. Mobile fueling operations shall not be conducted without first obtaining a *permit* and approval from the *fire code official*. Mobile fueling operations shall occur only at *approved* locations. The *fire code official* is authorized to approve individual locations or geographic areas where mobile fueling is allowed.

5707.2 Mobile fueling vehicle. An on-demand mobile fueling vehicle shall be that which is utilized in on-demand fueling operations for the dispensing of

Class I, II or III liquids into the fuel tanks of motor vehicles.

5707.2.1 Mobile fueling vehicle classifications. An on-demand mobile fueling vehicle shall be characterized as one of the following:

1. Tier 1 Mobile Fueling Vehicle-A tank vehicle that complies with NFPA 385 and that has chassis-mounted tanks where the aggregate capacity does not exceed 1600 gallons (6057 L).
2. Tier 2 Mobile Fueling Vehicle-A vehicle with one or more chassis-mounted tanks or chassis-mounted containers, not to exceed 110 gallons (415 L) capacity and having an aggregate capacity that does not exceed 800 gallons (3028 L) or the weight capacity of the vehicle in accordance with DOTn.
3. Tier 3 Mobile Fueling Vehicle-A vehicle that carries a maximum aggregate capacity of 60 gallons (227 L) of motor fuel in metal safety cans *listed* in accordance with UL 30 or other *approved* metal containers, each not to exceed 5 gallons (19 L) in capacity.

5707.2.2 Mobile fueling vehicle requirements. Each mobile fueling vehicle shall comply with all local, state and federal requirements, as well as the following:

1. Mobile fueling vehicles with a chassis-mounted tank in excess of 110 gallons (415 L) shall also comply with the requirements of Section 5706.6 and NFPA 385.
2. The mobile fueling vehicle and its equipment shall be maintained in good repair.
3. Safety cans and approved metal containers shall be secured to the mobile fueling vehicle except when in use.
4. Fueling a motor vehicle from tanks or containers mounted in a trailer connected to a mobile fueling vehicle shall be prohibited.

5707.3 Required documents. Documents developed to comply with Sections 5707.3.1 through 5707.3.3 shall be updated as necessary by the *owner* of the mobile fueling operation and shall be maintained in compliance with Section 108.3.

5707.3.1 Safety and emergency response plan. Mobile fueling operators shall

have an *approved* written safety and emergency response plan that establishes policies and procedures for fire safety, spill prevention and control, personnel training and compliance with other applicable requirements of this code.

5707.3.2 Training records. Mobile fueling vehicles shall be operated only by designated personnel who are trained on proper fueling procedures and the safety and emergency response plan. Training records of operators shall be maintained.

5707.3.3 Site plan. Where required by the *fire code official*, a site plan shall be developed for each location or area at which mobile fueling occurs. The site plan shall be in sufficient detail to indicate the following:

1. All buildings, structures;
2. *Lot lines* or, property lines;
3. Electric car chargers;
4. Solar photovoltaic parking lot canopies;
5. Appurtenances on site and their use or function;
6. All uses adjacent to the *lot lines* of the site;
7. Fueling locations;
8. Locations of all storm drain openings and adjacent waterways or wetlands
9. Information regarding slope, natural drainage, curbing, impounding;
10. How a spill will be kept on the site property;
11. Scale of the site plan.

5707.4 Mobile fueling areas. The mobile fueling vehicle and point of connection of the vehicle being fueled shall not occur on public streets, *public ways* or inside *buildings*. Fueling on the roof level of parking structures or other *buildings* is prohibited.

5707.4.1 Separation. The point of connection of the vehicle being fueled shall not

take place within 25 feet (7620 mm) of buildings, lot lines, property lines or combustible storage. Mobile fueling vehicles shall not park within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage.

Exceptions:

1. The *fire code official* shall be authorized to decrease the separation distance for dispensing from metal safety cans or other *approved* metal containers in accordance with Section 5707.2.
2. The point of fueling shall not take place within 10 feet (3048 mm) of buildings, lot lines, property lines, or combustible storage when the mobile fueling vehicle has an approved vapor recovery system or is servicing vehicles with on board refueling vapor recovery.

Where dispensing operations occur within 15 feet (4572 mm) of a storm drain, an *approved* storm drain cover or an *approved* equivalent method that will prevent any fuel from reaching the drain shall be used.

5707.4.2 Sources of ignition. Smoking, open flames and other sources of ignition shall be prohibited within 25 feet (7620 mm) of fuel dispensing activities. Signs prohibiting smoking or open flames within 25 feet (7620 mm) of the vehicle or the point of fueling shall be prominently posted on the mobile fueling vehicle. The engines of vehicles being fueled shall be shut off during fueling.

5707.4.3 Electrical equipment. Mobile fueling shall not occur within 20 feet of electrical equipment located within 18 inches of the ground unless such electrical equipment is rated for Class 1, Division 2 hazardous locations in accordance with the National Electrical Code.

5707.5 Equipment. Mobile fueling equipment shall comply with Sections 5707.5.1 through 5707.5.5.

5707.5.1 Dispensing hoses and nozzles. Where equipped, the dispensing hose shall not exceed 50 feet (15 240 mm) in length. The dispensing nozzles and hoses shall be of an *approved* and *listed* type. Where metal-to-metal contact cannot be made between the nozzle and the fuel fill opening, then a means for bonding the

mobile fueling vehicle to the motor vehicle shall be provided and employed during fueling operations.

5707.5.2 Break-away device. A listed break-away device shall be provided at the nozzle.

Exception: Mobile fueling vehicles equipped with an approved brake interlock tied to the nozzle holder that prohibits movement of the mobile fueling vehicle when the nozzle is removed from its holder or tied to the delivery of fuel that prevents activation of the pumping system.

5707.5.3 Shut off valve and fuel limit. Mobile fueling vehicles shall be equipped with a listed shutoff valve assembly and a fuel limit switch set to a maximum of 30 gallons (116 L)

5707.5.4 Fire extinguisher. An *approved* portable fire extinguisher complying with Section 906 with a minimum rating of 4A:80-B:C shall be provided on the mobile fueling vehicle with signage clearly indicating its location.

5707.5.5 Spill kit. Mobile fueling vehicles shall contain a minimum 5-gallon (19 L) spill kit of an *approved* type.

5707.6 Operations. Mobile fueling vehicles shall be constantly attended during fueling operations with brakes set and warning lights in operation. Mobile fueling vehicles shall not obstruct emergency vehicle access roads.

5707.6.1 Dispensing hose. Where equipped, mobile fueling vehicles shall be positioned in a manner to preclude traffic from driving over the dispensing hose. The dispensing hose shall be properly placed on an *approved* reel or in an *approved* compartment prior to moving the mobile fueling vehicle.

5707.6.2 Drip control. Operators shall place a drip pan or an absorbent pillow under the nozzle and each fuel fill opening prior to and during dispensing operations to catch drips.

5707.6.3 Safety cones. Safety cones or other visual barriers shall be employed as warning devices to highlight the vehicle fueling area.

5707.6.4 Vehicle lights. The mobile fueling vehicle flasher lights shall be in operation while dispensing operations are in progress.

5707.6.5 Nighttime deliveries. Nighttime deliveries shall only be made in areas deemed adequately lighted by the *fire code official*.

5707.6.6. Spill reporting. Spills shall be reported in accordance with Section 5003.3.1

15.10.175 IFC Section 5806.2, Limitations, amended.

Section 5806.2 of the International Fire Code is amended to read as follows:

5806.2 Outdoor storage. The storage of flammable cryogenic fluids in stationary containers outside of buildings is prohibited within the city limits.

15.10.180 IFC Section 6104.2, Maximum Capacity within Established Limits, amended.

Section 6104.2 of the International Fire Code is amended to read as follows:

6104.2 Maximum capacity within established limits. Throughout the city, the aggregate capacity of any one installation of liquefied petroleum gas shall not exceed five hundred (500) gallons water capacity. This capacity limit may be increased up to, but not to exceed, two thousand (2,000) gallons water capacity if the installation is not within, or closer than 100 feet of a residential zone and must be approved by the fire code official. A permit is required to install a liquefied petroleum gas tank.

Exception: Existing installations exceeding five hundred (500) gallons water capacity, but not exceeding two thousand (2,000) gallons water capacity, shall be allowed to continue.

15.10.185 IFC Appendix B, Fire-Flow Requirements for Buildings, amended.

Appendix B, Sections B104.1, B104.2, and B105.1, and B105.2 the footnotes of Table B105.1, are amended to read as follows:

B104.1 General. The fire flow calculation area shall be the total floor area of all floor levels within the exterior walls, and under the horizontal projections of the roof of a building, including basements and attached garages, except as modified in Section B104.3.

B104.2 Area separation. Portions of buildings which are separated by four-hour fire walls without openings, constructed in accordance with the International Building Code, are allowed to be considered as separate fire-flow calculation areas.

B105.1 One and Two Family dwellings. The minimum fire flow requirements for one and two family dwellings having a fire-flow calculation area where the gross floor area, including attached garages, does not exceed 3,600 square feet (344.5 m²) shall be 1,500 gallons per minute (3785.4 L/min). Fire flow and flow duration for dwellings having a gross square footage in excess of 3,600 square feet (344.5 m²) shall be not less than that specified in Table B105.1 and the ISO *Guide for the Determination of Needed Fire Flow*.

Exception: The minimum fire flow required for one- and two-family dwellings protected by approved fire sprinkler systems that have a gross floor area under 3,600 square feet shall be 500 gallons per minute. Fire sprinkler protected one- and two-family dwellings that have gross floor areas over 3,600 square feet shall have available fire flow of at least 1/2 the value in Table B105.1(2).

B105.2 Buildings other than one- and two-family dwellings. The minimum fire flow and flow duration for buildings other than one- and two-family dwellings shall be as determined by utilizing Table B105.1(2) and the ISO *Guide for the Determination of Needed Fire Flow*.

Exception: A reduction in required fire flow of up to 50 percent, as approved, is allowed when the building is provided with an approved automatic sprinkler system installed in accordance with

Section 903.3.1.1 or 903.3.1.2 of the International Fire Code. Where buildings are of Type I or II construction and are a light-hazard occupancy as defined by NFPA 13, the reduction may be up to 75 percent. The resulting fire flow shall not be less than 1,500 gallons per minute (5678 l/min) for the prescribed duration as specified in Table B105.1.

Chapter 15.20 BUILDING CODES

15.20.010 International Building Code adopted.

The ~~2018~~ **2021** Edition of the International Building Code, excluding Chapter 1, "Scope and Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IBC Chapter 1.

15.20.015 IBC Section 312.1, U-Occupancy Use – General, amended.

Section 312.1 of the International Building Code is hereby amended to read as follows by adding the following use to the list:

Waterfront structures

15.20.020 IBC Section 403.4.8, Standby Power, amended.

Section 403.4.8 of the International Building Code is hereby amended to read as follows:

Add the following sentence to the end of the paragraph:

Fuel-fired emergency generator sets and associated fuel storage, including optional generator sets, located more than 75 feet above the lowest level of Fire Department vehicle access requires the approval of the Fire Code Official.

15.20.025 IBC Section 403.4.8.1, Equipment Room, amended.

Section 403.4.8.1 of the International Building Code, is hereby amended to read as follows:

403.4.8.1 Equipment room. If the standby system is a generator set inside the building, the system shall be located in a separate room enclosed with 2-hour fire barriers constructed in accordance with Section 403.4.8.1.1 and Section 707 or horizontal assemblies constructed in accordance with Section 711, or both. System supervision with manual start and transfer features shall be provided at the fire command center.

15.20.030 IBC Section 403.4.8.1.1, Standby Power Room Penetrations, added.

Section 403.4.8.1.1 of the International Building Code is hereby added as follows:

403.4.8.1.1 Penetrations. Penetrations into and openings through a room containing a standby power system are prohibited except for required exit doors, equipment and ductwork necessary for heating, cooling or ventilation, sprinkler branch line piping, or electrical raceway serving the standby power system or being served by the standby power system and metallic piping with no joints or openings. Such penetrations shall be protected in accordance with Section 714.

15.20.035 IBC Section 403.4.8.3, Standby Power Loads, amended.

Section 403.4.8.3 of the International Building Code is amended by adding a fifth item which reads as follows:

5. Smoke control system.

15.20.040 IBC Section 403.7, Smoke Control, added.

Section 403.7 of the International Building Code is hereby added as follows:

403.7 Smoke control. A smoke control system meeting the requirements of Section 909 shall be provided in buildings that exceed ten stories, or contain a use requiring defend-in-place firefighting operations in which occupants of some area cannot readily evacuate that area. This includes portions of facilities housing functions essential to continuity of public safety operations, and Group I and LC Occupancies where in the judgment of the Building Official and Fire Code Official, occupants having limited capacity for self-preservation are located on floors more than 75 feet above the lowest level of Fire Department vehicle access. A smoke control system for a defend-in-place use may be a performance-based design to protect that use without providing smoke control throughout the entire building, but shall otherwise comply with Section 909.

Exception: Smoke control may be omitted when approved by the Building Official and Fire Code Official.

15.20.045 IBC Section 405.8, Standby Power and Emergency Power, amended.

Section 405.8 of the International Building Code is hereby amended by adding the following sentence:

Fuel-fired emergency generator sets and associated fuel storage, including optional generator sets, located more than 30 feet below the lowest level of exit discharge requires the approval of the Fire Code Official.

15.20.050 IBC Section 712.1.3.1, Opening Size, amended.

Section 712.1.3.1 of the International Building Code is hereby amended by revising the last sentence, to read:

This application is limited to openings that do not connect more than four stories in buildings not required to have smoke control systems. In buildings that are required to have smoke control systems, escalators are limited to openings that do not connect more than four stories and non-egress stairs are limited to openings that do not atmospherically connect more than two stories.

15.20.055 IBC Section 903.2, Sprinklers Where Required, amended.

Section 903.2 of the International Building Code is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems in new and existing buildings and structures shall be provided in the locations described in Section 903.2.1 through 903.13.

The exception has been deleted.

15.20.060 IBC Section 903.2.13, Additional Fire Sprinkler Requirements for New and Existing Buildings, added.

Section 903.2 of the International Building Code is hereby amended by adding a new Section 903.2.13 as follows:

903.2.13 Additional fire sprinkler requirements for new and existing buildings.

NEW BUILDINGS

1. An automatic sprinkler system shall be installed in all occupancies requiring 2,000 gallons per minute or more fire flow, or where the gross square footage exceeds 5,000 square feet. This applies to all buildings regardless of type or use. Fire walls shall not be considered to separate a building to enable deletion of the required sprinkler system.
2. All newly constructed buildings regardless of gross square footage shall be provided with an automatic sprinkler system if adequate fire flow, hydrant spacing, or approved fire department access is not provided as required in the International Fire Code Section 503, Appendix B, and/or Title 15 of the Kenmore Municipal Code.
3. An automatic sprinkler system shall be installed in newly constructed residential occupancies.

Exception: Detached accessory dwelling units (ADU's).

EXISTING BUILDINGS

1. The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds **5075**% of the King County Assessor's Office valuation. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of the improvements shall be accumulative.
2. The provisions of this section shall apply to existing buildings where the gross floor area of the building is increased. Additions to buildings that would result in a gross floor area greater than 5,000 square feet shall be retrofitted throughout with an approved automatic sprinkler system.

Exception: The floor area of an existing building may be increased up to 25%, not to exceed 5,000 square foot floor area increase.

This exception shall be allowed one time only and acknowledgement of its use shall be recorded on the property title prior to permit issuance.

15.20.065 IBC Section 903.3.1.1.1, Exempt locations, amended.

Item 6 from Section 903.3.1.1.1 of the International Building Code is hereby amended to read as follows:

6. Machine rooms, machinery spaces, control rooms and control spaces associated with traction elevators. The elevator machinery shall not be of the hydraulic type.

15.20.070 IBC Section 903.3.1.2, NFPA 13R sprinkler systems, amended.

Section 903.3.1.2 of the International Building Code is hereby amended to read as follows:

Automatic sprinkler systems in Group R occupancies up to and including four stories in height in buildings not exceeding 60 feet in height, as measured from the lowest point of fire department access, shall be permitted to be installed throughout in accordance with NFPA 13R.

The number of stories of Group R constructed in accordance with Sections 510.2 and 510.4 shall be measured from the horizontal assembly creating separate buildings.

15.20.075 IBC Section 903.4.3, Floor Control Valves, amended.

Section 903.4.3 of the International Building Code is hereby amended to read as follows:

903.4.3 Floor control valves. In multi-level buildings *approved*, supervised indicating control valves shall be provided at the point of connection to the riser on each floor.

Exception: When approved by the fire code official.

15.20.080 IBC Section 903.5.1, Fire Sprinkler and Standpipe Drains, added.

Section 903.5.1 of the International Building Code is amended by adding a new Section 903.5.1 as follows:

903.5.1 Fire sprinkler and standpipe drains. Fire sprinkler and standpipe main/express drains shall be positioned to drain to the sanitary sewer. Additionally, maintenance or testing discharges from fire pumps shall be treated in order to comply with the National Pollution Discharge Elimination System (NPDES) requirements.

15.20.085 IBC Section 907.2, Alarms Where Required – New Buildings and Structures, amended.

Section 907.2 of the International Building Code is hereby amended to read as follows:

907.2 Where required – new buildings and structures.

All occupancies exceeding 3,000 square feet gross floor area shall be required to provide an approved and monitored fire detection system. Fire walls shall not be considered to be a separate building to enable deletion of the required fire detection system.

Exception: Group U or IRC regulated structures.

An approved fire alarm system installed in accordance with Sections 907.2.1 through 907.2.23 and provide occupant notification in accordance with Section 907.6, unless other requirements are provided by another section of the IFC. Where automatic protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required.

A minimum of one fire alarm box shall be provided in an approved location to initiate a fire alarm signal for the fire alarm systems employing automatic fire detectors or water-flow devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

EXISTING BUILDINGS

The provisions of this section shall apply to existing buildings that are subject to alterations, repairs, modifications or similar improvements where the total cost of the work performed exceeds 50% of the King County Assessor's Office valuation of the structure. Where subsequent alterations, repairs, modifications or similar improvements occur within five years of the first permitted work, the original building valuation shall be used and the total costs of improvements shall be accumulative.

15.20.090 IBC Section 911.1.2.1, Fire Command Center Penetrations, added.

Section 911.1.2.1 of the International Building Code is hereby added to read as follows:

911.1.2.1 Penetrations. Penetrations into and openings through a fire command center are prohibited except for required exit doors, equipment and ductwork necessary for heating, cooling or ventilation, sprinkler branch line piping, electrical raceway for the fire department communication and control, electrical raceway serving the fire command center for being controlled from the fire command center and metallic piping with no joints or openings. Such penetrations shall be protected in accordance with Section 714.

15.20.095 IBC Section 1608.1, Snow Load – General, amended.

Section 1608.1 of the International Building Code is hereby amended to read as follows:

1608.1 General. Design snow loads shall not be less than 25 psf, and the design roof loads shall not be less than that determined by Section 1607.

15.20.100 IBC Section 1612.3, Establishment of Flood Hazard Areas, amended.

Section 1612.3 of the International Building Code is hereby amended by revising the second sentence to read as follows:

The flood hazard map shall include, at a minimum, areas of special flood hazard as identified by the Federal Emergency Management Agency in an engineering report entitled "The Flood Insurance Study for King County, Washington and Incorporated Areas," DATED April 9, 2005, as amended or revised with the

accompanying Flood Insurance Rate Map (FIRM) and related supporting data along with any revisions thereto.

15.20.105 IBC Section 3002.4, Elevator Car to Accommodate Ambulance Stretcher, amended.

Section 3002.4 of the International Building Code is hereby amended to read as follows:

3002.4 Elevator car to accommodate ambulance stretcher. Where elevators are provided in buildings four or more stories above, or four or more stories below grade plane, or in any R or I occupancy building provided with an elevator regardless of the number of stories, at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate a 24-inch by 84-inch (610 mm by 1930 mm) ambulance stretcher in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.

15.20.110 IBC Section ~~3112~~ 3116, Waterfront Structures, added.

Section ~~3112~~ 3116 of the International Building Code is hereby added as follows:

SECTION ~~3112~~ 3116

WATERFRONT STRUCTURES

Section ~~3112~~ 3116.1 General. In addition to other requirements of this code, all waterfront structures shall comply with the regulations of this section and the Kenmore Shoreline Management Code.

Section ~~3112~~ 3116.2 Approvals Required. Before any permit for a new waterfront structure or revisions to an existing waterfront structure is issued by the building official, the applicant shall obtain prior approval from all applicable state and federal agencies.

Section ~~3112~~ 3116.3 Definitions. For the purpose of this section, certain terms are defined as follows:

BULKHEAD. As defined in the Kenmore Shoreline Management Code.

COVERED WATERFRONT STRUCTURE. Any waterfront structure covered in whole or in part by a roof.

DOCK. As defined in the Kenmore Shoreline Management Code.

FLOAT. As defined in the Kenmore Shoreline Management Code.

PIER. As defined in the Kenmore Shoreline Management Code.

POLLUTION-GENERATING MATERIAL. Include those which are erodable or leachable materials, wastes, or chemicals. Metal roofs are considered to be pollution-generated unless they are treated to prevent leaching.

SUBSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure below and including the deck.

SUPERSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure above the deck.

WATERFRONT STRUCTURE. Structures including, but not limited to docks, piers, wharves, floats, mooring piles, anchor buoys, bulkheads, submerged or overhead wires, pipes and cables, and any object passing beneath, through or over the water, waterward of the ordinary high water mark.

WHARF. A structure of timber, stone, concrete or other material having a platform built along and parallel to navigable waters so that vessels may be moored alongside for loading and unloading, or for storage or repair.

Section **31126.4** Construction Requirements. Waterfront structures shall comply with Sections **31126.4.1** through **31126.4.4.**

Section **31126.4.1** Substructure. The substructure may be constructed of any nonpollution-generating materials allowed by this code, and the Kenmore Shoreline Management Code. All decks shall sustain, within the limitations of this code, all dead loads plus a live load of not less than 100 pounds per square foot, assumed to act vertically. In addition to the live load requirement, all structures and every portion thereof shall be designed and constructed to resist a horizontal force of not less than 100 pounds per lineal foot acting at the deck line, in any direction.

Exception: For waterfront structures serving only a single-family dwelling, a live load of 40 psf may be used and a horizontal force need only be considered where applicable.

Automatic sprinklers shall be installed under the substructure in accordance with the requirements of Chapter 9 and the International Fire Code.

Section **31126.4.2** Superstructure. The superstructure shall be designed and constructed to sustain all dead loads, live loads, and wind loads required by this code, and may be constructed of any nonpollution-generating materials allowed by this code and the Kenmore Shorelines Management Code, except when the building area of a covered waterfront structure exceeds 1,000 square feet the entire superstructure and deck shall be constructed of noncombustible materials or as required for Type IV-H.T.

Construction per Section 602.4 or be equipped throughout the structure with an approved automatic sprinkler system.

Section **31126.4.3** Hardware. All hardware used structurally shall be of a corrosive-resistant metal such as aluminum, brass, copper, and stainless steel, or be completely protected by an approved corrosion-resistant metal, such as zinc.

Section **31126.4.4** Standpipes. When a distance of travel to fire apparatus access exceeds one hundred fifty (150) feet, a Class I manual, dry standpipe system shall be provided in accordance with

NFPA 303. Systems shall be provided with outlets located such that no point of the structure exceeds one hundred fifty (150) feet from a standpipe outlet.

Exception: Waterfront structures serving not more than one single-family dwelling.

15.20.115 IBC Appendix adoption.

The City hereby adopts Appendix Chapter E, "Supplementary Accessibility Requirements," and Appendix Chapter H, "Signs," pursuant to Chapters 19.27 and 70.92 RCW.

15.20.120 International Residential Code adopted.

The 2018 2021 Edition of the International Residential Code, including Appendix AU, "Dwelling Unit Fire Sprinkler Systems," Appendix AT, "Solar Ready Provisions", and Appendix AV, "Fire Sprinklers," Appendix AY, "Construction and Demolition Material Management" and Appendix AZ, "Building Deconstruction" but excluding Chapter 1 of the IRC, "Scope and Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-51 WAC. Provided, that Chapters 11 and 25 through 43 of the International Residential Code are not adopted. Provided, that the energy code is regulated by WAC Chapter 51-11R; the plumbing code is regulated by WAC Chapter 51-56; the electrical code is regulated as adopted by RCW 19.28. Provided, that the standards for liquefied petroleum gas installations shall be 2020 NFPA 58 (Liquefied Petroleum Gas Code) and 2021 NFPA 54 (National Fuel Gas Code). Provided, that all other fuel gas installations shall be regulated by the International Mechanical Code and International Fuel Gas Code. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IRC Chapter 1.

Exceptions. The provisions of this code do not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. "Temporary growing structure" means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention. A temporary growing structure is not considered a building for purposes of this code.

The provisions of this code do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rule adopted under RCW Chapter 70.114A or RCW Chapter 37, Laws of 1998 (SB 6168). "Temporary worker housing" means a place, area, or piece of land where sleeping places or housing sites are provided by an employer for his or her employees or by another person, including a temporary worker housing operator, who is providing such accommodations for employees, for temporary, seasonal occupancy, and includes "labor camps" under RCW 70.54.110.

15.20.125 IRC Table ~~R301.2(1)~~, R301.2 Climate and Geographic Design Criteria, amended.

Table ~~R301.2(1)~~, R301.2 of the International Residential Code is hereby amended to read as follows:

TABLE R301.2**CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

GROUND SNOW LOAD^a (psf)	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			ICE BARRIER UNDERLAYMENT REQUIRED	FLOOD HAZARD^e	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed^b (mph)	Topographic effects^c	Special wind region	Windborne debris zone		Weathering^d	Frost line depth	Termite				
25	110	No	No	No	D2	Moderate	12"	Slight to Moderate	No	Per KMC 18.55.070	148	51 °F
MANUAL J DESIGN CRITERIA												
Elevation		Altitude correction factor		Coincident wet bulb		Indoor winter design dry- bulb temperature		Indoor winter design dry- bulb temperature		Outdoor winter design dry- bulb temperature		Heating temperature difference
60 feet		0.99		66 °F		72 °F		72 °F		24 °F		45 °F
Latitude		Daily Range		Indoor summer design relative humidity		Summer design gains 50% RH		Indoor summer design dry-bulb temperature		Outdoor summer design dry-bulb temperature		Cooling temperature difference
47°		Medium		68%		5		75 °F		83 °F		7 °F

a. This is the minimum roof snow load. When using this snow load it will be left to the engineer's judgment whether to consider drift or sliding snow. However, rain on snow surcharge of 5 psf must be considered for roof slopes less than 5 degrees.

b. The basic wind speed is determined from the basic wind speed map in Figure R301.2(2). Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

c. Topographic effects (Wind Speed-up Kzt factor) shall be determined on a site-specific basis in accordance with Section R301.2.1.5.

d. Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.

e. The City of Kenmore participates in the National Flood Insurance Program (NFIP); Regular Program (No Special Flood Hazard Area). Further NFIP participation information: CID 530083, Initial FHBM Identified 06/28/74, Initial FIRM Identified 05/16/95, Current Effective Map Date (NSFHA), Reg-Emer Date 06/30/97, 53033C0654G effective 8/19/2020.

Climatic and Geographic Design Criteria IRC Table R301.2(1)

GROUND SNOW LOAD ^a	Wind Design				Seismic Design Category ^f	Subject To Damage From			Winter Design Temp ^j	Ice Barrier Underlaymen t Required ^h	Flood Hazards ^s	Air Freezing Index ⁱ	Mean Annual Temp ^k
	Speed ^a (mph)	Topograph ic effects ^k	Speci al wind region ⁿ	Wind - borne debris zone ^m		Weatherin g ^a	Frost Line Dept h ^a	Termite ^c					
25-psf	110	No	No	No	D2	Moderate	12 inches	Slight to Moderate	24°F	No	Per KMC 18.55.0 70	148	51°F

MANUAL J DESIGN CRITERIA

Elevation	Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature	Design temperature cooling	Heating temperature difference
60 feet	47°	72°F	75°F	0.99	72°F	75°F	45°F
Cooling temperature difference	Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range	Winter humidity	Summer humidity	-
7°F	N.A.	N.A.	66	Medium	75%	68%	-

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

a. Where weathering requires a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code, the frost line depth strength required for weathering shall govern. The weathering column shall be filled in with the weathering index, "negligible," "moderate" or "severe" for concrete as determined from Figure R301.2(4). The grade of masonry units shall be determined from the ASTM C34, C55, C62, C73, C90, C129, C145, C216, or C652.

b. Where the frost line depth requires deeper footings than indicated in Figure R403.1(1), the frost line depth strength required for weathering shall govern. The jurisdiction shall fill in the frost line depth column with the minimum depth of footing below finish grade.

c. The city 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 city shall fill in this part of the table with the wind speed from the basic wind speed map [Figure R301.2(5)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 selected from the columns of 97 1/2-percent values for winter from Appendix D of the *International Plumbing Code*. Deviations from the Appendix D temperatures shall be permitted to reflect local climates or local weather experience as determined by the building official. [Also see Figure R301.2(1).]

f. The city shall fill in this part of the table with the seismic design category determined from Section R301.2.2.1.

g. The city shall fill in this part of the table with (a) the date of the city'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 dates of the currently effective FIRMs and FBFMs or other flood hazard map adopted by the authority having city, as amended.

h. In accordance with Sections R905.1.2, R905.4.3.1, R905.5.3.1, R905.6.3.1, R905.7.3.1 and R905.8.3.1, where there has been a hashish of local damage from the effects of ice damming, the city shall fill in this part of the table "Air Freezing Index-USA Method (Base 32°F)".

i. The city 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 percent) value of the National Climatic Data Center data table "Air Freezing Index-USA Method (Base 32°F)."

j. The city 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°F)."

k. In accordance with Section R301.2.1.5, where there is local historical data documenting structural damage to buildings due to topographic wind speed-up effects, the city shall fill in this part of the table with "YES." Otherwise, the city shall indicate "NO" in this part of the table.

l. In accordance with Figure R301.2(5)A, where there is local historical data documenting unusual wind conditions, the city shall fill in this part of the table with "YES" and identify any specific requirements. Otherwise, the city shall indicate "NO" in this part of the table.

m. In accordance with Section R301.2.1.2 the city shall indicate the wind-borne debris wind zone(s). Otherwise, the city shall indicate "NO" in this part of the table.

n. The city shall fill in these sections of the table to establish the design criteria using Table 1a or 1b from ACCA Manual J or established criteria determined by the city.

o. The city shall fill in this section of the table using the Ground Snow Loads in Figure R301.2(6).

15.20.130 IRC Appendix V, Fire Sprinklers, amended.

Appendix V, Section AV107.1 of the **2018 2021** International Residential Code is hereby amended to read as follows:

AV107.1 Fire Sprinklers. An approved fire sprinkler system shall be installed in new one-family and two-family dwellings and townhouses in accordance with Appendix U.

Exception: Accessory dwelling units.

15.20.135 1997 Uniform Housing Code adopted.

The Uniform Housing Code issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the housing code for the City except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by the City.

15.20.140 UHC Section 203, Appeals – Amended.

Section 203 of the Uniform Housing Code is hereby amended to read:

SECTION 203 – APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.20.145 UHC Section 1201.2, Processing of Appeals – Amended.

Section 1201.2 of the Uniform Housing Code is hereby amended to read:

1201.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.20.150 UHC Section 1201.3 deleted.

Section 1201.3 of the Uniform Housing Code is deleted.

15.20.155 UHC Chapter 13 deleted.

Chapter 13, “Rules for Conduct of Hearing Appeals,” of the Uniform Housing Code is deleted.

15.20.160 International Mechanical Code adopted.

The **2018 2021** Edition of the International Mechanical Code, excluding Chapter 1, “Scope and Administration,” as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IMC Chapter 1.

Provided, that the installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code. Provided, that detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code. Provided, that the standards for liquefied petroleum gas installations shall be the 2020 Edition of NFPA 58 (Liquefied Petroleum Gas Code) and the 2021 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code). References in this code to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington State under WAC Chapter 388-78A and Group I-1, Condition 2 residential treatment facilities licensed by Washington State under WAC Chapter 246-337.

Exceptions. The provisions of this code do not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. "Temporary growing structure" means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention. A temporary growing structure is not considered a building for purposes of this code.

Conflicts. In the case of conflict between the duct sealing or insulation requirements of Section 603 or Section 604 of this code and the duct sealing or insulation requirements of WAC Chapter 51-11C, the Washington State Energy Code, the provisions of the energy codes shall govern.

15.20.165 Uniform Plumbing Code adopted.

The ~~2018~~ 2021 Edition of the Uniform Plumbing Code, excluding Chapter 1, "Administration," as published by the International Association of Plumbing and Mechanical Officials, is adopted, together with Appendix A, "Recommended Rules for Sizing the Water Supply System," Appendix B, "Explanatory Notes on Combination Waste and Vent Systems," Appendix C, "Alternate Plumbing Systems," excluding Sections C303.3, C304.0 through C601.9, Appendix I, "Installation Standards," Appendix K, "Potable Rainwater Catchment Systems," Appendix M — Peak Water Demand Calculator, and

the amendments set forth in Chapters 51-52 and 51-57 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of UPC Chapter 1. Provided, that Chapters 12 and 14 of the Uniform Plumbing Code are not adopted. Provided, that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel-fired appliances as found in Chapter 5 and those portions of the code addressing building sewers are not adopted.

15.20.170 National Fuel Gas Code (NFPA 54) adopted.

The 2018 2021 National Fuel Gas Code, excluding Chapter 1, "Administration," as published by NFPA, is adopted together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of NFPA 54 Chapter 1.

15.20.175 Liquefied Petroleum Gas Code (NFPA 58) adopted.

The 2017 2020 Liquefied Petroleum Gas Code, excluding Chapter 1, "Administration," as published by NFPA, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of NFPA 58 Chapter 1.

15.20.180 International Fuel Gas Code adopted.

The 2018 2021 Edition of the International Fuel Gas Code, excluding Chapter 1, "Administration," as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-52 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IFGC Chapter 1. Provided, that detached and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code. Provided, that the standards for liquefied petroleum gas installations shall be the 2020 Edition of NFPA 58 (Liquefied Petroleum Gas Code) and the 2021 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code).

15.20.185 Washington State Energy Code adopted.

Exhibit C

The **2018 2021** Washington State Energy Code, excluding Chapter 1, as adopted by the State Building Code Council in Chapters 51-11C and 51-11R WAC, is adopted. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of Chapter 1.

Exception. The provisions of this code do not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing structure is not considered a building for the purposes of this code. However, the installation of other than listed, portable mechanical equipment or listed, portable lighting fixtures is not allowed.

15.20.200 Uniform Code for the Abatement of Dangerous Buildings adopted.

The Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety_ by this reference as if fully set forth herein as the dangerous buildings code for the City, except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by this City.

15.20.205 UCADB Section 205, Appeals, amended.

Section 205 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

SECTION 205 – APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be

empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.20.210 UCADB Section 501.2, Processing of Appeals, amended.

Section 501.2 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

501.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.20.215 UCADB Section 501.3 deleted.

Section 501.3 of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

15.20.220 UCADB Chapter 6 deleted.

Chapter 6, "Procedures for Conduct of Hearing Appeals," of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

15.20.225 International Existing Building Code adopted.

The **2018 2021** Edition of the International Existing Building Code, excluding Chapter 1, "Scope and Administration," as published by the International Code Council, is adopted, together with Appendix A, "Guidelines for the Seismic Retrofit of Existing Buildings," and the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IEBC Chapter 1.

15.20.230 International Swimming Pool and Spa Code adopted.

The **2018 2021** Edition of the International Swimming Pool and Spa Code, excluding Chapter 1, as published by the International Code Council, is adopted, together with the amendments set forth in Chapter 51-50 WAC. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of ISPSC Chapter 1.

15.20.235 International Wildland-Urban Interface Code adopted.

The 2021 edition of the International Wildland-Urban Interface Code (IWUIC), as adopted and amended by the State Building Code Council in WAC Chapter 51-55, as published by the International Code Council, excluding Chapter 1, Scope and Administration, is adopted by reference. The Construction Administrative Code, as set forth in Chapter 15.30 KMC, shall be used in place of IWUIC Chapter 1, Administration.

15.20.240 IWUIC Section 501.1, General, amended.

Section 501.1 of the International Wildland-Urban Interface Code is hereby amended to read as follows:

501.1 General. Buildings and structures hereafter constructed, modified, or relocated into or within the wildland-urban interface **or intermix** areas shall meet the construction requirements of Sections 501.4 through 501.8.

Exceptions:

1. Buildings and structures with fire hazard severity determined in Section 502 and with ignition-resistant construction classification determined in Section 503.
2. Accessory structures not exceeding 200 square feet (11 m²) in floor area and where located not less than 50 feet (15,240 mm) from buildings or structures containing habitable spaces.
3. Agricultural buildings located not less than 50 feet (15,240 mm) from buildings or structures containing habitable spaces.

Chapter 15.30
CONSTRUCTION ADMINISTRATIVE CODE

Article I. General

15.30.010 Title.

The regulations contained in this chapter shall be known as the construction administrative code of the City, and are hereinafter referred to as “this code.”

15.30.015 Purpose.

The purpose of this chapter is to provide for the administration, organization and enforcement of the technical codes adopted by the City.

15.30.020 Scope.

The provisions of this code shall apply to the administration of the technical codes as adopted by the State of Washington and listed:

- A. **2018 2021** International Building Code – Chapter 51-50 WAC;
- B. **2018 2021** International Residential Code – Chapter 51-51 WAC;
- C. **2018 2021** International Mechanical Code – Chapter 51-52 WAC;
- D. **2018 2021** National Fuel Gas Code (NFPA 54) – Chapter 51-52 WAC;
- E. **2017 2020** Liquefied Petroleum Gas Code (NFPA 58) – Chapter 51-52 WAC;
- F. **2018 2021** International Fuel Gas Code – Chapter 51-52 WAC;
- G. **2018 2021** Uniform Plumbing Code – Chapters 51-56 and 51-57 WAC;
- H. **2018 2021** International Existing Building Code – **Chapter 51-50 WAC 51-50-480000;**
- I. **2018 2021** Washington State Energy Code, Chapters 51-11C and 51-11R WAC;
- J. **2018 2021** International Swimming Pool and Spa Code, **WAC 51-50-3109 and WAC 51-51-0329;**
- K. **2021 Wildland-Urban Interface Code - Chapter 51-51 WAC.**

15.30.025 Definitions.

For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. Webster's Third International Dictionary of the English Language, Unabridged, latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural and the plural the singular. Words used in the masculine gender include the feminine and the feminine the masculine.

A. "Action" means a specific response complying fully with a specific request by the City.

B. "Building service equipment" means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.

C. "Complete response" means an adequate response to all requests from City staff in sufficient detail to allow the application to be processed.

D. "Dangerous building code" means the 1997 Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Council of Building Officials as adopted by the City.

E. "Energy code" means the Washington State Energy Code promulgated by the Washington State Building Code Council as adopted by the City.

F. "Housing code" means the 1997 Uniform Housing Code promulgated by the International Council of Building Officials as adopted by the City.

G. "IBC" means the latest edition of the International Building Code promulgated by the International Code Council as adopted by this City.

H. "IEBC" means the latest edition of the International Existing Building Code promulgated by the International Code Council as adopted by this City.

I. "IMC" means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by this City.

J. “IRC” means the latest edition of the International Residential Code for One- and Two-Family Dwellings promulgated by the International Code Council as adopted by this City.

K. “ISPSC” means the latest edition of the International Swimming Pool and Spa Code promulgated by the International Code Council as adopted by this City.

L. “Minor field change” means a change to an approved plan that does not change the building use, area, height, or location on a lot and does not affect the means of egress, accessibility, or structural design and does not add plumbing or mechanical fixtures or appliances.

M. “**NEC WCEC**” means the latest edition of the **National Washington Cities** Electrical Code promulgated ~~by the National Fire Protection Association~~ **MyBuildingPermit.com** as adopted by this City.

N. “Occupancy” means the purpose for which a building, or part thereof, is used or intended to be used.

O. “Shall,” as used in this chapter, is mandatory.

P. “Temporary growing structure” means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

Q. “Temporary worker housing” means a place, area, or piece of land where sleeping places or housing sites are provided by an employer for his or her employees or by another person, including a temporary worker housing operator who is providing such accommodations for employees, for temporary, seasonal occupancy, and includes “labor camps” under RCW 70.54.110.

R. “UPC” means the latest edition of the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by this City.

S. “Valuation” or “value,” as applied to a building or building service equipment, means and shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs. It shall also include the contractor’s overhead and profit.

15.30.030 Appendices.

Provisions in the appendices shall not apply unless specifically adopted- referenced in the adopting ordinance. An appendix adopted by a local jurisdiction that affects single-family or multifamily residential buildings as defined in RCW 19.27.015 shall not be effective unless approved by the state building code council pursuant to RCW 19.27.060 (1)(a).

Exceptions:

1. The state building code council has determined that a local ordinance providing specifications for light straw-clay or strawbale construction, or requiring a solar-ready zone, or requiring fire sprinklers in accordance with Appendix AR, AS, or V of this chapter may be adopted by any local government upon notification of the council.

2. Appendix AF, Radon Control Methods, Appendix AQ, Tiny Homes, and Appendix U, Dwelling Unit Fire Sprinkler Systems, are included in adoption of the International Residential Code.

15.30.035 Intent.

The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and for providing a reasonable level of life safety to life and property protection from fire and other hazards attributed to the built environment-~~and~~ or dangerous conditions and to provide safety to fire fighters and emergency responders during emergency operations.

A. Severability. If a section, subsection, sentence, clause or phrase of the Construction Administrative Code or the Construction Codes is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

B. Liability. Nothing contained in the Construction Administrative Code or the Construction Codes is intended to be nor shall be construed to create or form the basis for any liability on the part of any city or county or its officers, employees, or agents for any injury or damage resulting from the failure of a building to conform to the provisions of the Construction Administrative Code or the Construction Codes.

