

**CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON**

AGENDA TITLE: Public Hearing Code Enforcement Program Amendments
DEPARTMENT: Planning and Development Services
PRESENTED BY: Kristie Anderson, Code Enforcement Officer
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PROBLEM/ISSUE STATEMENT:

Council adopted "Review and consider improvements in code enforcement standards" as a goal for 2004-2005. Implementation of this goal has included to date:

- Identifying issues facing Shoreline neighborhoods and business districts;
- Determining if we have regulations in place to address those issues. If yes, why are they not adequately resolving the issues? If no, how far should the City go in using code enforcement to resolve the issues?
- Conducting public outreach meetings to receive as much public input as possible;
- Drafting amendments to the SMC to achieve more effective and targeted enforcement on the issues that are important to Shoreline's residents;
- Conducting a workshop at Planning Commission to discuss the issues identified and possible solutions; and
- Conducting the public hearing at Planning Commission on July 7, 2005.

FINANCIAL IMPACT:

For those issues that the City is already regulating, recommended code changes may resolve the issues with little or no impact on current resources. If the Council chooses to respond by adopting the recommended solutions or increasing the priority of an issue or adding issues to the priority list, then the priority of other issues would need to shift or additional resources would need to be allocated to the code enforcement program. Resource allocation and priority level guidelines may need to be revisited following the proposed enhancements to the regulations.

RECOMMENDATION

Staff recommends that the City Council:

- Conduct a public hearing to obtain comments on the proposed amendments to the SMC; and
- Adopt Ordinance No. 391 (Attachment A) containing the Planning Commission recommended amendments to the SMC Titles 10, 13, 15 and 20 which includes the adoption of the International Property Maintenance Code with local amendments.



INTRODUCTION

Based on Council direction, staff identified several issues that exist in the community as indicated by customer calls, observations by staff, or noted in the City's 2004 Citizens' Survey. Public input received at the community meetings further defined and refined the list of priority issues. Staff researched the priority issues and developed proposed solutions that are designed to enhance the effectiveness of the City's code enforcement program.

BACKGROUND

Council adopted Goal No. 7 "To review and consider improvements in code enforcement standards" as part of its 2004-2005 Work Plan. At the August 16, 2004 workshop, Council provided staff with direction to further study and review the adoption of all or parts of the International Property Maintenance Code (IPMC); review, evaluate and consider updating regulations pertaining to abandoned and junk vehicles; and review, evaluate and consider updating regulations pertaining to tree conservation – *(Note- tree conservation was studied and enhanced as part of the update of the critical areas regulations which are currently under review, instead of as part of the code enforcement enhancements).*

In response to Council direction, a multi departmental team with membership from Planning and Development Services, City Attorney's Office, City Manager's Office, the Customer Response Team and Community and Government Relations was created to identify a list of issues and possible solutions. The Police Department was also consulted regarding those amendments to Title 10 (Vehicles and Traffic). The team reviewed and developed draft amendments to the Shoreline Municipal Code (SMC) and IPMC.

In January 2005, staff "checked in" with Council to confirm that we were addressing the right community issues. Council confirmed that staff appeared to be addressing relevant issues and encouraged staff to seek community input to further define what the most pressing issues are in relation to the City's Code Enforcement program.

Community Input

The community provided staff with great feedback, a lot of which is incorporated into the staff recommendation – all of which is included in the staff report. Community outreach has included the following meetings:

- **March Council of Neighborhood's Meeting:** Tim Stewart, Director of Planning and Development Services attended the meeting and walked through each of the issues Council instructed staff to research. Neighborhood chairs were encouraged to invite the Code Enforcement Enhancement team to an upcoming neighborhood meeting to further discuss the issues.

- **April 6th Code Enforcement Community Workshop:** The Code Enforcement Enhancement Team conducted a community workshop. 1,500 invitations were

sent to: all persons in our database since 2000 that called to report or discuss a violation; Council of Neighborhood Chairs; Planning Commissioners; City Council Members; Parks Board Members; Library Board Members; Chamber of Commerce Members; and the Forward Shoreline contract person. Information regarding the meeting was placed in the Enterprise, and on the website and cable access channel. At least sixty (60) people attended the meeting.

At the meeting, staff presented each of the issues Council instructed staff to research and a couple of additional issues based on historical complaint data. As part of the presentation, meeting attendees were asked to list any additional issues that they think Council should address as part of the enhancement of the Code Enforcement Program. Then meeting attendees participated in a community preference exercise using the "vote by dots" method. All of the issues identified by Council, staff and the new issues identified by the workshop attendees were included in the exercise. Meeting attendees were asked to identify the four most significant issues; four somewhat significant issues; and four "issues" that are not an issue or the current level of resources are adequately addressing the issue. The tallied results of this exercise are included in Attachment B. Written comments received in response to the Community Workshop are included in Attachment C.

- **April 19th Echo Lake Neighborhood Meeting:** The Echo Lake Neighborhood invited the Code Enforcement Enhancement team to present at their meeting. The team repeated the presentation and "dot exercise" with this group. The tallied results of this exercise are included in Attachment D.
- **May 9th City Council Meeting:** City Council conferred by motion the duty of conducting the public hearing and providing a recommendation to Council on all of the amendments proposed in 2005 related to enhancement of the City's Code Enforcement program to the Planning Commission. The Planning Commission has been given the responsibility to conduct public hearings on amendments to the City's Development regulations. It was unclear when the Planning Commission has the authority to conduct public hearings on amendments to other titles in the Shoreline Municipal Code. However, Ordinance 36 Section 6 (10) states: "The Planning Commission shall have such other duties and powers as may be conferred upon the Commission from time to time by ordinance, resolution or motion of the City Council."
- **May 25th North City and Ridgecrest Neighborhood Meeting:** The North City and Ridgecrest Neighborhoods invited the Code Enforcement Enhancement team to present at a joint meeting. The team repeated the presentation and "dot exercise" with this group. The tallied results of this exercise are included in Attachment E.
- **June 16th Planning Commission Workshop**
- **July 7th Planning Commission Public Hearing**

The Planning Commission conducted a public hearing on the proposed amendments to the Shoreline Municipal Code and the adoption of the International Property Maintenance Code with local amendments on July 7, 2005. No written public comment letters were received during the comment period (please refer to Attachment C for written comments received at the community workshop). The Commission heard testimony from two people:

* Bernadette Hart: testimony emphasized the need for public education on codes and suggested making the code enforcement program more proactive instead of reactive to citizen complaints; and

*Bob Barta: Suggested that boat and trailer parking on City streets be prohibited.

Please refer to Attachment F: July 7, 2005 Planning Commission minutes for more detailed account of the public testimony received.

International Property Maintenance Code.

The State of Washington Building Code Council adopted a series of 2003 codes from the International Code Council. By adopting the International Codes, the State is a global partner in achieving the goal of establishing a uniform set of internationally recognized rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties. In July 2004, the City adopted with local amendments the International Building Code, International Residential Code, International Fire Code, International Mechanical Code, and International Fuel Gas Code. The City only adopted those International Codes that replaced the previously adopted Uniform Codes. The City did not adopt the International Property Maintenance Code in 2004 because we had not previously adopt the Uniform Housing Code.

The International Property Maintenance Code contains elements of the Uniform Housing Code and the Uniform Abatement of Dangerous Buildings Code. However, the IPMC regulates more than housing and its purpose is to maintain at least minimum standards for all property, buildings, equipment and structures to avoid the creation of dangerous buildings.

The International Property Maintenance Code establishes minimum standards for the exterior and interior maintenance of existing units. Currently, the City relies upon the International Building and Residential Codes provisions for existing buildings. This is a single paragraph in each code that states property owners are required to keep property and structures in a safe condition. The IPMC goes much further by defining what the minimum standards are for maintaining these safe conditions and removes ambiguity.

The IPMC establishes minimum standards for:

- exterior property areas (graffiti, sanitation, grading and drainage, sidewalks, driveways, rodent harborage, accessory structures, motor vehicles including RVs and boats, and junk storage);

- the exterior of structures (structural members, foundation walls, exterior walls, roofs, overhangs, stairs, decks, porches, balconies, chimneys, handrails, guardrails, windows, sky lights, doors and building security);
- interior structures (structural members, surfaces, stairs, floors, handrails, guardrails and interior doors);
- extermination of insect and rodent infestations;
- habitable space requirements (light, ventilation, etc.);
- sanitary facilities and plumbing fixture requirements;
- mechanical equipment, electrical requirements and heating facilities; and
- fire safety requirements

The IPMC also defines when a property owner is in violation of these standards. This provides the City with the regulatory authority to require a property owner to bring their property into compliance with the IPMC.

The Planning Commission recommended adopting the staff recommended amendments to SMC Titles 10 (Vehicles and Traffic), 13 (Utilities) and 20 (Development Code) by a vote of 6-0. The only area that the Planning Commission's recommendation and the original staff recommendation diverged was the adoption of the IPMC minimum standards for interior property maintenance. Staff supports the Planning Commission recommendation or if the Council is ready to adopt minimum interior standards also considers this a viable enhancement.

DISCUSSION

The issues that were the focus of Council's last discussion include the following:

- Neighborhood degradation;
- Minimum housing standards;
- Junk and abandoned vehicles;
- Living in recreation vehicles;
- Number of vehicles stored outside on private residential property;
- Weeds; and
- Signs.

Following the January 18th discussion with Council, further analysis of existing complainant data and written comments received in advance of the community workshop, staff added the following issues to the list for public consideration:

- The keeping of animals; and
- Mandatory removal of garbage.

As part of the community outreach, meeting participants were asked if there were any additional issues that should be added to the list. The issues identified are:

- Commercial vehicles parked in residential neighborhoods;
- Noise;
- Increased enforcement of environmental regulations;
- Litter control (more specifically cigarette butts);
- Spay and neuter of pets (more specifically cats); and

- Maintenance (removal of garbage, litter, junk cars, etc.) in commercial areas.

For each issue, this report describes the following:

- The Issue;
- Possible Solutions;
- Proposed Code Amendments if applicable;
- Current Code Enforcement Priority Level*;
- Proposed Enforcement Priority Level (where applicable)
- Resource Impacts and
- Staff Recommendation.

**Priority Level guidelines were approved by Council to guide the initial response time and type of code enforcement action for a variety of standard code violations. In general, the greater the threat to public health and safety, and to the environment, the higher the priority. The priority levels include: Urgent Level (hazardous); Important Level; and Routine Level (non hazardous). Please see Attachment G for a list of the Code Enforcement Priorities.*

ISSUES IDENTIFIED BY COUNCIL AND STAFF

Neighborhood degradation

1. Issue: Deteriorating properties.

Currently the properties that are not maintained and degrading neighborhoods are predominately vacant and abandoned. Degrading conditions include broken windows, collections of junk and litter, graffiti, etc. There are a few occupied residential properties that generate community complaints. Their deterioration creates conditions that do not enhance attractive living environments and are not compatible with the quality of housing in the surrounding neighborhood. (Note: some of these properties may be eligible for financial assistance for maintaining or repairing residential structures. The King County Housing Repair Program provides grants and 0% interest loans to help County residents keep their properties in good repair. The purpose of the program is to benefit low and moderate income homeowners, help preserve existing housing and keep neighborhoods livable.

Possible solutions:

- Maintain status quo.
- **Recommended solution:** Adopt the International Property Maintenance Code (IPMC) with local amendments. This was also viewed as the most significant issue during the "dot preference" exercises completed at the three public meetings. Please see Attachment H: IPMC with local amendments.

Adoption of the IPMC with local amendments would establish a minimum level of exterior maintenance for all property. These regulations would assist in ensuring exterior structures are maintained in good repair, structurally sound and sanitary

so as not to pose a threat to the public health, safety or welfare. The IPMC sets standards for maintaining:

- Exterior structures: protective treatments; structural supports; foundation and exterior walls; roofs; overhang extensions; stairways, decks, porches and balconies; chimneys and towers; handrails and guards; window, skylights; doors; and building security (Attachment H: IPMC Section 304); and
- Exterior property areas: sanitation; grading and drainage; sidewalks and driveways; rodent harborage; accessory structures; motor vehicles; defacement of property (includes graffiti) (Attachment H: IPMC Section 302).

Current Code Enforcement Priority: Urgent Level (if hazardous situation) or Important Level (if non-hazardous situation).

Resource Impacts: It is anticipated that implementation of the above solutions will increase the number of properties meeting the definition of a deteriorating property and will necessitate the allocation of additional City resources or a shift in current priorities would need to occur. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not in violation of current City codes. Maintaining status quo would have no impact on resources.

2. Issue: Maintenance of planting strips.

Currently, property owners are responsible for maintaining sidewalks adjacent to their property. Sidewalk is specifically defined as “... hard-surfaced walkways” This narrow definition creates confusion as to who is responsible for maintaining drainage ditches, amenity zones, gravel shoulders, etc. adjacent to private property.

Possible solutions:

- **Recommended solution:** Maintain status quo. Based on community input from the three “dot exercises”, this is not viewed as a significant issue.
- Further analyze maintenance options for planting strips for consideration during a “follow up round” of amendments.

Current Code Enforcement Priority: Routine Level Priority

Resource Impacts

Recommended solution: No impact.

Amend and enhance solution: It is anticipated that the enhancement of this regulation would increase the number of properties where we will determine that a violation exists and necessitate the allocation of additional City resources. Public education would play a crucial role in the implementation of any change in the City’s policies regarding the maintenance of planting strips.

Minimum interior housing standards

3. Issue: The City has a few buildings/properties that are substandard, deteriorating, in danger of causing or contributing to the creation of slums or otherwise degraded areas.

These conditions are the result of, among other causes: dilapidation; failure to repair; lack of proper sanitary facilities and maintenance; structural defects; electrical, mechanical and other defects increasing the hazards of fire and accidents. The maintenance of housing stock is a goal of the City of Shoreline comprehensive plan and is critical to the health, safety and welfare of the general public. If minimum interior housing standards are adopted, the Planning Commission recommended that the standards apply to both owner occupied and rental housing units.

The majority of property owners and tenants are responsible and conscientious, however some rental properties fall below the minimum health and safety standards. For these substandard properties (approximately 2 – 4% of the rental stock), the City needs the kind of tools the Property Maintenance Code provides to ensure minimum health and safety standards for citizens who rent. These tools include the following:

- providing definitions for standards;
- establishing criteria for minimum thresholds of livability;
- establishing a method of informing property owner(s) and property tenant(s) of their responsibility in maintaining the property;
- providing a method of informing a property owner or manager of problems; and
- establishing method of appeal for the property owner to contest the City's determination.

(Please refer to Attachment H: IPMC Sections 305 Chapters 4, 5, and 6).

Community input from the "dot preferences" exercises did not identify deteriorating properties (interior) as a very significant issue. The only area that the Planning Commission's recommendation and the original staff recommendation diverged regarded the adoption of the IPMC minimum standards related to interior property maintenance. The main concerns expressed by members of the Commission who were opposed to adoption included:

- A perception that enforcement of interior maintenance standards may be unfair to landlords. Tenants may be the responsible party;
- A concern that enforcement of interior maintenance standards may put the City in the middle of renter vs. landlord disputes; and
- A belief that the State Landlord Tenant Act protects renters from substandard conditions in rental housing and should be enforced. (Please see Attachment F for more detail).

The Planning Commission amended the staff recommendation to limit the scope of the International Property Maintenance Code to only those regulations that address exterior property maintenance for both home owners and renters. The Planning Commission asked staff to monitor the number and types of requests we receive to investigate interior property conditions for a time period and report back to the Commission. Staff supports either the Planning Commission recommendation or if the Council chooses to adopt minimum interior standards still views the adoption of minimum interior standards as a viable code enhancement.

Possible solutions:

- Maintain status quo.
- **Recommended solution:** Do not adopt the sections of the International Property Maintenance Code that relate to regulating minimum standards for the

interior of structures. If Council does choose to adopt the sections of the IPMC that pertain to the interior of structures these standards should apply to both owner and renter occupied units. In addition, the Planning Commission asked staff to collect data on the number and types of calls received during a period of time regarding substandard living conditions interior to the structure and report back to the Commission. ***Please see Attachment H.***

Pros of applying all sections of IPMC to all properties:

- Alleviates concerns that the regulations would unduly burden rental housing owners;
- May provide ability to enforce minimum standards for light, ventilation, plumbing facilities/fixtures, mechanical and electrical systems in owner occupied units should a complaint be filed and access be granted by the property owner or a warrant obtained to inspect and confirm a violation.

Cons of applying all of IPMC to all properties:

- The owner of a structure might be agreeable to live in a condition that is considered substandard for a period of time by choice, whereas a person who is dependant upon the landlord to repair a deteriorating condition. For example, an owner may be willing to live in a home that does not have a heat source in the bedrooms as a choice i.e. to save money, temporary condition during home remodeling project, etc. We of course want owner occupied units to be as safe, healthy and sanitary as all other units, but we are concerned that regulating some internal aspects of a structure may be too invasive.
- Because the City's Code Enforcement program is complaint driven, we do not anticipate many property owners reporting themselves for violations. We also do not anticipate many complaints being called in from invited visitors to these properties.
- Rental properties are a business enterprise. Government routinely regulates businesses by providing standards for facilities and other physical features and conditions essential to ensure that the business is safe, sanitary and fit for use or occupation. The business of rental housing is no different. To ensure safe and habitable rental housing is necessary to providing safe and attractive neighborhoods in the City of Shoreline.

Again, we would like all properties to meet the minimum standards for all chapters in the International Property Maintenance Code. However it would be more difficult to enforce the provisions that are internal to structures in owner occupied units. If the owner does not grant us access to inspect, we would need to obtain a warrant to enter the structure.

- ***Original staff recommended solution:*** Adopt International Property Maintenance Code with amendments, including exempting owner-occupied residences from requirements contained in chapters 4, 5, 6 & 7 which generally relate to conditions that exist within the structures, i.e. heating & electrical

equipment, sanitary conditions and equipment, light and ventilation requirements and fire safety requirements.

Proposed Code Enforcement Priority: Recommended priority level if adopted- Urgent Level (if hazardous situation) or Important Level (if non-hazardous situation).

Resource Impacts:

Adoption of the Planning Commission recommendation would result in a small increase in staff time to compile and present the data collected to the Planning Commission regarding the number and types of complaints we receive regarding substandard living conditions in the interior of structures.

Adoption of the original staff recommendation would result in an increase in the case load due to the fact that we currently do not regulate interior housing standards. If the Council chooses to adopt the regulations, additional staffing resources or a shift in current priorities would need to occur. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not in violation of City codes.

Maintaining status quo would have no impact on resources.

Vehicles

4. Issue: Junk, abandoned and inhabited vehicles parked on public right of ways.

Police have jurisdiction concerning vehicles on the public right-of-way while the Development Code addresses vehicles on private property. Police statistics combined with Customer Response Team (CRT) customer complaints indicate that approximately 700 calls a year are received concerning abandoned, disabled and inhabited vehicles on City right-of-ways. The current regulations do not allow the City to remove many of the vehicles that our community views as junk and abandoned cars. Community input received from the three public meetings identified this as a very significant issue.

Possible solutions:

- Maintain status quo.
- **Recommended solutions:**
 - Amend the definition of "junk vehicle" to include when a vehicle is not in a condition to be operated legally on a public highway and give the police the authority to tow a vehicle that meets the definition of "junk" vehicle.
 - Amend the definition of "unauthorized vehicle" to include when a vehicle is not currently licensed, is inoperable or is abandoned.
 - Amend the code to prohibit reparking and/or moving a vehicle on a street to avoid a posted time limit.
 - Amend the code to prohibit vehicles being parked or left on a street or public right-of-way for the purposes of human habitation.

Please see Attachment A: Ordinance 391 for the exact wording of proposed amendments.

Current Code Enforcement Priority: Important Level for repeat offense, otherwise Routine Level.

Resource Impacts: Implementation of the above recommended solutions would increase the number of vehicles that are determined to be in violation and possibly necessitate the allocation of additional City resources. By implementing these solutions, staff would be able to work more efficiently and effectively. Maintaining status quo would have no impact on resources.

5. Issue: “Junk” vehicles stored on private property.

“Junk vehicles” as the term is generally used in the community seems to encompass many conditions including, dismantled, disabled, rusting, or vehicles stored for a long period of time. Current code language prohibits “disabled” vehicles but does not define the term disabled. Customer calls concerning junk vehicles are the highest category of calls. Unfortunately, we are often unable to resolve the complaint because it is very difficult to definitively ascertain that a vehicle is “disabled” from our allowed observation point from the public right of way. Input from the “dot preferences” exercises conducted at the community meetings indicated that this is a very significant issue.

Possible solutions:

- Maintain status quo.
- **Recommended solutions:**
 - Add a requirement that stored vehicles must be currently licensed. Current licensing is a way to ensure that the vehicle is operable because to be licensed the vehicle must be operable to drive to and take an emissions test every two (2) years.
 - Adopt provision in the International Property Maintenance Code (IPMC Section 302 – Exterior Property Areas), which deals with motor vehicles. IPMC 302.8 Motor vehicles states that “except as provided for in other regulations, no inoperative motor vehicle shall be parked, kept or stored on any premises, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.”

Please see Attachments A and H for the exact wording of proposed amendments.