15.30.040 Referenced codes.

The codes listed in KMC 15.30.020 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

15.30.045 International Building Code – Scope.

The provisions of the International Building Code shall apply to 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.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with the International Building Code or the International Residential Code.

15.30.050 International Residential Code – Scope and general requirements.

The provisions of the International Residential Code for One- and Two-Family Dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate means of egress and their accessory structures not more than three stories above grade plane in height.

Exceptions:

A. Live/work units located in townhomes and complying with the requirements of Section 419 of the International Building Code shall be permitted to be constructed in accordance with the International Residential Code for One – and Two-Family Dwellings. Fire suppression required by Section 419.5 508.7 of the International Building Code when constructed under the International Residential Code for One- and Two-Family Dwellings shall conform to Appendix U.

B. Owner-occupied lodging houses with one or two guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings.

C. Owner-Occupied lodging homes with three to five guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings when equipped with a fire sprinkler system in accordance with Appendix U.

D. A care facility with five or fewer persons receiving custodial care within a dwelling unit shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with an automatic fire sprinkler system in accordance with Appendix U.

E. A care facility with five or fewer persons receiving medical care within a dwelling unit shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with an automatic fire sprinkler system in accordance with Appendix U.

F. A care facility with five or fewer persons receiving care that are within a single-family dwelling shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with an automatic fire sprinkler system in accordance with Appendix U.

15.30.055 Mechanical code – Scope.

The provisions of the International Mechanical Code shall apply to the design, installation, maintenance, alteration, and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes with buildings. The International Mechanical Code shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code. References to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington State under Chapter 388-78A WAC and Group I-1, Condition 2 residential treatment facilities licensed by Washington State under Chapter 246-337 WAC.

Exceptions:

A. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. The standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code).

15.30.060 Liquid propane gas.

The provisions of the National Fuel Gas Code and Liquefied Petroleum Gas Code (NFPA 54 and 58) shall apply to the installation of all materials and equipment utilizing liquid propane gas.

15.30.065 Natural gas code – Scope.

The provisions of the International Fuel Gas Code shall apply to the installation of fuel gas piping systems, fuel gas utilization equipment, gaseous hydrogen systems and regulated accessories.

Exceptions:

A. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.

B. The standards for liquefied petroleum gas installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and NFPA 54 (National Fuel Gas Code).

15.30.070 Plumbing code – Scope.

The provisions of the Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, where connected to a water or sewage system and all aspects of a medical gas system. Fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code and liquefied petroleum gas installations shall be regulated by NFPA 58 and NFPA 54.

15.30.075 Energy code.

The provisions of the **energy code** shall apply to all matters governing the design and construction of buildings for energy efficiency.

15.30.077 Swimming pool and spa code – Scope.

The provisions of the International Swimming Pool and Spa Code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading. Swimming pools, spas and other aquatic recreation facilities shall comply with the ISPSA, where the facility is one of the following, except that public swimming pool barriers are regulated by WAC 246-260-031(4):

1. For the sole use of residents and invited guests at a single-family dwelling;
2. For the sole use of residents and invited guests of a duplex owned by the residents;
or
3. Operated exclusively for physical therapy or rehabilitation and under the supervision of a licensed medical practitioner.

All other "water recreation facilities" as defined in RCW 70.90.110 are regulated under WAC Chapters 246-260 and 246-262.

~~In addition, all other "water recreation facilities" as defined in RCW 70.90.110 are regulated under Chapters 246-260 and 246-262 WAC.~~

~~Exception: Flotation tank systems intended for sensory deprivation therapy shall not be considered to be included in the scope of this code.~~

15.30.077 International Wildland-Urban Interface Code — Scope. The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure, or premises within the wildland-urban interface and intermix areas in this jurisdiction. Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided that such continued use does not constitute an egregious danger to life or property. Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

Article II. Applicability

15.30.080 General.

A. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern except that the hierarchy of the codes named in Chapter 19.27 RCW shall govern.

B. New Installations. This chapter applies to new installs.

C. Existing Installations. Lawfully installed existing installations that do not comply with the provisions of this chapter shall be permitted to be continued without change, except as is specifically covered in this chapter, Chapter 15.40, the International Fire Code or as is deemed necessary by the building official for the general safety and welfare of the occupants and public. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazard.

D. Maintenance. Buildings and structures, including their electrical, plumbing, and mechanical systems, equipment, materials and appurtenances, both existing and new, and parts thereof, shall comply with Chapter 15.40 and be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition. Devices or safeguards that are required by this chapter shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the system and equipment. To determine compliance with this provision, the building official shall have the authority to require that the systems and equipment be reinspected.

E. Additions, Alterations, Modifications or Repairs for other than IRC buildings. Additions, alterations, modifications or repairs to a building or structure or to the electrical, plumbing, or mechanical system(s) of any building, structure or premises shall conform to the requirements of this chapter without requiring those portions of the existing building or system not being altered or modified to comply with all the requirements of this chapter. Installations, additions, alterations, modifications, or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the building official or designated representative. Electrical wiring added to an existing service, feeder, or branch circuit

shall not result in an installation that violates the provisions of the code in force at the time the additions were made.

F. Additions, alterations, change of use, repairs, or relocations to IRC buildings or structures. Additions, alterations, repairs, or relocations shall be permitted to conform to the requirements of the provisions of IRC Chapter 45 or shall conform to the requirements for a new structure without requiring the existing structure to comply with the requirements of this code, unless otherwise stated. Additions, alterations, repairs, and relocations shall not cause an existing structure to become less compliant with the provisions of this code than the existing building or structure was prior to the addition, alteration, repair, or relocation. Where additions, alterations, or changes of use to an existing structure result in a use or occupancy, height, or means of egress outside the scope of this code, the building shall comply with the International Existing Building Code.

Exception:

1. Additions with less than 500 square feet of conditioned floor area to IRC regulated structures are exempt from the requirements for whole house ventilation systems, Section **M1508 M1505**.
2. Additions or alterations to existing buildings which do not required the construction of foundations, crawlspaces, slabs or basements shall not be required to meet the requirements for radon protection in Section **R327.1 R332.1** and Appendix F.

FG. Moved Buildings. Building or structures moved into or within a jurisdiction shall comply with the provisions of this code for new buildings or structures.

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

1. The original occupancy classification is not changed; and
2. The original building is not substantially remodeled or rehabilitated. For the purposes of this section a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60% of the value of the building exclusive of the costs relating to preparation, construction, demolition or renovation of the foundations.

For the purpose of this section, a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60 percent of the value of the building exclusive of the costs relating to preparation, construction, demolition, or renovation of foundations.

15.30.085 Other laws.

The provisions of this code shall not be deemed to nullify any provisions of local, State or federal law.

15.30.090 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

15.30.095 Referenced codes and standards.

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

15.30.100 Partial invalidity.

In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

15.30.105 Existing structures.

The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, other codes referenced in this code, **the Kenmore Property Maintenance Code**, the International Fire Code, or as is deemed necessary by the building official or fire marshal for the general safety and welfare of the occupants and the public. Modifications to existing structures shall be permitted to be performed in accordance with the International Existing Building Code.

15.30.110 Structures in areas of special flood hazard.

Buildings located in areas of special flood hazard shall be regulated by the International Building Code, International Residential Code or the Kenmore Municipal Code.

Article III. Department of Building Safety

15.30.115 Creation of enforcement agency.

The building department is hereby created for the implementation, administration and enforcement of the construction codes and the official in charge thereof shall be known as the building official, provided, the fire marshal or his or her designee shall be responsible for enforcement of the International Fire Code.

15.30.120 Appointment.

The building official shall be appointed by the chief appointing authority of the City.

15.30.125 Deputies.

In accordance with the prescribed procedures of this City and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official.

Article IV. Duties and Powers of Building Official

15.30.130 General.

The building official is hereby authorized and directed to enforce the provisions of this code. The building official shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

15.30.135 Applications and permits.

The building official shall receive applications, review construction documents and issue permits for the erection, alteration, demolition and moving of buildings, structures and building service equipment, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code.

15.30.140 Notices and orders.

The building official shall issue all necessary notices or orders to ensure compliance with for the enforcement of this code.

15.30.145 Inspections.

The building official shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or

individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise at the applicant's expense.

15.30.150 Identification.

The building official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

15.30.155 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this code, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code; provided, that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry.

15.30.160 Department records.

The building official shall keep official records of applications received, permits and certificates issued, fees collected, reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records.

15.30.165 Liability.

The building official, ~~member of the board of appeals~~ hearing examiner or employee charged with the enforcement of this chapter and the technical codes, while acting for the City in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the

provisions of this code shall be defended by legal representative of the City until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

15.30.170 Approved materials and equipment.

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

15.30.175 Used materials and equipment.

The use of used materials and building service equipment which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless prior approval is obtained from the building official.

15.30.180 Modifications.

Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department. The building official is authorized to charge an additional fee to evaluate any proposed modification under the provisions of this section.

15.30.185 Alternative materials, design and methods of construction and equipment.

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 any such alternative has been approved by the building official. The building official shall have the authority to approve an alternative material, design or method of construction upon application of the owner or the owner's authorized agent. The building official shall first find that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability, **energy**

conservation and efficiency, and safety. Compliance with the specific performance-based provisions of the construction codes shall be an alternative to the specific requirements of the construction codes.

The building official is authorized to charge an additional fee to evaluate any proposed alternate material, design and/or method of construction and equipment under the provisions of this section.

Where the alternate material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved.

15.30.190 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

15.30.195 Tests.

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the City. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

Article V. Permits

15.30.200 Permit required.

Any owner or owner's authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any gas, mechanical or plumbing system, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

15.30.205 Work exempt from permit.

The provisions of this code shall not apply to work located primarily in a public way, public utility towers and poles and hydraulic flood control structures. 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 City. Permits shall not be required for the following, provided it is not located within critical areas, shorelines, associated buffers, locations subject to the construction requirements of the International Wildland-Urban Interface Code, or native growth protection areas (e.g., tracts):

A. Building.

1. One-story detached accessory structures accessory to residential buildings constructed under the provisions of the IRC used as tool and storage sheds, tree-supported play structures, playhouse and similar uses, provided the floor area does not exceed 200 square feet, and the structure is located in accordance with all land use regulations including but not limited to Chapter 18.30.230.Q;
2. Fences not over eight feet high;
3. Oil derricks;
4. Retaining walls which are not over four feet 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;
5. Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons and the ratio of height to diameter or width does not exceed 2:1;
6. Sidewalks, driveways, decks and steps not more than 30 inches above adjacent grade and not over any basement or story below and are not part of an accessible route;
7. Painting, papering, tiling, carpeting, cabinets, countertops and similar finish work; provided, that existing, required accessible features are not altered;
8. Temporary motion picture, television and theater stage sets and scenery;

9. Prefabricated swimming pools accessory to a one- and two-family dwelling or Group R3 occupancy, which are less than 24 inches deep, do not exceed 5,000 gallons and are installed entirely above ground;
10. Shade cloth structures constructed for nursery or agricultural purposes and not including service systems;
11. Swings, slides and other similar playground equipment;
12. Window awnings supported by an exterior wall of one- and two-family dwellings or Group R-3 and Group U occupancies which do not project more than 54 inches from the exterior wall and do not require additional support;
13. Nonfixed and movable cases, counters and partitions not over five feet nine inches in height;
14. Satellite earth station antennas six and one-half feet or less in diameter or diagonal dimensions in zones other than residential zones;
15. Satellite earth station antennas three and one-quarter feet or less in diameter in residential zones;
16. Video programming service antennas three and one-quarter feet or less in diameter or diagonal dimension, regardless of zone;
17. Replacement of nonstructural siding on IRC structures except for veneer, stucco, or exterior finish and insulation systems (EFIS);
18. In-kind window replacement for IRC structures where no alteration of framing members is required and when the window U-values meet the prescriptive requirements within the **energy code**;
19. Job shacks that are placed at a permitted job site during construction may be allowed on a temporary basis and shall be removed upon final approval of construction. A job shack is a portable structure for which the primary purpose is to house equipment and supplies, and which may serve as a temporary office during construction for the purposes of the construction activity;

20. In-kind reroofing on IRC structures, provided roof sheathing is not removed, replaced or added; and

21. Photovoltaic solar panels installed on IRC structures, provided they comply with all land use regulations and:

- a. Each photovoltaic array is no larger than 150 feet by 150 feet in either axis;
- b. Total dead load of panels, supports, mountings, raceways and all other appurtenances weigh no more than four pounds per square foot;
- c. Panels are mounted no higher than 18 inches above the surface of the roof;
- d. The equipment layout meets the IFC access and pathways requirements.

B. Mechanical.

- 1. Portable heating, cooking, or clothes drying appliances.
- 2. Portable ventilation appliances and equipment.
- 3. Portable cooling unit.
- 4. Steam, hot or chilled water piping within any heating or cooling equipment or appliances regulated by the construction codes.
- 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 or less of refrigerant and actuated by motors of one horsepower or less.
- 8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected.

C. Plumbing.

- 1. The stopping and/or repairing of leaks in drains, water, soil, waste or vent pipe; provided, however, that should any concealed trap, drain pipe, water, soil, waste or vent pipe become defective and it becomes necessary to remove and replace

the same with new material, the same 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 replacement or rearrangement of valves, pipes or fixtures.

3. Reinstallation or replacement of prefabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes.

15.30.210 Emergency repairs.

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

15.30.215 Repairs.

Application or notice to the building official is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any 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.

15.30.220 Application for permit.

To obtain a permit, the applicant shall first file a complete application as defined by the City therefor in writing on a form furnished by the department for that purpose. Such application shall:

A. Identify and describe the work to be covered by the permit for which application is made.

B. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.

C. Indicate the use and occupancy for which the proposed work is intended.

D. Be accompanied by construction documents and other information as required in KMC 15.30.260 through 15.30.325.

E. State the valuation of the proposed work.

F. Be signed by the applicant, or the applicant's authorized agent.

G. Give such other data and information as required by the department.

15.30.225 Complete application.

A. No application for building permit relating to any construction, including landfill or pier and piling to support same upon privately owned shorelands submerged by the water of Lake Washington, shall be accepted for filing with the building department, unless there are attached to such application certified copies of the approval of such project by such State and federal agencies as may have jurisdiction or regulatory authority over such proposed project.

B. The requirements for a fully complete building permit application include compliance with KMC 15.30.220 and RCW 19.27.097 (which relate to water supply); provided, that for any construction project costing more than \$5,000 the following shall also be required:

1. The legal description, or the tax parcel number assigned pursuant to RCW 84.40.160, and the street address if available, and may include any other identification of the construction site by the prime contractor;
2. The property owner's name, address, and phone number;
3. The prime contractor's business name, address, phone number, and current State contractor registration number; and
4. Either:
 - a. The name, address and phone number of the office of the lender administering the interim construction financing, if any, or
 - b. The name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than 50 percent of the total amount of the

construction project; provided, that if any of this information is not available at the time the application is submitted, the applicant shall so state and the lack of said information shall not cause the application to be deemed incomplete for the purposes of this section. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information.

The requirements for a fully complete building permit application include a consent statement of the property owner to confirm dedication of rights-of-way which abut the subject property, if any are shown as such on City, county or plat maps, and to verify the designation of public road easements as rights-of-way.

15.30.230 Action on application.

The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application is incomplete or the construction documents or other submittal information does not conform to the requirements of pertinent laws, the building official may reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of this code and laws and ordinances applicable thereto, the building official shall issue a permit therefore as soon as practicable.

15.30.235 Time limitation of application.

A. Applications for which no permit is issued within 18 months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with State law by the building official.

B. Applications may be canceled for inactivity, if an applicant fails to respond to the department's written request for revisions, corrections, actions or additional information within 90 days of the date of request. The building official may extend the response period beyond 90 days if within the original 90-day time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the department.

C. The building official may extend the life of an application if any of the following conditions exist:

1. Compliance with the State Environmental Policy Act is in progress; or

2. Any other City review is in progress; provided the applicant has submitted a *complete response* to City requests or the building official determines that unique or unusual circumstances exist that warrant additional time for such response, and the building official determines that the review is proceeding in a timely manner toward final City decision;
3. Litigation against the City or applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application; or
4. At the sole discretion of the building official when there have not been newly adopted codes, fees, ordinances or laws which affect the application.

15.30.237 Vesting of Construction Codes.

The construction codes and construction administrative code that are in effect when the building permit application is deemed complete by the building official shall apply. The city has the authority to establish policies and procedures for establishing the requirements of a complete application. For mechanical, plumbing or fire permit applications submitted after the ordinance codified in this title has taken effect, but related to the scope of work identified in a building permit application that was complete prior to the effective date of the ordinance codified in this chapter, all applicable construction codes adopted and in force at the time of filing of the complete building permit application will apply. An expired permit may lose its code vesting under Section 15.30.240 of this code.

15.30.240 Validity of permit.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code or of any other ordinance or laws of the City. Permits presuming to give authority to violate or cancel the provisions of this code or other ordinances of the City shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure where in violation of this code or of any other ordinances of this City.

15.30.245 Permit expiration.

A. Every building permit and its associated ancillary permits issued for an IRC permitted structure or for a tenant space within an existing building shall expire in two years from the date of issuance. Within two years of the issuance of the permit for an IRC structure, the outside must be complete including roofing, siding, windows, exterior doors and applicable site and right-of-way improvements. Unless otherwise approved by the building official, the two years to complete the IRC structure exterior work may not be extended.

B. Every building permit and its associated ancillary permits issued for a commercial, educational, institutional, multifamily, public, industrial or similar structure shall expire in three years from the date of issuance.

C. Sign permits and electrical, mechanical, and plumbing permits not associated with a building permit shall expire one year from the date of issuance.

D. The building official may grant a thirty-day extension of time for permits when only the final inspection is remaining and all other work has been approved.

E. It is a violation of this chapter to allow a permit to expire without first obtaining an approved final inspection.

Exception 1: A new building permit issued to complete the work of an IRC structure, issued under a previous permit shall expire in:

1. Six months if the framing inspection was not approved on the previous building permit. The project will lose its original code vesting and will be vested to the codes that are in force at the time the new building permit application is deemed complete. The fees for the new building permit will be based on the valuation of the work remaining to complete the project and current fee resolution; or

2. Six months if the framing inspection was approved under the previous building permit and the exterior of the structure is not completed including; roofing, siding, windows, exterior doors and applicable site and right-of-way improvements. The project will retain its original code vesting. The fees for the new building permit will be based on the valuation of the work remaining to complete the project and current fee resolution; or

3. Two years if the outside of the structure is complete including roofing, siding, windows, exterior doors and applicable site and right-of-way improvements. The fees for the new building permit will be based on the valuation of the work remaining to complete the project and current fee resolution.

Exception 2: For permits resulting from work without a permit or other code enforcement action(s), the expiration date will be determined by the building official.

F. During or after a declared emergency covered under Chapter 38.52 RCW, the building official may authorize a six-month extension to an unexpired permit if the building official finds that the state of emergency resulted in a stoppage of work or substantial construction delays.

G. The provisions of Section 15.30.245 of the KMC apply retroactively to all permits regulated by this Code.

~~A. Every permit issued shall expire two years from the date of issuance. The building official may approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved prior to permit issuance.~~

~~B. Every permit which has been expired for less than one year may be renewed for a period of one year from the expiration date for an additional fee as long as no changes have been made to the originally approved plans and new building codes have not been adopted. For permits that have been expired for longer than one year, a new permit must be obtained and full new fees paid. No permit shall be renewed more than once, except at the sole discretion of the building official when there have not been newly adopted codes, fees, ordinances or laws which affect the permit.~~

~~C. Mechanical and plumbing permits shall expire at the same time as the associated building permit, except that if no associated building permit is issued, the mechanical and/or plumbing permit shall expire 12 months from the date of issuance.~~

15.30.250 Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code 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 or any of the provisions of this code.

15.30.255 Placement of permit.

The building permit or copy shall be kept on the site of the work until the completion of the project.

Article VI. Floor and Roof Design Loads**15.30.260 Live loads posted.**

Where the live loads for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 psf, such design live loads shall be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

Exception: Floors or portions located on a concrete slab on grade.

15.30.265 Issuance of certificate of occupancy.

A certificate of occupancy required by KMC 15.30.500 shall not be issued until the floor loads signs, required by KMC 15.30.260, have been installed.

15.30.270 Restrictions on loading.

It shall be unlawful to place, or cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by the IBC.

Article VII. Submittal Construction Documents**15.30.275 General.**

Submittal documents consisting of construction documents, statement of special inspection, structural observation programs, engineering reports and calculations, diagrams, and other data shall be submitted with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the State of Washington. Where special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code.

15.30.280 Construction documents.

Construction documents shall be in accordance with this section.

A. Information on Construction Documents. Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted when submitted through the city's permitting portal. ~~to be submitted when approved by the building official.~~ Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed in the proper orientation and layout as it is to be constructed and show in detail that it will conform to the provisions of this code and relevant laws, ordinances, rules and regulations, as determined by the building official. The plans must include the relevant items listed in this section and any other information or documents as deemed necessary by the building official.

B. Fire Protection System Shop Drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 of the IBC. Shop drawings shall be prepared by a certified individual as required by the State of Washington.

C. Means of Egress. The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code. In other than occupancies in Groups R-2, R-3, one- and two-family dwellings as applicable in Section 101.2, and I-1, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces.

D. Exterior Wall Envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive barrier membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The

supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

Exception: Subject to the approval of the building official, R-3, one- and two-family dwellings, and U occupancies may be exempt from the detailing requirements of this section.

E. Site Plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1 of the IBC; and it shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted.

F. Plumbing. Plans must be submitted for review and approval whenever the scope of the work is too complex for inspection alone as determined by the building official.

G. Mechanical. Plans must be submitted for review and approval whenever the scope of work is too complex for inspection alone as determined by the building official.

H. Structural Information. The construction documents shall provide the information specified in Section 1612.3.1 IBC.

I. Energy Information. The construction documents shall provide the information specified in the *energy code*.

J. Information for structures located in wildland-urban interface areas. In addition to the above requirements, site plans shall include topography, width and percent of grade of access roads, landscape and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures and their appendages, roof classification of buildings and site water supply systems. The code official is

authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

15.30.290 Examination of documents.

The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and other pertinent laws or ordinances.

15.30.295 Use of consultants.

Whenever review of a building permit application requires retention by the City for professional consulting services, the applicant shall reimburse the City the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. The City may require the applicant to deposit an amount with the City estimated in the discretion of the building official to be sufficient to cover anticipated costs of retaining professional consultant services and to ensure reimbursement for such costs.

15.30.300 Approval of construction documents.

When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

15.30.305 Phased approval.

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted; provided, that adequate information and detailed statements have been filed complying with pertinent requirements of this code. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted.

15.30.310 Design professional in responsible charge – General.

When it is required that documents be prepared by a qualified registered design professional, the building official shall be authorized to require the owner or the owner's

authorized agent to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner or the owner's authorized agent shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner or the owner's authorized agent if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by Section 1710 of the IBC, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also other duties specified in Chapter 17 of the IBC).

15.30.315 Deferred submittals.

For the purposes of this section, "deferred submittals" are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building official. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge, who shall review them and forward them to the building official with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents have been approved by the building official. The building official is authorized to charge an additional plan review fee to evaluate deferred submittals under the provisions of this section.

15.30.320 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be resubmitted for approval as an amended set of

construction documents. The building official may authorize minor field changes subject to the approval of the field inspector.

15.30.325 Retention of construction documents.

One set of approved construction documents shall be retained by the building official for a period of not less than 180 days from date of completion of the permitted work, expired permit, or as required by State or local laws.

Article VIII. Temporary Structures and Uses

15.30.330 General.

The building official is authorized to issue a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

Exceptions:

A. The building official may authorize unheated tents and yurts under 500 square feet accommodating an R-1 recreational use as a temporary structure and allow them to be used indefinitely. Such sited structures must comply with the Kenmore zoning code provisions for setbacks and lot coverage.

B. The provisions of this code do not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing structure is not considered a building for purposes of this code.

C. The provisions of this code do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rules adopted under Chapter 70.114A RCW or Chapter 37, Laws of 1998 (SB 6168).

15.30.335 Conformance.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code as necessary to ensure the public health, safety and general welfare.

15.30.340 Termination of approval.

The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued when the use is in violation of other local ordinances or when the use becomes a public nuisance as defined in the City code.

Article IX. Fees

15.30.345 Payment of fees.

A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid.

15.30.350 Schedule of permit fees.

On buildings, structures, gas, mechanical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with the schedule as established by the applicable governing authority. The building official is authorized to establish fees for any permit activity not specifically set forth herein.

15.30.355 Plan review fees.

When submittal documents are required by KMC 15.30.275, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The building official may have the option to charge a deposit in lieu of the full plan review fee if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in KMC 15.30.315, an additional plan review fee may be charged.

15.30.360 Master and basic plan program.

A. The City has established a “master” and “basic” plan program, the purpose of which is to allow for an expedited review process for plans that are intended to remain unchanged but used multiple times. Options are allowed to be submitted with the initial registering of the basic plan to accommodate a variation of building styles using the basic plan. When plans are submitted under the City’s master and basic plan program,

a plan review fee shall be paid at the time of application for the first or “master” plan. Subsequent plans are called the “basic” plan.

B. Valuations used to compute the permit fees shall include all options submitted with a registered plan. When a registered plan consists of a number of plan options that can produce any number of similar but different buildings, the building official may charge plan review fees based on each different building configuration. Plan review fees shall be paid for at the time of application for a building permit. The building official may have the option to charge a partial deposit in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review. The plan review fees specified in this section are separate fees from the permit fees and are in addition to the permit fees.

C. Plan Orientation. Master plan applications do not need to show a reverse or flip as an option. Mirrored plans are allowed at basic plan submittal. Basic plan orientation shall match the site plan.

D. Preapproved Master Plan. The building official may have the option to accept a basic plan where the master plan has been approved by a MyBuildingPermit.com participating jurisdiction.

E. Revisions. Once a plan and associated options are reviewed, approved and registered, changes or revisions to that plan are not permitted without requiring the plan to be resubmitted as a new registered plan and pay full new fees.

F. Field Revision. Once a permit is issued for a registered plan, no revisions will be permitted except for minor field changes as defined in KMC 15.30.025. Changes other than minor field changes will be considered major changes and require the permit holder to resubmit those changes as a new submittal and pay a fee.

G. Time Limitation. An application for a basic plan associated to a master plan approved and registered under a previous code edition shall not be accepted when there has been a code cycle change as required by the State. When this occurs the master plan shall be submitted as a new registered plan, and pay full new fees.

15.30.365 Building permit valuations.

The applicant for a permit shall provide an estimated permit value at time of application. The determination of value or valuation under any of the provisions of this code shall be made by the applicant or building official, whichever is higher. The building official shall use the latest edition of the ICC "Building Safety Journal" publication ~~shall be used~~ to determine building valuations for the various building types and occupancies noted in that table except that the valuation for wooden decks, platforms, stairs, carports, and porches shall be ~~\$18.00~~ \$40.00 per square foot. Regional modifiers shall not be applicable. When a specific building type or occupancy is not noted in the valuation table, the building official is authorized to use any of the classification types noted in the table that most closely resembles the proposed type of building, or determine a valuation type independently.

15.30.370 Work commencing before permit issuance.

Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a special investigation fee in an amount equal to twice the permit fee, or otherwise established by the building official. The special investigation fee shall be in addition to the required permit fees.

15.30.375 Related fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law.

15.30.380 Refunds.

The building official may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code. The building official may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan reviewing is done. The building official shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of the fee payment ~~application~~.

Article X. Inspections

15.30.390 General.

Construction or work for which a permit is required shall be subject to inspection by the building official and such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code or of other ordinances of the City. Inspections presuming to give authority to violate or cancel the provisions of this code or of other ordinances of the City shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the City shall be liable for expense entailed in the removal or replacement of any material required to allow inspection.

15.30.395 Preliminary inspections.

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed.

15.30.400 Manufacturer's installation instructions.

Manufacturer's installation instructions, as required by this code, shall be available on the job site at the time of inspection.

15.30.405 Required inspections.

The building official, upon notification, shall make the inspections set forth in KMC 15.30.410 through 15.30.480.

15.30.410 Footing and foundation inspection.

Footing and foundation inspections shall be made after poles or piers are set or trenches or basement areas are excavated and all required hold-down anchor bolts, hold-down straps, any forms erected, and any required reinforcing steel is in place and supported. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment and special requirements for wood foundations. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

15.30.415 Concrete slab and under-floor inspection.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, slab insulation, piping

accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor.

15.30.420 Lowest floor elevation.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in IBC Section 1612 or IRC Section R322 shall be submitted to the building official. FEMA flood elevation certificates shall contain an original stamp and signature of the surveyor, licensed by the State of Washington, and shall document the elevation of the lowest floor, including basement, and other information required by the flood elevation certificate.

15.30.425 Exterior wall sheathing inspection.

Exterior wall sheathing shall be inspected after all wall framing is complete, strapping and nailing is properly installed but prior to being covered.

15.30.430 Roof sheathing inspection.

The roof sheathing shall be inspected after all roof framing is complete. No roof coverings shall be installed until inspections are made and approved.

15.30.435 IMC/UPC/GAS/NEC rough in inspection.

Rough in mechanical, gas piping, plumbing and electrical shall be inspected when the rough in work is complete and, if required, under test. No connections to primary utilities shall be made until the rough in work is inspected and approved.

15.30.440 Frame inspection.

Framing inspections shall be made after the roof deck, wall sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, fire suppression piping, heating wires, pipes and ducts are approved and the building is substantially dried in.

15.30.445 Multi-unit residential building enclosure inspection.

Chapter 64.55 RCW, Engrossed House Bill (EHB) 1848, requires affected multi-unit residential buildings to provide a building enclosure inspection performed by a third-party, independent, and qualified inspector during the course of initial construction and during rehabilitative construction. The City does not verify the qualifications of the inspector or determine whether the building enclosure inspection is adequate or appropriate. However, the City is prohibited from issuing a certificate of occupancy for

the building until the inspector prepares a report and submits to the building department a signed letter certifying that the building enclosure has been constructed in substantial compliance with the building enclosure design documents. Reference Chapter 64.55 RCW for additional requirements.

15.30.450 Lath, gypsum board and gypsum panel product inspection.

Lath, gypsum board, and gypsum panel product inspections shall be made after lathing, gypsum board and gypsum panel product, interior and exterior, is in place, but before any plastering is applied or gypsum board and gypsum panel product joints and fasteners are taped and finished.

Exception: Gypsum board and gypsum panel products that are not part of a fire-resistance rated assembly or a shear assembly.

15.30.455 Fire- and smoke-resistant penetrations.

Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

15.30.460 Energy efficiency inspection.

A. Envelope.

1. Wall Insulation Inspection. To be made after all wall insulation and air vapor retarder sheet or film materials are in place, but before any wall covering is placed.
2. Glazing Inspection. To be made after glazing materials are installed in the building.
3. Exterior Roofing Insulation. To be made after the installation of the roof insulation, but before concealment.
4. Footing/Foundation/Slab/Floor Insulation. To be made after the installation of the footing/foundation/slab/floor insulation, but before concealment.

B. Mechanical.

1. Mechanical Equipment Efficiency and Economizer. To be made after all equipment and controls required by this code are installed and prior to the concealment of such equipment or controls.

2. Mechanical Pipe and Duct Insulation. To be made after all pipe, fire suppression piping and duct insulation is in place, but before concealment.

C. Lighting and Motors.

1. Lighting Equipment and Controls. To be made after the installation of all lighting equipment and controls required by this code, but before concealment of the lighting equipment.
2. Motor Inspections. To be made after installation of all equipment covered by this code, but before concealment.

15.30.465 Reinspection.

The building official may require a structure or portions of work to be reinspected. A reinspection fee may be assessed for each inspection or reinspection when such portion of work for which the inspection was requested is not complete; or when previous corrections called for are not made; or when there are reoccurring missed items that have previously been identified to the same builder on multiple lots; or when the approved plans and permit are not on site in a conspicuous or pre-approved location; or when the building is not accessible. In instances where reinspection fees have been assessed, no additional inspection of the work shall be provided by the City until the required fees are paid.

15.30.470 Other inspections.

In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and other laws that are enforced by the department of building safety.

15.30.475 Special inspections.

In addition to the inspections noted above, the building official is authorized to require special inspections for any type of work related to the technical codes by an approved agency at no cost to the City.

15.30.480 Final inspection.

The final inspection shall be made after all work required by the building permit is completed. The building shall not be occupied until final inspection is approved.

15.30.485 Inspection agencies.

The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability.

15.30.490 Inspection requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the building official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code.

15.30.495 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed or notify the permit holder or his or her agent wherein the same fails to comply with this code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building official.

Article XI. Certificate of Occupancy

15.30.500 Use and occupancy.

No building or structure shall be used or occupied, and no change in the existing use or occupancy classification of a building or structure or portion thereof shall be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the City.

Exceptions:

A. Work exempt from permits per KMC 15.30.205.

B. For single-family dwellings and their accessory structures, the City-issued building permit inspection record may serve as the certificate of occupancy when the final inspection has been approved by the building department.

15.30.505 Certificate issued.

After the building official inspects the building or structure and finds no violations of the provisions of this code or other laws that are enforced by the building department, the building official shall issue a certificate of occupancy that contains the following:

- A. The building permit number.
- B. The address of the structure.
- C. The name and address of the owner or the owner's authorized agent.
- D. Project name.
- E. A statement that the described portion of the structure has been inspected for compliance with the requirements of this code for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
- F. The name of the building official.
- G. The edition of the code under which the permit was issued.
- H. The use and occupancy.
- I. The type of construction.
- J. The design occupant load.
- K. If an automatic sprinkler system is provided, and whether the sprinkler system is required.
- L. Any special stipulations and conditions of the building permit.

15.30.510 Temporary or phased occupancy.

The building official is authorized to issue a temporary or phased certificate of occupancy before the completion of the entire work covered by the permit; provided, that such portion or portions shall be occupied safely. The building official is authorized to require, in addition to the completion of life safety building components, any or all accessibility components. The building official shall set a time period during which the temporary or phased certificate of occupancy is valid. The building official is authorized to require that a performance bond be posted with the City in an amount equal to 150 percent of the incomplete work as determined by the design professional. The bond

shall be refundable upon inspection, final approval and a request in writing for the refund. It shall be the duty of the applicant to request the refund.

15.30.515 Revocation.

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

Article XII. Service Utilities

15.30.520 Connection of service utilities.

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code for which a permit is required, until released by the building official.

15.30.525 Temporary connection.

The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power.

15.30.530 Authority to disconnect service utilities.

The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property, or when such utility connection has been made without the required approval. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

Article XIII. Appeals

15.30.535 General.

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.30.540 Limitations on 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 hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the board be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the City.

15.30.545 Qualifications.

Repealed by Ord. 12-0333.

15.30.550 Reconsideration.

Repealed by Ord. 12-0333.

15.30.555 Corrections.

Repealed by Ord. 12-0333.

15.30.560 Court review.

Repealed by Ord. 12-0333.

Article XIV. Violations

15.30.565 Unlawful acts.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, or cause same to be done, in conflict with or in violation of any of the provisions of this code.

15.30.570 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 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.

15.30.575 Prosecution of violation.

If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the City to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code or of the order or direction made pursuant thereto.

15.30.580 Violation – Penalties.

Any person who violates a provision of this code or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code, shall be subject to penalties as prescribed by law.

Article XV. Stop Work Order

15.30.585 Authority.

Whenever the building official finds any work being performed in either a dangerous or unsafe manner or in a manner either contrary to the provisions of this code or other pertinent laws or ordinances that are violated during the course of work authorized by the building permit, the building official is authorized to issue a stop work order.

15.30.590 Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work will be permitted to resume.

15.30.595 Investigation fee.

The building official is authorized to assess a special investigation fee for the issuance of a stop work order when work has started without the issuance of a permit. The special investigation fee shall be determined by KMC 15.30.370.

15.30.600 Unlawful continuance.

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to

remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

Article XVI. Unsafe Structures and Equipment

15.30.605 General.

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings or the 1997 Edition of the Uniform Housing Code. A vacant structure that is not secured against entry shall be deemed unsafe.

Samantha Loyuk

From: Samantha Loyuk
Sent: Sunday, March 26, 2023 9:21 PM
To: CI_Council
Cc: Rob Karlinsey; Stephanie Lucash; Tom Phillips; Lukasz Lisowski
Subject: Construction codes: Answers to Questions from the 3/20 City Council meeting

Mayor, Deputy Mayor, and Councilmembers,

Thank you for your feedback on Monday night (3/20/23) regarding the construction code updates. I reached out to Master Builders Association of King and Snohomish Counties (MBAKS) and have been working with Tom and Lukasz to answer your questions. Please see below.

1	Question: Councilmember Srebnik: Do the K4C items #3 & 4 apply to commercial and large multifamily (construction/demolition & deconstruction/salvaging materials)?
	Answer: Yes, the City Council can choose to apply construction/demolition & deconstruction/salvaging requirements to IBC structures.
2	Question: Mayor Herbig: What about getting rid of gas completely?
	Answer: This is a hot topic and is being discussed at the state level. On a local level, it's hard to say what the legal implications there could be and how it would work. The State prohibits amendments to the energy code for IRC structures (one- and two-family residential structures), so the City would not be able to eliminate natural gas as an option for IRC structures.
3	Question: Mayor Herbig: Can commercial solar panels be exempt from building permit?
	Answer: Yes, the City Council can choose to exempt commercial (IBC structures) from having to obtain a building permit. Pros: <ul style="list-style-type: none"> • Encourages use of solar • An electrical permit is still required by L&I so the panels get inspected by L&I for attachment and electrical safety. Cons: <ul style="list-style-type: none"> • Fire access requirements will not be verified by the city since there is no city-issued permit.
4	Question: Councilmember Baker: Please confirm what permits are required for residential solar panels.
	Answer: An electrical permit is required by L&I for all solar panels (including residential); the panels get inspected by L&I for attachment and electrical safety. As far as permits issued by the City (i.e., building permit), residential solar panels are typically exempt from building permit. The KMC exempts residential panel arrays up to a size of 150'x150' in either axis – this would be a very large solar panel installation (we don't see residential solar panels this large).
5	Question: Mayor Herbig: Can fees be waived for commercial solar panels?
	Answer: Yes, the City Council can choose to do this by modifying the fee resolution (typically occurs in October or November with a January 1 effective date). However, L&I will still charge a fee for the electrical permit and inspection.

6	Question: Councilmember Baker: What does this code change cost builders (mandatory updates and appendices T, Y, and Z)?
	Answer: According to the Master Builders Association of King & Snohomish Counties (MBAKS), mandatory code changes will add an estimated \$14,150 to the price of a new home. MBAKS is researching the cost of appendices and will get back to me. I spoke with MBAKS by phone on 3/23 and anticipate hearing back in 1-2 weeks.
7	Question: What are other cities doing?
	Answer: Cities and counties in Washington are considering these code changes in parallel and haven't adopted the new codes yet. Tom Phillips, Building Official continues to reach out to neighboring cities through his WABO and eGov Alliance connections. He hopes to have a better idea of where cities stand by the next meeting.

We are tentatively scheduled to return to City Council on April 17th with a draft code for review. I look forward to seeing you then.

Samantha Loyuk (*Pronounced Low-Yuke*)

Development Services Director | City of Kenmore

18120 68th Ave NE | Kenmore, WA 98028

Main: (425) 398-8900 | Desk: (425) 984-6162

Apply for Permits: www.mybuildingpermit.com

Website: www.kenmorewa.gov

**CITY OF KENMORE
WASHINGTON
ORDINANCE NO. 23-577**

AN ORDINANCE OF THE CITY OF KENMORE, WASHINGTON, ADDING A NEW CHAPTER 15.40 TO THE KENMORE MUNICIPAL CODE ENTITLED, THE KEMORE PROPERTY MAINTENANCE CODE; REPEALING CHAPTER 8.35, PUBLIC NUISANCES, OF THE KENMORE MUNICIPAL CODE; REPEALING SECTIONS 15.20.135, 15.20.140, 15.20.145, 15.20.150 AND 15.20.155 OF THE KENMORE MUNICIPAL CODE RELATING TO THE 1997 UNIFORM HOUSING CODE; REPEALING SECTIONS 15.20.200, 15.20.205, 15.20.210, 15.20.215 AND 15.20.220 OF THE KENMORE MUNICIPAL CODE RELATING TO THE 1997 UNIFORM CODE FOR THE ABATEMENT OF DANGEROUS BUILDINGS WHICH ARE SUPERCEDED BY THE NEW CHAPTER 15.40; AMENDING SECTIONS 15.05.015, 15.30.025 AND 15.30.605 OF THE KENMORE MUNICIPAL CODE; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City is required to enforce the 2021 International Codes as adopted by the State Building Code Council on November 18, 2022; and

WHEREAS, the regulations related to the maintenance of buildings are currently found in the 1997 Uniform Housing Code and the 1997 Uniform Code for the Abatement of Dangerous Buildings as adopted in Chapter 15.20 of the Kenmore Municipal Code; and

WHEREAS, these older codes are no longer published and have been superseded by the International Property Maintenance Code which is harmonized with the City's International Construction Codes; and

WHEREAS, the City has amended the 2021 International Property Maintenance to better reflect the needs of the City and named it the Kenmore Property Maintenance Code; and

WHEREAS, the City Council has elected to replace the discontinued 1997 Uniform Housing Code and the 1997 Uniform Code for the Abatement of Dangerous Buildings with the Kenmore Property Maintenance Code which is based on the 2021 International Property Maintenance Code; and

WHEREAS, to avoid conflict and redundancy the City has incorporated the provisions of Chapter 8.35 of the Kenmore Municipal Code into the new Kenmore Property Maintenance Code; now, therefore

THE CITY COUNCIL OF THE CITY OF KENMORE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. **Adoption.** The City Council adopts a new Chapter 15.40 of the Kenmore Municipal Code, entitled the Kenmore Maintenance Code, to read as set forth on **Exhibit A** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 2. **Repealed Chapter.** Chapter 8.35 of the Kenmore Municipal Code, entitled Public Nuisances, is hereby repealed and replaced by a new Chapter 15.40 as set forth on **Exhibit A** to this Ordinance.