Current Code Enforcement Priority: Important Level for repeat offense, otherwise Routine Level.

Resource Impacts: It is anticipated that implementation of the above solutions would increase the number of properties where we will determine that a violation exists and possibly necessitate the allocation of additional City resources. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that we cannot prove a violation of the City code.

6. Issue: Number of vehicles allowed on detached single family and duplex properties.

Current Code language for single-family and duplex properties allows six (6) vehicles to be stored outside not counting recreational vehicles and trailers. The City receives complaints concerning “too many vehicles” at a property. A problem we are encountering is that some of the vehicles are parked partially on public right of way and partially on private property. This places the vehicles in regulatory limbo – not “tagged” by the police because not (fully) on the public right-of-way and not counting toward the six per property maximum because they are not (fully) on the private property. Community input received from the “dot preferences” exercise indicates this is a “very significant” to “somewhat significant” issue.

Possible solutions:

- Maintain status quo.
- **Recommended solution:** Add the term "wholly or partially" concerning vehicles parked or stored on single-family or duplex properties.

Please see Attachment A Ordinance 391 for exact wording of the proposed amendments.

Current Code Enforcement Priority: Routine Level Priority

Resource Impacts: It is anticipated that implementation of the above solution would increase the number of properties exceeding the maximum number of vehicles per property and possibly necessitate the allocation of additional City resources. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not strictly in violation of City codes.

7. Issue: Recreational vehicles, boats and trailers stored on private property.

Currently the codes do not include recreation vehicles, boat and trailers in the maximum number of vehicles allowed per single family or duplex property. The only factors limiting the number of these types of vehicles are: impervious surface maximums; required access from an approved driveway; and required yard setbacks. Community input received from the “dot preferences” exercise indicates this is a “very significant” to “somewhat significant” issue.

Possible solutions:

- Maintain status quo.

- **Recommended solution:** Change current Code wording to include recreational vehicles, boats and trailers in the six (6) vehicle allowance for parking outside on detached single family or duplex properties.

Please see Attachment A - Ordinance 391 for exact wording of the proposed amendments.

Proposed Code Enforcement Priority: Routine Level Priority.

Resource Impacts: It is anticipated that implementation of the above solutions would increase the number of properties exceeding the maximum number of vehicles per property and possibly necessitate the allocation of additional City resources. By implementing these solutions however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not in violation of any City codes.

Weeds

8. Issue: The 2004 Citizen Survey indicated that 23% of the residents surveyed were dissatisfied with the City's enforcement of mowing and cutting of weeds.

It is important to note that 77% of residents responding to the survey were satisfied or neutral on the subject of weed mowing and cutting. The survey does not specify exactly what type of weed problem dissatisfies the respondents. For example, it is not clear whether the main issue is weeds on public property i.e. amenity zones and drainage ditches, or whether the issue is weeds on private property. In our Code, weeds fall under the classification of "vegetation." The Code allows for regulation of vegetation only if it: 1) creates traffic sight hazard or 2) encroaches over a sidewalk. We do not have statistics on the number of calls for other types of vegetation issues because we do not keep statistics on categories that are not violations of any code. Participants of the "dot preference" exercises at the community meetings identified this as "not an issue".

Possible solutions:

- **Recommended solution:** Maintain status quo.
- Develop a weed control ordinance and increase or shift resources.

Current Code Enforcement Priority: Routine Level Priority defined as sidewalk obstructions.

Resource Impacts: It is anticipated that the development of a weed control ordinance could dramatically increase the number of properties in violation of the Codes. This assumption is based on staff experience in other jurisdictions that have regulations that target private property vegetation management and aggressively enforce such codes. Should the Council choose to develop a weed control ordinance, staff would need additional time to develop the regulations. Further, if Council chooses to aggressively enforce such regulations, additional staffing resources or a shift in current priorities would need to occur as this would be essentially a new program.

Signs

9. Issue: This item was presented to the community in the 2004 Citizen Survey. Twelve (12) percent of those persons responding to the survey indicated that they were dissatisfied with the City's enforcement of the sign regulations. Additionally the City Council prioritized sign code regulation as a low priority in the guidelines adopted by Council for Code Enforcement. We do not have separate statistics on the number of calls relating to sign code violations. Most calls that are received about signs deal with public signs (i.e. stop signs knocked down, etc). Participants of the "dot preference" exercises at the community meetings, identified this primarily as "somewhat of an issue" or "not an issue".

Possible solutions:

- **Recommended solution:** Maintain status quo. Note: although sign code regulation is a low priority, we do regulate signs that create vehicle sight hazards and safety hazards (i.e. block wheelchair access, block sidewalks, etc.).
- further analyze options such as:
 - Change the priority level guidelines and elevate sign code enforcement and increase or shift resources.
 - Develop a sign program to enforce existing regulations.

Current Code Enforcement Priority: Routine Level Priority.

Resource Impacts: It is anticipated that enhancing or more aggressively enforcing the existing sign regulations would **dramatically** increase the number of properties in violation of the Codes. This assumption is based on the fact that many of the existing signs in the City are not in compliance with the City's current regulations. Should the Council choose to enhance the sign regulations, staff would need additional time to develop the regulations. Further, if Council chose to aggressively enforce such regulations, additional staffing resources or a shift in current priorities would need to occur.

10. Issue: Keeping of animals. King County provides animal control to the City. The City regulates some aspects of the keeping of animals in Shoreline Municipal Code under SMC 20.40.240. SMC 20.40.240 addresses the number of small animals that may be kept indoors or outdoors; differentiates between household pets and animals

kept as an accessory use to the dwelling; and prohibits the keeping of mink, foxes, and/or hogs. We do receive complaints about the keeping of chickens, but mainly the complaints are concerning noisy roosters. Chickens and roosters are both currently allowed. Please see Attachment I – for more information on how chickens and roosters are currently regulated.

Possible solutions:

- **Recommended solution:** Status Quo. Public input received, does not indicate that further regulation of animals is a high priority in Shoreline. In addition, most of the complaints that we have received to date have been addressed with existing regulations and staffing.
- **Amend the Code:** Amend 20.40.240(2)(f) to add roosters to the list of prohibited animals.

Current Code Enforcement Priority: Routine Level Priority (Land Use violations with minimal impact)

Resource Impacts: Implementation of the staff recommendation to maintain status quo would result in no additional impacts on resources. If the Council chooses to prohibit roosters or otherwise increase the level of enforcement, it is anticipated that the number of properties in violation would increase and possibly necessitate the allocation of additional City resources.

11. **Issue: Required removal of garbage.** The City regulates garbage in Chapter 13.14 of the Shoreline Municipal Code. The Code states that garbage may be stored on site in private garbage receptacles as long as it is in accordance with health and safety regulations. In some cases, this has resulted in the long term storage of numerous full garbage bags, bins, cans etc.

Possible solutions:

- **Recommended solution:** Amend the SMC to require that garbage be removed from property at a minimum of twice every month. This solution would affect only those people who are accumulating stored garbage. Please see Attachment A – Ordinance No. 391 for exact wording of the proposed amendments.
- Status Quo.
- Require mandatory collection of garbage i.e. requiring that all residents pay for garbage collection. This is not currently recommended. Some people may be financially burdened or unable to afford the cost of this service. Requiring everyone to subscribe to garbage collection service as a resolution to the problem of stored garbage accumulation penalizes those people who haul the garbage to the landfill themselves and do not store garbage.

Current Code Enforcement Priority: It is currently not a violation to accumulate garbage on property if it is in an approved receptacle.

Resource Impacts: It is anticipated that implementation of the staff recommended solution would increase the number of properties in violation and possibly necessitate the allocation of additional City resources. By implementing this solution however, staff would be able to work more efficiently and effectively. We already are investigating many of these situations only to determine that they are not in violation of any City codes. If garbage collection were mandatory for the entire City, many more people could potentially be in violation of the Code – i.e. accumulation of stored garbage and/or failure to pay for garbage collection service.

ADDITIONAL ISSUES IDENTIFIED AT COMMUNITY MEETINGS

➤ **Maintenance (removal of garbage, litter, junk cars, etc.) in commercial areas**

Staff Response: This issue was identified at a couple of the public meetings. The issue of garbage, litter and junk cars on commercial property could also be addressed with the implementation of solutions for Issues #1, #4, #6, & #7. Although all of our examples in the public presentations were of single family properties, the enhancement of these regulations would also apply to commercial property.

➤ **Increase enforcement of environmental regulations**

Staff Response: Enforcement of environmental regulations is already one of the City's top priorities for Code Enforcement. The City is in the process of updating the Critical Areas regulations. The Code Enforcement unit will continue to enforce violations of the updated regulations as an "Urgent Priority".

➤ **Noise**

Staff Response: Noise is currently regulated by the Police Department under SMC 9.05 which prohibits public disturbance noise. Public disturbance noise is "any noise which unreasonably disturbs or interferes with the peace and comfort of owners or possessors of real property." Enhancement of these regulations would require the Police Department to increase the priority level on the enforcement of noise regulations. Staff would need to work with the Police Department to determine if there are any adjustments needed in the regulations to better control public disturbance noise and assess what the resource impact would be on the Police Department if the regulations were changed and/or the noise complaints were made a higher priority. If the Council would like to see enhancement of the noise regulations instruct staff to analyze enhancement of the noise regulations for consideration during a "follow up round" of amendments.

➤ **Litter (especially cigarette butts)**

Staff Response: Illegal dumping in progress is a one of the top priorities for the Code Enforcement program. Illegal dumping with suspect information is an

important level priority. If there is no information regarding the person littering, then it is no longer an enforcement issue, and attention is turned toward how to clean up the mess. Unfortunately, the property owner bears the cost of this clean up instead of the person violating the Code.

➤ **Spay and neuter of pets (specifically cats)**

Staff Response: King County provides animal control services to the City. We do not have staff that are trained or equipped to deal with the inspection and enforcement of spaying or neutering pets. If the community would like to address this issue further, it is recommended that public education be the first method employed.

➤ **Commercial vehicles parked in residential neighborhoods**

Staff Response: Currently the Development Code does not prohibit or restrict the parking of commercial vehicles on private property. However, home occupations are limited to a maximum of one commercial vehicle weighing under a ton. Currently, the parking code (SMC 10.30.010) prohibits parking commercial vehicles greater than 80 inches in width on any street or alley in residentially zoned areas between the hours of midnight and 6 a.m. If the Council would like to see restriction of the parking of commercial vehicles on private property or further restriction of on street parking of commercial vehicles in residential neighborhoods instruct staff to analyze this issue for consideration during a “follow up round” of amendments.

➤ **Increased enforcement of removal of site distance obstructions (i.e. branches obscuring street signs, sandwich board signs in the ROW)**

Staff Response: If the Customer Response Team witnesses or receives a complaint about a site distance obstruction (signs, tree branches, fences, etc.) it is a top priority and is responded to immediately. The issue here might be that some site distance obstruction are not being reported to CRT. Those of course may take longer to respond to.

The Planning Commission did not recommend adoption of regulations to address any of the additional issues identified.

Title 20 Amendments

Several amendments are also being proposed to Title 20, the Development Code for the purposes of adding clarity in order to make compliance with the Code and enforcement of its provisions easier. Such amendments include:

- Amending the Development Code definition of “dwelling unit” to more closely match the Building Code definition of “dwelling unit”.
- Adding a clarifying statement that the compliance date for a Notice and Order takes precedence over the standard permit expiration dates;

- Combining all sections relating to enforcement provisions i.e. tools for enforcement such as infractions, penalties, revocation of permits into one section; and
- Expanding the definition of public nuisance to clarify what the City means by a public nuisance; and
- Deleting sections that will now be covered in the International Property Maintenance Code.

Next Steps:

Monitoring Impact on Resources

For many of the proposed enhancements we have stated that resources may be impacted in that more people will be found in violation of a particular code once it is amended, but that this impact may be offset by the time we are currently investigating some of these complaints only to find that they are not a violation. Staff proposes to track the response time and case load for each type of violation and use this information to determine the actual impacts to resources. A baseline report has been developed to compare to the report generated following the adoption and implementation of the amendments. Resource allocation and priority level guidelines may need to be revisited following the proposed enhancement to the regulations.

Getting the Word Out

Once the amendments are adopted, public information pieces will be created to educate the public about adopted changes. This may include targeted education if a particular group is likely to be affected.

Compassion

The City's Code Enforcement Program is complaint driven. If we don't receive a complaint we do not proactively seek out violations (*Note: Work without a permit, illegal dumping in progress, environmental violations or anything that may be a life or safety issue is addressed proactively due to the impact on public safety, health and welfare*). People receive a warning letter and often a visit in person from a CRT representative to discuss the violations. Most of our cases are resolved through voluntary compliance. As part of this process, CRT representatives work hard at connecting people to the resources they need to bring their property into compliance.

Many aspects of Code Enforcement are intertwined with social service issues. With the adoption of the IPMC, we can provide the impetus to improve living conditions that are truly substandard. With this comes the risk of burdening some people who are already having a hard enough time coping with life. We are sensitive to this and will continue to be understanding, creative problem solvers and provide people with information about assistance when appropriate.

RECOMMENDATION

Staff recommends that the City Council:

- Conduct a public hearing to obtain comments on the proposed amendments to the SMC; and
- Adopt Ordinance No. 391 (Attachment A) containing the Planning Commission recommended amendments to the SMC Titles 10, 13, 15 and 20 which includes the adoption of the International Property Maintenance Code with local amendments.

ATTACHMENTS:

Attachment A	Ordinance No. 391
Attachment B	April 6, 2005 Community Workshop Exercise Results
Attachment C	April 6, 2005 Community Workshop Written Comments
Attachment D	April 19, 2005 Echo Lake Neighborhood Meeting Exercise Results
Attachment E	April 25, 2005 North City/Ridgecrest Neighborhood Meeting Exercise Results
Attachment F	Planning Commission July 7, 2005 Meeting Minutes
Attachment G	Code Enforcement Priority Levels
Attachment H	International Property Maintenance Code with Local Amendments (Clerk's Receiving No. 3505)
Attachment I	Chickens In Your Backyard
Attachment J	Matrix of Proposed Amendments

ATTACHMENT A

ORDINANCE NO. 391

ORDINANCE NO. 391

**AN ORDINANCE OF THE CITY OF SHORELINE,
WASHINGTON AMENDING REGULATIONS DEFINING
PUBLIC NUISANCES AND ENFORCEMENT PROCEDURES IN
TITLE 10, TITLE 13, TITLE 15 AND TITLE 20 OF THE
SHORELINE MUNICIPAL CODE**

WHEREAS the City Council approved a work plan for 2004-2005 that included a goal to "Review and consider improvements in code enforcement standards";

WHEREAS input from the public was obtained for the purposes of defining code enforcement issues and solutions at the March 2, 2005 Council of Neighborhoods meeting and a Code Enforcement Community Workshop on April 6, 2005;

WHEREAS the Neighborhoods of Echo Lake (April 19, 2005), Ridgecrest and North City (joint meeting May 25, 2005) invited staff to attend their neighborhood meetings to discuss code enforcement issues and possible solutions;

WHEREAS a workshop was held at the Planning Commission on June 16, 2005 to introduce the final set of code enforcement issues as confirmed through public input and staff analysis;

WHEREAS a SEPA Determination of Nonsignificance was issued on June 27, 2005;

WHEREAS the Planning Commission conducted a public hearing on July 7, 2005 to address the proposed amendments to Shoreline Municipal Code Titles 10, 13 and 20 including the adoption of the International Property Maintenance Code with local amendments; and

WHEREAS the proposed changes are focused on enhancing the Shoreline Municipal Code to more adequately enforce the identified issues; NOW THEREFORE

THE CITY COUNCIL OF THE CITY OF SHORELINE DO ORDAIN AS FOLLOWS:

Section 1. Amendment. SMC 10.05.010 is amended as follows:

10.05.010 Adoption by reference.

The "Washington Model Traffic Ordinance", Chapter 308-330 WAC, except as identified in SMC 10.05.020 and 10.50.030 is hereby adopted by reference as the traffic ordinance

of the city of Shoreline as if set forth in full. Also adopted by reference are Sections 4, 5, 6, 7, 10, 11, 12 and 23 of Chapter 275, Laws of 1994 and RCW 46.04.215, 46.20.730 as amended by Section 23 of Chapter 275, Laws of 1994. [Ord. 70 § 1, 1996]

Section 2. New Section. A new section 10.05.030 is adopted to read:

10.05.030 MTO Amendments .

A. WAC 308-330-406 is amended to read as follows:

WAC 308-330-406 RCW sections adopted -- Abandoned, unauthorized, and junk vehicle tow truck operators. The following sections of the Revised Code of Washington (RCW) pertaining to abandoned, unauthorized, and junk vehicle tow truck operators as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.55.010, 46.55.020, 46.55.025, 46.55.035, 46.55.037, 46.55.040, 46.55.050, 46.55.060, 46.55.063, 46.55.070, 46.55.075, 46.55.080, 46.55.085, 46.55.090, 46.55.100, 46.55.105, 46.55.110, 46.55.113, 46.55.120, 46.55.130, 46.55.140, 46.55.150, 46.55.160, 46.55.170, 46.55.230, and 46.55.240.

1. RCW 46.55.010 is adopted with the following amendments to subsections (4) and (13):

(4) "Junk vehicle" means a vehicle certified under RCW 46.55.230 as meeting at least three of the following requirements:

- a) Is three years old or older;
- b) Is extensively damaged, such damage including but not limited to any of the following: A broken window or windshield, or missing wheels, tires, motor, or transmission;
- c) Is apparently inoperable including a condition which makes the vehicle incapable of being operated legally on a public highway;
- d) Has an approximate fair market value equal only to the approximate value of the scrap in it;

(13) "Unauthorized vehicle" means a vehicle that is subject to impoundment after being left unattended in one of the following public or private locations for the indicated period of time:

Subject to removal after:

- (a) Public locations:
 - (i) Constituting an accident or a traffic hazard as defined in RCW 46.55.113Immediately
 - (ii) On a highway and tagged as described in RCW

- 46.55.08524 hours
- (iii) In a publicly owned or controlled parking facility, properly posted under RCW 46.55.070Immediately
- (iv) Vehicles used for human habitation under RCW 46.61.570..... 24 hours
- (v) Failing to displaying current and valid registration tabs properly mounted in accordance with RCW 46.16.240, 46.16.047, 46.16.160, and 308-96A-295.....24 hours
- (b) Private locations:
 - (i) On residential propertyImmediately
 - (ii) On private, nonresidential property, properly posted under RCW 46.55.070Immediately
 - (iii) On private, nonresidential property, not posted 24 hours

2. RCW 46.55.113 is adopted with the following amendment to Subsection (2):

(2) In addition, a police officer may take custody of a vehicle, at his or her discretion, and provide for its prompt removal to a place of safety under any of the following circumstances:

(a) Whenever a police officer finds a vehicle standing upon the roadway in violation of any of the provisions of RCW 46.61.560, the officer may provide for the removal of the vehicle or require the driver or other person in charge of the vehicle to move the vehicle to a position off the roadway;

(b) Whenever a police officer finds a vehicle unattended upon a highway where the vehicle constitutes an obstruction to traffic or jeopardizes public safety;

(c) Whenever a police officer finds an unattended vehicle at the scene of an accident or when the driver of a vehicle involved in an accident is physically or mentally incapable of deciding upon steps to be taken to protect his or her property;

(d) Whenever the driver of a vehicle is arrested and taken into custody by a police officer;

(e) Whenever a police officer discovers a vehicle that the officer determines to be a stolen vehicle;

(f) Whenever a vehicle without a special license plate, card, or decal indicating that the vehicle is being used to transport a disabled person under RCW 46.16.381 is parked in a stall or space clearly and conspicuously marked under RCW 46.61.581 which space is provided on private property without charge or on public property;

(g) Upon determining that a person is operating a motor vehicle without a valid driver's license in violation of RCW 46.20.005 or with a license that has been expired for ninety days or more;

(h) When a vehicle is illegally occupying a truck, commercial loading zone, restricted parking zone, bus, loading, hooded-meter, taxi, street construction or maintenance, or other similar zone where, by order of the director of transportation or chiefs of police or fire or their designees, parking is limited to designated classes of vehicles or is prohibited during certain hours, on designated days or at all times, if the zone has been established with signage for at least twenty-four hours and where the vehicle is interfering with the proper and intended use of the zone. Signage must give notice to the public that a vehicle will be removed if illegally parked in the zone.

(i) When the vehicle is a junk vehicle and is parked, wholly or partially, on a public right-of-way.

B. WAC 308-330-462 is amended to read as follows:

WAC 308-330-462 RCW sections adopted -- Stopping, standing, and parking. The following sections of the Revised Code of Washington (RCW) pertaining to vehicle stopping, standing, and parking as now or hereafter amended are hereby adopted by reference as a part of this chapter in all respects as though such sections were set forth herein in full: RCW 46.61.560, ~~46.61.570~~, 46.61.575, 46.61.581, 46.61.582, 46.61.583, 46.61.585, 46.61.587, and 46.61.590.