Section 3. **Repealed Sections.** Sections 15.20.135, 15.20.140, 15.20.145, 15.20.150 and 15.20.155 of the Kenmore Municipal Code relating to the adoption and amendment of the 1997 Uniform Housing Code are hereby repealed and replaced by a new Chapter 15.40 as set forth on **Exhibit A** to this Ordinance.

Section 4. **Repealed Sections.** Sections 15.20.200, 15.20.205, 15.20.210, 15.20.215 and 15.20.220 of the Kenmore Municipal Code relating to the adoption and amendment of the 1997 Uniform Code for the Abatement of Dangerous Buildings are hereby repealed and replaced by a new Chapter 15.40 as set forth on **Exhibit A** to this Ordinance.

Section 5. **Amendment.** Sections 15.05.015, 15.30.025 and 15.30.605 of the Kenmore Municipal Code are hereby amended and replaced to read as set forth on **Exhibit A** to this Ordinance, attached hereto and incorporated herein by this reference.

Section 6. **Severability.** If any section, subsection, sentence, clause, phrase or word of this Ordinance is for any reason held to be unconstitutional or invalid for any reason, such decision shall not affect the constitutionality or validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause, phrase or word thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases or words be declared unconstitutional.

Section 7. **Effective Date.** This Ordinance shall take effect and be in force on July 1, 2023, which is more than five (5) days after the date of publication of this Ordinance.

PASSED by the City Council this XX day of June 2023.

CITY OF KENMORE

Nigel Herbig, Mayor

ATTEST/AUTHENTICATED:

Anastasiya Warhol, City Clerk

Approved as to form:

Dawn Reitan, City Attorney

FILED WITH THE CITY CLERK:
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO.

Chapter 8.35
PUBLIC NUISANCES

8.35.010 Unlawful public nuisances declared.

It shall be a public nuisance for any person owning, occupying, leasing or having charge or possession of any property in the City to maintain or allow to be maintained on such property where visible from a public street, right of way, Lake Washington, Sammamish River, or public/private ingress/egress easement any of the following conditions:

A. Public Nuisances.

1. The accumulation of weeds contained in the then current King County Noxious Weeds List or contained within then current Chapter 16.750 WAC, Noxious Weed List Classes A, B, C.
2. Neglected or improperly maintained landscaping, including but not limited to dead, debris laden, weed infested or overgrown vegetation, such as trees, shrubs, hedges, grass and ground covers, or vegetation dying as a result of physical damage, disease, insect infestation or lack of water. For purposes of this subsection, a lawn area shall be deemed overgrown if 50 percent or more of its area exceeds 12 inches in height.
3. Any vegetation that is growing rampant and unmaintained so as to provide unsightly, unsanitary and/or unsafe conditions, is destructive to other vegetation, that blocks public rights of way as described in KMC 12.70.040, that blocks the sight lines within the public rights of way, or that impacts or threatens to impact public utilities.
4. Except when placed there for removal for a period of less than 14 days, the exterior accumulation of broken, abandoned or discarded furniture or other household equipment or fixtures, packing boxes, lumber, junk, trash, rubbish or other materials or debris. Prohibited actions include the dumping, spillage or storage of solids or liquids, which may negatively impact the visual or olfactory nature of the area.
5. Storage or maintenance in a residential zone of any metal storage bin or container with a horizontal surface area of 120 square feet or greater (10 by 12).
6. Open storage of rubbish or junk including, but not limited to, refuse, garbage, scrap metal or lumber, concrete, asphalt, tin cans, tires and piles of earth, not including compost bins.
7. Combustible material likely to become easily ignited or debris resulting from any fire and which constitutes a fire hazard, as defined in the fire code as adopted by the City pursuant to KMC 15.10.010.
8. Abandoned vehicles, wrecked, dismantled or inoperative vehicles or remnant parts thereof.
9. The exterior storage or maintenance of parts or machinery of any type or description unless specifically authorized by a City license or permit; building materials or merchandise unless specifically authorized by use permit; or construction equipment except while excavation, construction, or demolition operations covered by an active building permit or other City permit are in progress on the subject or adjoining property.

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10. The exterior storage of used tires in a manner that allows accumulation of water that may create a health hazard.

B. Unsafe Structures or Buildings.

1. Buildings, fences or other structures which are cracked, broken, leaning, fallen, decayed, deteriorated or defaced or in any condition that poses a life/safety hazard or attractive nuisance to children.

2. Any condition constituting a “substandard building” as defined in the adopted codes referenced in Chapter 15.20 KMC.

C. Vehicles, Boats, Trailers or Other Mobile Equipment Storage Which Presents Potential Public Health, Safety or Fire Hazards.

1. The parking or storage of any vehicle, boat, trailer, camper, motor home, or other mobile equipment, whether or not motorized, or portions or parts and components thereof, on property used or zoned for residential purposes, if:

a. Located on any front lawn or front yard; or

b. Located in any side or rear yard so as to prevent a three foot wide continuous fire access way from the front of the property.

D. Right of Way or Public Property Encroachment. Obstruction or encroachment upon any public property, including but not limited to any public street, sidewalk, highway, right of way, park or building, without prior City consent. Such obstructions or encroachments include but are not limited to overgrown trees and shrubs, building materials, merchandise or other personal property and buildings or portions of buildings or structures, fences or retaining walls protruding onto public property.

E. Other Nuisances.

1. Land, as a result of grading operations, excavation or fill, causes erosion, subsidence, or surface water drainage problems of such magnitude as to be injurious to the public health, safety, and welfare or to public properties or rights of way.

2. Maintenance of any substance which because of its quantity, concentration or physical, chemical or infectious characteristics may either cause, or substantially contribute to, an increase in mortality or serious illness or pose a significant present or potential hazard to human health or the environment if improperly managed.

3. The existence of any property condition which is unlawful or declared to be a public nuisance pursuant to any other provision of the Kenmore Municipal Code or the Revised Code of Washington (RCW) or the Washington Administrative Code (WAC). This subsection shall be construed to place an affirmative duty on property owners and occupants to maintain their property in conformity with all applicable codes. Each day that any condition which constitutes a public nuisance continues shall be deemed to be a separate violation of this chapter.

8.35.020 Definitions.

“Graffiti” means any unauthorized inscription, word, figure or design that is written, marked, etched, scratched or drawn or painted on any real or personal property regardless of its content or nature of the material used in the commission of the act.

“Junk” shall mean any cast off, damaged, discarded, obsolete, salvaged, scrapped, unusable, worn out or wrecked object, thing or material, including tires.

“Property” shall mean any real property or lot or parcel of land, including any alley, sidewalk or parkway abutting such lot or parcel of land.

“Substandard building” shall mean any building or portion thereof that is determined to be an unsafe building in accordance with the adopted codes referenced in Chapter 15.20 KMC, or any building or portion thereof, including any dwelling unit, guest room or suite of rooms, or the premises on which the same is located, in which there exists any of the conditions referenced in this section to an extent that endangers life, limb, health, property, safety or welfare of the public or the occupants thereof, shall be deemed and hereby are declared to be substandard.

8.35.030 Enforcement and violations.

Violations of this chapter shall be processed pursuant to Chapter 1.20 KMC as now in effect, or as may be subsequently amended.

Chapter 15.05

GENERAL PROVISIONS

15.05.015 Copies of codes on file.

12. 1997 Uniform Housing Code, published by the International Conference of Building Officials;

13. 1997 Uniform Code for the Abatement of Dangerous Buildings, published by the International Conference of Building Officials;

Chapter 15.20 BUILDING CODES

15.20.135 1997 Uniform Housing Code adopted

The Uniform Housing Code issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety by this reference as the housing code for the City except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by the City.

15.20.140 UHC Section 203, Appeals—Amended.

Section 203 of the Uniform Housing Code is hereby amended to read:

SECTION 203—APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.20.145 UHC Section 1201.2, Processing of Appeals—Amended.

Section 1201.2 of the Uniform Housing Code is hereby amended to read:

1201.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.20.150 UHC Section 1201.3 deleted.

Section 1201.3 of the Uniform Housing Code is deleted.

15.20.155 UHC Chapter 13 deleted.

Chapter 13, “Rules for Conduct of Hearing Appeals,” of the Uniform Housing Code is deleted.

15.20.200 Uniform Code for the Abatement of Dangerous Buildings adopted.

The Uniform Code for the Abatement of Dangerous Buildings, issued by the International Conference of Building Officials, 1997 Edition, together with amendments and/or additions thereto, is adopted in its entirety, by this reference as if fully set forth herein as the dangerous buildings code for the City, except that references to the uniform codes shall be replaced with the appropriate technical codes and sections as adopted by this City.

15.20.205 UCADB Section 205, Appeals, amended.

Section 205 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

SECTION 205 — APPEALS

Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the city.

15.20.210 UCADB Section 501.2, Processing of Appeals, amended.

Section 501.2 of the Uniform Code for the Abatement of Dangerous Buildings is amended to read:

501.2 Processing of Appeal. Appeals of orders, decisions or determinations made by the building official shall be made to the hearing examiner in accordance with the requirements and process of Chapter 19.30 KMC.

15.20.215 UCADB Section 501.3 deleted.

Section 501.3 of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

15.20.220 UCADB Chapter 6 deleted.

Chapter 6, “Procedures for Conduct of Hearing Appeals,” of the Uniform Code for the Abatement of Dangerous Buildings is deleted.

Chapter 15.30

CONSTRUCTION ADMINISTRATIVE CODE*

15.30.025 Definitions.

D. “Dangerous building code” means the 1997 Uniform Code for the Abatement of Dangerous Buildings promulgated by the International Council of Building Officials as adopted by the City.

ED. “Energy code” means the Washington State Energy Code promulgated by the Washington State Building Code Council as adopted by the City.

F. “Housing code” means the 1997 Uniform Housing Code promulgated by the International Council of Building Officials as adopted by the City.

GE. “IBC” means the latest edition of the International Building Code promulgated by the International Code Council as adopted by this City.

HE. “IEBC” means the latest edition of the International Existing Building Code promulgated by the International Code Council as adopted by this City.

IG. “IMC” means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by this City.

IH. “IRC” means the latest edition of the International Residential Code for One- and Two-Family Dwellings promulgated by the International Code Council as adopted by this City.

KI. “ISPSC” means the latest edition of the International Swimming Pool and Spa Code promulgated by the International Code Council as adopted by this City.

J. “KPMC” means Kenmore Property Maintenance Code.

LK. “Minor field change” means a change to an approved plan that does not change the building use, area, height, or location on a lot and does not affect the means of egress, accessibility, or structural design and does not add plumbing or mechanical fixtures or appliances.

ML. “NEC WCEC” means the latest edition of the National Washington Cities Electrical Code promulgated by the National Fire Protection Association MyBuildingPermit.com as adopted by this City.

NM. “Occupancy” means the purpose for which a building, or part thereof, is used or intended to be used.

ON. “Shall,” as used in this chapter, is mandatory.

PO. “Temporary growing structure” means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with either frost protection or increased heat retention.

QP. “Temporary worker housing” means a place, area, or piece of land where sleeping places or housing sites are provided by an employer for his or her employees or by another person, including a temporary worker housing operator who is providing such accommodations for

employees, for temporary, seasonal occupancy, and includes “labor camps” under RCW 70.54.110.

RQ. “UPC” means the latest edition of the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by this City.

SR. “Valuation” or “value,” as applied to a building or building service equipment, means and shall be the estimated cost to replace the building and its building service equipment in kind, based on current replacement costs. It shall also include the contractor’s overhead and profit.

Article XVI. Unsafe Structures and Equipment

15.30.605 General.

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in the 1997 Edition of the Uniform Code for the Abatement of Dangerous Buildings or the 1997 Edition of the Uniform Housing Code Kenmore Property Maintenance Code (KMC 15.40). A vacant structure that is not secured against entry shall be deemed unsafe.

Chapter 15.40

2021 KENMORE PROPERTY MAINTENANCE CODE -DRAFT

ARTICLE I--SCOPE AND ADMINISTRATION

15.40.101 Scope and General Requirements.

A. Title. These regulations shall be known as the Kenmore Property Maintenance Code, hereinafter referred to as "this code" or “KPMC.”

B. Scope. The provisions of this code shall apply to all existing residential and nonresidential *structures* and all existing *premises* and constitute minimum requirements and standards for *premises*, *structures*, equipment and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, a reasonable level of safety from fire and other hazards, and for a reasonable level of sanitary maintenance; the responsibility of *owners*, an *owner’s* authorized agent, *operators* and *occupants*; the *occupancy* of existing *structures* and *premises*, and for administration, enforcement and penalties.

C. Purpose. The purpose of this code is to establish minimum requirements to provide a reasonable level of health, safety, *property* protection and general welfare insofar as they are

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affected by the continued *occupancy* and maintenance of *structures* and *premises*. Existing *structures* and *premises* that do not comply with these provisions shall be altered or repaired to provide a reasonable minimum level of health, safety and general welfare as required herein.

D. Diversity, Equity, Inclusion, and Accessibility (DEIA). Implementation of the KPMC reflects DEIA values by approaching property maintenance compliance holistically through a lens of compassion and equity. With the intent of helping all people love where they live, the KPMC promotes voluntary compliance and community-based services to assist vulnerable populations.

E. Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

15.40.102 Applicability.

A. General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

B. Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the *structure* or *premises* was constructed, altered or repaired shall be maintained in good working order. No *owner*, *owner's* authorized agent, *operator* or *occupant* shall cause any service, facility, equipment or utility that is required under this chapter to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing *structures*. Except as otherwise specified herein, the *owner* or the *owner's* authorized agent shall be responsible for the maintenance of buildings, *structures* and *premises*.

C. Application of Other Codes. Repairs, additions or alterations to a *structure*, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of this code.

D. Existing Remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any *structure* that is dangerous, unsafe and insanitary.

E. Workmanship. Repairs, maintenance work, alterations or installations that are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's installation instructions.

F. Structural analysis. Where structural analysis is used to determine if an unsafe structural condition exists, the analysis shall be permitted to use nominal strengths, nominal loads, load effects, required strengths and limit states in accordance with the requirements under which the *structure* was constructed or in accordance with any subsequent requirement.

G. Historic Buildings. The provisions of this code shall not be mandatory for existing buildings or *structures* designated as *historic buildings*, as defined in the International

Existing Building Code, where such buildings or *structures* are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

H. Referenced Codes and Standards. The codes and standards referenced in this code shall be those that are listed in Article VIII of this chapter and amended by the State and the City and considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

1. Conflicts. Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

2. Provisions in Referenced Codes and Standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

I. Requirements Not Covered by Code. Requirements necessary for the strength, stability or proper operation of an existing fixture, *structure* or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the *code official*.

J. Application of References. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

K. Other Laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

15.40.103 Code compliance agency

A. Appointment. The *code official* shall be appointed by the City Manager.

B. Deputies. In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the *code official* shall have the authority to appoint a deputy(s). *Code official*, other related technical officers, inspectors and other employees. Such employees shall have powers as delegated by the *code official*.

15.40.104 Fees

A. Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as established by the applicable governing authority.

B. Refunds. The *code official* is authorized to establish a refund policy.

15.40.105 Duties and powers of the *code official*.

A. General. The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

B. Inspections. The *code official* is authorized to make all of the required inspections or accept reports of inspection by *approved* agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

C. Right of Entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the *structure* or *premises* at reasonable times to inspect or perform the duties imposed by this code; provided, that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such *structure* or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner*, *owner's* authorized agent, or other *person* having charge or control of the *structure* or *premises* and request entry. If entry is refused, entry shall be pursuant to a warrant or other remedy provided by law unless a public safety emergency justifies entry without a warrant or other lawful remedy.

D. Identification. The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

E. Notices and Orders. The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

F. Department Records. The *code official* shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

G. Liability. The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered civilly or criminally liable personally, and is hereby relieved from all personal liability for any damage accruing to *persons* or *property* as a result of an act or by reason of an act or omission in the discharge of official duties.

1. Legal defense. Any suit or criminal complaint instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.

15.40.106 Approval.

A. Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* authorized agent, provided the *code official* shall first find that special individual reason makes the strict letter of this code impractical, the modification is in compliance with the intent and purpose of this code, and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

B. **Alternative Materials, Design and Methods of Construction and Equipment.** 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 any such alternative has been *approved*. An alternative material, design or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. Where the alternative material, design or method of construction is not *approved*, the *code official* shall respond in writing, stating the reasons why the alternative was not *approved*.

C. **Required Testing.** Whenever there is insufficient evidence of compliance with the provisions of this code or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

1. **Test Methods.** Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved* agency.

2. **Test Reports.** Reports of tests shall be retained by the *code official* for the period required for retention of public records.

D. **Used Material and Equipment.** The use of used materials that meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested where necessary, placed in good and proper working condition and *approved* by the *code official*.

E. **Approved Materials and Equipment.** Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

F. **Research Reports.** Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

15.40.107 Means of appeal. Any *person* directly affected by a decision of the *code official* or a notice or order issued under this code shall have the right to appeal as set forth in Section 1.20.150 of the *KMC*

15.40.108 Hearing Examiner. All references to the Board of Appeals shall be deemed to refer to the City of Kenmore Hearing Examiner

15.40.109 Violations.

- A. **Unlawful acts.** It shall be unlawful for a *person*, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

- B. **Notice of violation.** For civil violations, the *code official* shall serve a notice of violation or order in accordance with Chapter 1.20 of the *KMC*.

- C. **Prosecution of violation.** Any *person* failing to comply with a notice of violation or order served in accordance with Section 15.40.111.D shall be deemed guilty of a misdemeanor or civil infraction as determined by the City, and the violation shall be deemed a *strict liability*

offense. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the *structure* in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

D. Violation penalties. Any *person* who violates a provision of this code, or fails to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

F. Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, *structure* or *premises*, or to stop an illegal act, conduct, business or utilization of the building, *structure* or *premises*.

15.40.110 Stop work order. Stop work orders shall be issued per Chapter 15.30 of the *KMC*.

15.40.111 Unsafe structures and equipment.

A. General. When a *structure* or equipment is found by the *code official* to be unsafe, or when a *structure* is found unfit for human *occupancy*, or is found unlawful, the *code official* is authorized to *condemn* such *structure* pursuant to the provisions of this code.

1. Unsafe Structures. An unsafe *structure* is one that is found to be dangerous to the life, health, *property* or safety of the public or the *occupants* of the *structure* by not providing minimum safeguards to protect or warn *occupants* in the event of fire, or because such *structure* contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is possible.

2. Unsafe Equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the *structure* which is in such disrepair or condition that such equipment is a hazard to life, health, *property* or safety of the public or *occupants* of the *premises* or *structure*.

3. Structure Unfit for Human Occupancy. A *structure* is unfit for human *occupancy* whenever the *code official* finds that such *structure* is unsafe, unlawful or, because of the degree to which the *structure* is in disrepair or lacks maintenance, is unsanitary, vermin- or rat-infested, contains filth and contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the *structure* constitutes a hazard to the *occupants* of the *structure* or to the public.

4. Unlawful Structure. An unlawful *structure* is one found in whole or in part to be occupied by more *persons* than permitted under this code, or that was erected, altered or occupied contrary to law.

5. Dangerous Structure or Premises. For the purpose of this code, any *structure* or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

a. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.

- b. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
- c. Any portion of a building, *structure* or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become detached or dislodged.
- d. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof, that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place, so as to be capable of resisting natural or artificial loads of one and one-half times the original designed value.
- e. The building or *structure*, or part of the building or *structure*, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or *structure* is likely to fail or give way.
- f. The building or *structure*, or any portion thereof, is clearly unsafe for its use and *occupancy*.
- g. The building or *structure* is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or *structure* to their danger, becomes a harbor for vagrants, criminals or immoral *persons*, or enables *persons* to resort to the building or *structure* for committing a nuisance or an unlawful act.
- h. Any building or *structure* that has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or *structure* provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire or building collapse or any other threat to life and safety.
- i. 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, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
- j. Any building or *structure*, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
- k. Any portion of a building remains on a site after the demolition or destruction of the building or *structure* or whenever any building or *structure* is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.

6. Drug Properties and Structures. It is hereby declared that any building, *structure* and/or associated *property* wherein or upon which the manufacture, distribution, production or storage of illegal drugs or the precursors to create illegal drugs has taken place in a manner

which could endanger the public, such building, *structure* and/or associated *property* is not only a dangerous *property* but is also of a classification of *property* calling for the special procedures set forth in this section. The *code official* is authorized to abate such dangerous buildings, *structures* and/or associated properties in accordance with the dangerous building procedures set forth in such code, with the following modifications:

- a. Due to public safety hazard in drug-production facilities, the utilities shall be disconnected;
- b. Building(s) and *structures* will be inspected to determine compliance with all City ordinances and codes;
- c. Building(s) and any entry gates to the *property* will be secured against entry. No reconnection of utilities or reoccupancy of the building(s), *structures* or *property* shall be allowed until all violations have been remedied and all dangerous conditions abated to the satisfaction of the *code official* and a notice of release for reoccupancy has been received from the King County Department of Public Health.

B. Closing of Vacant Structures. If the *structure* is vacant and unfit for human habitation and *occupancy*, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the *structure* closed up so as not to be an attractive nuisance. Upon failure of the *owner* or *owner's* authorized agent to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private *persons* and the cost thereof shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate and may be collected by any other legal resource.

1. Authority to Disconnect Service Utilities. The *code official* shall have the authority to authorize disconnection of utility service to the building, *structure* or system regulated by this code and the referenced codes and standards set forth in Section 15.40.102(H) in case of emergency when necessary to eliminate an immediate hazard to life or *property* or when such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* or *owner's* authorized agent and *occupant* of the building, *structure* or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner*, *owner's* authorized agent or *occupant* of the building, *structure* or service system shall be notified in writing as soon as practical thereafter.

2. 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. If openings are damaged so they cannot be secured using normal building amenities, they shall be secured by covering with seven-sixteenths-inch minimum thickness structural panel cut to fit over the building opening and secured with No. 10 wood screws with fender washers. The screws shall penetrate the wood framing by a minimum of one and one-quarter inches and the screws shall be spaced around the perimeter of the opening at no less than twelve inches on center.

C. Record. The *code official* shall have authority to cause a report to be filed on an unsafe condition. The report shall state the *occupancy* of the *structure* and the nature of the unsafe condition.

D. Notice. Whenever the *code official* determines that there has been a civil violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Chapter 1.20 of the *KMC*.

E. Unauthorized tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

F. Transfer of Ownership. It shall be unlawful for the *owner* of any *dwelling unit* or *structure* who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or *structure* to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* or *owner's* authorized agent shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

G. Placarding. Upon failure of the *owner*, *owner's* authorized agent or *person* responsible to comply with the notice provisions within the time given, the *code official* is authorized to post on the *premises* or on defective equipment a placard bearing the word(s) "Restricted Use" or "Condemned" or "Unsafe" or similar language and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard. Such notice shall be posted in a conspicuous place in or about the *structure* affected by such notice. If the notice pertains to equipment, it shall be placed on the *condemned* equipment.

1. Placard Removal. The *code official* shall remove the condemnation placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any *person* who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

H. Prohibited Occupancy. Any occupied *structure condemned* and placarded by the *code official* shall be vacated as ordered by the *code official*. Any *person* who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner*, *owner's* authorized agent who shall let anyone occupy a placarded *premises* or operate placarded equipment, shall be liable for the penalties provided by this code.

I. Restoration or abatement. The *structure* or equipment determined to be unsafe by the *code official* is permitted to be restored to a safe condition. The *owner*, *owner's* authorized agent, *operator* or *occupant* of a building, *premises* or equipment deemed unsafe by the *code official* shall abate or cause to be abated or corrected such unsafe conditions, either by repair, rehabilitation, demolition or other *approved* corrective action. To the extent that repairs, alterations, or additions are made or a change of *occupancy* occurs during the restoration of the *structure*, such repairs, alterations, additions, or change of *occupancy* shall comply with the requirements of the International Existing Building Code.

15.40.112 Emergency measures.

A. Imminent Danger. When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or *structure* that endangers life, or when any *structure* or part of a *structure* has fallen and life is endangered by the occupation of the *structure*, or when there is actual or potential danger to the building *occupants* or those in the proximity of any

structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official* is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* is authorized to cause to be posted at each entrance to such *structure* a notice reading as follows: "This *Structure* Is Unsafe and Its *Occupancy* Has Been Prohibited by the *Code Official*." It shall be unlawful for any *person* to enter such *structure* except for the purpose of securing the *structure*, making the required repairs, removing the hazardous condition or of demolishing the same.

B. Temporary Safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* is authorized to order the necessary work to be done, including the boarding up of openings, to render such *structure* temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency.

C. Closing Streets. When necessary for public safety, the *code official* is authorized to temporarily close *structures* and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe *structures*, and prohibit the same from being utilized.

D. Emergency Repairs. For the purposes of this section, the *code official* is authorized to employ the necessary labor and materials to perform the required work as expeditiously as possible.

E. Costs of Emergency Repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction is authorized to institute appropriate action against the *owner* of the *premises* or *owner's* authorized agent where the unsafe *structure* is or was located for the recovery of such costs.

F. Hearing. Any *person* ordered to take emergency measures shall comply with such order forthwith. Any affected *person* shall thereafter, upon petition directed to the hearing examiner, be afforded a hearing as set forth in Chapter 1.20 of the *KMC*.

15.40.113 Demolition.

A. General. The *code official* is authorized to order the *owner* or *owner's* authorized agent of any *premises* upon which is located any *structure*, which in the *code official's* or *owner's* authorized agent's judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or *occupancy*, and such that it is unreasonable to repair the *structure*, to demolish and remove such *structure*; or if such *structure* is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any *structure* for a period of more than two years, the *code official* is authorized to order the *owner* or *owner's* authorized agent to demolish and remove such *structure*, or board up until future repair. Boarding the building up for future repair shall not extend beyond six months, unless *approved* by the *code official*.

B. Notices and Orders. Notices and orders shall comply with Chapter 1.20 of the *KMC*.

C. Failure to Comply. If the *owner* of a *premises* or *owner's* authorized agent fails to comply with a demolition order within the time prescribed, the *code official* is authorized to cause the *structure* to be demolished and removed, either through an available public agency

or by contract or arrangement with private *persons*, and the cost of such demolition and removal shall be charged against the real estate upon which the *structure* is located and shall be a lien upon such real estate.

D. **Salvage Materials.** When any *structure* has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the *person* who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

ARTICLE II--DEFINITIONS

15.40.201 General.

A. **Scope.** Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

B. **Interchangeability.** Words stated in the present tense include the future; words stated in the masculine gender include the feminine and neuter; the singular number includes the plural and the plural, the singular.

C. **Terms Defined in Other Codes.** Where terms are not defined in this code and are defined in the International Building Code, International Existing Building Code, International Residential Code, International Fire Code, Uniform Plumbing Code, International Mechanical Code or NFPA 70, such terms shall have the meanings ascribed to them as stated in those codes.

Exception: When used within this code, the terms unsafe and dangerous shall have only the meanings ascribed to them in this code and shall not have the meanings ascribed to them by the International Existing Building Code.

D. **Terms Not Defined.** Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

E. **Parts.** Whenever the words "*dwelling unit*," "*dwelling*," "*premises*," "*building*," "*rooming house*," "*rooming unit*," "*housekeeping unit*" and "*story*" are stated in this code, they shall be construed as though they were followed by the words "or any part thereof."

15.40.202 General Definitions.

For purposes of this chapter, the following definitions shall apply:

- A. "Anchored" means secured in a manner that provides positive connection.
- B. "Approved" means acceptable to the *code official*.
- C. "Basement" means that portion of a building which is partly or completely below grade.
- D. "Bathroom" means a room containing plumbing fixtures including a bathtub or shower.

- E. "Bedroom" means any room or space used or intended to be used for sleeping purposes in either a dwelling or *sleeping unit*.
- F. "City Manager" means the City of Kenmore city manager or his or her designee(s).
- E. "Code Official" means the official who is charged with the administration and enforcement of this code or portion of this code, or any duly authorized representative of the *City Manager*.
- F. "Condemn" means to adjudge unfit for *occupancy*.
- G. "Cost of such demolition or emergency repairs" means the actual costs of the demolition or repair of the *structure* less revenues obtained if salvage was conducted prior to demolition or repair. Costs shall include, but not be limited to, expenses incurred or necessitated related to demolition or emergency repairs, such as asbestos survey and abatement if necessary; costs of inspectors, testing agencies or experts retained relative to the demolition or emergency repairs; costs of testing; surveys for other materials that are controlled or regulated from being dumped in a landfill; title searches; mailing(s); postings; recording; and attorney fees expended for recovering of the cost of emergency repairs or to obtain or enforce an order of demolition made by the *code official*, the governing body or board of appeals.
- H. "Detached" means when a structural element is physically disconnected from another and that connection is necessary to provide a positive connection.
- I. "Deterioration" means to weaken, disintegrate, corrode, rust or decay and lose effectiveness.
- J. "Dwelling unit" means a single unit providing complete, independent living facilities for one or more *persons*, including permanent provisions for living, sleeping, eating, cooking and sanitation.
- K. "Easement" means that portion of land or *property* reserved for present or future use by a *person* or agency other than the legal fee *owner(s)* of the *property*. The *easement* shall be permitted to be for use under, on or above said lot or lots.
- L. "Emergency escape and rescue opening" means an operable exterior window, door or other similar device that provides for a means of escape and access for rescue in the event of an emergency.
- M. "Exterior property" means the open space on the *premises* and on adjoining *property* under the control of *owners* or *operators* of such *premises*.
- N. "Garbage" means the animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.
- O. "Graffiti" means unauthorized markings, visible from *premises* open to the public, that have been placed upon any *property* through the use of paint, ink, dye or any other substance capable of marking *property*.
- P. "Guard" means a building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

Q. "Habitable space" means space in a *structure* for living, sleeping, eating or cooking. *Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.*

R. "Historic building" means any building or *structure* that is listed in the State or National Register of Historic Places; designated as a historic *property* under local or state designation law or survey; certified as a contributing resource within a National Register listed or locally designated historic district; or with an opinion or certification that the *property* is eligible to be listed on the National or State Register of Historic Places either individually or as a contributing building to a historic district by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places.

S. "Housekeeping unit" means a room or group of rooms forming a single *habitable space* equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

T. "Imminent danger" means a condition which could cause serious or life-threatening injury or death at any time.

U. "Infestation" means the presence, within or contiguous to a *structure* or *premises*, of insects, rats, vermin or other pests.

V. "Inoperative vehicle" means a vehicle which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

W. "Junk" means old or scrap copper; brass; rope; rags; batteries; paper; trash; rubber; debris; wastes; machinery; scrap wood; *junked*, dismantled or wrecked automobiles, or parts thereof; iron; steel; and other old or scrap ferrous or nonferrous material.

X. "Labeled" means equipment, materials or products to which have been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, *approved* agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above *labeled* items and whose labeling indicates either that the equipment, material or product meets identified standards or has been tested and found suitable for a specified purpose.

Y. "KMC" means the Kenmore Municipal Code.

Z. "Let for occupancy" or "let" means to permit, provide or offer possession or *occupancy* of a dwelling, *dwelling unit, rooming unit, building, premises* or *structure* by a *person* who is or is not the legal *owner* of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

AA. "Neglect" means the lack of proper maintenance for a building or *structure*.

BB. "Occupancy" means the purpose for which a building or portion thereof is utilized or occupied.

CC. "Occupant" means any individual living or sleeping in a building, or having possession of a space within a building.

DD. "Openable area" means that part of a window, skylight or door which is available for unobstructed *ventilation* and which opens directly to the outdoors.

EE. "Operator" means any *person* who has charge, care or control of a *structure* or *premises* which is *let* or offered for *occupancy*.

FF. "Owner" means any *person*, agent, *operator*, firm or corporation having a legal or equitable interest in the *property*; or recorded in the official records of the state, county or municipality as holding title to the *property*; or otherwise having control of the *property*, including the guardian of the estate of any such *person*, and the executor or administrator of the estate of such *person* if ordered to take possession of real *property* by a court.

GG. "Person" means an individual, corporation, partnership or any other group acting as a unit.

HH. "Pest elimination" means the control and elimination of insects, rodents or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food or water; by other *approved pest elimination* methods.

II. "Premises" means a lot, plot or parcel of land, *easement* or *public way*, including any *structures* thereon.

JJ. "Property" shall mean any real *property* or lot or parcel of land, including any alley, sidewalk or parkway abutting such lot or parcel of land.

KK. "Public way" means any street, alley or other parcel of land that: is open to the outside air; leads to a street; has been deeded, dedicated or otherwise permanently appropriated to the public for public use; and has a clear width and height of not less than ten (10) feet.

LL. "Rooming house" means a building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

MM. "Rooming unit" means any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

NN. "Rubbish" means combustible and noncombustible waste materials, except *garbage*; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, *yard* trimmings, tin cans, metals, mineral matter, glass, crockery and dust and other similar materials.

OO. "Sleeping unit" means a room or space in which people sleep, which can also include permanent provisions for living, eating and either sanitation or kitchen facilities, but not both. Such rooms and spaces that are also part of a *dwelling unit* are not *sleeping units*.

PP. "Strict liability offense" means an offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

QQ. "Structure" means that which is built or constructed.

RR. "Tenant" means a *person*, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

SS. "Toilet room" means a room containing a water closet or urinal but not a bathtub or shower.

TT. "Ultimate deformation" means the deformation at which failure occurs and which shall be deemed to occur if the sustainable load reduces to eighty percent or less of the maximum strength.

UU. "Ventilation" means the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

VV. "Workmanlike" means executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

WW. "Yard" means an open space on the same lot with a *structure*.

ARTICLE III--GENERAL REQUIREMENTS

15.40.301 General.

A. Scope. The provisions of this article shall govern the minimum conditions and the responsibilities of *persons* for maintenance of *structures*, equipment and *exterior property*.

B. Responsibility. The *owner* of the *premises* shall maintain the *structures* and *exterior property* in compliance with these requirements, except as otherwise provided for in this code. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy *premises* that are not in a sanitary and safe condition and that do not comply with the requirements of this article. *Occupants* of a *dwelling unit*, *rooming unit* or *housekeeping unit* are responsible for keeping in a clean, sanitary and safe condition that part of the *dwelling unit*, *rooming unit*, *housekeeping unit* or *premises* which they occupy and control.

C. Vacant Structures and Land. Vacant *structures* and *premises* thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety.

15.40.302 Exterior property areas.

A. Sanitation. *Exterior property* and *premises* shall be maintained in a clean, safe and sanitary condition. The *occupant* shall keep that part of the *exterior property* that such *occupant* occupies or controls in a clean and sanitary condition.

B. Grading and Drainage. *Premises* shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any *structure* located thereon.

Exception: *Approved* retention areas, reservoirs, or similar areas.

C. Sidewalks and Driveways. Sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

D. Control of Overgrown Vegetation. Overgrown vegetation shall comply with subsections (D)(1) and (D)(2) of this section.

1. Removal of Overhanging Vegetation and Fire Hazards.

a. The *owner* of any *property* in the City shall remove or destroy, in a manner permitted by law, all vegetation growing or which has grown and died or debris upon *property* owned or occupied by them that is a fire hazard or a menace to public health, safety or welfare. Such work, when proposed in a critical area or its buffer, requires prior approval from the City. Prior authorization also is required from the City to the extent removal of trees is required.

2. Weeds, Grass Neglected or Improperly Maintained Landscaping.

a. *Premises* and *exterior property* shall be maintained free from weeds and grass in excess of twelve inches.

b. The accumulation of weeds contained in the current King County Noxious Weeds List or contained within current Chapter 16-750 WAC, Noxious Weed List Classes A, B, C shall be prohibited.

c. *Neglected* or improperly maintained landscaping, including but not limited to dead, debris-laden, weed-infested or overgrown vegetation, such as trees, shrubs, hedges, grass and ground covers, or vegetation dying as a result of physical damage, disease, insect *infestation* or lack of water is prohibited.

d. Any vegetation that is growing rampant and unmaintained so as to provide unsightly, unsanitary and/or unsafe conditions, is destructive to other vegetation, that blocks public rights-of-way as described in KMC 12.70, that blocks the sight lines within the public rights-of-way, or that impacts or threatens to impact public utilities is prohibited.

Upon failure to comply with this section, any duly authorized employee of the jurisdiction or contractor hired by the jurisdiction shall be authorized to enter upon the *property* in violation and cut and destroy the *neglected* or improperly maintained landscaping, weeds or grass growing thereon that are over twelve inches tall, and the costs of such removal shall be paid by the *owner* or agent responsible for the *property*; provided, however, that such entry and removal shall be pursuant to a warrant or other remedy provided by law unless a public safety emergency justifies entry without a warrant or other lawful remedy.

E. Rodent Harborage. *Structures* and *exterior property* shall be kept free from rodent harborage and *infestation*. Where rodents are found, they shall be promptly exterminated by *approved* processes that will not be injurious to human health. After *pest elimination*, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

F. Exhaust Vents. Pipes, ducts, conductors, fans or blowers shall not discharge gases, steam, vapor, hot air, grease, smoke, odors or other gaseous or particulate wastes directly upon abutting or adjacent public or private *property* or that of another *tenant*.

G. Accessory Structures.

1. Accessory *structures*, including *detached* garages, fences and walls, shall be maintained structurally sound and in good repair.

2. Storage or maintenance in a residential zone of any metal storage bin or container with a horizontal surface area of 120 square feet or greater is prohibited.

H. Vehicles, Boats, Trailers or Other Mobile Equipment Storage Which Presents Potential Public Health, Safety or Fire Hazards are prohibited.

1. The parking or storage of any vehicle, boat, trailer, camper, motor home, or other mobile equipment, whether or not motorized, or portions or parts and components thereof, on *property* used or zoned for residential purposes are prohibited, if:

a. Located on any front lawn or front *yard*; or

b. Located in any side or rear *yard* so as to prevent a three-foot-wide continuous fire access way from the front of the *property*.

H. Abandoned Vehicles. Except as provided for in Chapter 8.25 of the *KMC*, abandoned vehicles, wrecked, dismantled or *inoperative vehicles* or remnant parts thereof is prohibited.

I. Defacement of Property. No *person* shall willfully or wantonly damage, mutilate or deface any exterior surface of any *structure* or building on any private or public *property* by placing thereon any marking, carving or *graffiti*. It shall be the responsibility of the *owner* to restore said surface to an *approved* state of maintenance and repair.

J. Except when placed there for removal for a period of less than 14 days, the exterior accumulation of broken, abandoned or discarded furniture or other household equipment or fixtures, packing boxes, lumber, *junk*, trash, *rubbish* or other materials or debris. Prohibited actions include the dumping, spillage or storage of solids or liquids, which may negatively impact the visual or olfactory nature of the area.

K. Open storage of *rubbish* or *junk* including, but not limited to, refuse, *garbage*, scrap metal or lumber, concrete, asphalt, tin cans, tires and piles of earth, not including compost bins shall be prohibited.

L. Combustible material likely to become easily ignited or debris resulting from any fire and which constitutes a fire hazard, as defined in the fire code as adopted by the City pursuant to *KMC* 15.10.010 shall be prohibited.

M. The exterior storage or maintenance of parts or machinery of any type or description unless specifically authorized by a City license or permit; building materials or merchandise unless specifically authorized by use permit; or construction equipment except while excavation, construction, or demolition operations covered by an active building permit or other City permit are in progress on the subject or adjoining *property* shall be prohibited.

N. The exterior storage of used tires in a manner that allows accumulation of water that may create a health hazard

O. Right-of-Way or Public Property Encroachment. Obstruction or encroachment upon any public *property*, including but not limited to any public street, sidewalk, highway, right-of-way, park or building, without prior City consent. Such obstructions or encroachments include but are not limited to overgrown trees and shrubs, building materials, merchandise or other personal *property* and buildings or portions of buildings or structures, fences or retaining walls protruding onto public *property*.

P. Land, as a result of grading operations, excavation or fill, causes erosion, subsidence, or surface water drainage problems of such magnitude as to be injurious to the public health, safety, and welfare or to public properties or rights-of-way.

R. Maintenance of any substance which because of its quantity, concentration or physical, chemical or infectious characteristics may either cause, or substantially contribute to, an increase in mortality or serious illness or pose a significant present or potential hazard to human health or the environment if improperly managed.

Q. The existence of any *property* condition which is unlawful or declared to be a public nuisance pursuant to any other provision of the Kenmore Municipal Code or the Revised Code of Washington (RCW) or the Washington Administrative Code (WAC). This subsection shall be construed to place an affirmative duty on *property owners* and *occupants* to maintain their *property* in conformity with all applicable codes. Each day that any condition which constitutes a public nuisance continues shall be deemed to be a separate violation of this chapter.

15.40.303 Swimming pools, spas, and hot tubs.

A. Swimming Pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

B. Enclosures. Private swimming pools, hot tubs and spas, containing water more than twenty-four inches in depth shall be completely surrounded by a fence or barrier not less than forty-eight inches in height above the finished ground level measured on the side of the barrier away from the pool. Openings in the barrier shall not allow passage of a 4-inch-diameter sphere. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than fifty-four inches above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

Exception: Spas or hot tubs with a safety cover that complies with ASTM F1346 and swimming pools equipped with a powered safety cover that complies with ASTM F1346, in compliance with the International Swimming Pool and Spa Code, shall be exempt from the provisions of this section.