RCW 46.61.570 is adopted with the following amendments to subsections (1) and (5):

(1) Except when necessary to avoid conflict with other traffic, or in compliance with law or the directions of a police officer or official traffic control device, no person shall:

(a) Stop, stand, or park a vehicle:

(i) On the roadway side of any vehicle stopped or parked at the edge or curb of a street;

(ii) On a sidewalk or street planting strip;

(iii) Within an intersection;

(iv) On a crosswalk;

(v) Between a safety zone and the adjacent curb or within thirty feet of

points on the curb immediately opposite the ends of a safety zone, unless official signs or markings indicate a different no-parking area opposite the ends of a safety zone;

(vi) Alongside or opposite any street excavation or obstruction when stopping, standing, or parking would obstruct traffic;

(vii) Upon any bridge or other elevated structure upon a highway or within a highway tunnel;

(viii) On any railroad tracks;

(ix) In the area between roadways of a divided highway including crossovers; or

(x) At any place where official signs prohibit stopping;-

(xi) On public right of way unless said vehicle displays a current and valid registration tabs properly mounted in accordance with 46.16.010(1).

(xii) Within the same block to avoid a time limit regulation specified in that particular area, except as provided in RCW 46.61.582 and 46.61.583;

(5) It shall be unlawful to use a vehicle for human habitation on any public, right-of-way or parking area. "Human habitation" means the use of a vehicle for sleeping, setting up housekeeping or cooking.

Section 3. Amendment. SMC 13.14.030 is amended as follows:

13.14.050 Garbage receptacles – Residential.

A. It is unlawful for the owners or occupants of private property to deposit or accumulate, or to permit the deposit or accumulation of, garbage upon such private property; provided, however, that this shall not prohibit the storage of garbage in private garbage receptacle(s), in accordance with health and safety regulations; ~~or when such garbage receptacle(s) are for immediate disposal~~ provided, that all garbage and refuse shall be removed at least every two weeks; provided further, that the use of a compost pile or bin shall not be prohibited if the use and maintenance thereof is in such a manner as to prevent the attraction, breeding and/or harboring of insects and rodents. Any such use permitted hereunder shall not be construed to permit a nuisance as defined by SMC 20.30.750 or state law.

B. No garbage shall be placed out for collection in bundles or otherwise outside of an approved garbage receptacle. [Ord. 251 § 1, 2000]

Section 4. Amendments. Shoreline Municipal Code Sections 20.20.016, 20.30.730, 20.30.750, 20.30.770, 20.30.775 and 20.30.410 are amended:

20.20.016 D definitions.

Dwelling Unit. Residential living facility, used, intended or designed to provide physically segregated complete independent living facilities for one or more persons, including living, sleeping, cooking and sanitation facilities. A dwelling unit is to be distinguished from lodging, such as hotel/motel or dormitory.

20.30.730 General provisions.

- A. For the purposes of this subchapter, any person who causes or maintains a Code Violation and the owner, lessor, tenant or other person entitled to control, use, or occupancy of property where a Code Violation occurs shall be identified as the responsible party and shall be subject to penalties enforcement action as provided in this subchapter. However, if a property owner affirmatively demonstrates that the action which resulted in the violation was taken without the owner's knowledge or consent by someone other than the owner or someone acting on the owner's behalf, that owner shall be responsible only for bringing the property into compliance to the extent reasonably feasible under the circumstances, as determined by the Director. Should the ~~owner~~ responsible party not correct the violation, after service of the notice and order, ~~civil fines, and penalties~~ and abatement costs may be assessed.
- B. It shall be the responsibility of any person identified as a responsible party to bring the property into a safe and reasonable condition to achieve compliance. Payment of fines, applications for permits, acknowledgment of stop work orders and compliance with other remedies does not substitute for performing the corrective work required and having the property brought into compliance to the extent reasonably possible under the circumstances. The date set for compliance in the Notice and Order takes precedence over any date established for the expiration of any required permit(s) and will be subordinate only to written extension of the Notice and Order.
- C. The procedures set forth in this subchapter are not exclusive. These procedures shall not in any manner limit or restrict the City from remedying or abating Code Violations in any other manner authorized by law. (Ord. 238 Ch. III § 10(b), 2000).

20.30.740 Enforcement provisions.

- A. Infraction.
Whenever the Director has determined that a Code Violation has occurred, the Director may issue a Class 1 civil infraction, or other class of infraction specified in the particular ordinance violated, to any responsible party, according to the provisions set forth in Chapter 7.80 RCW.
- B. Misdemeanor.

Any person who willfully or knowingly causes, aids or abets a Code Violation by any act of commission or omission is guilty of a misdemeanor. Upon conviction, the person shall be punished by a fine not to exceed \$1,000 and/or imprisonment in the county jail for a term not to exceed 90 days. Each week (seven days) such violation continues shall be considered a separate misdemeanor offense. A misdemeanor complaint or notice of infraction may be filed as an alternative, or in addition to any other judicial or administrative remedy provided in this subchapter or by law or other regulation.

C. Suspension, revocation or limitation of permit.

1. The Director may suspend, revoke or limit any permit issued whenever:
 - a. ~~1.~~ The permit holder has committed a Code Violation in the course of performing activities subject to that permit;
 - b. ~~2.~~ The permit holder has interfered with the Director in the performance of his or her duties relating to that permit;
 - c. ~~3.~~ The permit was issued in error or on the bases of materially incorrect information supplied to the City; or
 - d. ~~4.~~ Permit fees or costs were paid to the City by check and returned from a financial institution marked nonsufficient funds (NSF) or cancelled.
2. Such suspension, revocation or modification shall be carried out through the notice and order provisions of this subchapter and shall be effective upon the compliance date established by the notice and order. Such revocation, suspension or cancellation may be appealed to the Hearing Examiner using the appeal provisions of this subchapter. Notwithstanding any other provision of this subchapter, the Director may immediately suspend operations under any permit by issuing a stop work order.

D. Civil Penalties.

1. A civil penalty for violation of the terms and conditions of a notice and order shall be imposed in the amount of \$500.00. The total initial penalties assessed for notice and orders and stop work orders pursuant to this section shall apply for the first 14-day period following the violation of the order, if no appeal is filed. The penalties for the next 14-day period shall be 150 percent of the initial penalties, and the penalties for the next 14-day period and each such period or portion thereafter, shall be double the amount of the initial penalties.
2. Any responsible party who has committed a violation of the provisions of Chapter 20.80 SMC, Critical Areas, will not only be required to restore damaged critical areas, insofar as that is possible and beneficial, as determined by the Director, but will also be required to pay civil penalties in addition to penalties under subsection D(1), for the redress of ecological, recreation, and economic values lost or damaged due to the violation. Civil penalties will be assessed according to the following factors:
 - a. An amount determined to be equivalent to the economic benefit that the responsible party derives from the violation measured as the total of:

- i. The resulting increase in market value of the property; and
 - ii. The value received by the responsible party; and
 - iii. The savings of construction costs realized by the responsible party as a result of performing any act in violation of the chapter; and
 - b. A penalty of \$1,000 if the violation was deliberate, the result of knowingly false information submitted by the property owner, agent, or contractor, or the result of reckless disregard on the part of the property owner, agent, or their contractor. The property owner shall assume the burden of proof for demonstrating that the violation was not deliberate; and
 - c. A penalty of \$2,000 if the violation has severe ecological impacts, including temporary or permanent loss of resource values or functions.
3. A repeat violation means a violation of the same regulation in any location within the City by the same responsible party, for which voluntary compliance previously has been sought or any enforcement action taken, within the immediate preceding 24 consecutive month period, and will incur double the civil penalties set forth above.
4. The responsible parties have a duty to notify the Director of any actions taken to achieve compliance with the notice and order. For purposes of assessing civil penalties, a violation shall be considered ongoing until the responsible party has come into compliance with the notice and order and has notified the Director of this compliance, and an official inspection has verified compliance.
5. Civil penalties may be waived or reimbursed to the payer by the Director, with the concurrence of the Finance Director, under the following circumstances:
- a. The notice and order was issued in error; or
 - b. The civil penalties were assessed in error; or
 - c. Notice failed to reach the property owner due to unusual circumstances; or
 - d. Compelling new information warranting waiver has been presented to the Director since the notice and order was issued and documented with the waiver decision.

E. Abatement.

- 1. All public nuisances are subject to abatement under this subchapter.
- 2. Imminent nuisance and summary abatement.
If a condition, substance, act or nuisance exists which causes a condition the continued existence of which constitutes an immediate and emergent threat to the public health, safety or welfare or to the environment, the City may summarily and without prior notice abate the condition. Notice of such abatement, including the reason for the abatement, shall be given

to the person responsible for the property and the violation as soon as reasonably possible after the abatement. The Director or his/her designee shall make the determination of a condition, substance, act or other occurrence constituting an imminent nuisance requiring summary abatement. Costs, both direct and indirect, of the abatement may be assessed as provided in this chapter.

F. Additional enforcement provisions.

The enforcement provisions of this section are not exclusive, and may be used in addition to other enforcement provisions authorized by the Shoreline Municipal Code or by state law, including filing for injunctive relief or filing of a civil action.

20.30.750 Declaration of public nuisance, enforcement

~~Code violations detrimental to the public health, safety and environment are hereby declared public nuisances. All conditions determined to be public nuisance shall be subject to and enforced pursuant to the provisions of this subchapter except where specifically excluded.~~

- A. ~~A public nuisance is any City land use and development ordinance, public health ordinance, or violations of this subchapter including, but not limited to:~~
A Code Violation, as used in this subchapter, is declared to be a public nuisance and includes violations of the following:
1. Any City land use and development ordinances or public health ordinances;
 2. Any public nuisance as set forth in RCW 7.48 and RCW 9.66;
 3. Violation of any of the Codes adopted in SMC 15.05;
 - ~~1-4.~~ Any accumulation of refuse, except for such yard debris that is properly contained for the purpose of composting. This does not apply to material kept in garbage receptacles maintained for regular collection; except as provided in Chapter 13.14 SMC, Garbage Code;
 - ~~2-5.~~ Nuisance vegetation; and
 - ~~3-6.~~ The DDiscarding or dumping of any material onto the public right-of-way, waterway, or other public property;
- B. No act which is done or maintained under the express authority of a statute or ordinance shall be deemed a public nuisance.

20.30.770 (E) Notice & Orders.

8. ~~A statement advising that, if any required work is not commenced or completed~~ or a written extension for completion obtained within the time specified by the notice and order, the Director may proceed to abate the violation and cause the work to be done and charge the costs thereof as a lien against the property and as a joint and several personal obligation of all responsible parties;

20.30.770 (J) Abatement of Unfit Premises and Collection of Costs.