15.40.304 Exterior structure.

A. General. The exterior of a *structure* shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

1. Unsafe Conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

- a. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
- b. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations, is not capable of resisting all nominal loads or load effects;
- c. *Structures* or components thereof that have reached their limit state;

- d. Siding and masonry joints including joints between the building envelope and the perimeter of windows, doors and skylights are not maintained, weather-resistant or watertight;
- e. Structural members that have evidence of *deterioration* or that are not capable of safely supporting all nominal loads and load effects;
- f. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
- g. Exterior walls that are not *anchored* to supporting and supported elements or are not plumb and free of holes, cracks or breaks and loose or rotting materials, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects;
- h. Roofing or roofing components that have defects that admit rain, roof surfaces with inadequate drainage, or any portion of the roof framing that is not in good repair with signs of *deterioration* or fatigue or without proper anchorage and incapable of supporting all nominal loads and resisting all load effects;
- i. Flooring and flooring components with defects that affect serviceability or flooring components that show signs of *deterioration* or fatigue, are not properly *anchored* or are incapable of supporting all nominal loads and resisting all load effects;
- j. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
- k. Overhang extensions or projections including, but not limited to, trash chutes, canopies, marquees, signs, awnings, fire escapes, standpipes and exhaust ducts not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
- l. Exterior stairs, decks, porches, balconies and all similar appurtenances attached thereto, including *guards* and handrails, are not structurally sound, not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects; or
- m. Chimneys, cooling towers, smokestacks and similar appurtenances not structurally sound or not properly *anchored*, or that are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

- i. Where substantiated otherwise by an *approved* method.
- ii. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

B. Protective Treatment. Exterior surfaces, including but not limited to doors, door and window frames, cornices, porches, trim, and balconies, shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. Siding and masonry joints, as

well as those between the building envelope and the perimeter of windows, doors and skylights, shall be maintained weather-resistant and watertight. Metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion, and surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion.

C. Premises Identification. Buildings shall have *approved* address numbers placed in a position to be plainly legible and visible from the street or road fronting the *property*. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be not less than four inches (one hundred two millimeters) high with a minimum stroke width of one-half inch.

Exception: Buildings constructed under the International Residential Code, prior to July 1, 2010, are permitted to have the address number size be a minimum of three inches high.

D. Structural Members. Structural members shall be maintained free from *deterioration*, and shall be capable of safely supporting the imposed dead and live loads.

E. Foundation Walls. Foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

F. Exterior Walls. Exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface coated where required to prevent *deterioration*.

G. Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or *deterioration* in the walls or interior portion of the *structure*. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged directly onto any other private *property*, public right-of-way or in a manner that creates a public nuisance.

H. Decorative Features. Cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

I. Overhang Extensions. Overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly *anchored* so as to be kept in a sound condition. Where required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

J. Stairways, Decks, Porches and Balconies. Every exterior stairway, deck, porch and balcony, and all appurtenances attached thereto, shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

K. Chimneys and Towers. Chimneys, cooling towers, smokestacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. Exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

L. Handrails and Guards. Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

M. Window, Skylight and Door Frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

1. Glazing. Glazing materials shall be maintained free from cracks and holes.
2. Openable Windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

N. Doors. Exterior doors, door assemblies, *operator* systems if provided and hardware shall be maintained in good condition. Locks at all entrances to *dwelling units* and *sleeping units* shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 15.40.702(C).

15.40.305 Interior structure.

A. General. The interior of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. *Occupants* shall keep that part of the *structure* that they occupy or control in a clean and sanitary condition. Every *owner* of a *structure* containing a *rooming house*, *housekeeping units*, a hotel, a dormitory, two or more *dwelling units* or two or more nonresidential *occupancies* shall maintain, in a clean and sanitary condition, the shared or public areas of the *structure* and *exterior property*.

1. Unsafe Conditions. The following conditions shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

- a. The nominal strength of any structural member is exceeded by nominal loads, the load effects or the required strength;
- b. The anchorage of the floor or roof to walls or columns, and of walls and columns to foundations, is not capable of resisting all nominal loads or load effects;
- c. *Structures* or components thereof that have reached their limit state;
- d. Structural members are incapable of supporting nominal loads and load effects;
- e. Stairs, landings, balconies and all similar walking surfaces, including *guards* and handrails, are not structurally sound, not properly *anchored* or are *anchored* with connections not capable of supporting all nominal loads and resisting all load effects;
- f. Foundation systems that are not firmly supported by footings, are not plumb and free from open cracks and breaks, are not properly *anchored* or are not capable of supporting all nominal loads and resisting all load effects.

Exceptions:

- i. Where substantiated otherwise by an *approved* method.
- ii. Demolition of unsafe conditions shall be permitted when *approved* by the *code official*.

B. **Structural Members.** Structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

C. **Interior Surfaces.** Interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood, mold and other defective surface conditions shall be corrected.

D. **Stairs and Walking Surfaces.** Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

E. **Handrails and Guards.** Every handrail and *guard* shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

F. **Interior Doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

15.40.306 Component serviceability.

General. The components of a *structure* and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition.

A. **Unsafe Conditions.** Where any of the following conditions cause the component or system to be beyond its limit state, the component or system shall be determined as unsafe and shall be repaired or replaced to comply with the International Building Code or the International Existing Building Code as required for existing buildings:

1. Soils that have been subjected to any of the following conditions:
 - a. Collapse of footing or foundation system;
 - b. Damage to footing, foundation, concrete or other structural element due to soil expansion;
 - c. Adverse effects to the design strength of footing, foundation, concrete or other structural element due to a chemical reaction from the soil;
 - d. Inadequate soil as determined by a geotechnical investigation;
 - e. Where the allowable bearing capacity of the soil is in doubt; or
 - f. Adverse effects to the footing, foundation, concrete or other structural element due to the ground water table.
2. Concrete that has been subjected to any of the following conditions:
 - a. *Deterioration*;
 - b. *Ultimate deformation*;
 - c. Fractures;
 - d. Fissures;

- e. Spalling;
 - f. Exposed reinforcement; or
 - g. *Detached*, dislodged or failing connections.
3. Aluminum that has been subjected to any of the following conditions:
- a. *Deterioration*;
 - b. Corrosion;
 - c. Elastic deformation;
 - d. *Ultimate deformation*;
 - e. Stress or strain cracks;
 - f. Joint fatigue; or
 - g. *Detached*, dislodged or failing connections.
4. Masonry that has been subjected to any of the following conditions:
- a. *Deterioration*;
 - b. *Ultimate deformation*;
 - c. Fractures in masonry or mortar joints;
 - d. Fissures in masonry or mortar joints;
 - e. Spalling;
 - f. Exposed reinforcement; or
 - g. Detached, dislodged or failing connections.
5. Steel that has been subjected to any of the following conditions:
- a. *Deterioration*;
 - b. Elastic deformation;
 - c. *Ultimate deformation*;
 - d. Metal fatigue; or
 - e. *Detached*, dislodged or failing connections.
6. Wood that has been subjected to any of the following conditions:

- a. *Ultimate deformation*;
 - b. *Deterioration*;
 - c. Damage from insects, rodents and other vermin;
 - d. Fire damage beyond charring;
 - e. Significant splits and checks;
 - f. Horizontal shear cracks;
 - g. Vertical shear cracks;
 - h. Inadequate support;
 - i. *Detached*, dislodged or failing connections; or
 - j. Excessive cutting and notching.
7. Exceptions:
- a. Where substantiated otherwise by an *approved* method.
 - b. Demolition of unsafe conditions shall be permitted where *approved* by the *code official*.

15.40.307 Handrails and guardrails.

A. General. Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface that is more than thirty inches above the floor or grade below shall have *guards*. Handrails shall be not less than thirty inches high or more than forty-two inches high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. *Guards* shall be not less than thirty inches high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: *Guards* and handrails shall not be required where exempted by the adopted building code.

15.40.308 Rubbish and garbage.

A. Accumulation of Rubbish or Garbage. *Exterior property* and *premises*, and the interior of every *structure*, shall be free from any accumulation of *rubbish* or *garbage*.

B. Disposal of Rubbish. Every *occupant* of a *structure* shall dispose of all *rubbish* in a clean and sanitary manner by placing such *rubbish* in *approved* containers.

1. Rubbish Storage Facilities. The *owner* of every occupied *premises* shall supply *approved* covered containers for *rubbish*, and the *owner* of the *premises* shall be responsible for the removal of *rubbish*.

2. Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on *premises* without first removing the doors.

C. Disposal of Garbage. Every *occupant* of a *structure* shall dispose of *garbage* in a clean and sanitary manner by placing such *garbage* in an *approved garbage* disposal facility or *approved garbage* containers.

1. Garbage Facilities. The *owner* of every dwelling shall supply one of the following: an *approved* mechanical food waste grinder in each *dwelling unit*; an *approved* incinerator unit in the *structure* available to the *occupants* in each *dwelling unit*; or an *approved* leakproof, covered, outside *garbage* container.

2. Containers. The *operator* of every establishment producing *garbage* shall provide, and at all times cause to be utilized, *approved* leakproof containers provided with close-fitting covers for the storage of such materials until removed from the *premises* for disposal.

15.40.309 Pest elimination.

A. Infestation. *Structures* shall be kept free from insect and rodent *infestation*. *Structures* in which insects or rodents are found shall be promptly exterminated by *approved* processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent reinfestation.

B. Owner. The *owner* of any *structure* shall be responsible for extermination within the *structure* prior to renting or leasing the *structure*.

C. Single Occupant. The *occupant* of a one-family dwelling or of a single-*tenant* nonresidential *structure* shall be responsible for extermination on the *premises*.

D. Multiple Occupancy. The *owner* of a *structure* containing two or more *dwelling units*, a multiple *occupancy*, a *rooming house* or a nonresidential *structure* shall be responsible for extermination in the public or shared areas of the *structure* and *exterior property*. If *infestation* is caused by failure of an *occupant* to prevent such *infestation* in the area occupied, the *occupant* and *owner* shall be responsible for extermination.

E. Occupant. The *occupant* of any *structure* shall be responsible for the continued rodent and pest-free condition of the *structure*.

Exception: Where the *infestations* are caused by defects in the *structure*, the *owner* shall be responsible for extermination.

ARTICLE IV--LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

15.40.401 General.

A. Scope. The provisions of this article shall govern the minimum conditions and standards for light, *ventilation* and space for occupying a *structure*.

B. Responsibility. The *owner* of the *structure* shall provide and maintain light, *ventilation* and space conditions in compliance with these requirements. A *person* shall not occupy as *owner-occupant*, or permit another *person* to occupy, any *premises* that do not comply with the requirements of this article.

C. Alternative Devices. In lieu of the means for natural light and *ventilation* herein prescribed, artificial light or mechanical *ventilation* complying with the International Building Code or International Residential Code shall be permitted.

15.40.402 Light.

A. **Habitable Spaces.** Every *habitable space* shall have not less than one window of *approved* size facing directly to the outdoors or to a court. The minimum total glazed area for every *habitable space* shall be eight percent of the floor area of such room. Wherever walls or other portions of a *structure* face a window of any room and such obstructions are located less than three feet from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception 1: Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be not less than eight percent of the floor area of the interior room or space, but not less than twenty-five square feet. The exterior glazing area shall be based on the total floor area being served.

Exception 2: The glazed areas need not be installed in rooms where artificial light is provided capable of producing an average illumination of 6 footcandles (65 lux) over the area of the room at a height of 30 inches above the floor level.

B. **Common Halls and Stairways.** Every common hall and stairway in residential *occupancies*, other than in one- and two-family dwellings, shall be lighted at all times with not less than the equivalent of a sixty-watt standard incandescent light bulb for each two hundred square feet of floor area or equivalent illumination; provided, that the spacing between lights shall not be greater than thirty feet. In other than residential *occupancies*, means of egress, including exterior means of egress, and stairways shall be illuminated at all times the building space served by the means of egress is occupied with not less than one footcandle (eleven lux) at floors, landings and treads.

C. **Other Spaces.** All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe *occupancy* of the space and utilization of the appliances, equipment and fixtures.

15.40.403 Ventilation.

A. **Habitable Spaces.** Every *habitable space* shall have not less than one openable window. The total *openable area* of the window in every room shall be equal to not less than 45 percent of the minimum glazed area required in Section 15.40.402(A).

Exception 1: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be not less than eight percent of the floor area of the interior room or space, but not less than twenty-five square feet. The *ventilation* openings to the outdoors shall be based on a total floor area being ventilated.

Exception 2: *Dwelling units* equipped with local exhaust and whole house *ventilation* systems designed and installed as specified in Section M1505 of the International Residential Code or equivalent.

B. **Bathrooms and Toilet Rooms.** Every *bathroom* and *toilet room* shall comply with the *ventilation* requirements for *habitable spaces* as required by subsection A of this section, except that a window shall not be required in such spaces equipped with a mechanical *ventilation* system. Air exhausted by a mechanical *ventilation* system from a *bathroom* or *toilet room* shall discharge to the outdoors and shall not be recirculated.

C. Cooking Facilities. Unless *approved* through the certificate of *occupancy*, cooking shall not be permitted in any *rooming unit* or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in the *rooming unit* or dormitory unit.

Exceptions:

1. Where specifically *approved* in writing by the *code official*.
2. Devices such as coffee pots and microwave ovens shall not be considered cooking appliances.

D. Process Ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust *ventilation* system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

E. Clothes Dryer Exhaust. 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.

Exception: Listed and *labeled* condensing (ductless) clothes dryers.

15.40.404 Occupancy limitations.

A. Privacy. *Dwelling units*, hotel units, *housekeeping units*, *rooming units* and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

B. Minimum Room Widths. A habitable room, other than a kitchen, shall not be less than seven feet in any plan dimension. Kitchens shall have a clear passageway of not less than three feet between counter fronts and appliances or counter fronts and walls.

C. Minimum Ceiling Heights. *Habitable spaces*, hallways, corridors, laundry areas, *bathrooms*, *toilet rooms* and habitable *basement* areas shall have a clear ceiling height of not less than seven feet.

Exceptions:

1. In one- and two-family dwellings, beams or girders spaced not less than four feet on center and projecting not more than six inches below the required ceiling height.
2. Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than six feet eight inches with not less than six feet four inches of clear height under beams, girders, ducts and similar obstructions.
3. Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least seven feet over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of five feet or more shall be included.

D. Bedroom and Living Room Requirements. Every *bedroom* and living room shall comply with the requirements of subsections (D)(1) through (D)(5) of this section.

1. Room Area. Every habitable room except kitchens shall contain at least 70 square feet.
2. Access from *Bedrooms*. *Bedrooms* shall not constitute the only means of access to other *bedrooms* or *habitable spaces* and shall not serve as the only means of egress from other *habitable spaces*.

Exception: Units that contain fewer than two *bedrooms*.

3. Water Closet Accessibility. Every *bedroom* shall have access to not less than one water closet and one lavatory without passing through another *bedroom*. Every *bedroom* in a *dwelling unit* shall have access to not less than one water closet and lavatory located in the same story as the *bedroom* or an adjacent story.
4. Prohibited Occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.
5. Other Requirements. *Bedrooms* shall comply with the applicable provisions of this code including, but not limited to, the light, *ventilation*, room area, ceiling height and room width requirements of this article; the plumbing facilities and water-heating facilities requirements of Article V of this chapter; the heating facilities and electrical receptacle requirements of Article VI of this chapter; and the smoke detector and emergency escape requirements of Article VII of this chapter.

E. Overcrowding. The number of *persons* occupying a *dwelling unit* shall not create conditions that, in the opinion of the *code official*, endanger the life, health, safety or welfare of the *occupants*.

F. Food Preparation. All spaces to be occupied for food preparation purposes shall contain 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.

ARTICLE V--PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

15.40.501 General.

A. Scope. The provisions of this article shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

B. Responsibility. The *owner* of the *structure* shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy any *structure* or *premises* which does not comply with the requirements of this article.

15.40.502 Required facilities.

A. Dwelling Units. Every *dwelling unit* shall contain its own bathtub or shower, lavatory, water closet and kitchen sink that shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

B. Rooming Houses. Not less than one water closet, lavatory and bathtub or shower shall be supplied for each four *rooming units*.

C. Hotels. Where private water closets, lavatories and baths are not provided, one water closet, one lavatory and one bathtub or shower having access from a public hallway shall be provided for each ten *occupants*.

D. Public Toilet Facilities. Public toilet facilities shall be maintained in a safe, sanitary and working condition in accordance the Uniform Plumbing Code. Except for periodic maintenance or cleaning, public access and use shall be provided to the toilet facilities at all times during *occupancy* of the *premises*.

15.40.503 Toilet rooms.

A. Privacy. *Toilet rooms* and *bathrooms* shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared *bathrooms* and *toilet rooms* in a multiple dwelling.

B. Location. *Toilet rooms* and *bathrooms* serving hotel units, *rooming units*, dormitory units or *housekeeping units* shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

C. Floor Surface. In other than *dwelling units*, every *toilet room* floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition.

15.40.504 Plumbing systems and fixtures.

A. General. Plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. Plumbing shall be maintained in a safe, sanitary and functional condition.

B. Fixture Clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

C. Plumbing System Hazards. Where it is found that a plumbing system in a *structure* constitutes a hazard to the *occupants* or the *structure* by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, *deterioration* or damage or for similar reasons, the *code official* is authorized to require the defects to be corrected to eliminate the hazard.

15.40.505 Water system.

A. General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an *approved* private water system. Kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the Uniform Plumbing Code.

B. Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place shall be protected by an *approved* atmospheric-type vacuum breaker or an *approved* permanently attached hose connection vacuum breaker.

C. Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at

pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

D. **Water Heating Facilities.** Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than one hundred ten degrees Fahrenheit. A gas burning water heater shall not be located in any *bathroom, toilet room, bedroom* or other occupied room normally kept closed, unless adequate combustion air is provided. An *approved* combination temperature and pressure relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

E. **Nonpotable Water Reuse Systems.** Nonpotable water reuse systems and rainwater collection and conveyance systems shall be maintained in a safe and sanitary condition. Where such systems are not properly maintained, the systems shall be repaired to provide for safe and sanitary conditions, or the system shall be abandoned in accordance with subsection (E)(1) of this section.

1. **Abandonment of Systems.** Where a nonpotable water reuse system or a rainwater collection and distribution system is not maintained or the *owner* ceases use of the system, the system shall be abandoned in accordance with the 2021 Uniform Plumbing Code.

15.40.506 Sanitary drainage system.

A. **General.** Plumbing fixtures shall be properly connected to either a public sewer system or to an *approved* private sewage disposal system.

B. **Maintenance.** Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

C. **Grease Interceptors.** Grease interceptors and automatic grease removal devices shall be maintained in accordance with this code and the manufacturer's installation instructions. Grease interceptors and automatic grease removal devices shall be regularly serviced and cleaned to prevent the discharge of oil, grease, and other substances harmful or hazardous to the building drainage system, the public sewer, the private sewage disposal system or the sewage treatment plant or processes. All records of maintenance, cleaning and repairs shall be available for inspection by the *code official*.

15.40.507 Storm drainage.

A. **General.** Drainage of roofs and paved areas, *yards* and courts, and other open areas on the *premises* shall be discharged in a manner consistent with the requirements of Title 13 of the *KMC* and shall not be discharged in a manner that creates a public nuisance.

B. **Private Property Drainage.** Drainage from roof, paved areas, *yards*, or courts shall not be intentionally discharged directly onto any other private *property* or public right-of-way.

ARTICLE VI--MECHANICAL AND ELECTRICAL REQUIREMENTS

15.40.601 General.

A. **Scope.** The provisions of this article shall govern the minimum mechanical and electrical facilities and equipment to be provided.

B. **Responsibility.** The *owner* of the *structure* shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A *person* shall not

occupy as *owner-occupant* or permit another *person* to occupy any *premises* that does not comply with the requirements of this article.

15.40.602 Heating facilities.

A. Facilities Required. Heating facilities shall be provided in *structures* as required by this section.

B. Residential Occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees Fahrenheit in all habitable rooms, *bathrooms* and *toilet rooms*. Cooking appliances shall not be used, nor shall portable unvented fuel-burning space heaters be used, to provide space heating to meet the requirements of this section. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

C. Heat Supply. Every *owner* and *operator* of any building who rents, leases or *lets* one or more *dwelling units* or *sleeping units* on terms, either expressed or implied, to furnish heat to the *occupants* thereof shall supply heat to maintain a temperature of not less than sixty-eight degrees Fahrenheit in all habitable rooms, *bathrooms* and *toilet rooms*.

D. Room Temperature Measurement. The required room temperatures shall be measured three feet above the floor near the center of the room and two feet inward from the center of each exterior wall.

15.40.603 Mechanical equipment.

A. Mechanical Equipment and Appliances. Mechanical equipment, appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

B. Removal of Combustion Products. Fuel-burning equipment and appliances shall be connected to an *approved* chimney or vent.

Exception: Fuel-burning equipment and appliances that are *labeled* for unvented operation.

C. Clearances. Required clearances to combustible materials shall be maintained.

D. Safety Controls. Safety controls for fuel-burning equipment shall be maintained in effective operation.

E. Combustion Air. 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.

F. Energy Conservation Devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom shall not be installed unless *labeled* for such purpose and the installation is specifically *approved*.

15.40.604 Electrical facilities.

A. Facilities Required. Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 15.40.605.

B. Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the electrical code. *Dwelling units* shall be served by a three-wire, 120/240 volt, single-phase electrical service having a rating of not less than 60 amperes.

C. Electrical System Hazards. Where it is found that the electrical system in a *structure* constitutes a hazard to the *occupants* or the *structure* by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, *deterioration* or damage, or for similar reasons, the *code official* is authorized to require the defects to be corrected in compliance with the latest edition of the Washington Cities Electrical Code or the State Electrical Code.

15.40.605 Electrical equipment.

A. Installation. Electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and *approved* manner.

B. Receptacles. Every *habitable space* in a dwelling shall contain not less than two separate and remote receptacle outlets. Every laundry area shall contain not less than one grounding-type receptacle or a receptacle with a ground fault circuit interrupter. Every *bathroom* shall contain not less than one receptacle. Any new *bathroom* receptacle outlet shall have ground fault circuit interrupter protection. All receptacle outlets shall have the appropriate faceplate cover for the location.

C. Luminaires. Every public hall, interior stairway, *toilet room*, kitchen, *bathroom*, laundry room, boiler room and furnace room shall contain not less than one electric luminaire. Pool and spa luminaires over 15 volts shall have ground fault circuit interrupter protection.

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

15.40.606 Elevators, escalators, and dumbwaiters.

A. General. Elevators, dumbwaiters and escalators shall be maintained in compliance with ASME A17.1. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, be available for public inspection in the office of the Building *Operator* or be posted in a publicly conspicuous location *approved* by the *code official*. The inspection and tests shall be performed at not less than the periodic intervals listed in ASME A17.1, Appendix N, except where otherwise specified by the Washington State Department of Labor and Industries.

B. Elevators. In buildings equipped with passenger elevators, not less than one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing.

15.40.607 Duct systems.

A. General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

ARTICLE VII--FIRE SAFETY REQUIREMENTS

15.40.701 General.

A. Scope. The provisions of this article shall govern the minimum conditions and standards for fire safety relating to *structures* and exterior *premises*, including fire safety facilities and equipment to be provided.

B. Responsibility. The *owner* of the *premises* shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A *person* shall not occupy as *owner-occupant* or permit another *person* to occupy any *premises* that do not comply with the requirements of this article.

15.40.702 Means of egress.

A. General. A safe, continuous and unobstructed path of travel shall be provided from any point in a building or *structure* to the *public way*. Means of egress shall comply with the International Fire Code.

B. Aisles. The required width of aisles in accordance with International Fire Code shall be unobstructed.

C. Locked Doors. Means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to International Building Code.

D. Emergency Escape and Rescue Openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following:

1. Required *emergency escape and rescue openings* shall be operational from the inside of the room without the use of keys or tools.

2. Bars, grilles, grates or similar devices are permitted to be placed over *emergency escape and rescue openings*, provided the minimum net clear opening size complies with the code that was in effect at the time of construction and the unit is equipped with smoke alarms installed in accordance with Section 907.2.10 of the International Building Code. Such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

15.40.703 Fire-resistance ratings.

A. Fire-Resistance-Rated Assemblies. The provisions of this chapter shall govern maintenance of the materials, systems and assemblies used for structural fire resistance and fire-resistance-rated construction separation of adjacent spaces to safeguard against the spread of fire and smoke within a building and the spread of fire to or from buildings.

B. Unsafe Conditions. Where any components are not maintained and do not function as intended or do not have the fire resistance required by the code under which the building was constructed or altered, such components or portions thereof shall be deemed unsafe conditions in accordance with Section 114.1.1 of the International Fire Code. Components or portions thereof determined to be unsafe shall be repaired or replaced to conform to that code under which the building was constructed or altered. Where the condition of components is such that any building, *structure* or portion thereof presents an *imminent danger* to the *occupants* of the building, *structure* or portion thereof, the *fire code official* shall act in accordance with Section 114.2 of the International Fire Code.

C. Maintenance. The required fire-resistance rating of fire-resistance-rated construction, including walls, firestops, shaft enclosures, partitions, smoke barriers, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and joint systems, shall be maintained. Such elements shall be visually inspected annually by the *owner* and repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the *owner* unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer and any other reason shall be protected with *approved* methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of *approved* construction meeting the fire protection requirements for the assembly.

1. Fire Blocking and Draft Stopping. Required fire blocking and draft stopping in combustible concealed spaces shall be maintained to provide continuity and integrity of the construction.

2. Smoke Barriers and Smoke Partitions. Required smoke barriers and smoke partitions shall be maintained to prevent the passage of smoke. Openings protected with *approved* smoke barrier doors or smoke dampers shall be maintained in accordance with NFPA 105.

3. Fire Walls, Fire Barriers, and Fire Partitions. Required fire walls, fire barriers and fire partitions shall be maintained to prevent the passage of fire. Openings protected with *approved* doors or fire dampers shall be maintained in accordance with NFPA 80.

D. Opening Protectives. Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. The application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the *approved* third-party certification organization accredited for listing the opening protective. Fire doors and smoke barrier doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced whenever fused or damaged. Fire door assemblies shall not be modified.

1. Signs. Where required by the *code official*, a sign shall be permanently displayed on or near each fire door in letters not less than one inch high to read as follows:

- a. For doors designed to be kept normally open: FIRE DOOR--DO NOT BLOCK.

- b. For doors designed to be kept normally closed: FIRE DOOR--KEEP CLOSED.

2. Hold-Open Devices and Closers. Hold-open devices and automatic door closers shall be maintained. During the period that such a device is out of service for repairs, the door it operates shall remain in the closed position.

3. Door Operation. Swinging fire doors shall close from the full-open position and latch automatically. The door closer shall exert enough force to close and latch the door from any partially open position.

E. Ceilings. The hanging and displaying of salable goods and other decorative materials from acoustical ceiling systems that are part of a fire-resistance-rated horizontal assembly shall be prohibited.

F. Testing. Horizontal and vertical sliding and rolling fire doors shall be inspected and tested annually to confirm operation and full closure. Records of inspections and testing shall be maintained.

G. Vertical Shafts. Interior vertical shafts, including stairways, elevator hoistways and service and utility shafts, which connect two or more stories of a building shall be enclosed or protected as required in Chapter 11 of the International Fire Code. New floor openings in existing buildings shall comply with the International Building Code.

H. Opening Protective Closers. Where openings are required to be protected, opening protectives shall be maintained self-closing or automatic-closing by smoke detection. Existing fusible-link-type automatic door-closing devices shall be replaced if the fusible link rating exceeds one hundred thirty-five degrees Fahrenheit.

15.40.704 Fire protection systems.

A. Inspection, Testing and Maintenance. Fire protection and life safety systems shall be maintained in accordance with the International Fire Code in an operative condition at all times, and shall be replaced or repaired where defective.

1. Fire Protection and Life Safety Systems. Fire protection and life safety systems shall be installed, repaired, operated and maintained in accordance with this code the International Fire Code and the International Building Code.

2. Required Fire Protection and life safety Systems. Fire protection and life safety systems required by this code, the International Fire Code or the International Building Code shall be installed, repaired, operated, tested and maintained in accordance with this code. A fire protection and life safety system for which a design option, exception or reduction to the provisions of this code, the International Fire Code or the International Building Code has been granted shall be considered to be a required system.

3. Fire Protection Systems. Fire protection systems shall be inspected, maintained and tested in accordance with the following International Fire Code requirements:

- a. Automatic sprinkler systems, see Section 903.5.
- b. Automatic fire-extinguishing systems protecting commercial cooking systems, see Section 904.12.5.
- c. Automatic water mist extinguishing systems, see Section 904.11.
- d. Carbon dioxide extinguishing systems, see Section 904.8.
- e. Carbon monoxide alarms and carbon monoxide detection systems, see Section 915.6.
- f. Clean-agent extinguishing systems, see Section 904.10.
- g. Dry-chemical extinguishing systems, see Section 904.6.
- h. Fire alarm and fire detection systems, see Section 907.8.
- i. Fire Department connections, see Sections 912.4 and 912.7.
- j. Fire pumps, see Section 913.5.

- k. Foam extinguishing systems, see Section 904.7.
 - l. Halon extinguishing systems, see Section 904.9.
 - m. Single- and multiple-station smoke alarms, see Section 907.10.
 - n. Smoke and heat vents and mechanical smoke removal systems, see Section 910.5.
 - o. Smoke control systems, see Section 909.20.
 - p. Wet-chemical extinguishing systems, see Section 904.5.
- B. Standards. Fire protection systems shall be inspected, tested and maintained in accordance with the referenced standards listed in Table 704.2 and as required in this section.

Table 704.2**FIRE PROTECTION SYSTEM MAINTENANCE STANDARDS**

SYSTEM	STANDARD
Portable fire extinguishers	NFPA 10
Carbon dioxide fire-extinguishing system	NFPA 12
Halon 1301 fire-extinguishing systems	NFPA 12A
Dry-chemical extinguishing systems	NFPA 17
Wet-chemical extinguishing systems	NFPA 17A
Water-based fire protection systems	NFPA 25
Fire alarm systems	NFPA 72
Smoke and heat vents	NFPA 204
Water-mist systems	NFPA 750
Clean-agent extinguishing systems	NFPA 2001

1. Records. Records shall be maintained of all system inspections, tests and maintenance required by the referenced standards.

2. Records Information. Initial records shall include the: name of the installation contractor; type of components installed; manufacturer of the components; location and number of components installed per floor; and manufacturers' operation and maintenance instruction manuals. Such records shall be maintained for the life of the installation.

C. Systems Out of Service. Where a required fire protection system is out of service, the Fire Department and the Fire Code Official shall be notified immediately and, where required by the Fire Code Official, either the building shall be evacuated or an *approved* fire watch shall be provided for all *occupants* left unprotected by the shutdown until the fire protection system has been returned to service. Where utilized, fire watches shall be provided with not less than one *approved* means for notification of the Fire Department and shall not have duties beyond performing constant patrols of the protected *premises* and keeping watch for fires. Actions shall be taken in accordance with Section 901 of the International Fire Code to bring the systems back in service.

Exception: Exception: Facilities with an *approved* notification and impairment management program. The notification and impairment program for water-based fire protection systems shall comply with NFPA 25.

1. **Emergency Impairments.** Where unplanned impairments of fire protection systems occur, appropriate emergency action shall be taken to minimize potential injury and damage. The impairment coordinator shall implement the steps outlined in Section 901.7.4 of the International Fire Code.

D. **Removal of or Tampering with Equipment.** It shall be unlawful for any *person* to remove, tamper with or otherwise disturb any fire protection or life safety system required by this code except for the purposes of extinguishing fire, training, recharging or making necessary repairs.

1. **Removal of or Tampering with Appurtenances.** Locks, gates, doors, barricades, chains, enclosures, signs, tags and seals that have been installed by or at the direction of the Fire Code Official shall not be removed, unlocked, destroyed or tampered with in any manner.

2. **Removal of Existing Occupant-Use Hose Lines.** The Fire Code Official is authorized to permit the removal of existing *occupant*-use hose lines where all of the following apply:

- a. The installation is not required by the International Fire Code or the International Building Code.
- b. The hose line would not be utilized by trained personnel or the Fire Department.
- c. The remaining outlets are compatible with local Fire Department fittings.

3. **Termination of Monitoring Service.** For fire alarm systems required to be monitored by the International Fire Code, notice shall be made to the Fire Code Official whenever alarm monitoring services are terminated. Notice shall be made in writing by the provider of the monitoring service being terminated.

E. **Fire Department Connection.** Where the Fire Department connection is not visible to approaching fire apparatus, the Fire Department connection shall be indicated by an *approved* sign mounted on the street front or on the side of the building. Such sign shall have the letters "FDC" not less than six inches high and words in letters not less than two inches high or an arrow to indicate the location. Such signs shall be subject to the approval of the Fire Code Official.

1. **Fire Department Connection Access.** Ready access to Fire Department connections shall be maintained at all times and without obstruction by fences, bushes, trees, walls or any other fixed or movable object. Access to Fire Department connections shall be *approved* by the Fire Chief.

Exception: Fences, where provided with an access gate equipped with a sign complying with the legend requirements of Section 912.5 of the International Fire Code and a means of emergency operation. The gate and the means of emergency operation shall be *approved* by the Fire Chief and maintained operational at all times.

2. **Clear Space Around Connections.** A working space of not less than thirty-six inches in width, thirty-six inches in depth and seventy-eight inches in height shall be provided and maintained in front of and to the sides of wall-mounted Fire Department connections and around the circumference of free-standing Fire Department connections.

F. Single- and Multiple-Station Smoke Alarms. Single- and multiple-station smoke alarms shall be installed in existing Group I-1 and R *occupancies* in accordance with subsections (F)(1) through (F)(3) of this section.

1. Where Required. Existing Group I-1 and R *occupancies* shall be provided with single-station smoke alarms in accordance with subsections (F)(1)(a) through (F)(1)(d) of this section. Interconnection and power sources shall be in accordance with subsections (F)(2) and (F)(3) of this section.

a. Exceptions:

i. Where the code that was in effect at the time of construction required smoke alarms and smoke alarms complying with those requirements are already provided.

ii. Where smoke alarms have been installed in *occupancies* and dwellings that were not required to have them at the time of construction, additional smoke alarms shall not be required; provided, that the existing smoke alarms comply with requirements that were in effect at the time of installation.

iii. Where smoke detectors connected to a fire alarm system have been installed as a substitute for smoke alarms.

b. Group R-1. Single or multiple-station smoke alarms shall be installed in all of the following locations in Group R-1:

i. In sleeping areas.

ii. In every room in the path of the means of egress from the sleeping area to the door leading from the *sleeping unit*.

iii. In each story within the *sleeping unit*, including *basements*. For *sleeping 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.

c. Groups R-2, R-3, R-4 and I-1. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and I-1 regardless of *occupant* load at all of the following locations:

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

ii. In each room used for sleeping purposes.

iii. 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.

d. Installation Near Cooking Appliances. Smoke alarms shall not be installed in the following locations unless this would prevent placement of a smoke alarm in a location required by subsection (F)(1)(a) or (F)(1)(b) of this section.

- i. Ionization smoke alarms shall not be installed less than twenty feet horizontally from a permanently installed cooking appliance.
 - ii. Ionization smoke alarms with an alarm-silencing switch shall not be installed less than ten feet horizontally from a permanently installed cooking appliance.
 - iii. Photoelectric smoke alarms shall not be installed less than six feet horizontally from a permanently installed cooking appliance.
- e. **Installation Near *Bathrooms*.** Smoke alarms shall be installed not less than three feet horizontally from the door or opening of a *bathroom* that contains a bathtub or shower unless this would prevent placement of a smoke alarm required by subsection (F)(1)(a) or (F)(1)(b) of this section.
2. **Interconnection.** Where more than one smoke alarm is required to be installed within an individual dwelling or *sleeping 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 and all alarms sound upon activation of one alarm. The alarm shall be clearly audible in all *bedrooms* over background noise levels with all intervening doors closed.

Exceptions:

- a. Interconnection is not required in buildings that are not undergoing alterations, repairs or construction of any kind.
 - b. Smoke alarms in existing areas are not required to be interconnected where alterations or repairs 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 that could provide access for interconnection without the removal of interior finishes.
3. **Power Source.** Single-station smoke alarms shall receive their primary power from the building wiring; provided, that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms with integral strobes that are not equipped with battery backup shall be connected to an emergency electrical system. Smoke alarms shall emit a signal when the batteries are low. Wiring shall be permanent and without a disconnecting switch other than as required for overcurrent protection.

Exceptions:

- a. Smoke alarms are permitted to be solely battery operated in existing buildings where construction is not taking place.
- b. Smoke alarms are permitted to be solely battery operated in buildings that are not served from a commercial power source.
- c. Smoke alarms are permitted to be solely battery operated in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior walls or ceiling finishes exposing the *structure*, unless there is an attic, crawl space or *basement* available that could provide access for building wiring without the removal of interior finishes.

4. Smoke Detection System. Smoke detectors listed in accordance with UL 268 and provided as part of the building's fire alarm system shall be an acceptable alternative to single- and multiple-station smoke alarms and shall comply with the following:

- a. The fire alarm system shall comply with all applicable requirements in Section 907 of the International Fire Code.
- b. Activation of a smoke detector in a dwelling or *sleeping unit* shall initiate alarm notification in the dwelling or *sleeping unit* in accordance with Section 907.5.2 of the International Fire Code.
- c. Activation of a smoke detector in a dwelling or *sleeping unit* shall not activate alarm notification appliances outside of the dwelling or *sleeping unit*; provided, that a supervisory signal is generated and monitored in accordance with Section 907.6.6 of the International Fire Code.

G. Single- and Multiple-Station Smoke Alarms. Single- and multiple-station smoke alarms shall be tested and maintained in accordance with the manufacturer's instructions. Smoke alarms that do not function shall be replaced. Smoke alarms installed in one- and two-family dwellings shall be replaced not more than ten years from the date of manufacture marked on the unit, or shall be replaced if the date of manufacture cannot be determined.

15.40.705 Carbon monoxide alarms and detection.

A. General. Carbon monoxide alarms shall be installed in dwellings in accordance with Section 1103.9 of the International Fire Code, except that alarms in dwellings covered by the International Residential Code shall be installed in accordance with Section R315 of that code.

B. Carbon Monoxide Alarms and Detectors. Carbon monoxide alarms and carbon monoxide detection systems shall be maintained in accordance with NFPA 720. Carbon monoxide alarms and carbon monoxide detectors that become inoperable or begin producing end-of-life signals shall be replaced.

ARTICLE VIII--REFERENCED STANDARDS

15.40.801 List of standards.

User note about this article: This code contains numerous references to standards promulgated by other organizations that are used to provide requirements for materials and methods of construction. This article contains a comprehensive list of all standards that are referenced in this code. These standards, in essence, are part of this code to the extent of the reference to the standard. This article lists the standards that are referenced in various sections of this document. The standards are listed herein by the promulgating agency of the standard, the standard identification, the effective date and title and the section or sections of the document that reference the standard. The application of the referenced standards shall be as specified in Section 15.40.102(H).

A. ASME.

ASME A17.1--2019/CSA B44-19: Safety Code for Elevators and Escalators - 606.1.

B. ASTM.

F1346--(2018): Performance Specifications for Safety Covers and Labeling Requirements for All Covers for Swimming Pools, Spas and Hot Tubs - 303.2.

C. ICC.

IBC--21: International Building Code - 102.3, 201.3, 304.1.1, 305.1.1, 306.1.1, 401.3, 604.3.1.1, 604.3.2.1, 702.3, 704.4.2.

IECC--21: International Energy Conservation Code - 102.3.

IEBC--21: International Existing Building Code - 102.3, 201.3, 304.1.1, 305.1.1, 306.1.1.

IFC--21: International Fire Code - 102.3, 201.3, 604.3.1.1, 702.1, 702.2, 704.1, 704.1.2, 704.1.3, 704.3, 704.3.1, 704.4.2, 704.4.3, 704.5.1, 704.6.4, 705.1.

IFGC--21: International Fuel Gas Code - 102.3, 201.3.

IMC--21: International Mechanical - Code 102.3, 201.3.

IPC--21: International Plumbing Code - 102.3, 201.3, 502.5, 505.1, 505.5.1, 602.2, 602.3.

IRC--21: International Residential Code - 102.3, 201.3.

IZC--21: International Zoning Code - 102.3, 201.3.

D. NFPA.

10--21: Standard for Portable Fire Extinguishers - Table 704.2.

12--18: Standard on Carbon Dioxide Extinguishing Systems - Table 704.2.

12A--18: Standard on Halon 1301 Fire Extinguishing Systems - Table 704.2.

17--20: Standard for Dry Chemical Extinguishing Systems - Table 704.2.

17A--20: Standard for Wet Chemical Extinguishing Systems Table - 704.2.

25--20: Standard for the Inspection, Testing and Maintenance of Water-Based Fire Protection Systems Table - 704.2.

70--20: National Electrical Code - 102.3, 201.3, 604.2.

72--19: National Fire Alarm and Signaling Code - Table 704.2.

80--19: Standard for Fire Doors and Other Opening Protectives - 703.3.3, 703.4.

105--19: Standard for Smoke Door Assemblies and Other Opening Protectives - 703.3.2.

204--18: Standard for Smoke and Heat Venting - Table 704.2.

720--15: Standard for the Installation of Carbon Monoxide (CO) Detection and Warning Equipment - 705.2.

750--19: Standard on Water Mist Fire Protection Systems - Table 704.2.