1. The Shoreline City Council finds that there exist within the City of Shoreline premises that are unfit for human habitation or other uses due to conditions that are inimical to the health and welfare of City residents.
2. In the case of such unfit dwellings, buildings, structures, and premises or portions thereof, the Director, as an alternative to any other remedy provided in this subchapter, may abate such conditions and have abatement costs collected as taxes by the King County treasury pursuant to SMC Section 20.30.775.
3. The Uniform Code for the Abatement of Dangerous Buildings (UCADB), 1997 Edition, as published by the International Conference of Building Officials is adopted for abatement procedures under this section, subject to the following amendments:
 - a. Whenever used in the UCADB, "building official" shall mean the Director.
 - b. UCADB Sec. 302 is amended to read as follows:
 SECTION 302 UNFIT BUILDINGS AND PREMISES.
 For the purpose of this Code, any building, structure or premises which has any or all of the conditions or defects hereinafter described shall be deemed to be an unfit building or premises, provided that such conditions or defects exist to the extent that the life, health, property or safety of the public or its occupants are endangered.

15. Whenever any building, structure or premises, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, air or sanitation facilities, accumulation of garbage or refuse, or otherwise, is determined by the Director to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease to the occupants, occupants of neighboring dwellings or other residents of the City. When a structure or premises is declared unfit under this subsection, repair as used in the UCADB shall include removal of the condition.

- c. UCADB Sec. 205, Board of Appeals, is hereby repealed.
- d. UCADB Chapter 5, Appeal, is hereby repealed, and substituted with the appeal provisions specified in this subchapter
- e. UCADB Chapter 6, Procedures for Conduct of Hearing Appeals, is hereby repealed and substituted with the procedures for appeal as specified in this subchapter.
- f. UCADB Chapter 9, Recovery of Cost of Repair or Demolition, is hereby repealed. ~~and the following provision is substituted:~~

~~The amount of cost of repairs, alterations or improvements; or vacating and closing; or removal or demolition by the Director shall be assessed against the~~

~~real property upon which such cost was incurred unless such amount is previously paid. Upon certification to him by the City Finance Director of the assessment amount being due and owing, the County treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW 84.56.020, as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the general fund of the City. If the dwelling, building structure, or premises is removed or demolished by the Director, the Director shall, if possible, sell the materials from such dwelling, building, structure, or premises and shall credit the proceeds of such sale against the cost of the removal or demolition and if there be any balance remaining, it shall be paid to the parties entitled thereto, as determined by the Director, after deducting the costs incident thereto.~~

~~The assessment shall constitute a lien against the property, which shall be of equal rank with State, county and municipal taxes.~~

20.30.775 Collection of Penalties and Costs

1. 20.30.770 K. All monies collected from the assessment of civil penalties and for abatement costs and work shall be allocated to support expenditures for abatement, and shall be accounted for through either creation of a fund or other appropriate accounting mechanism in the Department issuing the notice and order under which the abatement occurred. (Ord. 238 Ch. III § 10(f), 2000).
2. The amount of cost of repairs, alterations or improvements; or vacating and closing; or removal or demolition by the Director shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. Upon certification to him by the City Finance Director of the assessment amount being due and owing, the County treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW 84.56.020, as now or hereafter amended, for delinquent taxes, and when collected to be deposited to the credit of the general fund of the City. If the dwelling, building structure, or premises is removed or demolished by the Director, the Director shall, if possible, sell the materials from such dwelling, building, structure, or premises and shall credit the proceeds of such sale against the cost of the removal or demolition and if there be any balance remaining, it shall be paid to the parties entitled thereto, as determined by the Director, after deducting the costs incident thereto.

The assessment shall constitute a lien against the property, which shall be of equal rank with State, county and municipal taxes.

3. In addition to, or in lieu of the provisions set forth in this subchapter, the City may commence a civil action in any court of competent jurisdiction to collect for any such charges incurred by the City to obtain compliance pursuant to this chapter and/or to collect any penalties that have been assessed.

20.50.410 Parking design standards.

B. On property occupied by a single-family detached residence or duplex, the total number of vehicles wholly or partially parked or stored outside of a building shall not exceed six, ~~excluding~~ including boats, recreational vehicles and trailers. This section shall not be interpreted to allow the storage of junk vehicles as covered in SMC 20.30.760.

Section 5. Repeal. Section 20.30.780 of the Shoreline Municipal Code is repealed in its entirety.

Section 6. Amendment SMC 15.05.010 is amended as follows:

15.05.010 Adoption of referenced codes.

The city of Shoreline hereby adopts the following codes, as amended by the Washington State Building Code Council pursuant to RCW 19.27.074, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings, premises and structures, including permits and penalties:

- A. The current edition of the International Building Code published by the International Code Council, Inc., as adopted by the Washington State Building Code Council in Chapter 51-50 WAC, as now or hereafter amended.
- B. The current edition of the International Residential Code published by the International Code Council, Inc., as adopted by the Washington State Building Code Council in Chapter 51-51 WAC, as now or hereafter amended.
- C. The current edition of the International Mechanical Code published by the International Code Council, Inc., as adopted by the Washington State Building Code Council in Chapter 51-52 WAC, as now or hereafter amended, except that the standards for liquefied petroleum gas installations shall be NFPA 58 (Storage and Handling of Liquefied Petroleum Gases) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code).
- D. The current edition of the International Fuel Gas Code published by the International Code Council, Inc., as adopted by the Washington State Building Code Council in Chapter 51-52 WAC, as now or hereafter amended. The following appendix is specifically adopted: Appendix A, Sizing Capacities of Gas Piping.
- E. The current edition of the International Fire Code, published by the International Code Council, Inc., as adopted by the Washington State Building Code Council in Chapter 51-54 WAC, as now or hereafter amended, including those standards of the National Fire Protection Association specifically referenced in the International Fire Code; provided, that notwithstanding any wording in this code, participants in religious ceremonies shall not be precluded from carrying hand-held candles. The following appendices are specifically adopted:
 1. Appendix B, Fire-Flow Requirements for Buildings;

2. Appendix C, Fire Hydrant Locations and Distribution;
 3. Appendix E, Hazard Categories;
 4. Appendix F, Hazard Ranking.
- F. Except as provided in RCW 19.27.170, the current edition of the Uniform Plumbing Code and Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials, as adopted by the Washington State Building Code Council in Chapters 51-56 and 51-57 WAC, as now or hereafter amended; provided, that any provisions of such code affecting sewers or fuel gas piping are not adopted. The following appendices are specifically adopted:
1. Appendix A, Recommended Rules for Sizing the Water Supply System;
 2. Appendix B, Explanatory Notes on Combination Waste and Vent Systems;
 3. Appendix D, Sizing Storm Water Drainage Systems;
 4. Appendix H, Recommended Procedures for Design, Construction and Installation of Commercial Kitchen Grease Interceptors;
 5. Appendix I, Installation Standards.
- G. The rules adopted by the Washington State Building Code Council establishing standards for making buildings and facilities accessible to and usable by the physically disabled or elderly persons, as provided in RCW 70.92.100 through 70.92.160.
- H. The current edition of the Washington State Energy Code, as adopted by the State Building Code Council in Chapter 51-11 WAC. [Ord. 355 § 1, 2004; Ord. 353 § 1, 2004]
- I. The 2003 International Property Maintenance Code published by the International Code Council as amended and filed under City Clerk's receiving number 3505.

Section 7. Effective Date and Publication. A summary of this ordinance consisting of its title shall be published in the official newspaper of the City. The ordinance shall take effect and be in full force five days after passage and publication.

PASSED BY THE CITY COUNCIL ON AUGUST 22, 2005.

Mayor Ron Hansen

ATTEST:

APPROVED AS TO FORM:

Scott Passey
City Clerk

Ian Sievers
City Attorney

Date of Publication: August 25, 2005
Effective Date: August 30, 2005

ATTACHMENT B

**APRIL 6, 2005
COMMUNITY WORKSHOP
DOT EXERCISE RESULTS**



**Code Enforcement Workshop Enhancement
Preferences Exercise Tally**

Issue	Significant Issue	Somewhat of an Issue	Not an Issue
Deteriorating properties (exterior) (primarily rental) i.e. abandoned homes, broken windows, junk, litter, graffiti etc.	52	20	7
Maintenance of planting strips, drainage ditches, gravel shoulders, sidewalks etc.	3	13	14
Deteriorating properties (interior) i.e. lack of proper sanitary facilities; structural, electrical, mechanical & other defects	5	9	9
Junk vehicles stored outside on private property	25	13	3
Number of vehicles allowed outside on single family properties	18	4	2
Number of recreational vehicles, boats and trailers stored outside on private property	12	11	1
Inhabited Vehicles Parked on Public Right of Way	20	13	2
Mowing and cutting of weeds on private property	0	9	19
Enforcement or enhancement of sign regulations.	5	24	27
Keeping of animals	3	7	19
Required interval collection of residential garbage	36	4	0
Maintenance (removal of garbage, litter, junk cars, etc.) in Commercial areas	2	4	3
Increased enforcement of environmental regulations	9	4	0
Noise	1	4	3
Litter (especially cigarette butts)	4	4	1
Spay and Neuter of pets (more specifically cats)	2	1	6

Top 4 Issues based on # of "Significant Issue" votes:

1. Deteriorating properties (exterior) = 52 votes
2. Required Interval collection of residential garbage = 36 votes
3. Junk Vehicles stored outside on private property = 25 votes
4. Inhabited Vehicles parked on public right of way = 20 votes

Top 4 Issues based on # of "Significant Issue" votes + "Somewhat of an Issue" votes:

1. Deteriorating properties (exterior) = 72 votes
2. Required Interval collection of residential garbage = 40 votes
3. Junk Vehicles stored outside on private property = 38 votes
4. Inhabited Vehicles parked on public right of way = 33 votes

Lowest priority Issue based on # of "Not an Issue" votes

1. Enforcement of Sign Regulations = 27 votes *
2. Mowing and Cutting of Weeds = 19 votes
3. Keeping of Animals = 19 votes
4. Maintenance of Planting strips = 14 votes

* Enforcement of Signs received 29 "Significant + Somewhat Significant" votes

ATTACHMENT C

APRIL 6, 2005
WRITTEN COMMENTS

4/6/05

To: Shoreline Committee on Code Enforcement
Re: Beautification of Shoreline

I would like to express my concern about the City of Shoreline pursuing new beautification codes. We are talking about private property here in a working class town.

When I bought my home in Shoreline, there were no covenants in effect like there are in Mill Creek where people buy into a housing development with foreknowledge that a committee will oversee such personal decisions as the color of the house, style of roofing, height and composition of fencing, and even the landscaping.

I believe it is inappropriate to come along after the fact and try to legislate the appearance of a person's home – if the City of Shoreline is concerned about appearances, let them first clean up their own property (for example, there are Himalayan blackberries throughout city parks and public rights-of-way that crowd out the native vegetation).