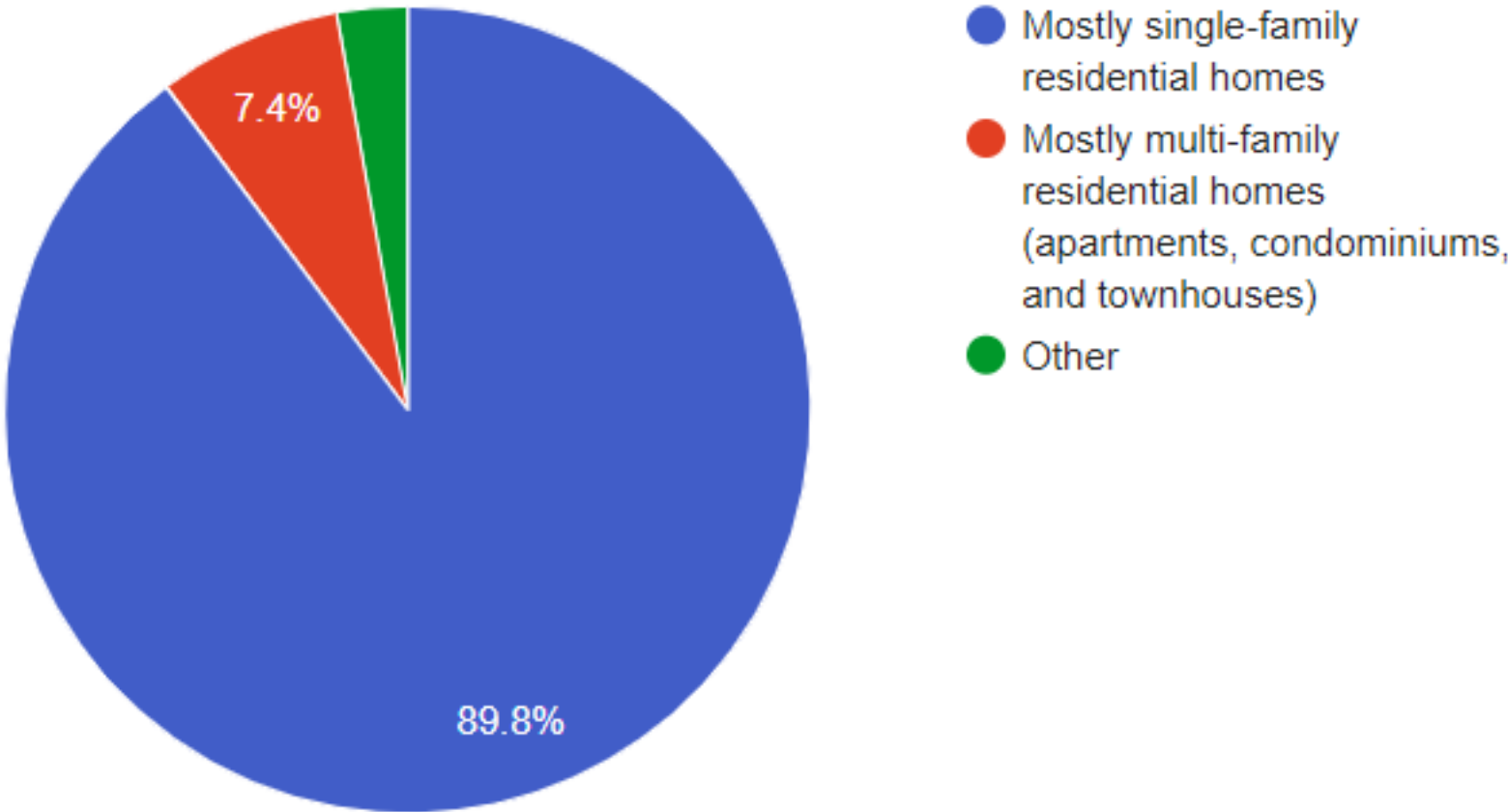
2001--18: Standard on Clean Agent Fire Extinguishing Systems - Table 704.2.

E. UL.

268--2016: Smoke Detectors for Fire Alarm Systems - with revisions through July 2016 -
704.6.4.

1. Choose the option that best describes your neighborhood:

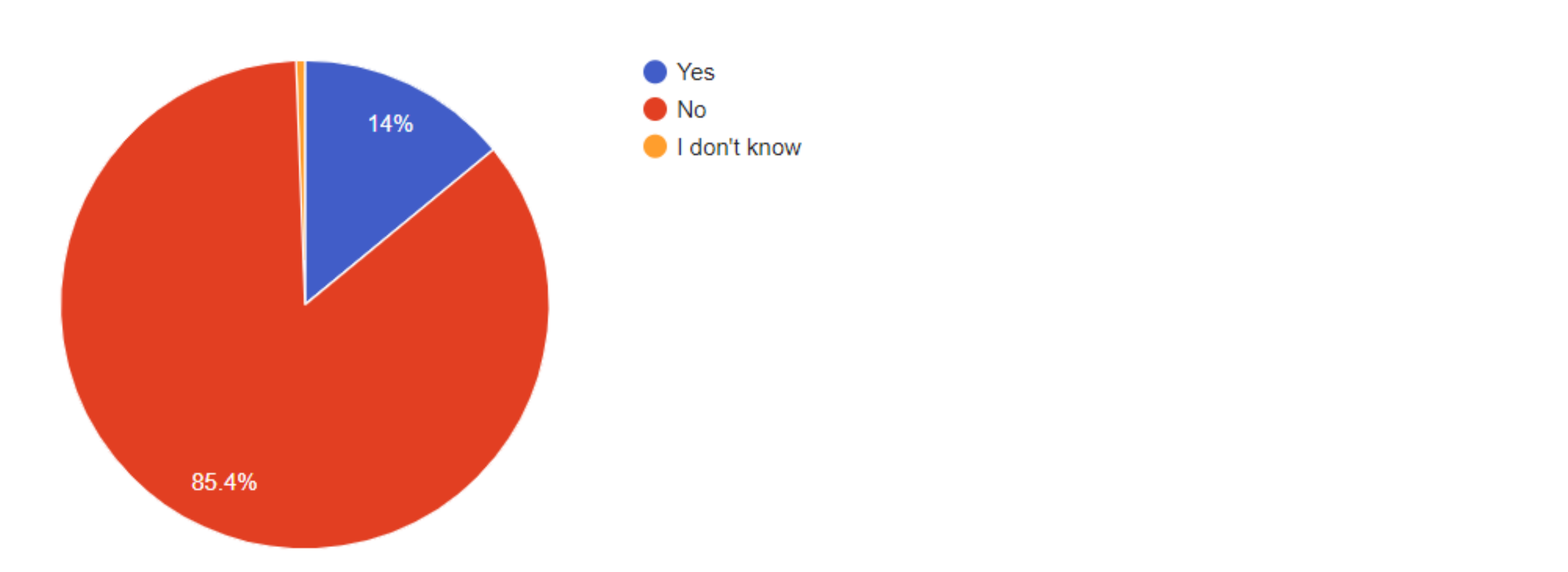
Answered: 176 Skipped: 2 Left Blank: 1



ANSWER CHOICES	RESPONSES	
Mostly single-family residential homes	89.77%	158
Mostly multi-family residential homes (apartments, condominiums, and townhouses)	7.39%	13
Mostly manufactured homes	0.00%	0
Other	2.84%	5
TOTAL		176

2. Does your neighborhood have an active homeowner’s association (HOA) ?

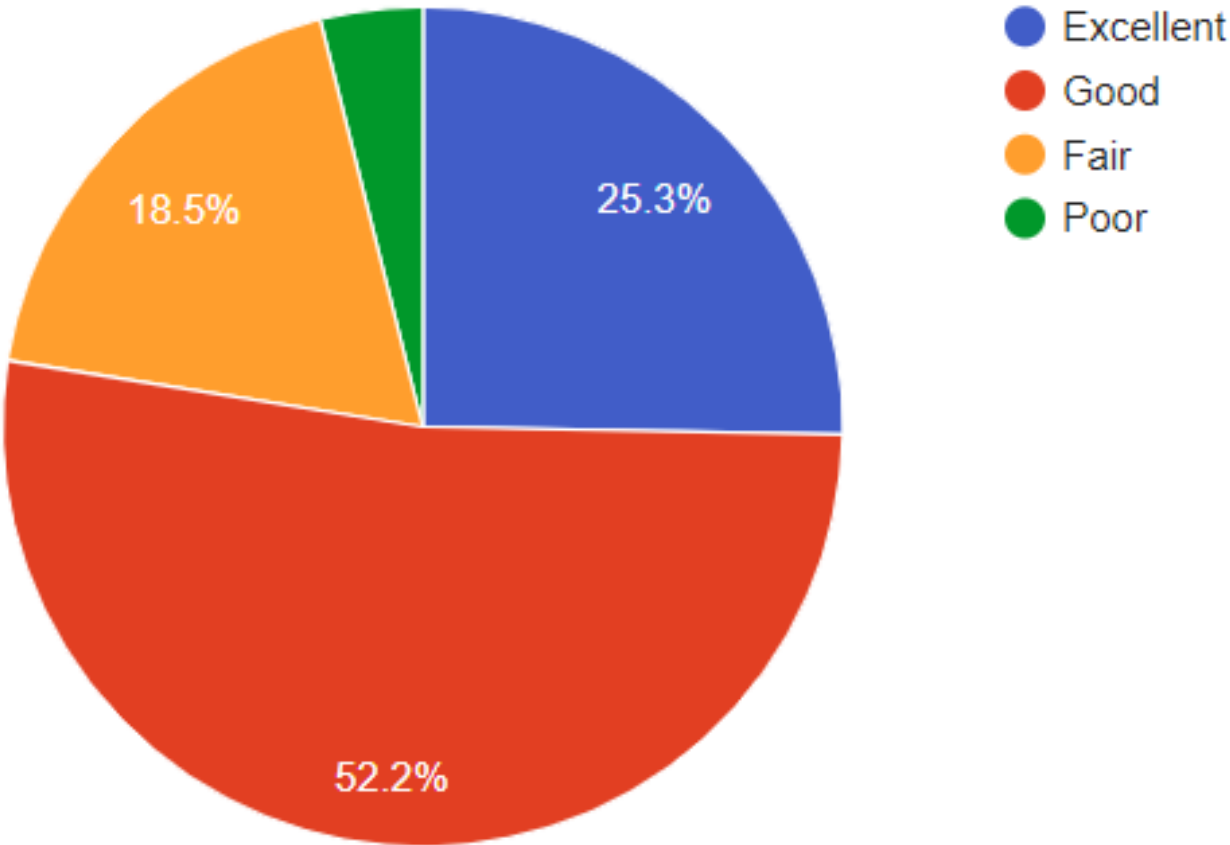
Answered: 178 Skipped: 0 Left Blank: 1



ANSWER CHOICES	RESPONSES	
Yes	14.04%	25
No	85.39%	152
I don't know	0.56%	1
TOTAL		178

3. How well do you think your neighbors maintain their private property?

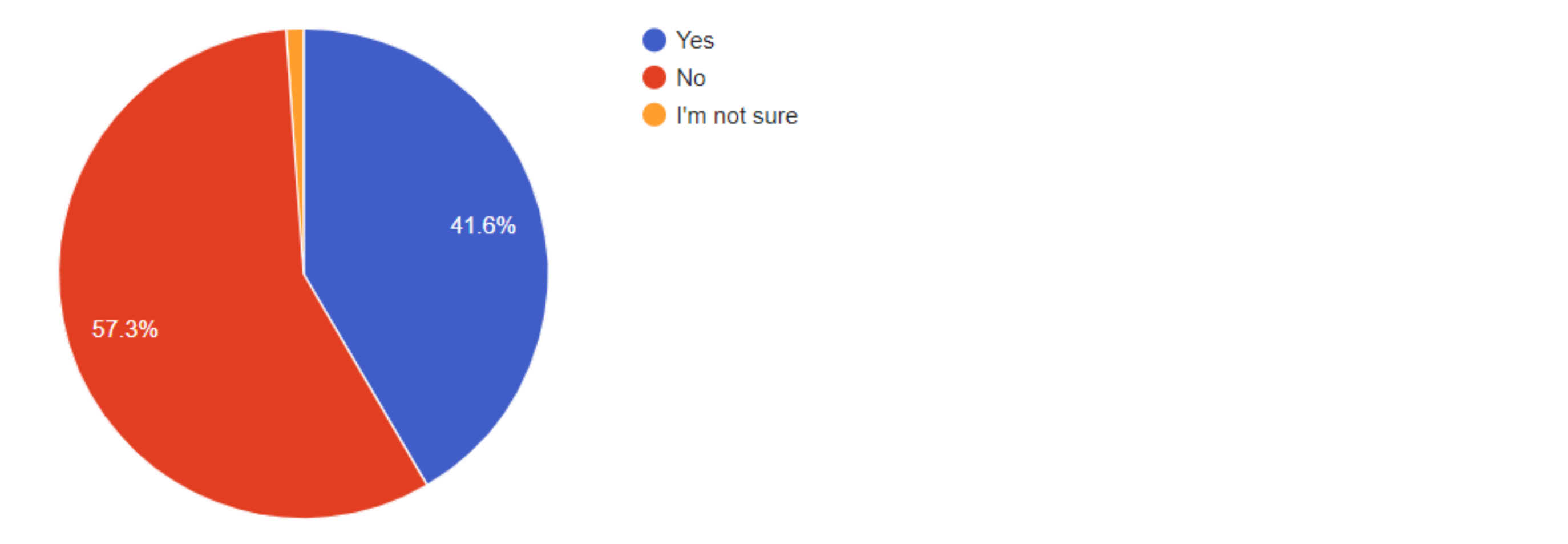
Answered: 178 Skipped: 0 Left Blank: 1



ANSWER CHOICES	RESPONSES	
Excellent	25.28%	45
Good	52.25%	93
Fair	18.54%	33
Poor	3.93%	7
TOTAL		178

4. In your neighborhood, do you often see things like overgrown vegetation, accumulated garbage or outdoor storage (sometimes called "hoarding"), dilapidated structures, junk vehicles, etc.?

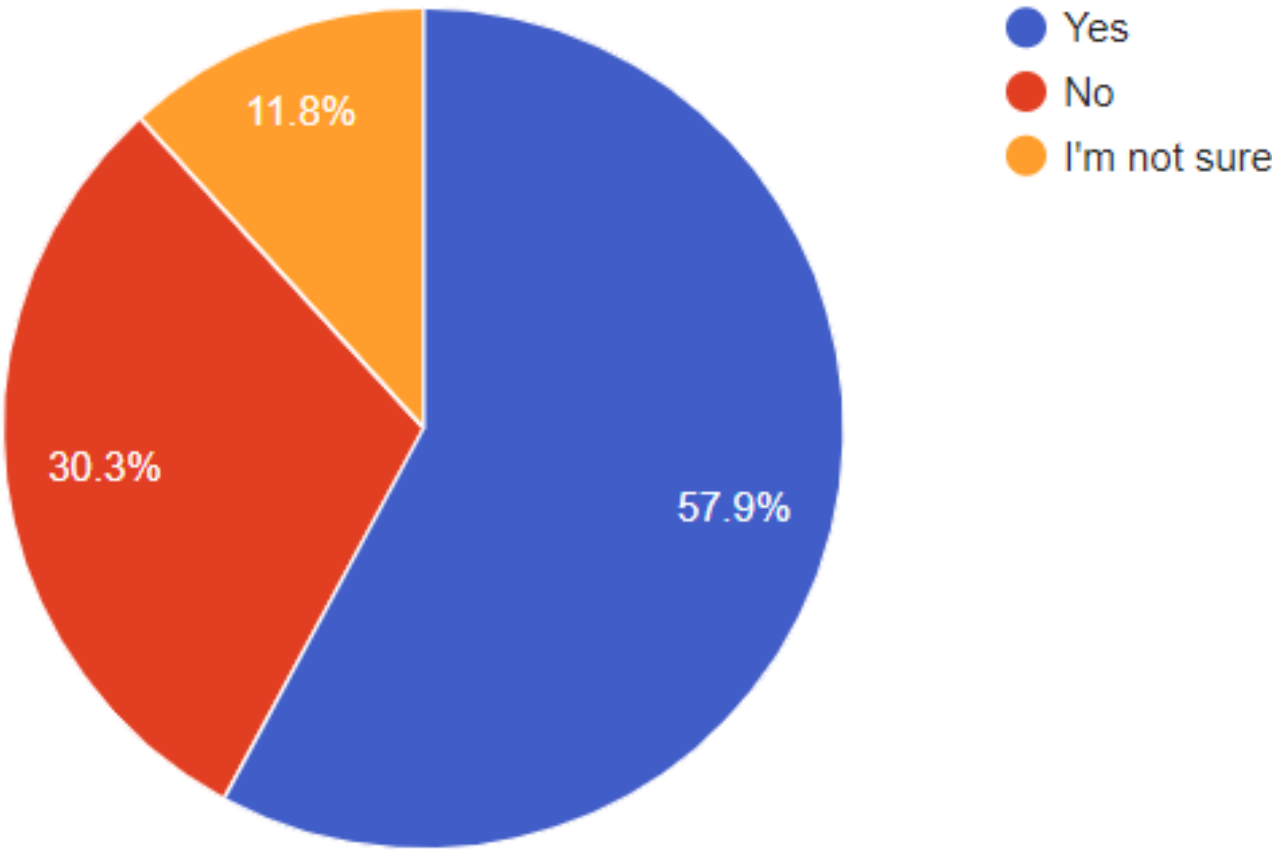
Answered: 178 Skipped: 0 Left Blank: 1



ANSWER CHOICES	RESPONSES	
Yes	41.57%	74
No	57.30%	102
I'm not sure	1.12%	2
TOTAL		178

5. Should the City do more to enforce nuisances like overgrown vegetation, accumulated garbage or outdoor storage (sometimes called "hoarding"), dilapidated structures, junk vehicles, etc.?

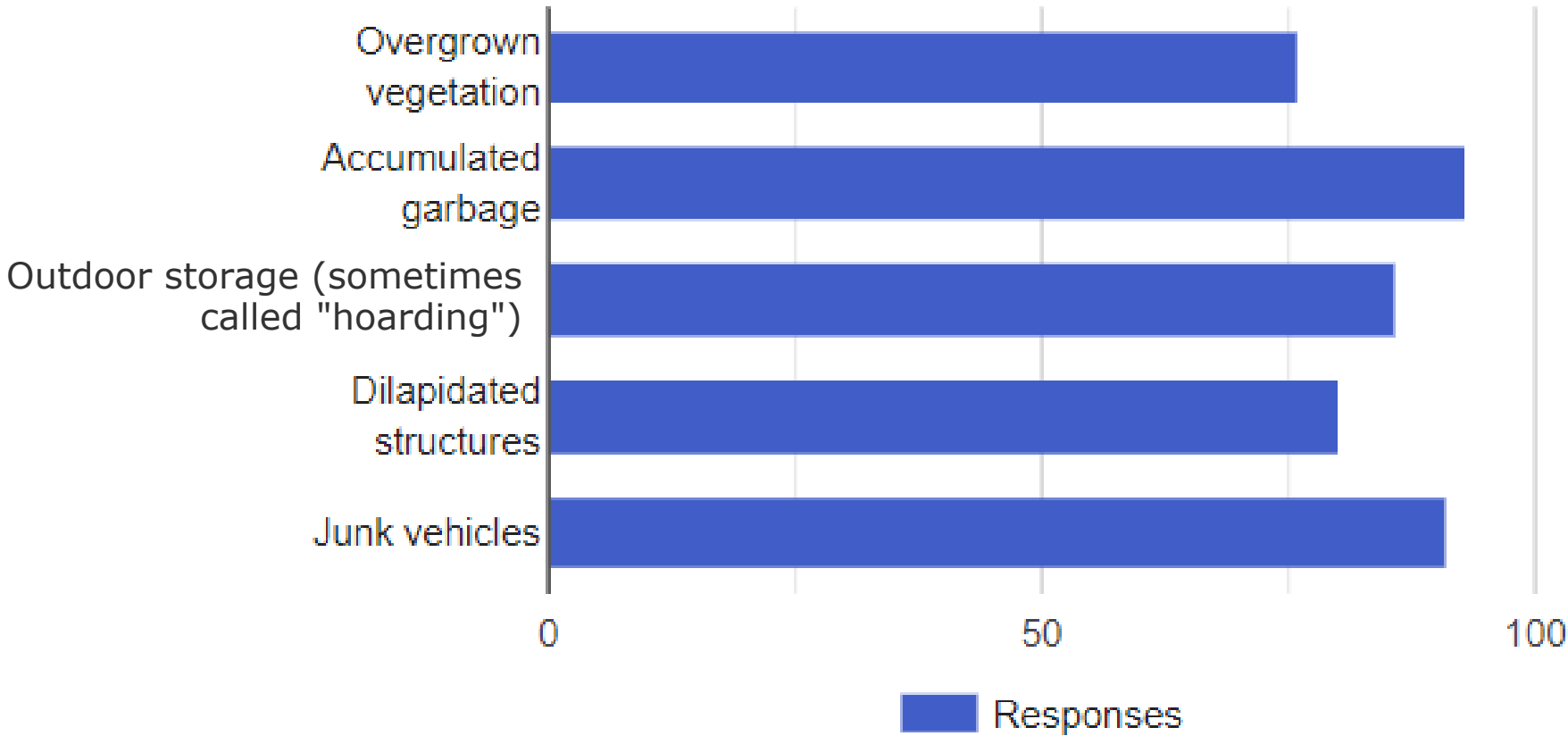
Answered: 178 Skipped: 0 Left Blank: 1



ANSWER CHOICES	RESPONSES	
Yes	57.87%	103
No	30.34%	54
I'm not sure	11.80%	21
TOTAL		178

6. Please indicate which nuisances you think require intervention from the City?

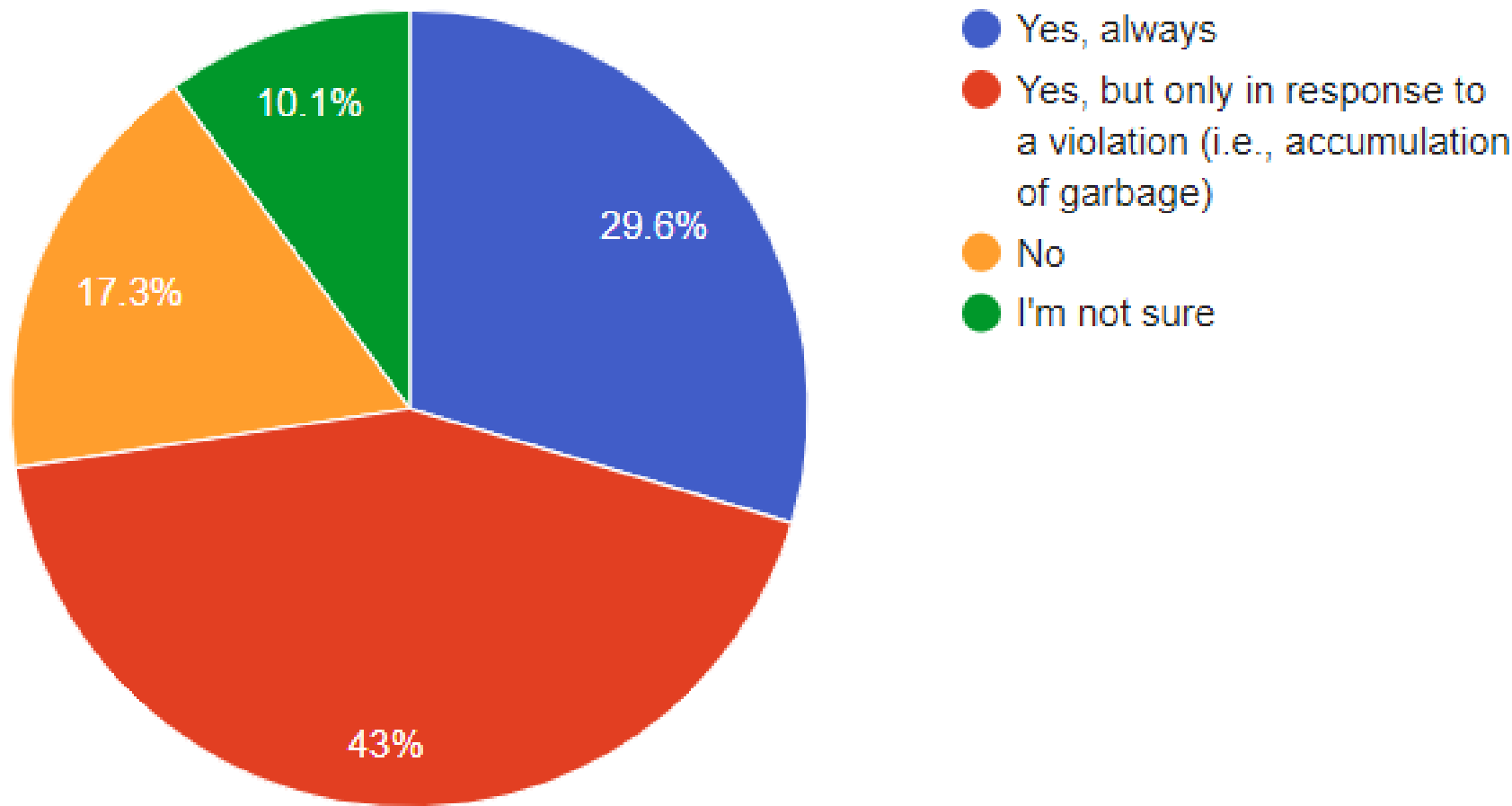
Answered: 121 Skipped: 54 Left Blank: 4



ANSWER CHOICES	RESPONSES	
Overgrown vegetation	17.84%	76
Accumulated garbage	21.83%	93
Outdoor storage (sometimes called "hoarding")	20.19%	86
Dilapidated structures	18.78%	80
Junk vehicles	21.36%	91
TOTAL	426 (121 answered)	

7. Should the City require mandatory garbage service?

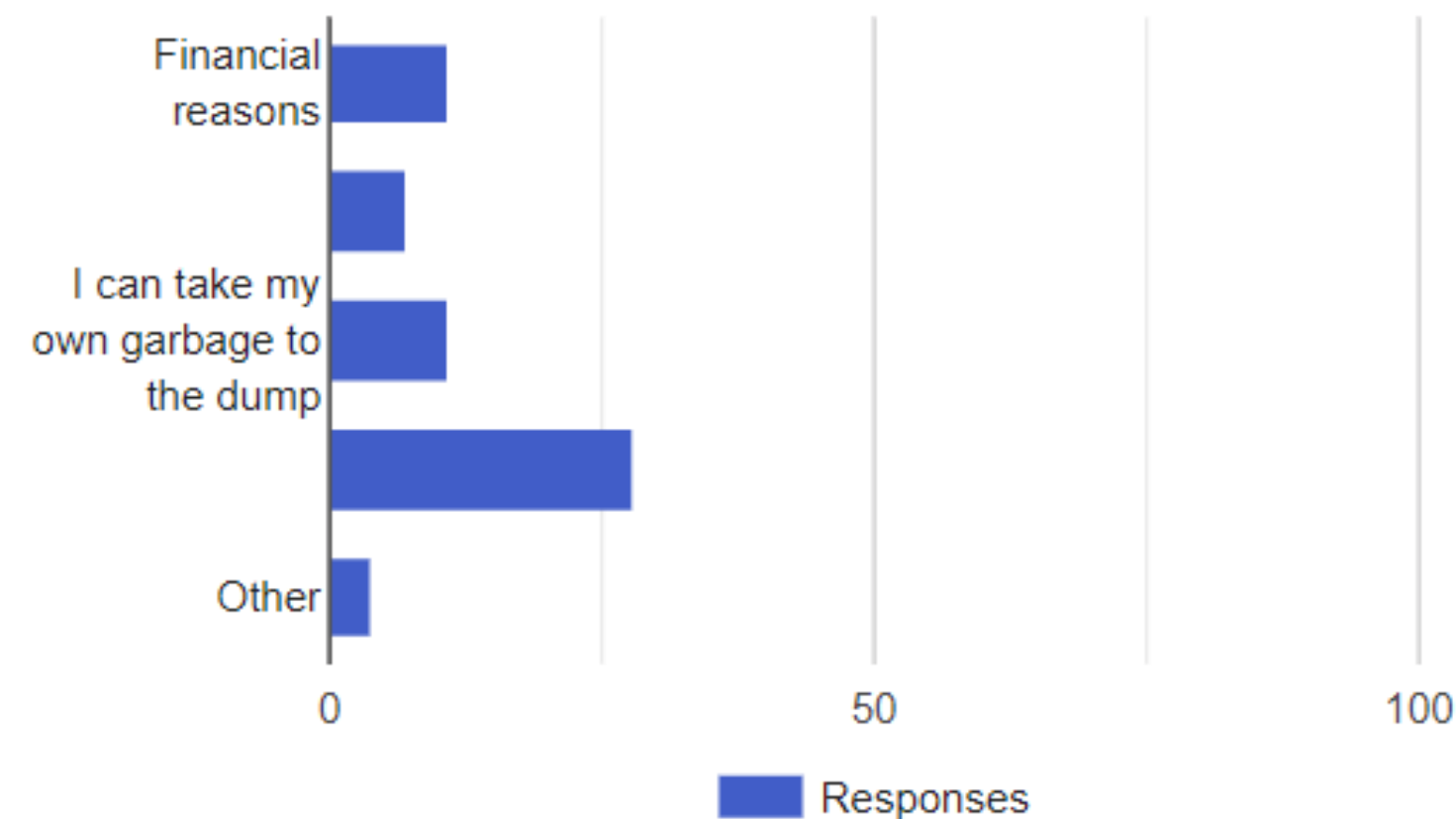
Answered: 179 Skipped: 0 Left Blank: 0



ANSWER CHOICES	RESPONSES	
Yes, always	29.61%	53
Yes, but only in response to a violation (i.e., accumulation of garbage)	43.02%	77
No	17.32%	31
I'm not sure	10.06%	18
TOTAL		179

8. If No, why? (Mark all that apply)

Answered: 31 Skipped: 148 Left Blank: 0

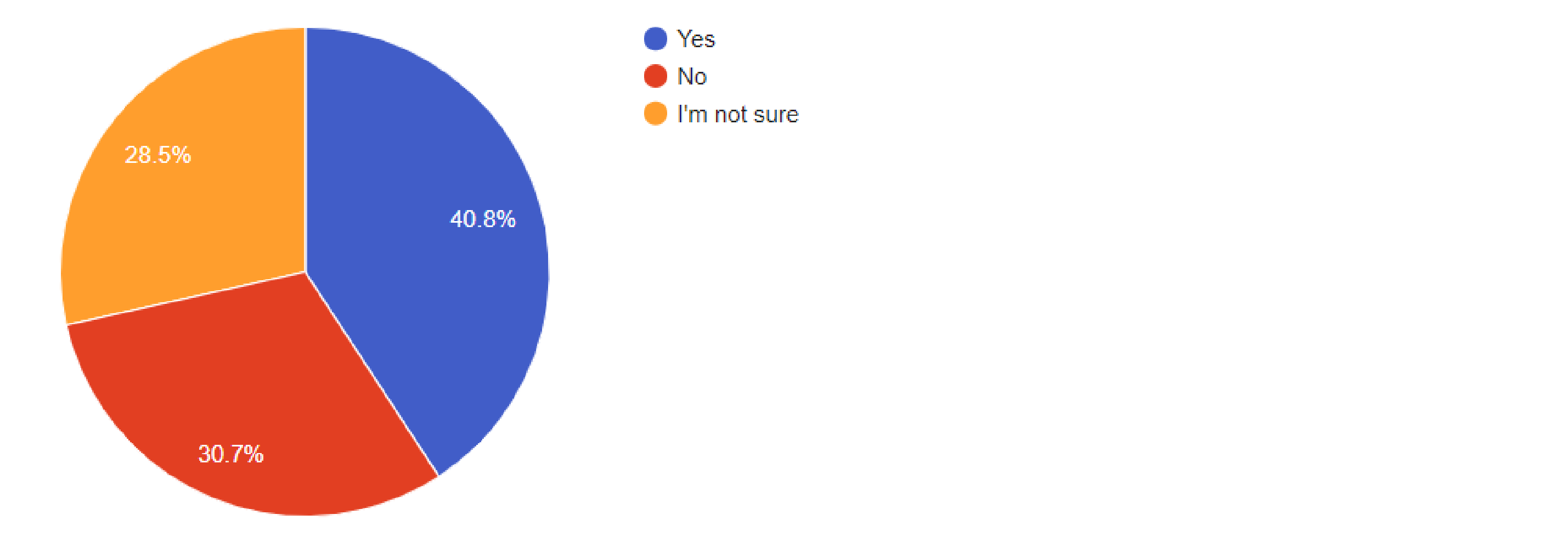


ANSWER CHOICES	RESPONSES	
Financial reasons	18.03%	11
I don't produce that much garbage	11.48%	7
I can take my own garbage to the dump	18.03%	11
I don't believe the City should have the authority to enforce it	45.90%	28
Other	6.56%	4
TOTAL	61 (31 answered)	

IX. A. Property Maintenance Draft Code and Building and Energy Draft Cod...

9. Should the City limit the number of storage containers (i.e., large cargo or shipping containers) on private property?
(does not apply to shipping containers converted to dwelling units)

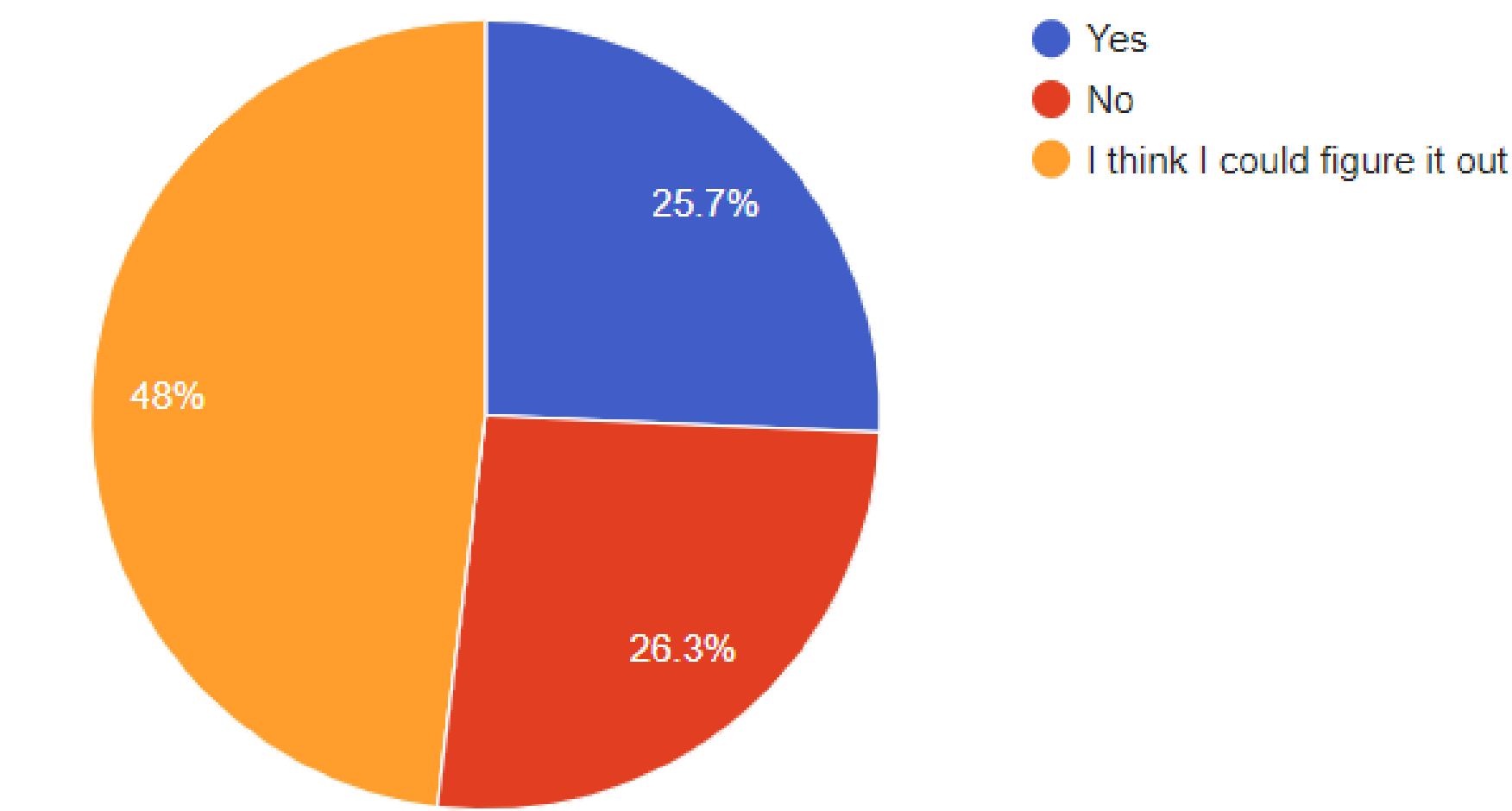
Answered: 179 Skipped: 0 Left Blank: 0



ANSWER CHOICES	RESPONSES	
Yes	40.78%	73
No	30.73%	55
I'm not sure	28.49%	51
TOTAL		179

10. If you needed to report a concern, such as property maintenance issues, to the City, would you know how to do it?

Answered: 179 Skipped: 0 Left Blank: 0



ANSWER CHOICES	RESPONSES	
Yes	25.70%	46
No	26.26%	47
I think I could figure it out	48.04%	86
TOTAL		179

11. Is there anything you would like to share with the City about property maintenance issues that you have experienced?

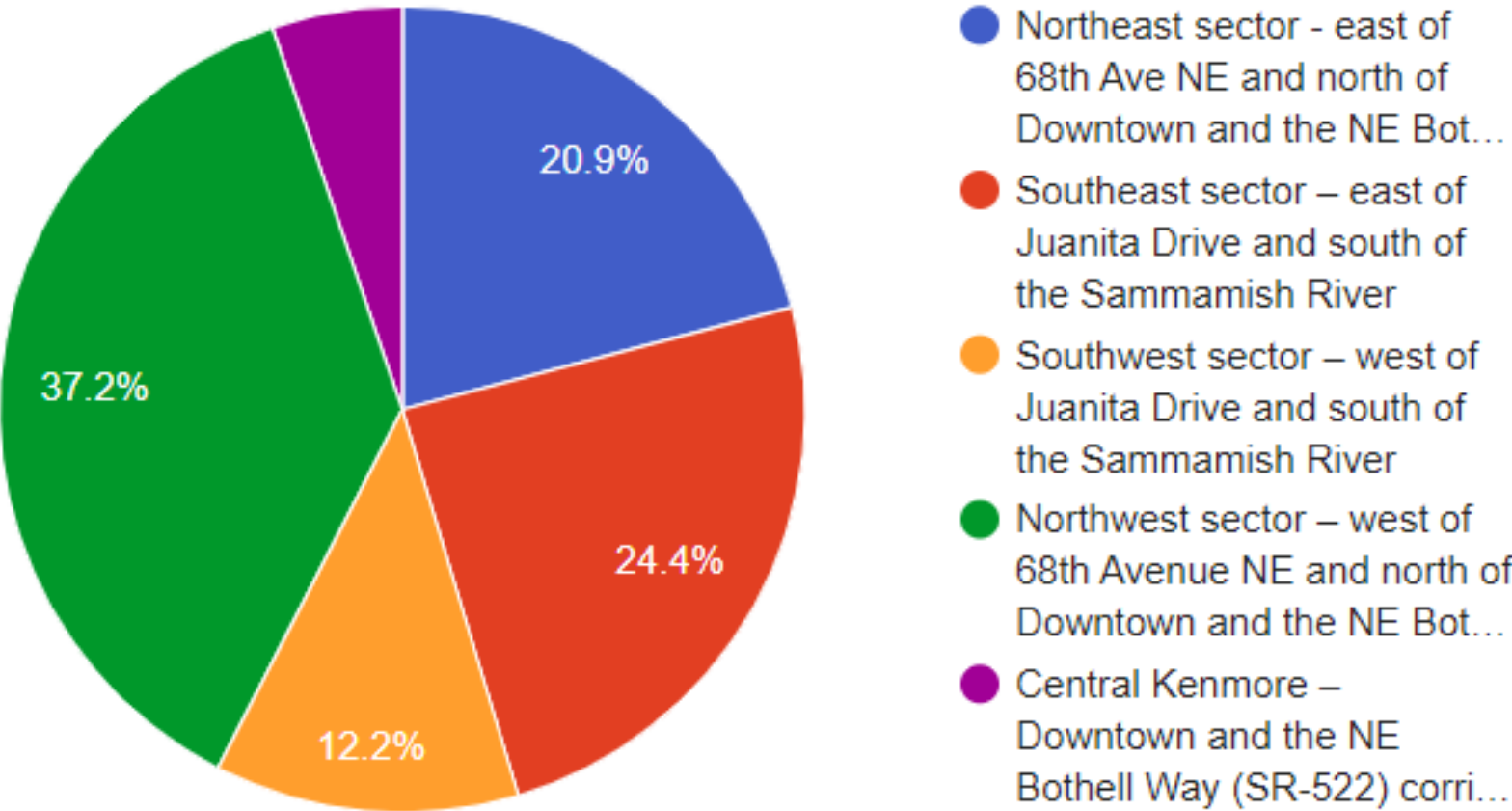
Answered: 84 Skipped: 0 Left Blank: 95



12. Where in Kenmore do you live?

Answered: 172 Skipped: 0 Left Blank: 7

Ask for a
map



ANSWER CHOICES	RESPONSES	
Northeast sector - east of 68th Ave NE and north of Downtown and the NE Bothell Way (SR-522) corridor	20.93%	36
Southeast sector – east of Juanita Drive and south of the Sammamish River	24.42%	42
Southwest sector – west of Juanita Drive and south of the Sammamish River	12.21%	21
Northwest sector – west of 68th Avenue NE and north of Downtown and the NE Bothell Way (SR-522) corridor	37.21%	64
Central Kenmore – Downtown and the NE Bothell Way (SR-522) corridor south to the Sammamish River	5.23%	9
TOTAL		172

13. How do you identify?

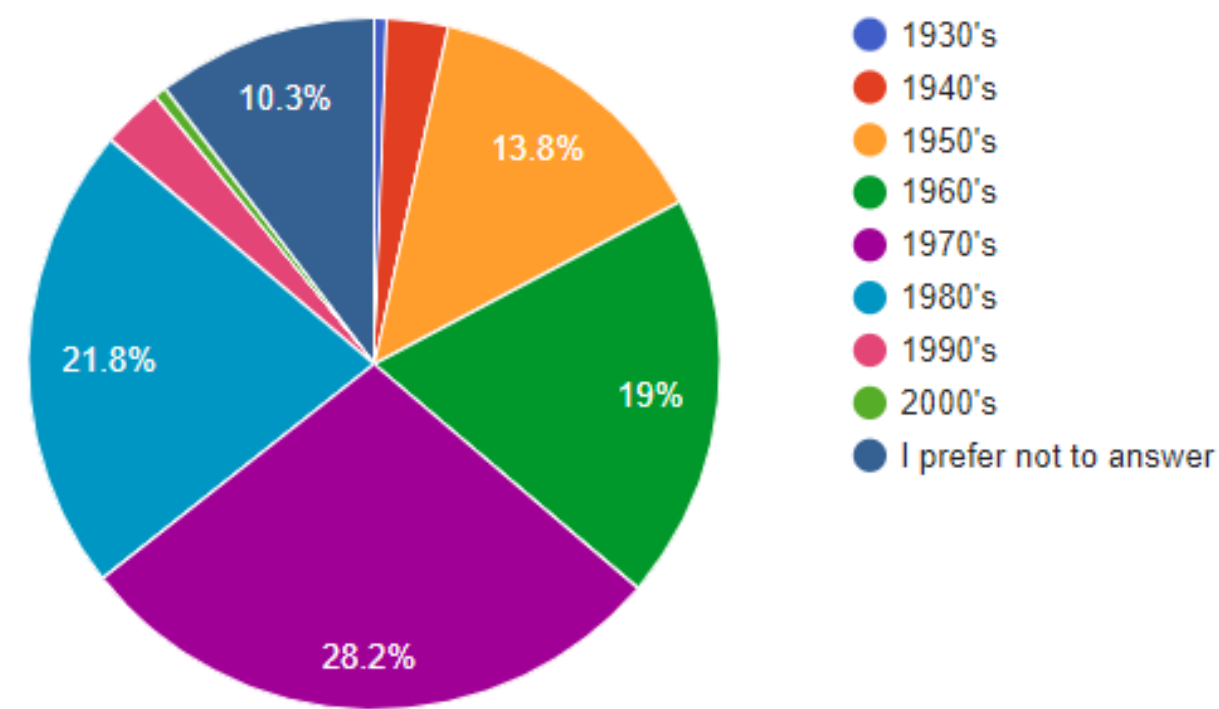
Answered: 163 Skipped: 0 Left Blank: 16



ANSWER CHOICES	RESPONSES	
Woman	58.90%	96
Man	38.04%	62
Non-binary, non-conforming, genderqueer, or gender(s) not listed here	3.07%	5
TOTAL		163

14. In which decade were you born?

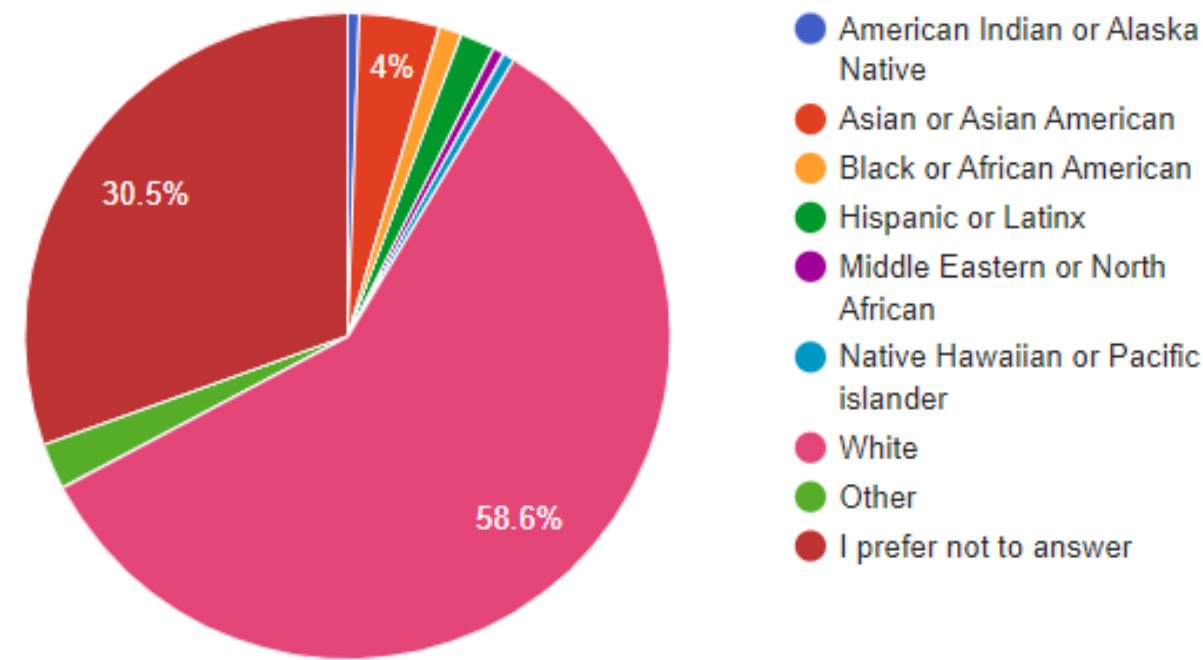
Answered: 174 Skipped: 0 Left Blank: 5



ANSWER CHOICES	RESPONSES	
1930's	0.57%	1
1940's	2.87%	5
1950's	13.79%	24
1960's	18.97%	33
1970's	28.16%	49
1980's	21.84%	38
1990's	2.87%	5
2000's	0.57%	1
2010's	0.00%	0
I prefer not to answer	10.34%	18
TOTAL		174

15. What is your race/ethnicity? (Choose all that apply)

Answered: 174 Skipped: 0 Left Blank: 5



ANSWER CHOICES	RESPONSES	
American Indian or Alaska Native	0.57%	1
Asian or Asian American	4.02%	7
Black or African American	1.15%	2
Hispanic or Latinx	1.72%	3
Middle Eastern or North African	0.57%	1
Native Hawaiian or Pacific islander	0.57%	1
White	58.62%	102
Other	2.30%	4
I prefer not to answer	30.46%	53
TOTAL		174

Add note
RE: the
population
we serve
vs. who
responded
to the
survey

CONSTRUCTION & PROPERTY MAINTENANCE CODE CHANGES

CITY OF KENMORE
DEVELOPMENT SERVICES DEPARTMENT

INTRODUCTIONS



Samantha Loyuk
Development Services Director

Tom Phillips
Building Official

Lukasz Lisowski
Building Plans Examiner & Inspector

Bridgit Baker
Code Enforcement Officer

★ **Kathleen Petrie**
King County
Program Manager,
Green Building
Communitywide

Kinley Deller
King County
C&D Program Manager

Special Guests



Part I: Construction Codes

Key Questions:

1. Is Council in agreement on including Appendices T, P, Y, and Z (as proposed)?
2. Are there edits before we finalize the codes and bring them back for public hearing & adoption?

Part II: Property Maintenance Code

Building codes set common, minimum design and construction requirements across communities that result in improved construction quality and consistent permitting. Built on decades of construction knowledge and experience, when communities adopt code updates, safe and resilient structures provide the framework for communities to thrive.

In Kenmore, building codes help all people love where they live.

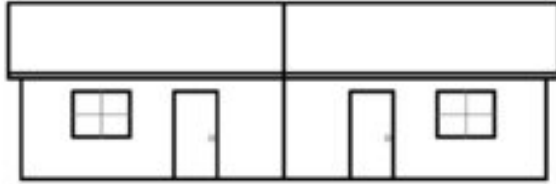


IRC

The provisions of the International Residential Code (IRC) apply to detached **one-and-two family dwellings** and **townhouses not more than three stories in height with a separate means of egress** and their **accessory structures** not more than three stories in height.



One Family Dwelling



Two Family Dwelling



Townhouses not more than 3 stories above grade plane in height with a separate means of egress



Accessory Structures

ESTABLISHING TERMS

IBC

Property Maintenance Draft Code and Building and Energy Draft Cod...

The provisions of the International Building Code (IBC) shall apply to **every building or structure or any appurtenances connected or attached to such buildings or structures, except those under the IRC.**





IX. A. Property Maintenance Draft Code and Building and Energy Draft Cod...	Code	Description
	2021 International Building Code (IBC)	The building code that regulates new construction for all buildings except 1 and 2 family dwellings, townhouses and their accessory structures.
	2021 International Residential Code (IRC)	The building code that regulates all construction for 1 and 2 family dwellings, townhouses and their accessory structures.
	2021 International Mechanical Code (IMC)	The code to regulate the installation of mechanical equipment in IBC structures.
	2021 Washington State Energy Code (WSEC)	The code to regulate energy efficiency and conservation in all buildings with heated or cooled interior space.
	2021 International Existing Building Code (IEBC)	The code to regulate alterations to existing IBC structures.
	2021 International Fire Code (IFC)	The code that mitigates hazardous operations and materials.

IX. A. Property Maintenance Draft Code and Building and Energy Draft Cod... Code	Description
2021 International Wildland-Urban Interface Code (IWUIC)	The code that provides additional regulations for construction and use of any building or structure within the wildland-urban interface/intermix areas
2021 Uniform Plumbing Code (UPC)	The code that regulates the installation of plumbing in all buildings.
2021 International Fuel Gas Code (IFGC)	The code that regulates fuel gas systems and equipment except for liquefied petroleum gas installations and systems and equipment for IRC buildings.
2021 National Fuel Gas Code (NFPA 54)	The code that regulates the installation of liquefied petroleum gas systems and equipment in all building except IRC buildings.
2020 Liquefied Petroleum Gas Code (NFPA 58)	The code that regulates the installation of liquefied petroleum gas systems and equipment in all building except IRC buildings.
2021 International Swimming Pool and Spa Code	The code that regulates the construction of private swimming pools and spas.

WHAT'S INCLUDED IN THE 2021 MANDATORY CODE CHANGES?

Higher levels of
fire resistance in
certain areas

50% increase in
energy
requirements

Incentivizes
use of cross-
laminated
timber (CLT)

Electric vehicle
charging
requirements

Solar readiness
for new
commercial and
multifamily
buildings



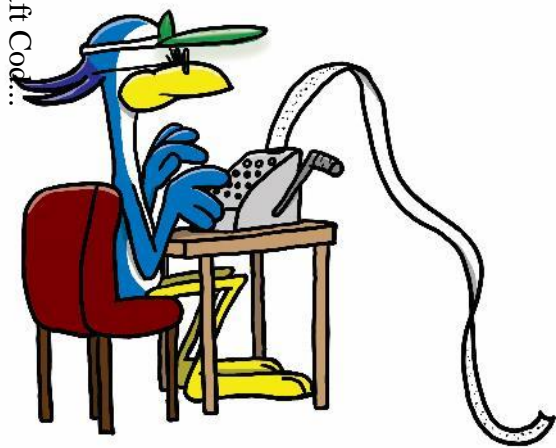
Council Questions & Discussion

Incentivizes
electrification

New exiting
requirements for
escape rooms

COST

According to the Master Builders Association of King and Snohomish Counties (MBAKS), mandatory code changes will add an estimated \$14,150 to the price of a new single-family residence in Kenmore



COST IMPLICATIONS OF 2021 CODE UPDATES

Applies to new construction in areas mapped by DNR

\$14,150

OF ADDED COST PER NEW HOME BUILT IN WASHINGTON STATE
AFTER JULY 1, 2023



WA ENERGY CODE -
RESIDENTIAL

\$9,200

PER HOME

Assuming builder takes lowest cost path to compliance and receives tax rebate from the Inflation Reduction Act



EV CHARGING
IN RESIDENTIAL CODE

\$650

PER HOME

Assuming no electrical infrastructure needs to be upgraded



WILDLAND URBAN
INTERFACE CODE

\$4,300

PER HOME

Assuming no local fire sprinkler requirement

BE 1.2 & 2.1
Appendix T
IRC solar-ready

CM 1.2
Appendix Y
IRC construction & demolition
material management

CM 1.2
Appendix P
IBC construction & demolition
material management

Appendix Z
Building deconstruction

BUILDINGS & ENERGY: STRATEGIES & ACTIONS

Strategy #1: Use less energy

BE 1.1 Incentivize energy efficient/load responsive appliances in buildings

Incentivize energy efficient and/or load-responsive appliances in new and old buildings.

- Partner with utilities and frontline communities to expand utility assistance and incentive programs and energy efficient technologies to reduce energy burden.
- Promote awareness of incentives available for early action (before it is required) under the Clean Buildings Act (deep efficiency retrofits).

Conduct associated education, outreach, and technical assistance.

BE 1.2 Go above and beyond Washington State Energy Code

Adopt local amendments that go above and beyond the Washington State Energy Code.

Strategy #2: Use cleaner energy sources

BE 2.1 Incentivize a full transition to electric or solar energy in existing buildings

Incentivize a full transition to electric or solar energy in existing commercial and residential buildings.

CONSUMPTION & MATERIALS MANAGEMENT: STRATEGIES & ACTIONS

Strategy #1: Prevent waste

CM 1.1 Support sustainable local food economy

Partner with frontline communities to support a regenerative and sustainable local zero waste food economy.

CM 1.2 Strengthen construction and demolition (C&D) diversion requirements

Adopt King County's Construction & Demolition waste diversion requirements. Support policies, tools, and programs to reduce construction-related emissions, including sourcing low embodied carbon materials.

IRC Appendix T

Solar-ready provisions for detached one- and two-family dwellings and townhomes

APPLIES TO

New single-family residences, duplexes, and townhouse buildings

REQUIREMENT

300 SF solar zone for detached one-family/duplex/townhouse

- 150 SF solar zone for townhouse
- Install capped solar zone on roofs

COST

- MBAKS estimates \$1,000 for SFR & \$2,500+ for duplexes/townhomes
- King County estimates \$100-\$250



City Council Questions & Discussion

to notify the SBCC
after adoption

IBC Appendix P IRC Appendix Y

Construction & Demolition Materials

APPLIES TO

Any permitted project with a 750+ SF work area or \$75K valuation

REQUIREMENT

Salvage assess
demolition (p

- Waste diversi
final inspectio



City Council Questions & Discussion

COST

- King County estimates an increased cost to the jurisdiction in processing
- New permit system Green Halo available for purchase to assist in managing applications
- Minimal costs to residential projects

Obtain SDC approval
after adoption

IRC Appendix Z

Building deconstruction

APPLIES TO PROJECTS MEETING ALL OF THE FOLLOWING

- 750+ SF work area or \$75K valuation
- Single family, duplex, or townhouse
- 90 years or older
- Demolition permit

REQUIREMENT

- Building must be deconstructed in lieu of demolition

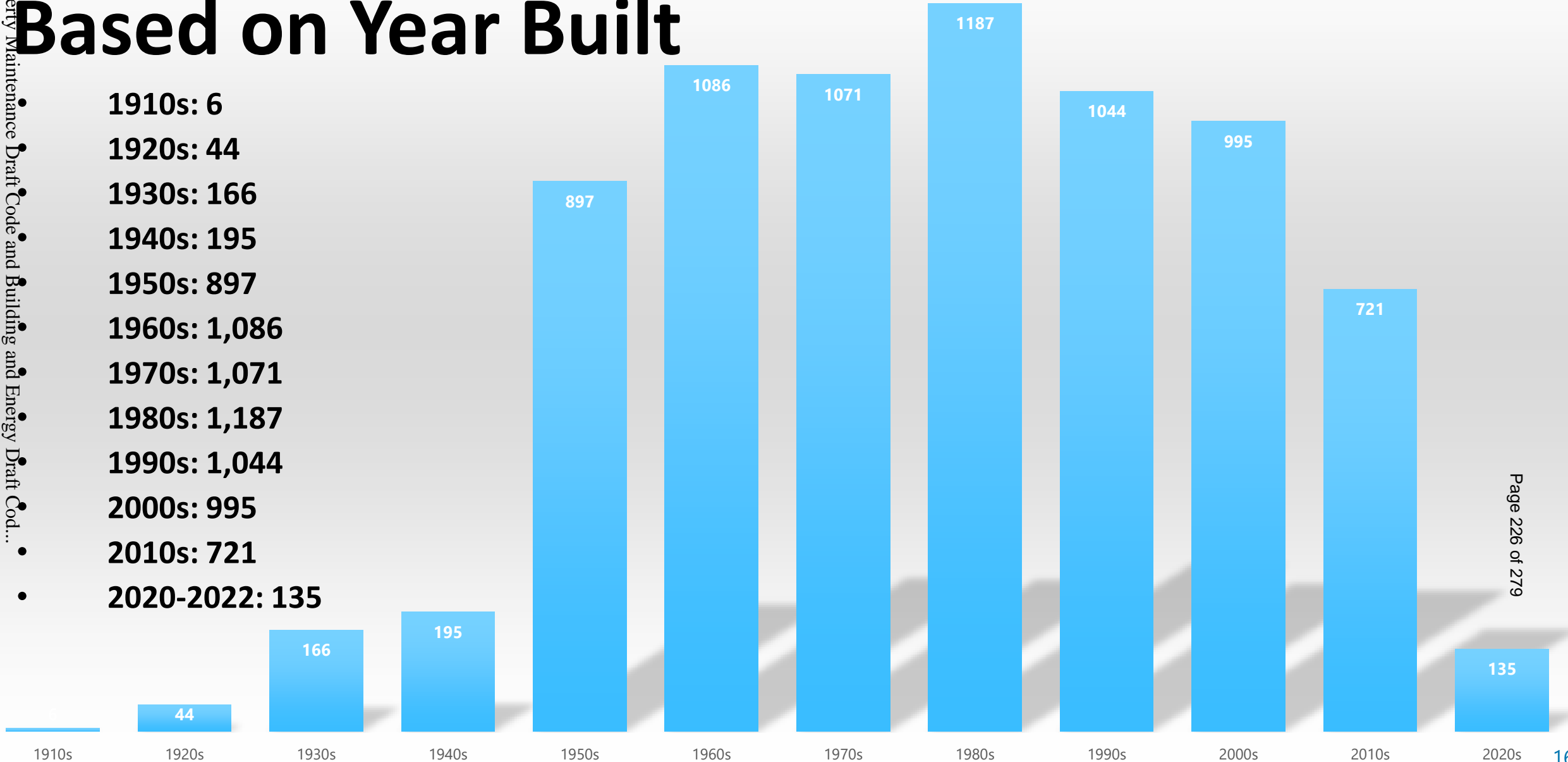
COST

- The cost to deconstruct is dependent on the skills of the construction crew
- A skilled team can deconstruct a building for the same cost as regular demolition
- Can take more time (resulting in increased cost to builders)
- Unlikely to affect many projects

The City will notify the SBCC after adoption

Kenmore Housing Stock: Based on Year Built

1910s: 6
1920s: 44
1930s: 166
1940s: 195
1950s: 897
1960s: 1,086
1970s: 1,071
1980s: 1,187
1990s: 1,044
2000s: 995
2010s: 721
2020-2022: 135



IRC Appendix Z

Building deconstruction

APPLIES TO PROJECTS MEETING ALL OF THE FOLLOWING

- 750+ SF work area or \$75K valuation
- Single family, duplex, or townhouse
- 90 years or older
- Demolition permit

COST

- The cost to deconstruct is dependent on the skills of the construction crew
- A skilled team can deconstruct a building for the same cost as regular demolition
- Can take more time (resulting in increased cost to builders)
- Unlikely to affect many projects



- Building must be scheduled for demolition

City Council Questions & Discussion

Circling back: Council Direction

Key Questions:

1. Is Council in agreement on including Appendices T, P, Y, and Z (as proposed)?
2. Are there edits before we finalize the codes and bring them back for public hearing & adoption?

NEXT STEPS

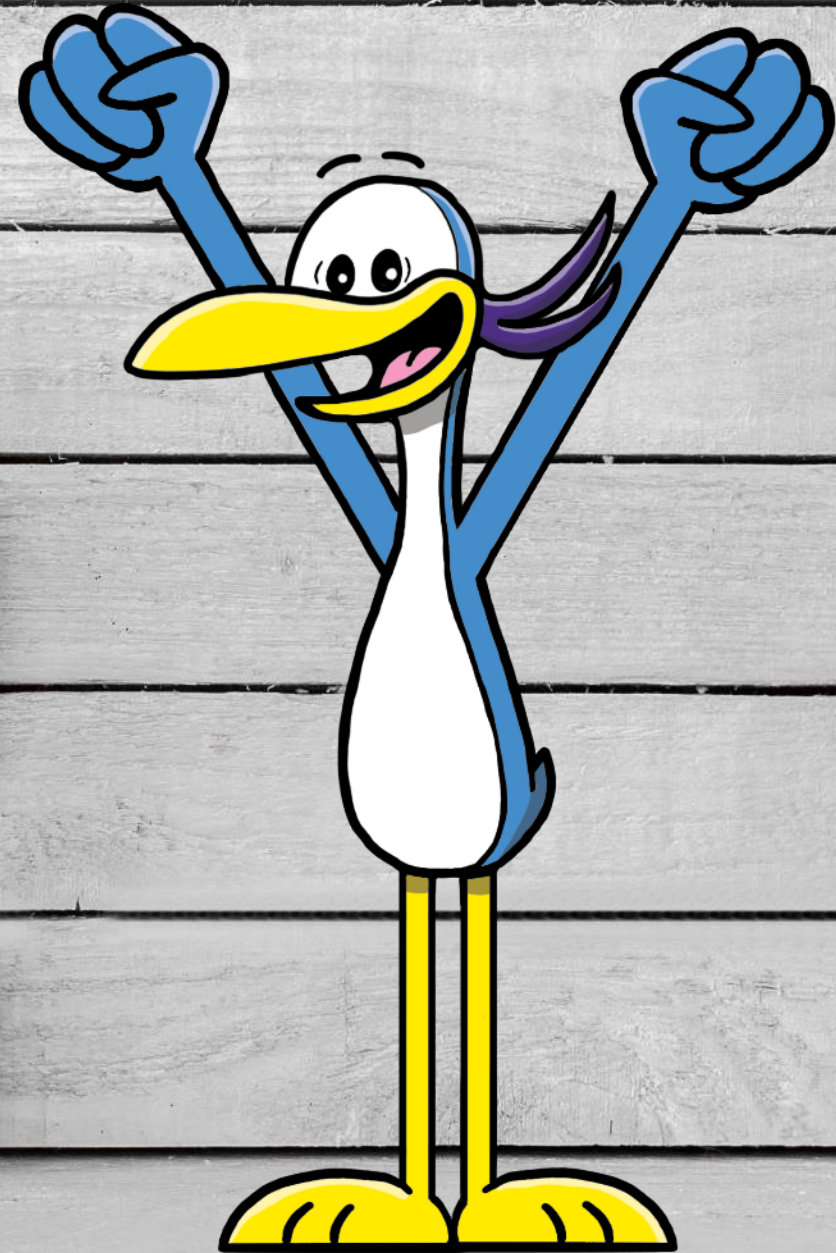
STAFF MAKE FINAL EDITS
PUBLIC HEARING
ADOPTION
EFFECTIVE JULY 1, 2023

END OF PART I

If needed, this is a good time for a break



The department's approach to
code enforcement emphasizes
compassion, safety, and
education to achieve
compliance to **help people**
love where
they live.



SURVEY RESULTS

Most survey participants live in single-family residential homes **90%**

Only 14% of participants live in a neighborhood with an active HOA

Most participants think their neighbors do a good or excellent job of maintaining their private property **25% excellent 52% good**

In contrast, 41.6% of participants often see things like overgrown vegetation, accumulated garbage or outdoor storage (sometimes called “hoarding”), dilapidated structures, and/or junk vehicles in their neighborhood.

A majority of participants think the City should do more enforcement to remedy nuisances like those listed above. **58%**

SURVEY RESULTS

30% of participants think the City should always require garbage service and 43% think the City should require garbage service but only in response to a violation

17% of participants think the City should not require garbage service

Less than half of participants think the City should limit the number of storage containers 41%



City Council Questions & Discussion

WHAT CHANGED?

**Addresses
rodent
harborage**

**Disallows
accumulation of
garbage**

**Requires areas
damaged by
graffiti to be
restored**



City Council Questions & Discussion

**buildings to be
secured in a
clean, safe, and
sanitary
condition**

**safety
requirements for
securing vacant
structures**

**Limits boarding
to 6 months**



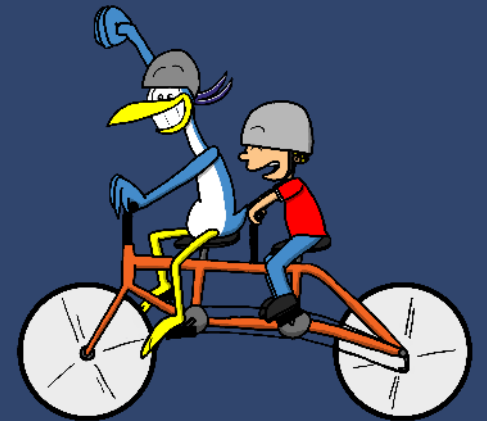
The purpose of the KPMC is to establish minimum requirements to provide a reasonable level of **health, safety, property protection** and general **welfare** insofar as they are affected by the continued occupancy and maintenance of structures and premises.

- KPMC (Draft KMC 15.40.101)

“

Diversity, Equity, Inclusion, and Accessibility (DEIA). Implementation of the KPMC reflects DEIA values by approaching property maintenance compliance holistically through a lens of compassion and equity. With the intent of **helping all people love where they live**, the KPMC promotes voluntary compliance and community-based services to assist vulnerable populations.

- KPMC (Draft KMC 15.40.101)



- ~~1997 Uniform Housing Code~~
- ~~1997 Uniform Code for the Abatement of Dangerous Buildings~~

NEW Kenmore Property Maintenance Code (KPMC)

IPMC Standards + Council Feedback + Community Input = KPMC

Circling back: Council Direction

Key Questions:

1. Are there edits before we finalize the codes and bring them back for public hearing & adoption?

NEXT STEPS

EDITS

SEPA & COMMERCE

PUBLIC HEARING

CITY COUNCIL DECISION

END OF PART II

Thank you



City Council Agenda Bill City of Kenmore, WA

<p>Subject/Topic: Discussion on the City's Traffic Calming Policy and Review of Traffic Calming Treatment Types</p> <p>Proposed Council Action/Motion: No action or motion proposed; presented informationally / for discussion only.</p>	<p>For Council Meeting Agenda of: May 15, 2023</p> <p>Department: Public Works Engineering</p> <p>Prepared by: Tobin Bennett-Gold, PE</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 80%;">Approved by Department Head:</td> <td style="text-align: right;"><u>Initial & Date</u> JFV</td> </tr> <tr> <td>Approved by City Attorney:</td> <td style="text-align: right;">N/A</td> </tr> <tr> <td>Approved by Finance Director:</td> <td style="text-align: right;">N/A</td> </tr> <tr> <td>Approved by City Manager:</td> <td style="text-align: right;">RK</td> </tr> </table> <p>Exhibits/Attachments: Attachment A: Draft Traffic Calming Policy</p>	Approved by Department Head:	<u>Initial & Date</u> JFV	Approved by City Attorney:	N/A	Approved by Finance Director:	N/A	Approved by City Manager:	RK
Approved by Department Head:	<u>Initial & Date</u> JFV								
Approved by City Attorney:	N/A								
Approved by Finance Director:	N/A								
Approved by City Manager:	RK								
<p>Summary: Travel speed is a critical dimension of creating safe and effective traffic environment for all modes of travel. Travel speeds which are too high increase the risk of crashes occurring and increase the severity of crashes that do happen. Aligning travel speeds with what is appropriate for the traffic environment supports Kenmore's Target Zero goal of zero fatal and serious injury crashes for cyclists and pedestrians and also supports Kenmore's ongoing progress in building a robust multimodal transportation network serving City residents and regional travelers alike.</p> <p>This presentation will touch on how traffic calming projects are identified and provides background on various approaches to traffic calming and speed management that are well-suited for use in Kenmore.</p>									
<p>Information/Background:</p> <p>The City of Kenmore traffic calming policy provides a clear and understandable description of the process used by City engineering staff to determine if travel speeds on a street are appropriate for the regulatory speed limit or advisory speed, and, in the case where speeds are too high, whether changes to the traffic environment are warranted to support current operating speed, or if speed management is warranted to support lower speeds more appropriate to the existing traffic environment. The traffic calming policy also describes the scope of outreach to affected residents and operational partners that takes place before traffic calming is implemented.</p> <p>In the case where a reduction in operating speed is desired, the City has a sizeable toolbox of diverse approaches to traffic calming and speed management. Some of these approaches are familiar to Kenmore drivers, and others do not have a history of use within the City. Staff will present to council the types of treatments available for use in Kenmore and will provide context and considerations for each treatment:</p> <p>Appropriate speed ranges where this treatment can be applied</p> <p>X. A. Traffic Calming Policy and Traffic Calming Treatment Types, presented</p>									

- How the treatment reduces travel speeds
- Operational considerations
- Factors which limit where this treatment is applicable

Some of these treatments which have not before been used in Kenmore will be introduced as limited-scope as pilot installations. Pilot installations are permanent installations, and the effectiveness of these new treatments will be studied before they are considered for wider use in the City. Examples of upcoming pilot installations are:

- 73rd Av between 190th St and 192nd St, rolled-curb bike lane buffer
- 170th St between Juanita Dr and 72nd Av, profile striping bike lane buffer

Other treatments which have not before been used in Kenmore will be demonstrated as temporary installations coming later in 2023 and 2024. The goal of these temporary installations is to familiarize Kenmore residents and road users with the functional and qualitative experience of navigating novel traffic calming treatments, and providing an opportunity for questions and informed feedback before construction of permanent installation begins. These temporary installations will be located at sites identified as having a need for traffic calming, and they will be installed using temporary materials which will allow alteration or removal of the traffic calming installation based on the results of study and observation. If the safety and operational performance of a temporary installation is acceptable, it is intended that it will be left in place until a permanent installation is made. More information on the locations and timeline for these temporary installations will be available after the planning process is further along.

Fiscal Consideration:

Traffic calming pilot installations are within the current budget for existing projects. Temporary traffic calming installations are within the existing 2023-2024 traffic safety budget.

City Council Priority or Budget Objective Being Addressed:

Goal #3: Focus on and emphasize multimodal transportation in the City of Kenmore with a specific focus on pedestrian, bicycle, and other means of travel.

Policies and Procedures for the City of Kenmore

Traffic Calming and Speed Management Program

Introduction

The underlying goal of speed management and traffic calming, as well as the setting of speed limits, is that the operating speed of the road (the 85th percentile speed) be within 5 mph of the speed limit. This policy document presumes that the speed limit for a road has been appropriately set based on engineering principals, and describes the process for identifying cases where measures should be taken to change travel speeds while holding the speed limit constant. The exercise of appropriately setting speed limits is outside of the scope of this policy.

The distinction between Traffic Calming and Speed Management is largely contextual and ultimately of very little importance. The term “Traffic Calming” generally refers to changes made to low volume, low speed streets in order to encourage slower travel speeds, often through changes to the roadway geometry such as speed humps, chicanes, or traffic islands, though changes to signing and pavement markings are common (and effective) as well. “Speed Management” or a “Speed Reduction Treatment” typically refers to changes made to higher volume, higher speed roads, with the intention of reducing travel speeds to be more in line with the posted regulatory speed; on these roads many traffic calming treatments may be inappropriate due to higher speeds and volumes, but higher cost strategies such as strategic traffic enforcement or ITS applications (e.g. speed feedback signs, photo enforcement) may have very high value due to the increased number of road users benefited. “Traffic Calming” and “Speed Management” thus differ primarily in the toolbox used and the environment those tools are used in, though interchangeable use of the terms is generally not problematic, e.g. if narrowed travel lanes on a high-speed arterial road were described as having a “traffic calming effect” there is little risk of being misunderstood. In this document, for the sake of brevity and consistency, the term “traffic calming” will be used except in cases where more specific terminology is warranted.

Section 1: Project Need Identification

1.1 Proactive programs

1.11 Arterial and Collector Speed Evaluation Program

In a year during which an arterial and collector speed evaluation is conducted, travel speed data is collected on all arterial and collector streets, as well as local streets which are under consideration for reclassification as collector streets. Travel speed data is collected at several locations along entire corridors, focusing on areas where travel speeds are most likely to be too fast for conditions (i.e. locations where speeds may be especially high, or locations with advisory speeds or school zones or other features / factors where traveling at the regulatory speed limit may not be appropriate). These speed studies are used to identify locations where changes can be made with the goal of lowering travel speeds corridor-wide and in doing so reduce the risk of crashes and reduce the severity of crashes that do occur. The data collected for this evaluation will support the identification of projects which will help encourage travel

speeds more in line with the regulatory speed limit and advisory speeds, as well as help to identify changes that would be needed to support a permanent reduction in the regulatory speed limit.

1.12 Annual Counts Program

The engineering department uses City equipment and staff to perform high-quality traffic speed and volume studies on a two-year cycle. The number of study locations and frequency of speed and volume studies is limited by the number of data collection devices available and the minimum duration required for a rigorous study. Twenty-five locations on arterial and major collector streets are studied once per year, and nearly one-hundred locations on minor collector and local streets are studied every other year. These locations are further supplemented by over twenty locations which collect data 24-hours per day, every day of the year (continuous count locations).

In addition to providing volume data which is critical for monitoring the operational health of the City's transportation network as well as project identification and planning, the speed data collected through this program allows for proactive identification of locations where travel speeds exceed what is appropriate for the facility. A limitation of this program regarding monitoring travel speeds is that locations are selected primarily to provide high-quality traffic volume data, and the studies may not always be conducted at locations where the most problematic speeding may occur or may record only one such location on a street when multiple areas may be problematic. For this reason, there is sufficient "slack" built into the equipment schedule to allow for more than 30 additional ad-hoc counts at locations that are not regularly scheduled. These ad-hoc studies can be used to respond to concerns brought by residents for locations which are not regularly studied, locations at the discretion of the engineering department for other concerns or needs which may arise, or in service of project planning or construction monitoring.

1.2 Reactive Programs

1.21 Service Requests for Traffic Calming or Sight Distance Improvements

When a service request is received regarding a concern about travel speed, sight distance / sight lines, crash risk, or another issue that may be corrected by traffic calming, this may lead to identifying a need for traffic calming. If the appropriate studies needed to evaluate the issue have already been completed / scheduled through another program (e.g. the Annual Counts Program) then information regarding the studies will be shared with the resident who submitted the service request, and no new studies will be triggered. If the appropriate studies have not already been completed or scheduled through another program, then the studies will be scheduled at the earliest possible date given the availability of staff and equipment (e.g. a speed study may be scheduled as one of the ad-hoc counts in the annual count program). These studies may be used in the determination of need for traffic calming or other changes to the traffic environment.

Note: It is not necessary that a resident express that speed or sight distance is their primary concern in order to consider a location for identification of a traffic calming or traffic safety improvement need. Frequently a service request may be phrased as a concern about an issue

which masks the underlying problem to be solved; e.g. a request for a stop sign may be related to an issue related to speeding, or a request for changes to on-street parking may be related to an issue with travel speed being inappropriate for the available sight distance.

Note: Speed studies used to identify a need for traffic calming should be no older than two years, and locations with a study older than two years will be scheduled for a new study if one is not already scheduled. Sight distance studies may be used regardless of their study date if the traffic engineer determines that the sight line characteristics of the location have not changed meaningfully since the study was conducted, though a more recent speed study may be required to support the existing sight distance study.

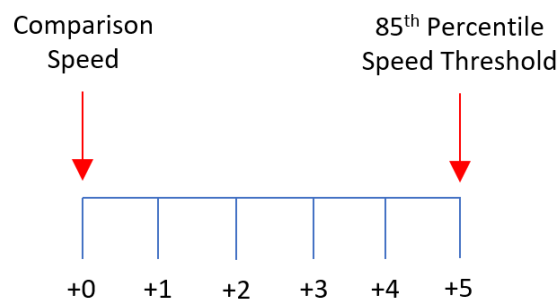
1.3 Determination of Need

Through whichever path a site enters evaluation for speed or sight distance concerns, determination of the need for traffic calming or other accommodations is the same.

Note: Concerns regarding elevated crash-risk may or may not be related to speed or sight distance. Concerns regarding elevated crash risk, from whichever source they may originate, are handled through a separate process described in the Local Road Safety Plan if they are not deemed by the traffic engineer to be related primarily to speed and / or sight distance.

1.31 Speed Evaluation and Thresholds for Traffic Calming

The fundamental purpose of traffic calming is to reduce travel speeds in order to reduce crash risk and reduce the risk of injury when crashes do occur. For each site where a speed study is performed a comparison speed will be determined. A site where a speed study shows that the 85th percentile speed exceeds the comparison speed by 5 mph or more will automatically be identified as a site that warrants traffic calming.



1.32 Comparison Speed

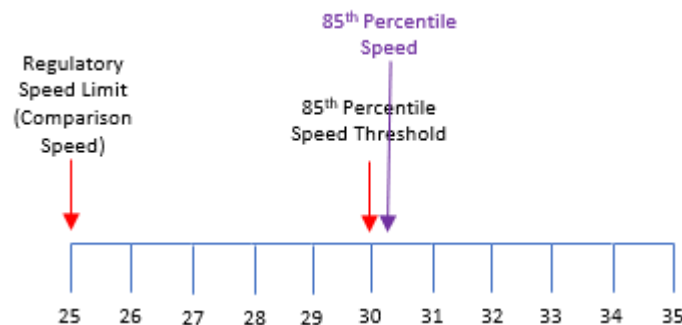
The comparison speed is the speed to which the 85th percentile speed is compared in order to determine if there is a need for traffic calming. The regulatory speed limit or advisory speed are typically used as the comparison speed, however, the speed appropriate for the available sight distance may be used as the comparison speed to determine if temporary or permanent sight distance accommodations are needed

in the time before traffic calming can be implemented. The sight-distance appropriate speed may also be used to determine if an advisory speed is warranted, which in turn may be used as the comparison speed for determining if traffic calming is needed.

1.32.1 Regulatory Speed Limit

The default value for comparison speed is the regulatory speed limit. In the absence of other considerations, comparison of the regulatory speed limit to the mean speed and 85th percentile speed will be used to identify a need for traffic calming.

Example 1.32(a): The regulatory speed on a road is 25 mph. A speed study shows that the 85th percentile speed is 34.1 mph.

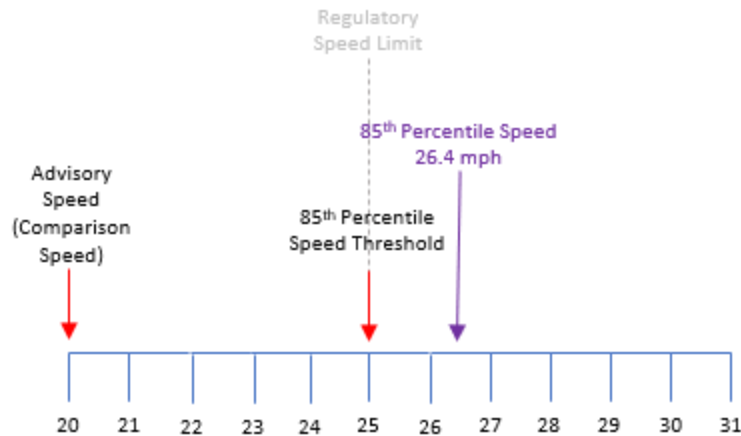


The comparison speed is determined to be the regulatory speed limit. Because the 85th percentile speed exceeds the comparison speed by 5 mph or more, this is identified as a site in need of traffic calming.

1.32.1 Advisory Speed

If a site has an advisory speed which has been posted for at least six months, the advisory speed may be used as the comparison speed. If the advisory speed has been posted for less than six months, a new speed study will be scheduled for a time six months to one year after the advisory speed has been posted.

Example 1.32(b): The regulatory speed limit on a road is 25 mph, but there is an advisory speed for 20 mph which has been in place for longer than six months. A speed study shows that the 85th percentile speed is 26.4 mph.



The comparison speed is determined to be the advisory speed. Because the 85th percentile speed exceeds the comparison speed by 5 mph or more, this is identified as a site in need of traffic calming.

1.33 Sight Distance Considerations

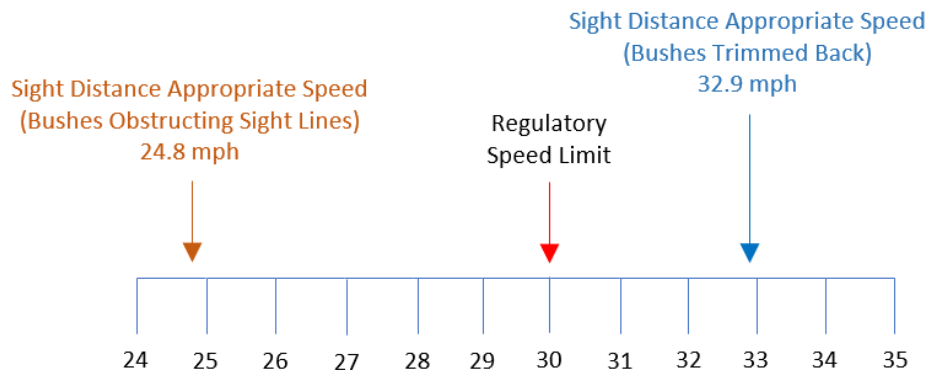
A sight distance study may determine how much sight distance is available, and what the maximum appropriate travel speed would be for the available sight distance. Insufficient sight distance can result in conflicts and crashes even when all road users involved are behaving responsibly, and for this reason it is important to provide a traffic environment where sufficient sight distance is available based on a reasonable expectation travel speeds determined by an engineering speed study and sight-distance study of the location. Studies which indicate that travel speeds are not appropriate for the available sight distance may warrant sight-distance improvements, advisory speeds, or traffic calming in order to provide a traffic environment where sight distance which is appropriate for expected travel speeds, appropriate travel speeds are communicated to drivers, and drivers are encouraged to travel at speeds appropriate for the available sight distance. At the discretion of the traffic engineer it may be determined that a combination of these treatments is required in order to address the unique conditions of the specific traffic environment.

1.33.1 Sight-Distance Appropriate Speed Is Less than Regulatory Speed Limit

When a sight-distance study indicates that the speed of travel appropriate for the available sight distance is less than the speed limit, low-cost, low-impact changes may be made in order improve sight lines. Such changes may include but are not limited to changes to pavement markings and channelization, parking restrictions, vegetation management, and removal or relocation sight distance obstructions. If these changes are not possible or if after implementing these changes the sight-distance appropriate speed of travel would still be equal to or less than the regulatory speed limit, then an advisory sign may be installed indicating the feature related to the sight distance concern. This sign may be accompanied by an advisory speed plaque indicating an advisory speed at the 5 mph increment nearest to the travel speed appropriate for the available sight distance. If the nearest 5 mph increment is equal to the regulatory speed limit, then an advisory sign may be installed but no advisory speed plaque is needed.