We have existing laws to handle public safety issues (such as garbage that attracts rodents). If the city wants to enforce those laws, that's fine – as long as they do so with compassion and fairness (allowing adequate time for compliance).

Regarding number of vehicles allowed on a person's property – there are already laws that affect this (currently, I believe 6 cars are allowed). If the cars function and can be made to run, and if they are parked in a private driveway, why should we care?

If tidiness of front yards is an issue, please work *with* citizens to make that happen without it becoming a legal issue. Don't write citations and make it a court matter when simply talking to someone or applying neighborhood pressure can accomplish what's desired.

The City has not demonstrated ability to enforce the codes it already has. For instance, the city is not enforcing its code on mother-in-law apartments – can we expect better performance on beautification codes? Let's not add more laws.

Beauty is in the eye of the beholder. Please keep that in mind when debating this issue.

Respectfully submitted,
Howard P. Murray



Code Enforcement Community Workshop

April 6, 2005

Written Comment

I would like to point out that in the case of the King wetland, the owner is a repeat violator, of land use codes in a two-way critical area.

My question is if you can't even effectively enforce CAO violations (which are in your "urgent" category, how can you expect to enforce the other more minor violations or take on new ones?

It's not clear from your presentations which violations ARE being enforced? which have NO regulations in the code?

I represent PPNG which would like to see better + more effective enforcement in CAO's. Want to see these streams, wetlands + steep slopes

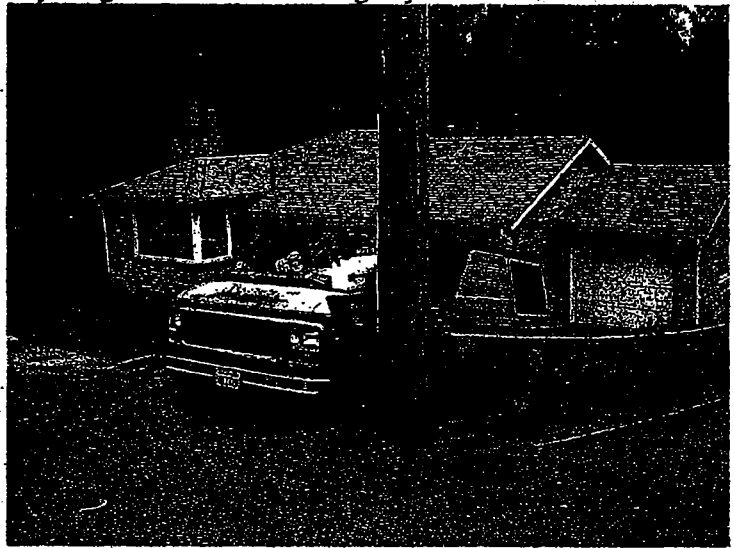
protected.

4/6/05

Formal complaint:
Made by Ruth & Doug Lancaster
16232 10th Ave NE, Shoreline, WA 98155

Address: 16238 10th Ave NE, Shoreline, Wa 98155

This van has been sitting at this address like this for the past 5 years. It has not moved since they moved in. It has flat tires & is full of junk. We have filed several complaints with the City of Shoreline and they have come out to investigate it. They could not do anything as it was not leaking any oil to cause a hazard.





Code Enforcement Community Workshop

April 6, 2005

Written Comment

RE: MAINTENANCE OF PLANTER STRIPS

I AM CONCERNED ABOUT WHETHER PRIVATE PROPERTY OWNERS ARE LIABLE FOR SIDEWALKS/WALKWAYS BUCKLING OR POSING A TRIP HAZARD DUE TO CITY-PLANTED TREES

e.g. NORTH CITY

Aurora Ave

Meridian Ave - who's trees are those

& whose responsibility to keep the walkways/sidewalks clear?

If anyone trips & sues the homeowner/property owner: How will the City be involved?

CINDY RYU

CR15000@YAHOO.COM

Please leave completed forms on the sign-in table



Code Enforcement Community Workshop

April 6, 2005

Written Comment

I am deeply disappointed in the actual enforcement of code in this city especially where critical areas and environmental protections are concerned. The feeling I have coming away from the meeting tonight is that there is a perceived (if not actual) weakness in the determination of Code Enforcement. It's as if, "Our hands are tied and we can't do anything." It seems that there are laws and if so, they must be obeyed and enforced. If they're not it breeds disrespect for these laws and all laws in general. That is the beginning of degradation of a neighborhood. It breeds more litter. If there is half-hearted followup on code enforcement, how much more can they get away with?

Please leave completed forms on the sign-in table.

Chicki Westberg

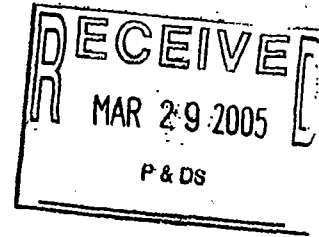
Re: Code Enforcement

Hello Maggie. I received in the mail information about a Beautify Your Neighborhood meeting at the Shoreline Conference Center on April 6th. I am still in Arizona, so will not be able to attend, but I would like to add my input, through you. Of course, it is about the number of animals (ponies?) a resident can have and the maximum weight of each. Right now, it is 500 lbs. per animal and 3 animals. Since we have discussed the pony problem with my neighbor a few times, I am sure you know that I would like to see this Ordinance changed and hope it can be brought up at the meeting. I thank you for your time on this issue.

Sincerely,

Pat Anthony

~~CONFIDENTIAL~~



March 27, 2005

Ron Hansen, Mayor, City of Shoreline
and
All City of Shoreline Council Members

We are residents of Shoreline and live at 19802 - 8th Avenue N.W.

Recently, we had to take our neighbors to task on removal of vehicles in their back yard via your Customer Response Team. During this process, we also sent a letter to all members of the City Council regarding our thoughts on junk vehicles and garbage collection. The only Councilmember from whom we received a response was the Honorable Ron Hansen. We want to applaud him for his response and also reinforce our thoughts on the issue of junk vehicles and vehicles which are unlicensed.

We feel you should adopt a detailed and specific ordinance to restrict the parking of non-moving vehicles, non-licensed vehicles and also vehicles being worked on for long periods of time. As is the case with us, and as we are sure is the case with many other citizens complaining about these issues, usually the offending property owner is very well aware of what the City can and cannot enforce. As a specific case in point, years ago when our neighbors were parking numerous vehicles in their FRONT yard, they were approached by the City. The result was that our neighbors simply graveled a large area of their front yard which legally brought them into compliance. Now, after our recent complaint which involved parking junk and unlicensed vehicles in their back yard, they simply dumped more gravel back there.

We feel the lack of having specific ordinances to enforce results in the following issues:

1. We are upset with our neighbors for degrading the value of our property;
2. The neighbors are upset with us for complaining to the City;
3. We are upset with the City for its not being able to correct this situation on a long-term basis;
4. The neighbors are upset with the City for perceived harassment;
5. The Customer Response Team, who performed the best they could under existing City ordinances, is no doubt tired of dealing with all of us.

It's not the fault of the CRT that the City ordinances aren't specific enough. Julie and Randy of the CRT were individually outstanding and very responsive. Unfortunately, the offending parties usually know how to "skate" the intent and do what it takes to comply with the letter of the law.

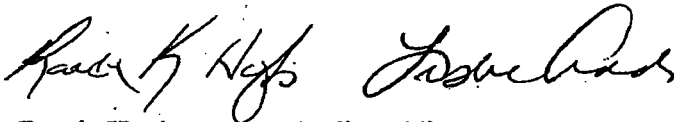
Unless the City Council implements ordinances to control situations like this which will actually give your CRT teams the power to enforce these ordinances "on the spot" such as issuing citations, towing vehicles, etc., all of us Shoreline property owners who try to do the right thing are going to feel extremely frustrated. Tighten up these sorts of ordinances which deal with neighborhood degradation including not only the vehicle issues but also the need for mandatory garbage pickup. We know and appreciate that you are all trying to make Shoreline a first-class city. But without specific ordinances with teeth, the end result is simply a lot of frustrated

Page 2

citizens. Your CRT Team is a wonderful asset to the City but please give them some ordinances that are specific enough to enforce.

It is very unfortunate we will not be able to attend the April 6th public workshop on Code Enforcement. Please accept this letter in lieu of our in-person input. We appreciate your efforts to continue to improve our city.

Thank you.



Randy Hughes

Leslie Addis

19802 - 8th Ave. N.W.
Shoreline, WA 98177
206-546-6353

~~Ms. Kristie Anderson~~, Code Enforcement Officer, City of Shoreline

ATTACHMENT D

**APRIL 19, 2005
ECHO LAKE
NEIGHBORHOOD MEETING
DOT EXERCISE RESULTS**



**ELNA 4/19/05 Code Enforcement Enhancement
Preferences Exercise Tally**

Issue	Significant Issue	Somewhat of an Issue	Not an Issue
Deteriorating properties (exterior) (primarily rental) i.e. abandoned homes, broken windows, junk, litter, graffiti etc.	12	5	2
Maintenance of planting strips, drainage ditches, gravel shoulders, sidewalks etc.	0	2	8
Deteriorating properties (interior) i.e. lack of proper sanitary facilities; structural, electrical, mechanical & other defects	6	6	0
Junk vehicles stored outside on private property	6	1	5
Number of vehicles allowed outside on single family properties	3	9	1
Number of recreational vehicles, boats and trailers stored outside on private property	1	8	0
Inhabited Vehicles Parked on Public Right of Way	7	9	0
Mowing and cutting of weeds on private property	0	2	13
Enforcement or enhancement of sign regulations	7	9	8
Keeping of animals	2	2	9
Required interval collection of residential garbage	14	0	0
Commercial vehicles parked in residential neighborhoods	3	2	0
Noise	4	0	0

Top 4 Issues based on # of "Significant Issue" votes:

- 1. Required Interval collection of residential garbage = 14 votes**
- 2. Deteriorating properties (exterior) = 12 votes**
- 3. Inhabited Vehicles parked on public right of way = 7 votes**
- 4. Enforcement or enhancement of sign regulations = 7 votes**

Top 4 Issues based on # of "Significant Issue" votes + "Somewhat of an Issue" votes:

- 1. Deteriorating properties (exterior) = 17 votes**
- 2. Inhabited Vehicles parked on public right of way = 16 votes**
- 3. Enforcement or enhancement of sign regulations = 16 votes**
- 4. Required interval collection of residential garbage = 14 votes**

Lowest priority Issue based on # of "Not an Issue" votes

- 1. Mowing and Cutting of Weeds = 13 votes**
- 2. Keeping of Animals = 9 votes**
- 3. Maintenance of Planting strips = 8 votes**
- 4. Enforcement of Sign Regulations = 8 votes**