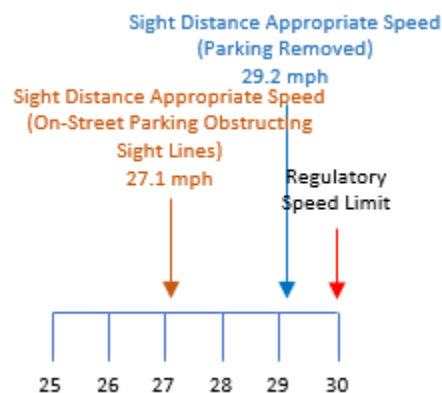
If an advisory speed is implemented, a follow-up speed study will be scheduled for a time six months to one year after the advisory speed has been posted and that speed study will be used in comparison to the advisory speed to determine if traffic calming or sight distance improvements are warranted.

Example 1.33(a): A side street enters onto a road with a speed limit of 30 mph. The intersection is minor street stop control, and so drivers on the minor street must judge a gap to enter traffic. Traffic entering from the side street has a view obstructed by overgrown bushes in the public right-of-way and a sight distance study determines that there is 150 ft of available sight distance from the side street to oncoming vehicles. The sight distance appropriate speed for oncoming vehicles is determined to be 24.8 mph.



The engineer determines that after the bushes are trimmed back there will be 225 ft of available sight distance and the sight-distance appropriate speed would be 32.9 mph. Because the new sight-distance appropriate speed exceeds the regulatory speed limit, no advisory speed is warranted.

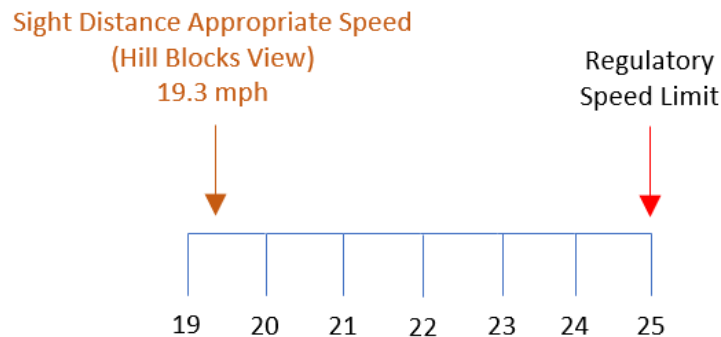
Example 1.33(b): A driveway enters onto a road with a speed limit of 30 mph. Traffic entering from the driveway has a view obstructed by legal on-street parking and a sight distance study determines that there is 170 ft of available sight distance. The sight distance appropriate speed for oncoming vehicles is determined to be 27.1 mph.



The engineer determines that removing a parking space will increase the available sight distance to 190 ft, and the sight-distance appropriate speed would then be 29.2 mph, and further improvements are

unfeasible. Because the sight-distance appropriate speed is equal to or less than the regulatory speed limit, a “Hidden Driveways” advisory sign is warranted, but because the nearest 5 mph increment is equal to the regulatory speed, no advisory speed plaque is needed (the advisory speed would be equal to the speed limit).

Example 1.33(c): A road has a speed limit of 25 mph, but a sight distance study determines that the crest of a hill limits a driver’s forward sight distance to 100 ft, the grade of the hill is 8% and the sight-distance appropriate speed is determined to be 19.3 mph.

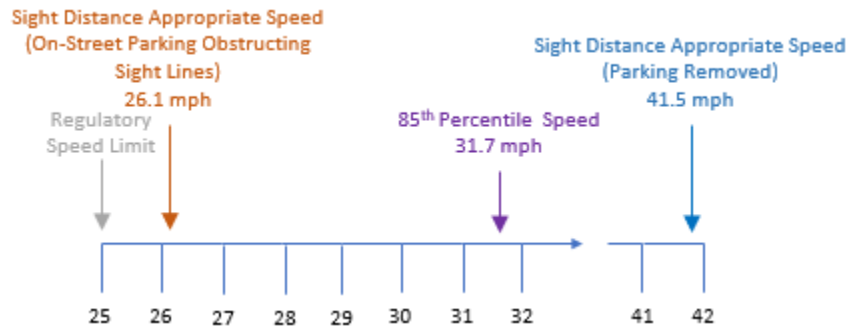


The hill cannot be removed, and the engineer determines that no low-cost, low-impact sight distance improvements are possible. The nearest 5 mph increment to the sight-distance appropriate speed is 20 mph, and so an advisory sign for “Hill Blocks View” will be installed with a 20 mph advisory speed plaque.

1.33.2 Sight-Distance Appropriate Speed Is Less Than 85th Percentile Speed And Greater Than Regulatory Speed Limit

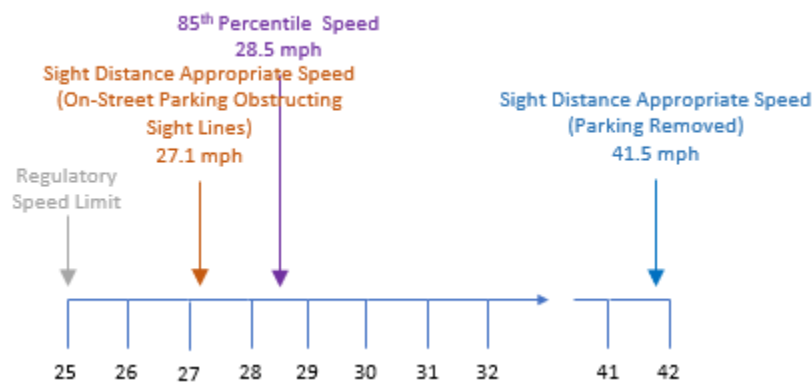
When the travel speed appropriate for the available sight distance is greater than the speed limit, but less than the 85th percentile speed by 5 mph or more, temporary or permanent low-cost, low-impact sight distance improvements may be considered. In this case, the location will also warrant traffic calming by based on the regulatory speed limit, but if traffic calming cannot be implemented in the near future, and low-cost, low-impact sight line improvements are possible, then sight lines may be improved in order to reduce crash risk based on the present condition travel speeds.

Example 1.33(d): A driveway enters onto a road with a speed limit of 25 mph. A speed study indicates that the 85th percentile speed is 31.7 mph. Based on the 85th percentile speed, this location is identified as a site in need of traffic calming, however traffic calming cannot be delivered in the near term. A sight distance study indicates that the available sight distance is 170 ft, and the sight-distance appropriate speed is 26.1 mph. The sight distance is obstructed by legal on-street parking.



The engineer determines that the removal of one parking space does not adequately improve sight distance, but the removal of two parking spaces leaves sight lines unobstructed for a substantial distance. Although travel speeds remain unchanged, the removal of two parking spaces has allowed for sight lines which are appropriate for present conditions.

At some time in the future, a traffic calming project is delivered on this road. The engineer expects that these changes may have reduced travel speeds and a speed study confirms that the new 85th percentile speed is 28.5 mph.



Because the 85th percentile speed no longer exceeds the sight-distance appropriate speed by 5 mph or more for when on-street parking is present, the parking restriction may now be removed.

Section 2: Project Scoping and Pre-Design

If a need for traffic calming is identified, and all other low cost, low impact changes are deemed insufficient or ineffective, determining the most appropriate type of traffic calming is sensitive to the context of the traffic environment and its users, the geometry of the roadway, the constraints of available public right-of-way, and the potential impact to other public infrastructure systems or the environment. All of these considerations factor into the cost and feasibility of traffic calming and traffic safety projects. The goals of project scoping and pre-design are the following:

- To identify one or more traffic calming treatments which are likely to be effective at reducing speeds and estimate the effectiveness of the treatment(s)
- Confirm the feasibility of the treatment(s) and / or identify obstacles to feasibility
- Generate a rough estimate of the cost to implement the treatment(s)

Traffic calming treatments which may be considered include but are not limited to the following:

- Chicanes, Curb Extensions / Bulb-outs, or Pinch-Points
- Curve or Intersection Corner Radius Reduction
- Lane Width Reduction
- Medians or Splitter Islands
- Reduction in Number of Lanes or Road Diets
- Signing and Pavement Marking Changes
- Speed Feedback Signs
- Speed Humps, Speed Tables, Speed Cushions, Raised Crosswalks, or Raised Intersections
- Street Narrowing and / or Roadside Features
- Street Parking Reconfiguration
- Through-Street Access Restriction or Closure
- Traffic Circles or Roundabouts

The result of the project scoping and predesign will be one or more alternatives, and for each alternative the following elements will be included:

- The estimated speed reduction effect and crash risk reduction effect
- A project-area diagram which is sufficient for material takedown and identification of project footprint
- A scoping-level cost estimate for design and construction

If multiple alternatives are likely to be similar in cost and effectiveness, or if alternatives show clear trade-offs between cost and effectiveness (e.g. low-cost, low effectiveness alternatives as well as high-cost, high-effectiveness alternatives), then each of those alternatives should be included in the project prioritization step.

Note: At the discretion of the traffic engineer a project may enter the scoping and predesign step without a need for traffic calming having been identified (for instance if a reduction in speed limit is being considered which should be accompanied by traffic calming). In that case, a speed study at the location, and possibly a sight-distance study, should be completed in order to inform the project scoping and predesign process.

Section 3: Project Prioritization

All projects identified for traffic calming will be considered alongside other traffic safety improvements per the prioritization process outlined in the Local Road Safety Plan. Projects from this pool will be delivered as funding is available either from internal sources, grant funding, or a combination of the two. Projects which have the potential to piggyback onto other planned projects should be reprioritized based on their marginal cost and marginal benefit. For more information on project prioritization refer to the Local Road Safety Plan.

Section 4: Project Outreach and Delivery

4.1 Pre-Delivery Outreach

When a project's priority indicates that it is likely to be delivered, outreach will be initiated first to operational stakeholders (e.g. Public Works Operations, emergency services, transit agencies, school transportation administration), and then to neighborhood residents.

Note: For the purposes of outreach, the traffic engineer may exercise discretion as to whether business owners should be classified as "Operational Stakeholders" or "Neighborhood Residents" or both.

4.11 Outreach to operational partners

For each alternative entering consideration, operational stakeholders will be provided with the following:

- A scoping-level diagram showing the proposed improvements superimposed on aerial imagery of the site
- A brief description of the project and its expected benefit
- A description of the expected impact the project may have on the stakeholder's operations, and whether / how these impacts are being addressed

Operational stakeholders will be given an opportunity to comment on each alternative, and these comments may be taken into consideration for revision / refinement of project details.

Note: Outreach to operational stakeholders is completed before outreach to neighborhood residents because questions that commonly arise from neighborhood residents often require input and information from operational stakeholders, and buy-in from operational stakeholders is often helpful in allaying the concerns brought by neighborhood residents, e.g. "Will the school buses be able to navigate this new traffic circle?".

4.12 Outreach to Neighborhood Residents

For each alternative under consideration an area will be determined within which residents are considered to be "affected residents". This area shall include at the least:

- All residents with a frontage or property / residence access which is likely to be affected by construction activities during project delivery or by substantial geometric changes or traffic control changes resulting from the project
- All residents of a cul-de-sac, dead-end street, or no-outlet neighborhood, or of similarly limited access, which must use the project area as the sole reasonable point of access to their property or residence or whose access will be substantially affected by construction activities or by substantial geometric changes or traffic control changes resulting from the project
- All residents who are likely to make use of parking which will be affected by project changes or by construction activity
- All residents within one quarter-mile travel distance to a project on a collector or arterial road if the project includes substantial geometric changes or traffic control changes to the roadway

If this area differs across multiple alternatives, then the area of affected residents will include all residents determined to be affected by any of the alternatives.

For all traffic calming projects in the City which are expected to be delivered in a given year, a webpage on the City of Kenmore website will be created which includes alternatives and respective project descriptions for each location, and two open house dates will be scheduled to field comments and questions regarding the planned projects. Affected residents will be notified by mail of the open house dates, website resources, and provided with brief descriptions of projects which affect them. Comments received during the open house process or from residents reaching out directly to City Hall may be considered in further revision / refinement of project details. Information made available through outreach resources will include at least the following:

- Description of project
- A scoping-level diagram showing the proposed improvements superimposed on aerial imagery of the project site
- Estimated effect of the project in terms of travel speed reduction, crash risk reduction, operational change, or other
- Description of project alternatives (if any) and statement of the staff-recommended alternative
- Estimated project cost
- Estimated project timeline

Note: The level of outreach required shall be the greater of whichever is stated here or stated in the City of Kenmore Outreach Matrix.

4.2 Project Delivery

Project delivery will be completed through the typical project delivery process.

Once the appropriate traffic calming treatment has been determined, a temporary installation shall be installed with a 90-day trial period whenever practical. If, after 90 days, the effect of the traffic calming treatment is within a reasonable range of expectations, delivery of a permanent installation may proceed. If the effect of the traffic calming treatment is not sufficiently within range of meeting expectations then adjustments may be made or the traffic calming plan may be revised, possibly resulting in a new trial period if necessary, appropriate, and practical.

Section 5: Project Follow-up

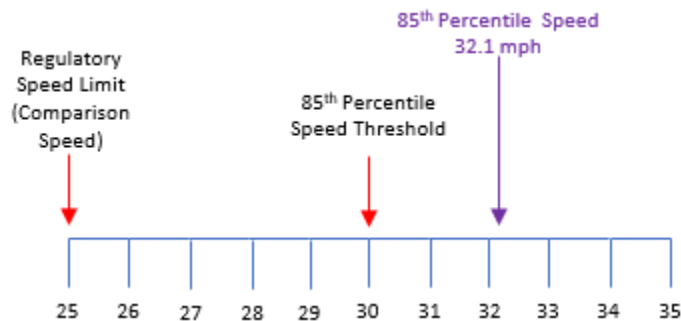
Observing and documenting the effects of changes made to the traffic environment is critically important. Determining whether and to what degree a project resulted in a change in driver speed or other operational or safety changes is important for determining whether a project delivered its intended result and can also identify unanticipated effects (positive or negative) which resulted from the change. These observations may indicate that further changes are warranted and are also critical in identifying and anticipating the effect on the traffic environment that future projects may have elsewhere in the City.

5.1 Follow-Up Evaluation of Travel Speed Changes

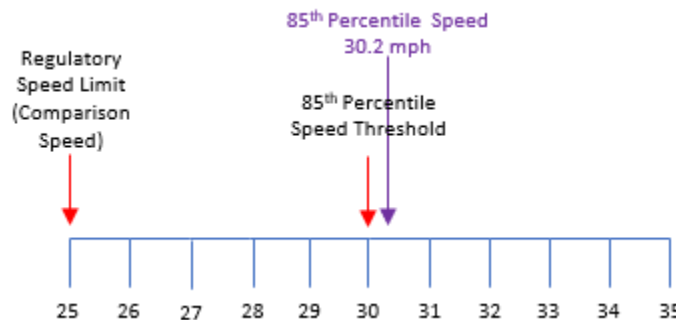
For projects which are expected to affect travel speeds, a follow-up speed study will be conducted at a time between six months and twelve months after the project is completed at the same location as the study which was used to identify the project need, as well as one to three other similar locations where previous studies have been performed but where no changes have been made which would be expected to affect travel speeds. (These additional studies should be regularly scheduled studies which are appropriate to serve this additional purpose, if possible. These additional studies should also be those studies which occurred contemporaneously with the original study used to identify the need, if possible.) Comparison of the before-and-after project area studies with the set of no-change studies will be used to evaluate the effectiveness of the speed reduction treatment. Records of the effectiveness of traffic calming treatments will be retained in order to improve project treatment selection and estimation of effectiveness for future traffic calming projects.

Based on the travel speeds observed in the follow-up study, a location may or may not enter consideration for additional traffic calming or other accommodations based on the same process.

Example 5: A road has a regulatory speed limit of 25 mph. A speed study shows that the 85th percentile speed is 32.1 mph. Based on these observed travel speeds the road is identified as having a need for traffic calming.



After traffic calming is implemented, a follow-up speed study is performed. The follow-up study shows that the 85th percentile speed has been reduced to 30.2 mph.



Based on the new speed study, the site is identified as needing additional traffic calming because the 85th percentile speed exceeds the regulatory speed limit by 5 mph or more.

5.2 Follow-Up Evaluation of Non-Speed Impacts on the Traffic Environment

For projects where non-speed-related operational or safety characteristics are expected to be affected, the traffic engineer will make field observations or conduct a video study within one month after the project is completed in order to determine if the resulting traffic environment warrants consideration for traffic safety or operation improvements to address emergent concerns. Examples of emergent issues which may be of concern include but are not limited to: compliance with traffic control (new or existing), lane-keeping compliance, congestion resulting in operational impacts, congestion resulting in unanticipated (or greater than anticipated) increases in delay.

If from these initial observations the traffic engineer determines that there are concerns which warrant further consideration for improvement, the traffic engineer will determine which of the following approaches is most appropriate:

- If the issue identified presents an immediate and substantial increase in crash risk the traffic engineer will determine what changes can be made at the earliest possible time in order to mitigate the increase in crash risk.

Example 5.2(a): A roundabout is installed at an intersection between two local roads. Based on field observations, the traffic engineer observes that drivers are mistaking the roundabout for a right-turn slip-lane, and drivers not making right-turns are navigating the roundabout in the incorrect direction, which presents an immediate and substantial risk of head-on collisions. The traffic engineer determines that this can be corrected by installing additional yellow centerline to delineate traffic further in advance of the intersection. Pavement marking is scheduled to be performed on the soonest possible timeline, and temporary delineators such as cones are placed in the intermediate time.

- If the issue identified presents an immediate and substantial increase in traffic delay or operational impacts and the traffic engineer expects that the issue will not be resolved to satisfaction by anticipated changes to driver behavior, then the engineer will determine what changes can be made to mitigate the delay or operational impact in the near term.

Example 5.2(b): Traffic calming is installed on a road with signalized intersections, and is very effective at reducing the travel speed. It is observed that delay has increased a great deal at a signalized intersection on that road, and the engineer determines that timing changes are needed in order for the signal to work efficiently with the new travel speed.

- If it is determined by the traffic engineer that the issue identified is likely to be resolved or mitigated by changes to road user behavior or changes to expectations of road users as they adjust to the new traffic environment, the traffic engineer will schedule additional observations or a video study for a time between six months and twelve months after the project is completed.

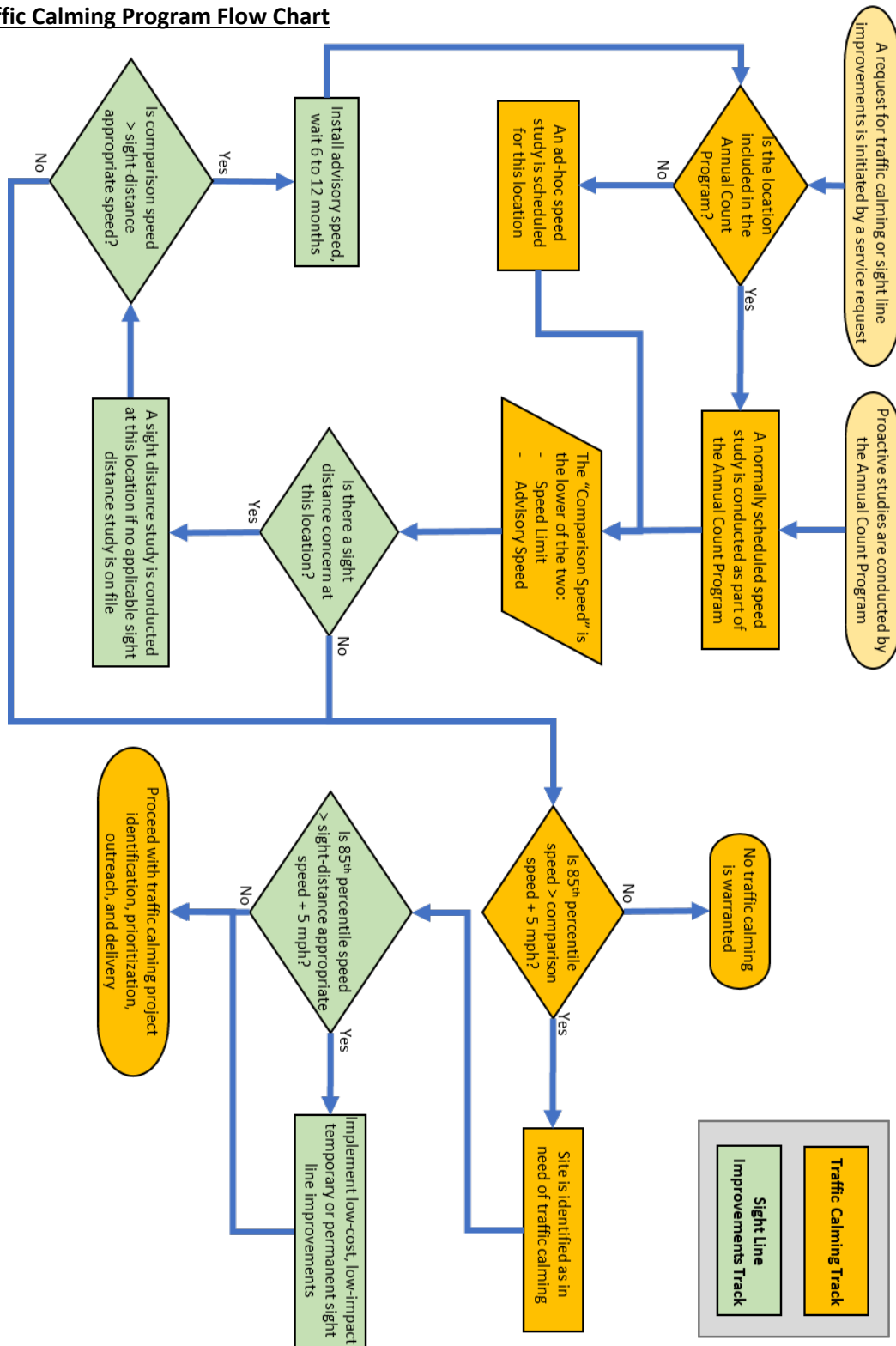
Example 5.2(c): A new roundabout is installed and it is observed that circulating drivers are stopping in the circulating lane to yield to approaching drivers, which is improper yielding behavior. The traffic engineer determines that the increased crash risk and operational impact of this behavior is not substantial and that the issue is likely related to drivers adjusting to the new traffic environment. The

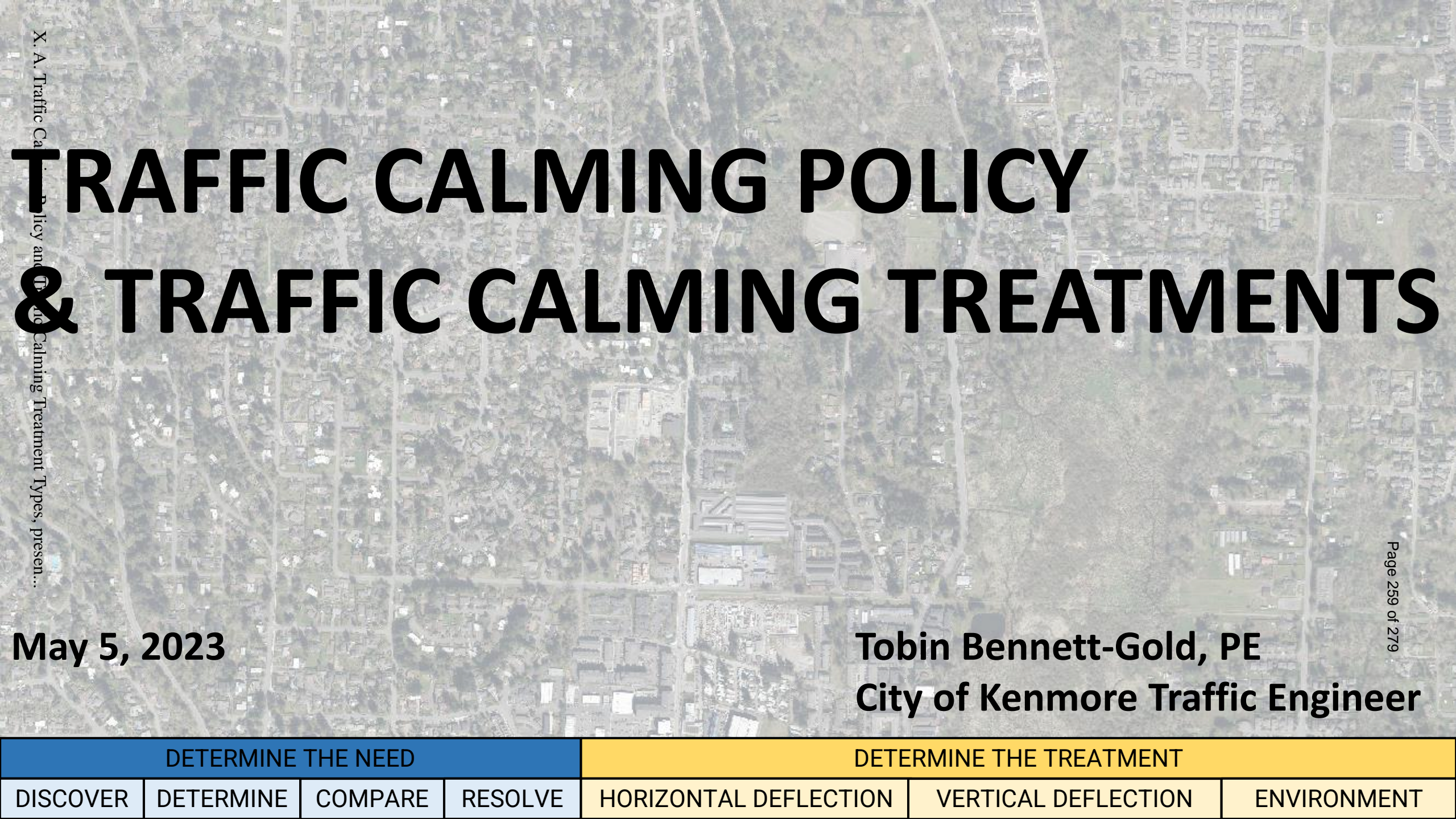
traffic engineer will schedule additional observations at a later date to determine if the issue has resolved itself or if further action would be appropriate.

If observation or video study indicates that there have been undesired changes to traffic operations or traffic safety resulting from the project, then the traffic engineer will determine if there are low-cost changes that could correct the issue, or if the issue warrants immediate correction due to the seriousness of the concern. If either of these is the case, the correction will be implemented as quickly as possible. If it is not the case that immediate correction is warranted, then changes which would correct the issue will be prioritized along with the other project needs of the City.

APPENDIX

A.1 Traffic Calming Program Flow Chart



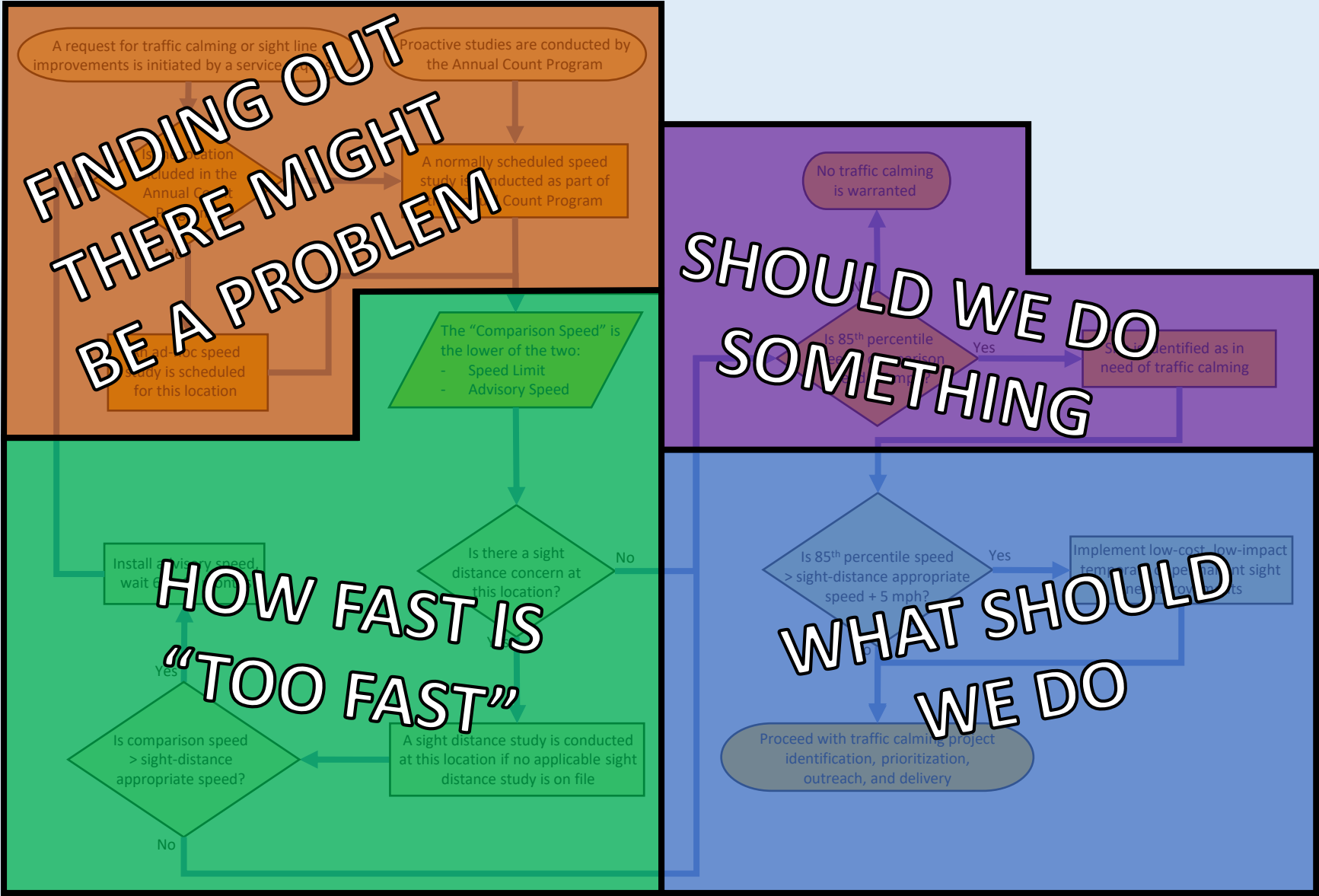


TRAFFIC CALMING POLICY & TRAFFIC CALMING TREATMENTS

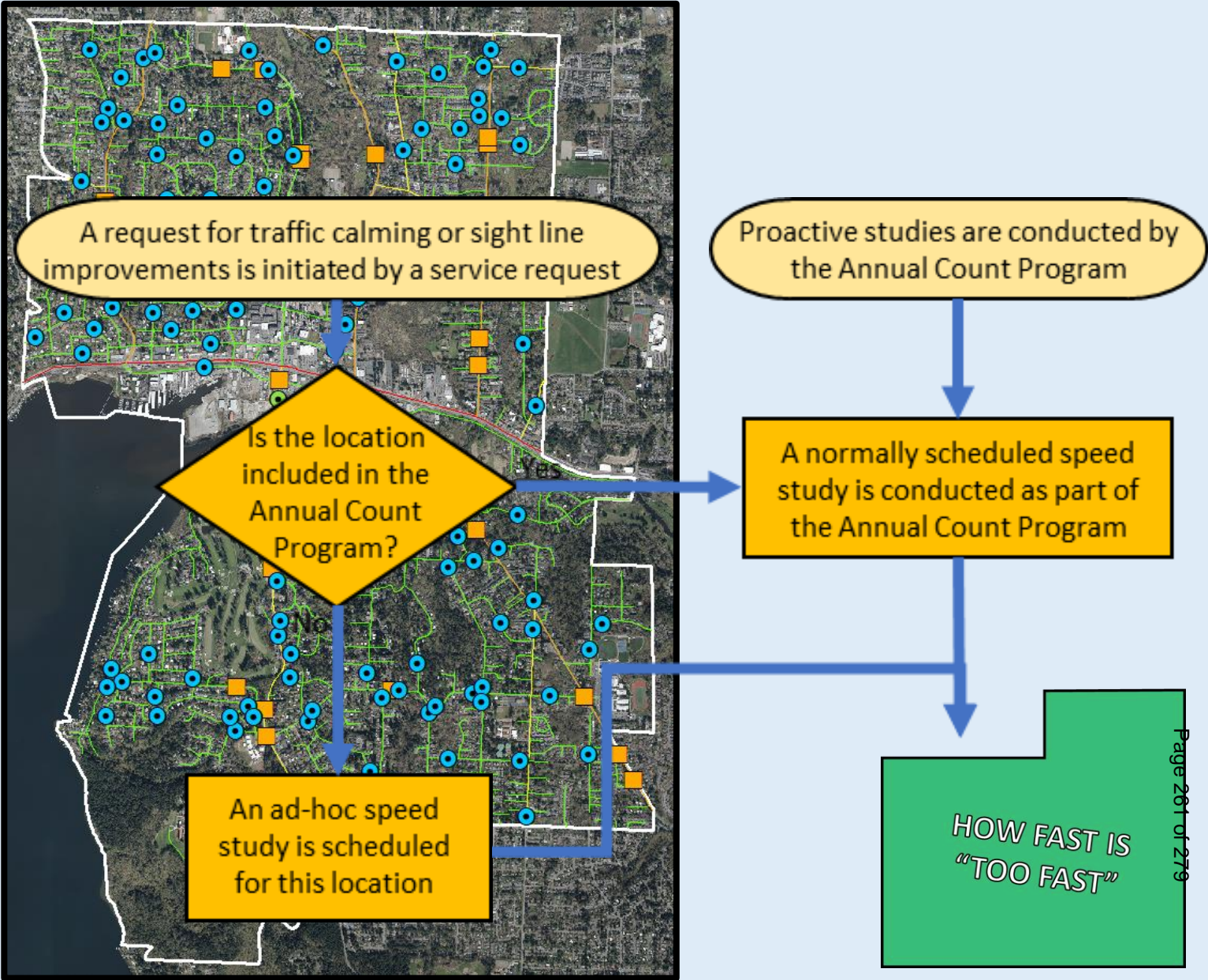
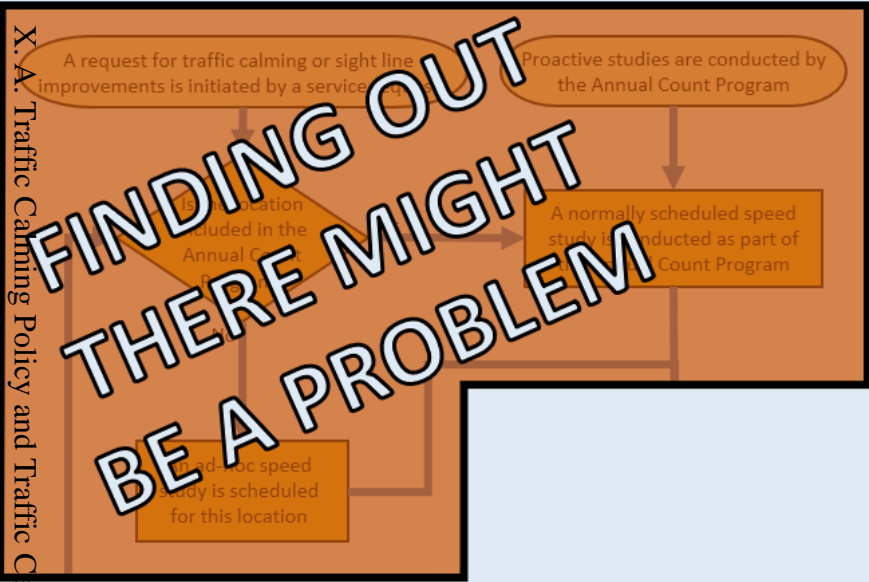
May 5, 2023

Tobin Bennett-Gold, PE
City of Kenmore Traffic Engineer

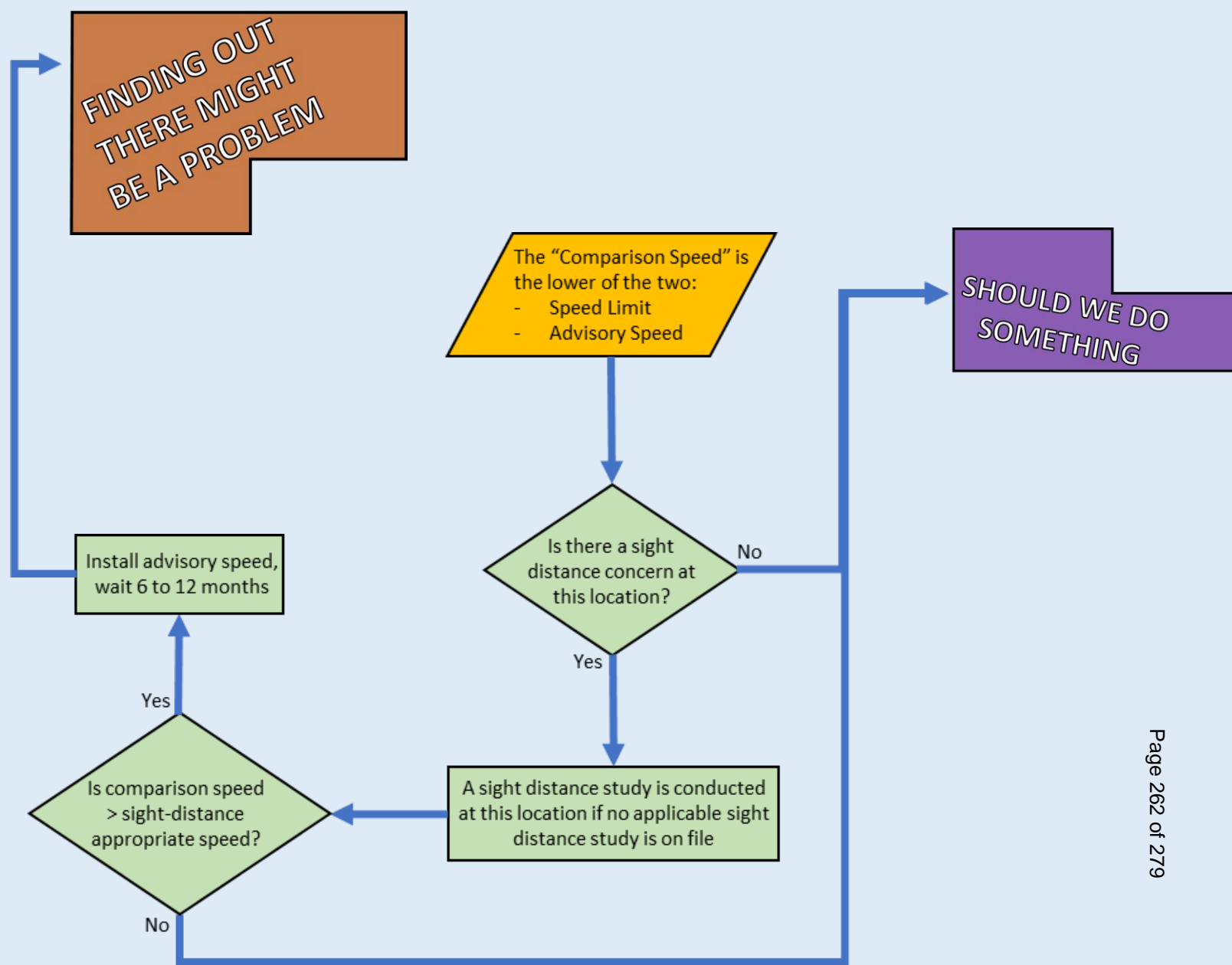
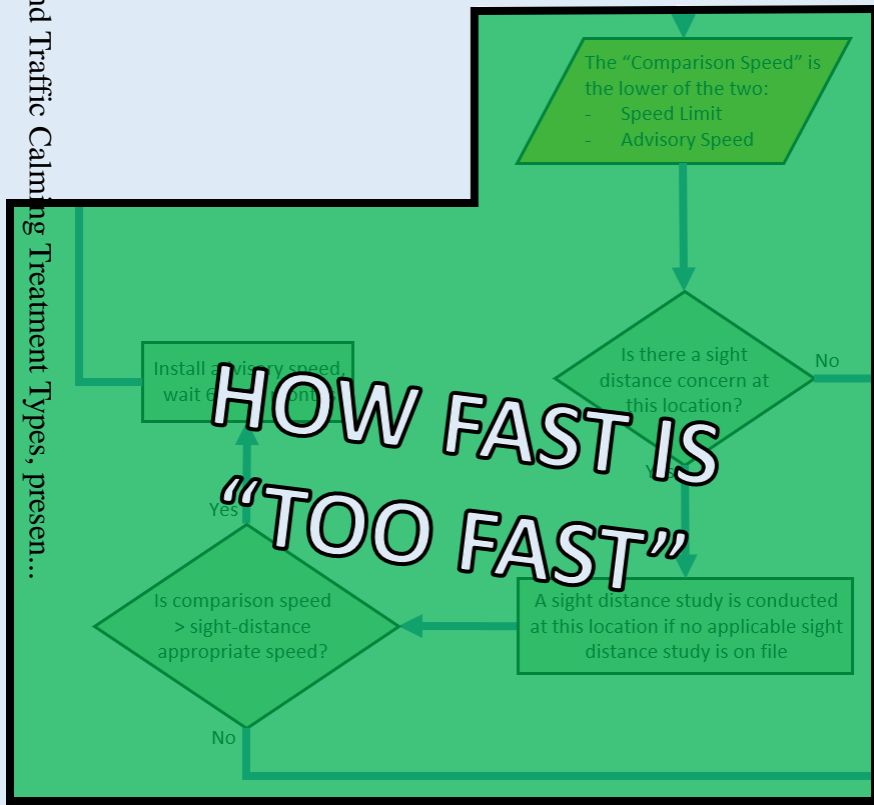
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DISCOVER	DETERMINE	COMPARE	RESOLVE	HORIZONTAL DEFLECTION	VERTICAL DEFLECTION	ENVIRONMENT



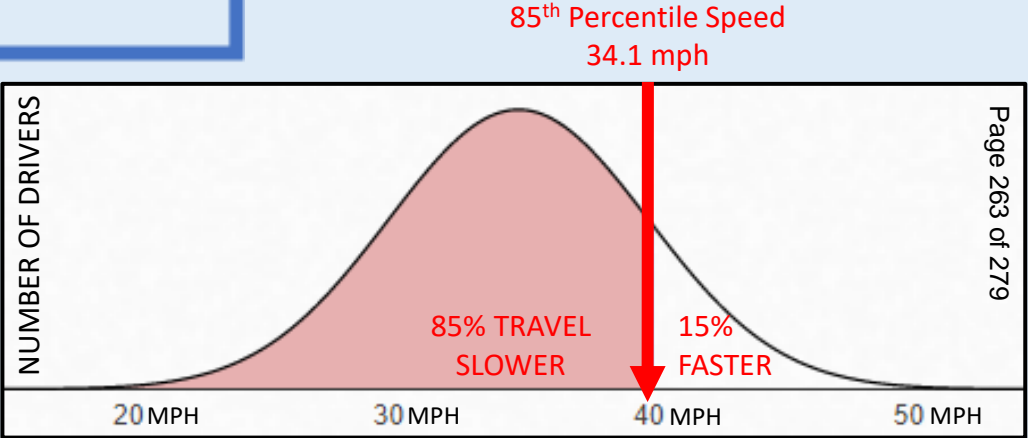
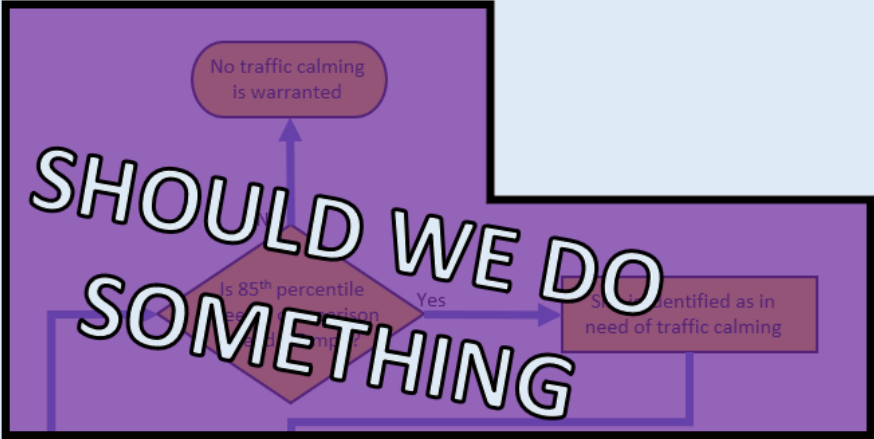
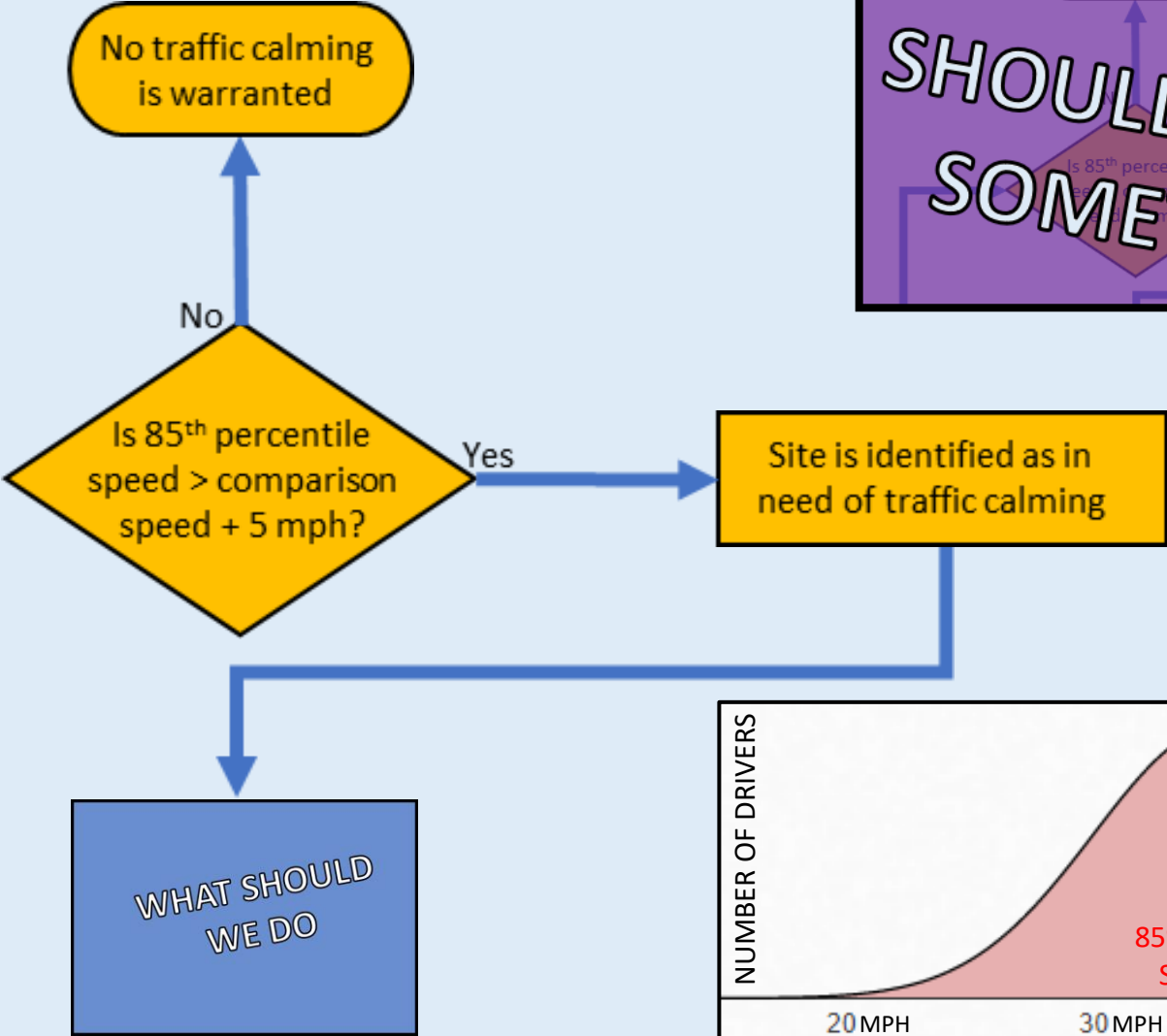
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DISCOVER	DETERMINE	COMPARE	RESOLVE	HORIZONTAL DEFLECTION	VERTICAL DEFLECTION	ENVIRONMENT



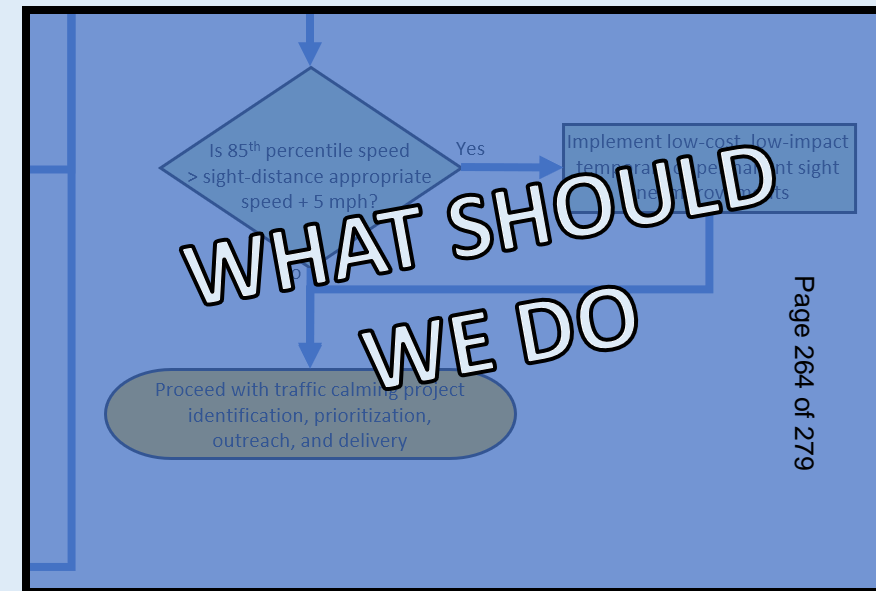
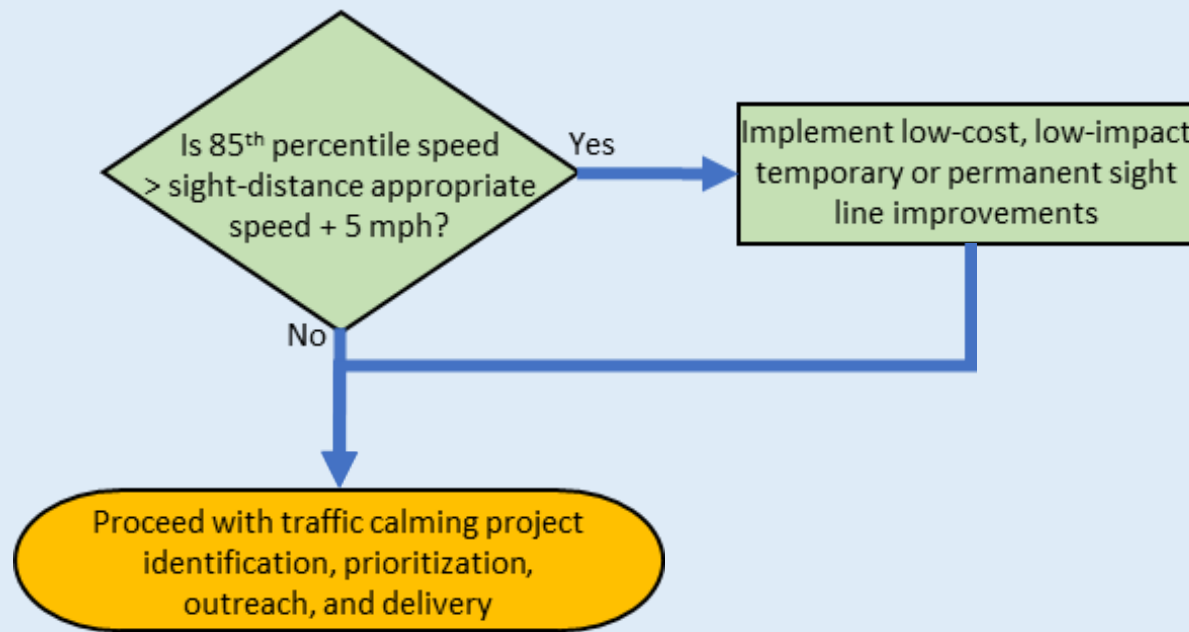
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DISCOVER	DETERMINE	COMPARE	RESOLVE	HORIZONTAL DEFLECTION	VERTICAL DEFLECTION	ENVIRONMENT



DETERMINE THE NEED				DETERMINE THE TREATMENT		
DISCOVER	DETERMINE	COMPARE	RESOLVE	HORIZONTAL DEFLECTION	VERTICAL DEFLECTION	ENVIRONMENT

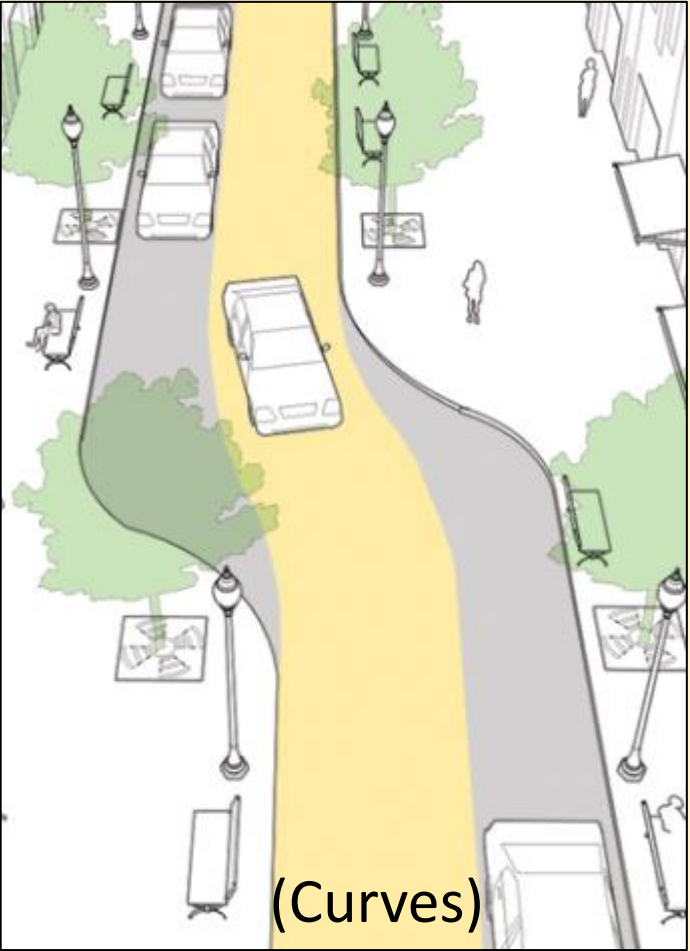


DETERMINE THE NEED				DETERMINE THE TREATMENT		
DISCOVER	DETERMINE	COMPARE	RESOLVE	HORIZONTAL DEFLECTION	VERTICAL DEFLECTION	ENVIRONMENT

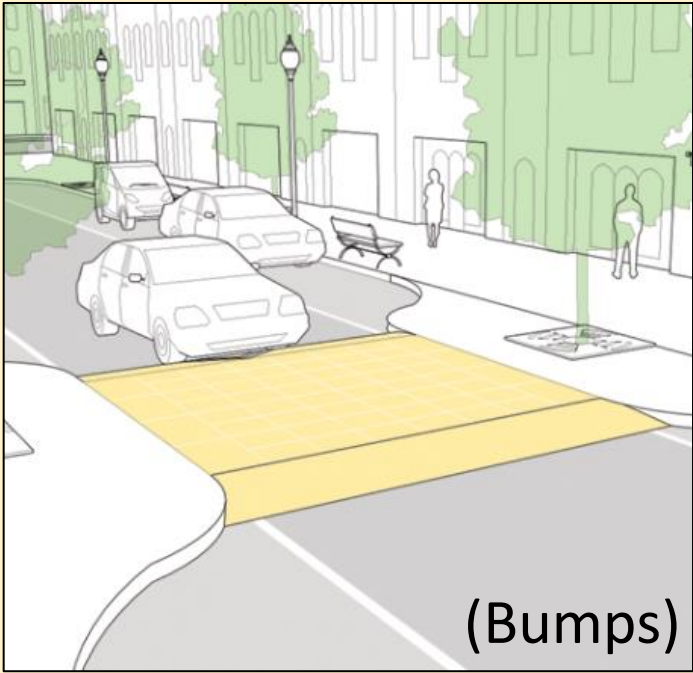


DETERMINE THE NEED				DETERMINE THE TREATMENT		
DISCOVER	DETERMINE	COMPARE	RESOLVE	HORIZONTAL DEFLECTION	VERTICAL DEFLECTION	ENVIRONMENT

Horizontal Deflection



Vertical Deflection



Environmental Cues



NACTO Illustrations

DETERMINE THE NEED				DETERMINE THE TREATMENT		
DISCOVER	DETERMINE	COMPARE	RESOLVE	HORIZONTAL DEFLECTION	VERTICAL DEFLECTION	ENVIRONMENT

Horizontal Deflection “Active Ingredients”:

- Curve radius limits travel speed
- Traveled way narrows
- Two-way traffic must yield



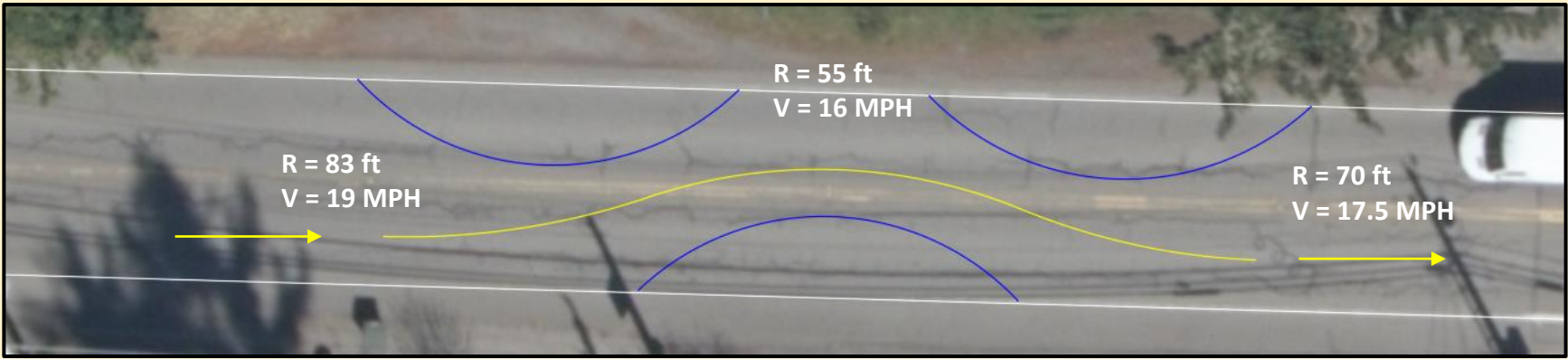
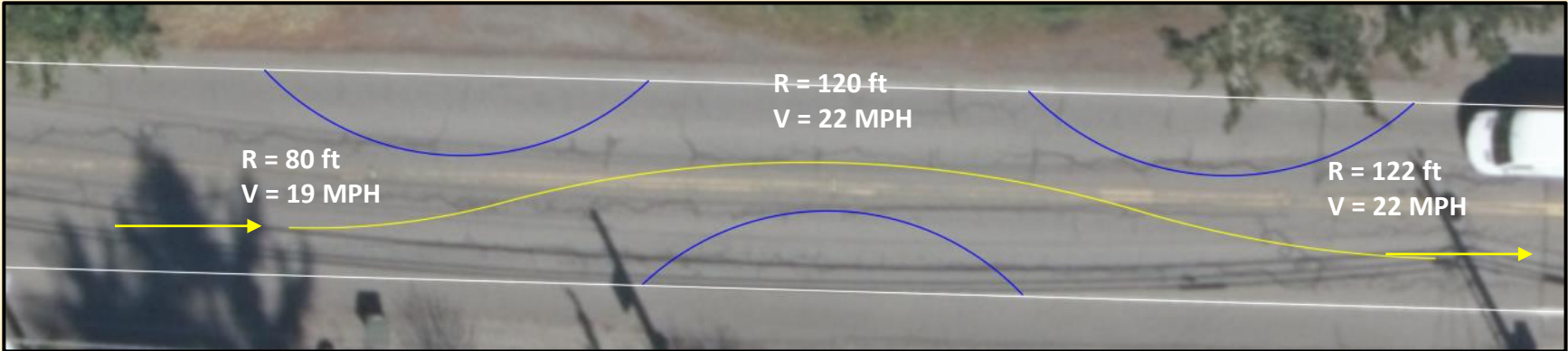
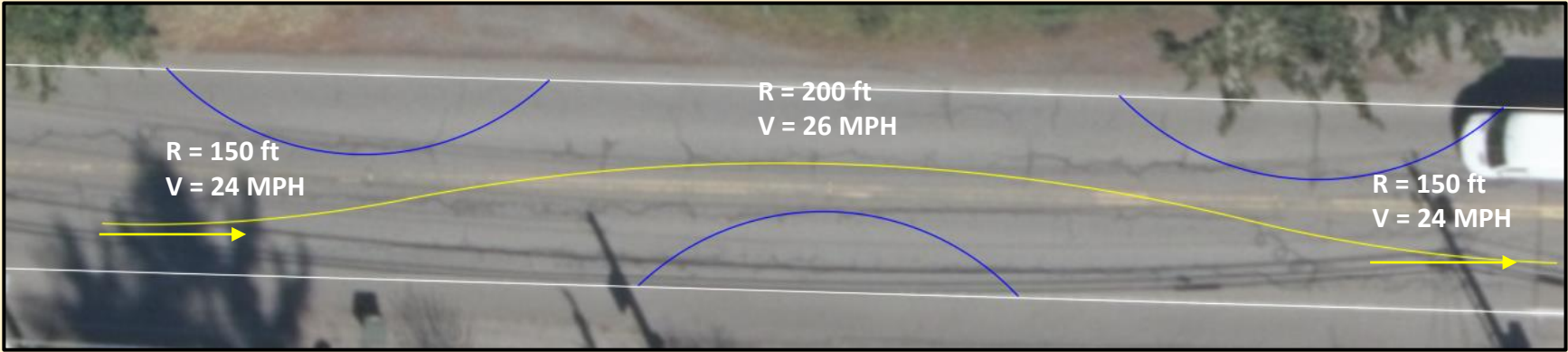
Horizontal deflection may be helpful if you are experiencing:

- High travel speeds in diverse traffic environments
- Road noise or pavement stress from rapid or frequent acceleration and braking

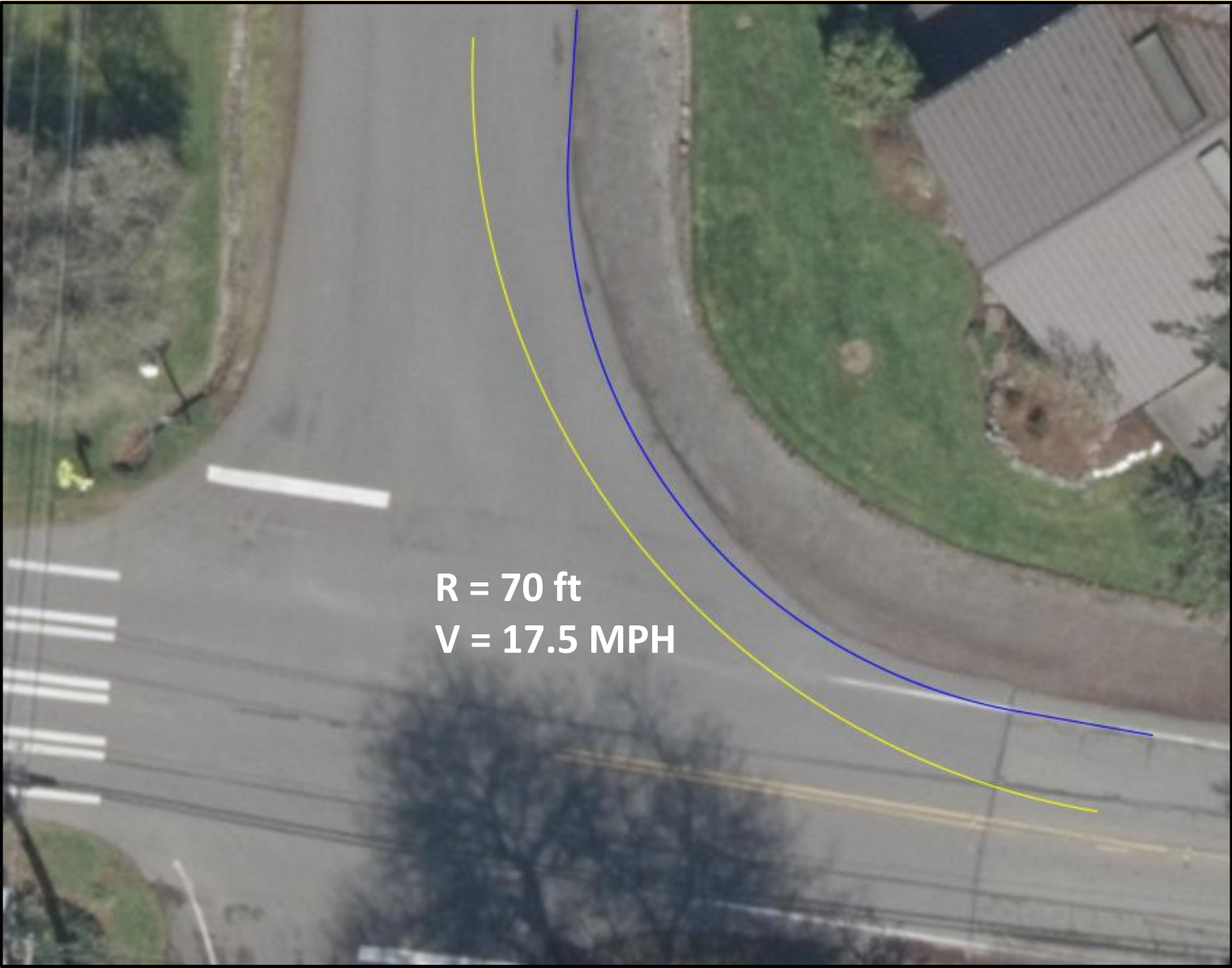
Always consult a traffic engineer before using horizontal deflection. Horizontal deflection may not be right for you if you are experiencing any of the following conditions:

- Poor sight lines in areas where yield behavior is required
- High traffic volumes in areas where yield behavior is required
- Very high driveway density
- Truck routes

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DETERMINE THE NEED				DETERMINE THE TREATMENT		
DISCOVER	DETERMINE	COMPARE	RESOLVE	HORIZONTAL DEFLECTION	VERTICAL DEFLECTION	ENVIRONMENT



DETERMINE THE NEED

DETERMINE THE TREATMENT

DISCOVER

DETERMINE

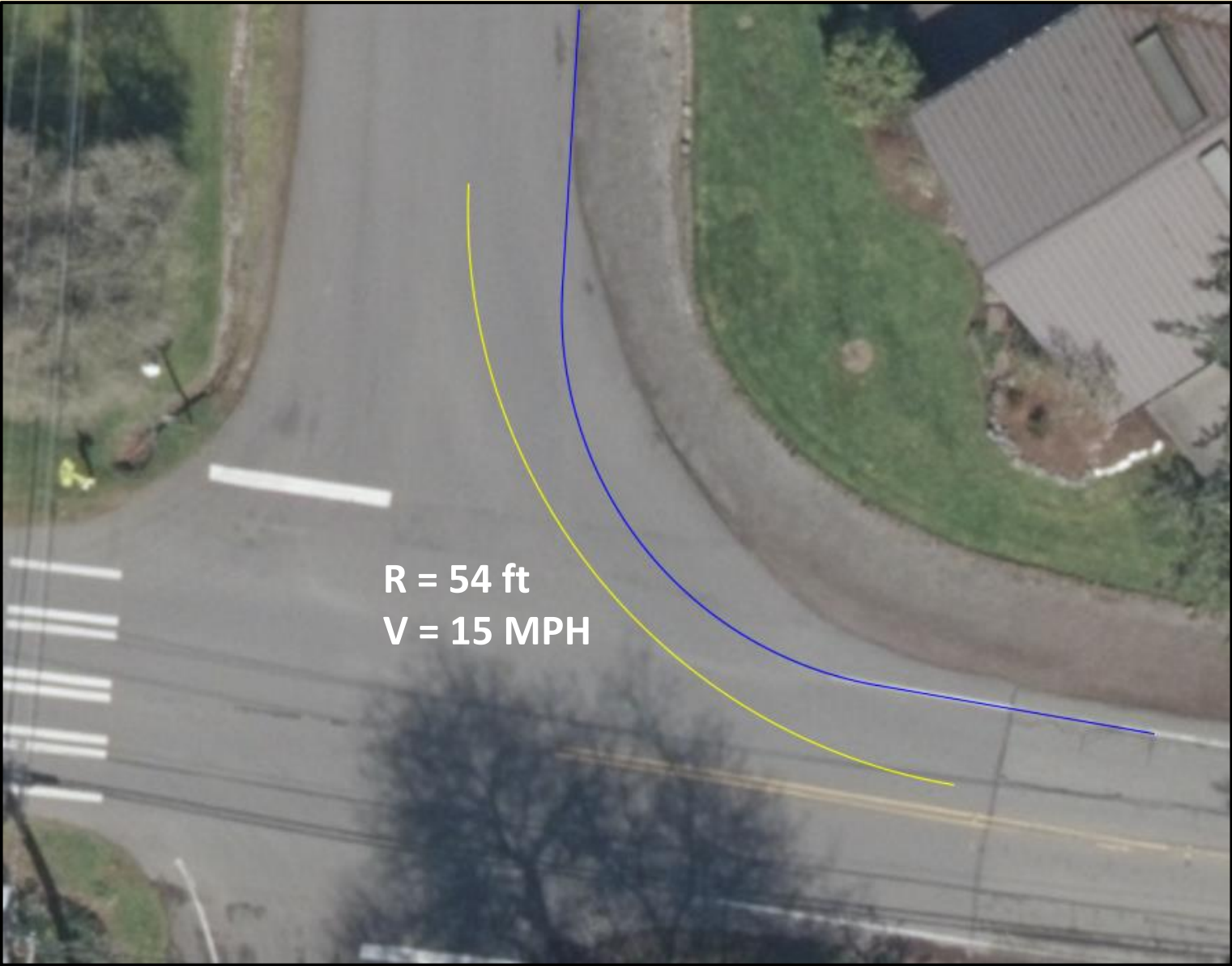
COMPARE

RESOLVE

HORIZONTAL DEFLECTION

VERTICAL DEFLECTION

ENVIRONMENT



DETERMINE THE NEED

DISCOVER

DETERMINE

COMPARE

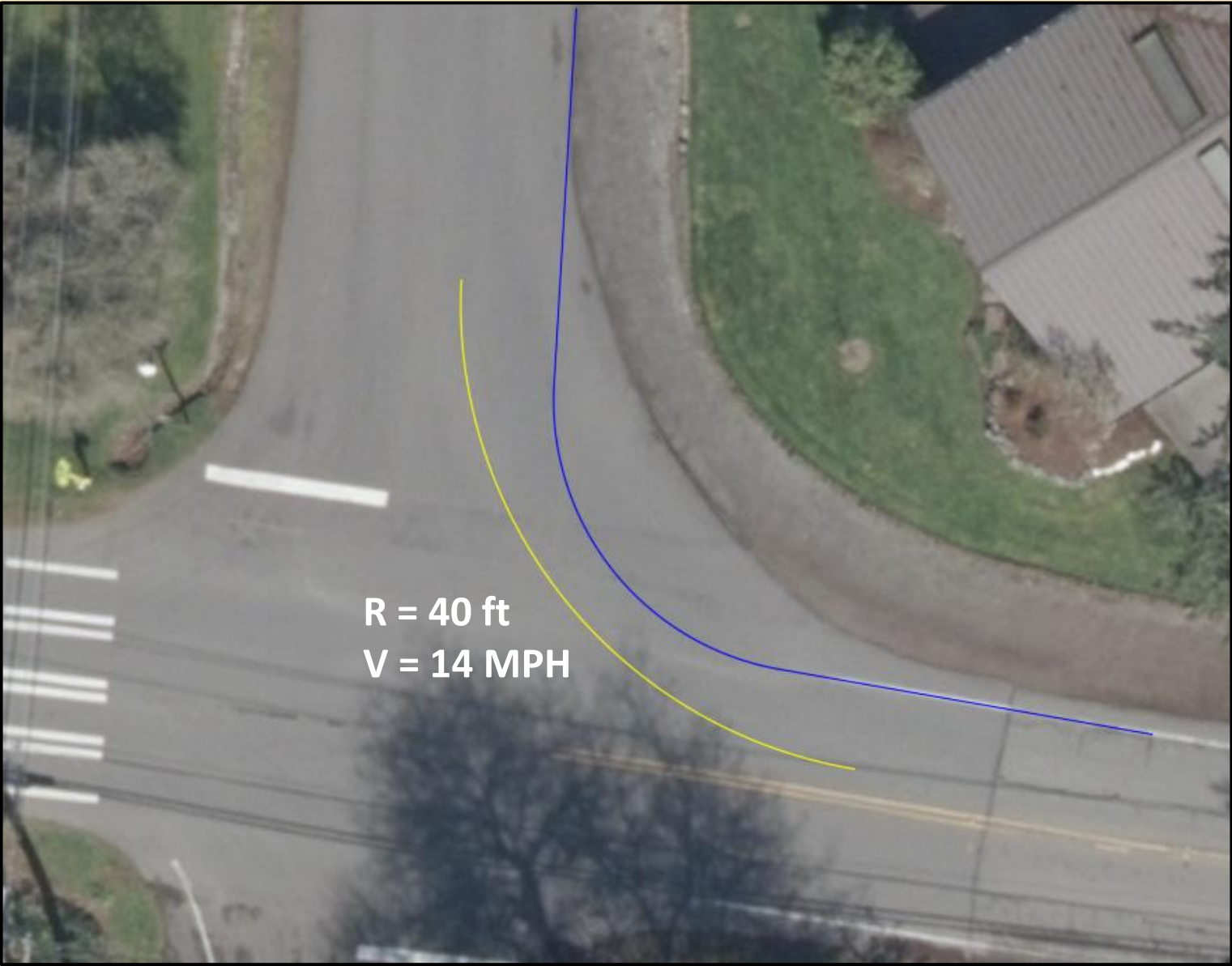
RESOLVE

DETERMINE THE TREATMENT

HORIZONTAL DEFLECTION

VERTICAL DEFLECTION

ENVIRONMENT



DETERMINE THE NEED

DETERMINE THE TREATMENT

DISCOVER

DETERMINE

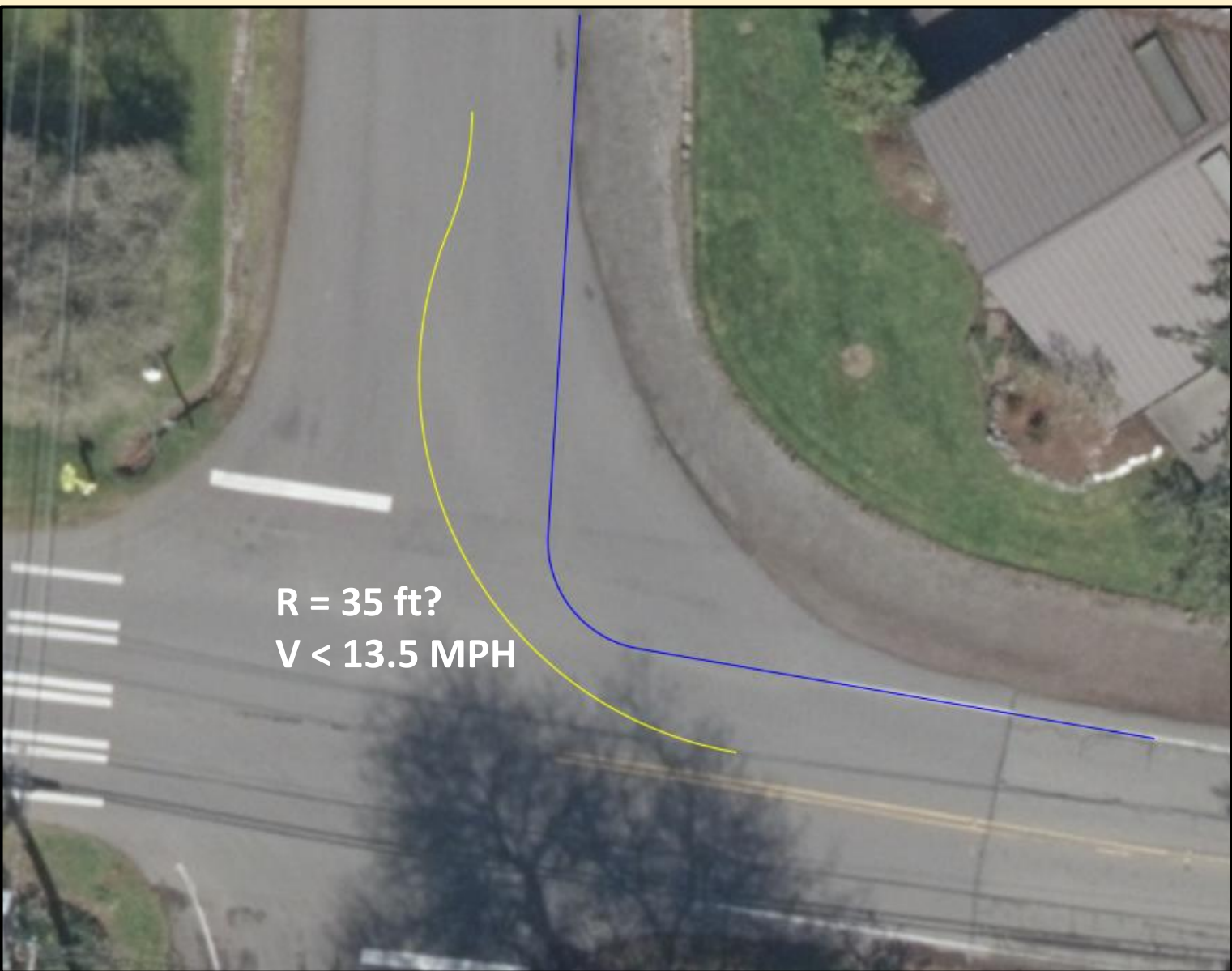
COMPARE

RESOLVE

HORIZONTAL DEFLECTION

VERTICAL DEFLECTION

ENVIRONMENT



DETERMINE THE NEED

DISCOVER

DETERMINE

COMPARE

RESOLVE

DETERMINE THE TREATMENT

HORIZONTAL DEFLECTION

VERTICAL DEFLECTION

ENVIRONMENT



90th Av w/o 92nd Av
Bothell, WA



185th St w/o 92nd Av



71st Av n/o 185th St
Kenmore, WA

DETERMINE THE NEED				DETERMINE THE TREATMENT		
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Vertical Deflection “Active Ingredients”:

- Very uncomfortable at high speed
- Supports context transitions
- Synergy with crossing treatments

Vertical deflection may be helpful if you are experiencing:

- Roadway geometry unsuitable for other treatments
- Speeding concerns on the approach to a hazardous feature
- Elevated speeds in an area with frequent pedestrian crossings
- Constraints on design and construct budget or timeline

Always consult a traffic engineer before using vertical deflection. Vertical deflection may not be right for you if you are experiencing any of the following conditions:

- Streets where 15 mph speeds cannot be accommodated
- Areas sensitive to additional road noise
- Long corridors which need speed reduction throughout
- Truck routes

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DETERMINE THE NEED				DETERMINE THE TREATMENT		
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Traffic Environment “Active Ingredients”:

- Fear of enforcement
- Context and behavior cues
- “Nudges”

Traffic environment changes may be helpful if you are experiencing:

- Aversion to more invasive measures or novel geometry
- High degree of flexibility with right-of-way usage
- Opportunities to fine-tune unrelated projects for safety benefit
- Higher volume or higher travel speeds
- Diverse vehicle types

Always consult a traffic engineer before using making changes to the traffic environment. Changes to the traffic environment may not be right for you if you are experiencing any of the following conditions:

- A need for dramatic changes in travel speed
- Sensitivity to potentially unpopular changes

DETERMINE THE NEED				DETERMINE THE TREATMENT		
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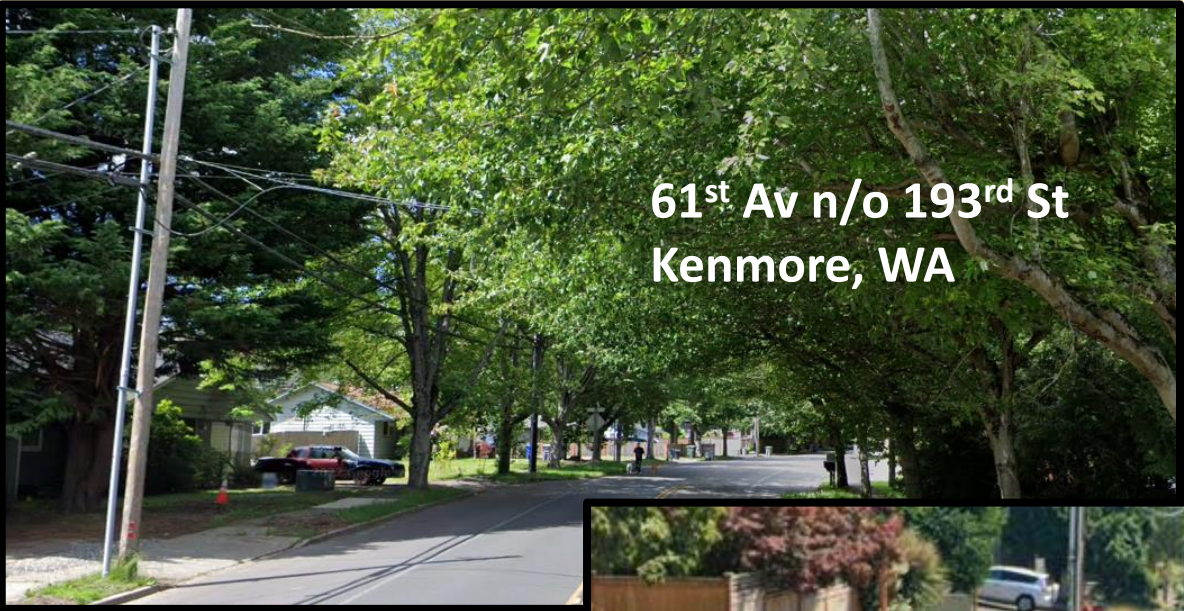


35th Av s/o 190th St
Lake Forest Park, WA



Simonds Rd n/o 165th St
Kenmore, WA

DETERMINE THE NEED				DETERMINE THE TREATMENT		
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DETERMINE THE NEED				DETERMINE THE TREATMENT		
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Perceived lane width:

- 3 ft from paint line
- 5 ft from hardscape



Juanita Dr s/o 165th St
Kenmore, WA



Profile Striping
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DETERMINE THE NEED				DETERMINE THE TREATMENT		
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Traffic Calming Cliff Notes:

- Horizontal Deflection (Curves) have wide design flexibility and are suitable for diverse applications, but are sensitive to available space
- Vertical Deflection (Bumps) are very easy to find space for, but only work for one speed (15 MPH)
- Vertical and horizontal deflect let you set the speed vehicles are able to travel
- Environmental cues nudge speeds in the right direction but do not constrain the speed drivers choose to drive

DETERMINE THE NEED				DETERMINE THE TREATMENT		
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