ATTACHMENT E

**MAY 25, 2005
RIDGECREST/NORTH CITY
NEIGHBORHOOD MEETING
DOT EXERCISE RESULTS**



**Code Enforcement Neighborhood Meeting: Ridgecrest + North
City Neighborhood Associations' Preferences Exercise Tally**

Issue	Significant Issue	Somewhat of an Issue	Not an Issue
Deteriorating properties (exterior) (primarily rental) i.e. abandoned homes, broken windows, junk, litter, graffiti etc.	9	6	0
Maintenance of planting strips, drainage ditches, gravel shoulders, sidewalks etc.	0	6	11
Deteriorating properties (interior) i.e. lack of proper sanitary facilities; structural, electrical, mechanical & other defects	6	6	1
Junk vehicles stored outside on private property	10	2	0
Number of vehicles allowed outside on single family properties	6	1	5
Number of recreational vehicles, boats and trailers stored outside on private property	3	3	3
Inhabited Vehicles Parked on Public Right of Way	6	5	3
Mowing and cutting of weeds on private property	0	8	10
Enforcement or enhancement of sign regulations	3	10	5
Keeping of animals	0	6	12
Required removal of residential garbage	12	1	2
Maintenance (removal of garbage, litter, junk cars, etc.) In Commercial areas	3	0	3
Greater Enforcement of Site Distance Obstructions	2	6	0
Commercial Vehicles parked in residential neighborhoods	3	0	0

Top 3 Issues based on # of "Significant Issue" votes:

1. Required removal of residential garbage = 12 votes
2. Junk Vehicles stored outside on private property = 10 votes
3. Deteriorating properties (exterior) = 9 votes

Lowest priority Issue based on # of "Not an Issue" votes

1. Keeping of Animals = 12 votes
2. Maintenance of Planting strips = 11 votes
3. Mowing and Cutting of Weeds = 10 votes

*** Note: Enforcement of Signs received 13 "Significant + Somewhat Significant" votes**

ATTACHMENT F

PLANNING COMMISSION JULY 7, 2005 MEETING MINUTES

CITY OF SHORELINE

SHORELINE PLANNING COMMISSION SUMMARY MINUTES OF REGULAR MEETING

July 7, 2005
7:00 P.M.

Shoreline Conference Center
Board Room

PRESENT

Chair Harris
Vice Chair Piro (arrived at 7:11 p.m.)
Commissioner Hall
Commissioner MacCully
Commissioner Sands
Commissioner Phisuthikul

STAFF PRESENT

Tim Stewart, Director, Planning & Development Services
Steve Burkett, City Manager
Bob Olander, Deputy City Manager
Rachael Markle, Assistant Director, Planning & Development Services
Andrea Spencer, Senior Planner, Planning & Development Services
Kristie Anderson, Code Enforcement Officer
Jessica Simulcik, Planning Commission Clerk

ABSENT

Commissioner Broili
Commissioner Kuboi
Commissioner McClelland

1. CALL TO ORDER

The regular meeting was called to order at 7:05 p.m. by Chair Harris, who presided.

2. ROLL CALL

Upon roll call by the Commission Clerk, the following Commissioners were present: Chair Harris, Commissioners Hall, MacCully, Sands and Phisuthikul. Vice Chair Piro arrived at 7:11 p.m. and Commissioners Broili, Kuboi and McClelland were excused.

3. APPROVAL OF AGENDA

A letter from Commissioner MacCully requesting a leave of absence was placed on the agenda under Item 11. The remainder of the agenda was approved as submitted.

4. DIRECTOR'S REPORT

City Manager Update on Planning and Development Services Director Recruitment

Mr. Stewart advised that he and his wife have been offered an exciting opportunity to teach and do research next year at a university in Ethiopia. As a result of this, he will be leaving the City's employment at the end of the summer, just after Labor Day. He thanked the Commission for their support and good work since he has been the Planning Director. He said the Commission is one of the most highly functioning groups he has had the pleasure to work with over the past 25 years. They challenge the staff and debate the issues effectively to oftentimes come up with better recommendations than those presented by staff.

Mr. Stewart introduced Steve Burkett, the City Manager, and Bob Olander, the Deputy City Manager, who were present to talk to the Commission about the recruitment process for the new Planning and Development Services Director. He suggested that it would be appropriate for him to leave the room during this discussion so that the Commission could be candid and honest in their comments. He said he would return for the Commission's debate regarding the proposed enhancements to the Code Enforcement Program.

Bob Olander, Deputy City Manager, said it has been his pleasure to work with Mr. Stewart, and it is with regret that they accept his resignation. He will be hard to replace. Mr. Olander briefly reviewed the process and tentative timeline for recruiting a new director. He advised that the City has hired a recruitment firm, Prothman and Associates, to help in the process. They have experience throughout the Northwest and the Country in doing executive level recruitment, particularly for cities. The position will be advertised very shortly, and the initial round of applications will be due approximately the middle of August. They plan to focus their search in the western states, which seem to have similar planning ethics and background. However, they will also advertise the position nationally in the various planning journals.

Mr. Olander advised that after the application deadline, the pool of candidates would be narrowed down to a manageable number of ten or twelve. Then the remaining applications would be reviewed by both he and Mr. Burkett, the City Manager, and the pool would be further narrowed to five or six candidates. He recalled that in the past, they have been successful using multiple interview panels, and they will likely use this process again. An interview panel of selected representatives from the Planning and Development Services Department would be created to solicit input regarding the candidates. A second panel would be formed consisting of the other department directors to allow them an opportunity to evaluate each of the candidates and provide comments about how each would fit within the City's organization. Lastly, he and Mr. Burkett would conduct the final interviews, consider the input from the two panels and make a final decision. He advised that it is anticipated the interviews would be conducted in September, with final selection being made by the end of September.

Steve Burkett, City Manager, said they are currently in the process of putting together a profile for the position. They have met with several groups as part of this process, and in addition to meeting with the Planning Commission, they will also meet with the Planning Staff, the City's Leadership Team, and the City Council. He advised that the Planning Commission is a very important element of this process,

since the relationship between the Director and the Commission is of key concern. Because the Planning Commission has a reputation of working well together, it should be easier to recruit talented individuals for the Director position. He pointed out that planning directors work in an environment where there are conflicting values, and these conflicts are brought out in many of the issues the Planning Commission deals with. It is the Planning Director's job to articulate the staff recommendations that are focused primarily on the planning concepts. It is the Planning Commission's responsibility to reflect the community values in their decisions.

Mr. Burkett said they are interested in hearing the Planning Commission's ideas and thoughts regarding the skills, strengths and experience that should be emphasized when searching for a new Planning Director. He said they are also seeking feedback from the Commission regarding the three or four key issues the Director would be faced with in the next few years since it is important to consider candidates who have experience in dealing with these particular issues. For example, the City is now at a point where they are ready to deal with economic development issues, so it would be important for the new Planning Director to have some experience in this area as it relates to planning policies and practices.

Commissioner Phisuthikul suggested that it would be important that the new director have some experience in working with a Growth Management Act, particularly in a state that has the same type of law. He would also like the new director to have experience in establishing long-range plans for the development of an urban center that could become the focal point and downtown area of the City.

Vice Chair Piro said not only is it important that the new director have a good knowledge of growth management, but that he/she have a real passion for it, since this would reflect the desires of the community to encourage and embrace growth management in the City. Some of the issues that have been raised between the Planning Staff and citizens may be the result of different visions of how to implement the Growth Management Act.

Vice Chair Piro said it is also important that the new Director have experience in creating a vision for the City. The new Director could compliment the City's current vision to develop a vibrant, robust core and bring fresh ideas and innovations forward that can help the City achieve their development goals and objectives, economic development strategies, etc.

Commissioner MacCully said he would like the new Director's management style to include a passion for planning. This person must understand the need for balance and be able to focus on the issues. The new Director must have good emotional control, while still being passionate about their goals. The person should have a broad experience base in small and medium-sized cities rather than a narrow experience base in large cities. The person should also have the ability to operate at a variety of levels (State, regional and local) and also have experience in working with the public. One of the key issues that must be addressed in the near future is the inevitable conflict between environmental and economic concerns. It is important that the new Director have the ability to marry the two together for successful development in the future.

Commissioner Sands said one thing he appreciates the most about Mr. Stewart is his ability to quickly explain the various statutory language that could impact an issue the Commission is discussing. He

said there have been many situations where someone has asked Mr. Stewart a question for clarification and he has been able to reference numerous code sections and explain how each would apply to the situation at hand. This would be a helpful skill for the new Director to have, as well.

Chair Harris agreed with Commissioner Sands. He added that it would be important for the new Director to have a broad-based background, perhaps even someone who has had an opportunity to solve controversial issues in another city.

Commissioner Hall said that, in the long term, the successful growth of Shoreline would depend upon having someone who could forge partnerships with other cities to solve regional issues such as transportation. In addition, Commissioner Hall said it is important that the new Director have the ability to continually improve the permit process and the administration of the City's plans and policies. Once the vision and infrastructure for economic development has been put in place, it is important that the City's administrative processes not hold up the progress.

Mr. Burkett advised that Mr. Stewart and the Planning Staff have been working to improve the permit process, and this work should continue. They now have an Economic Development Manager to aid in this effort. He said it is important to achieve an efficient and predictable process for implementing the policies and regulations that have been set forth by the Planning Commission and the City Council. It is also important that people are able to understand the City's policies and that they can get through the review process as quickly as possible and develop something that is consistent with the City's codes.

Mr. Burkett said that his first thought when Mr. Stewart informed him about his opportunity to go to Ethiopia was that the City would lose his ability to think on his feet. He said he has never seen Mr. Stewart stumped for an answer, no matter how technical or complex the question. He said Mr. Stewart is also very good at explaining the practical and policy implications of the various proposals that are brought forward. Mr. Olander added that he particularly appreciates Mr. Stewart's strategic ability. He can look through a complex problem and help map out a way to get through it step by step. He has the ability to explain the strategy and help keep the process on track. He said he would look for this same ability in the future Director.

Mr. Olander thanked the Commissioners for their input and said he is confident they will be able to attract some very good candidates since the City has a lot to offer right now. He referred to the article in the recent issue of Seattle Magazine where they rated 84 neighborhoods in the Seattle Region. Shoreline was identified as the number one neighborhood. Those citizens who have participated on the Planning Commission and the City Council have had a lot to do with developing this reality for Shoreline.

Commissioner Hall said he would like the Commission to be invited to any recognition event that is held to honor Mr. Stewart's service. Mr. Stewart has done a lot of great things for the City and a tremendous job of working with the Commission.

5. APPROVAL OF MINUTES

COMMISSIONER HALL MOVED THAT THE MINUTES OF JUNE 16, 2005 BE APPROVED AS CORRECTED. COMMISSIONER PHISUTHIKUL SECONDED THE MOTION. THE MOTION CARRIED 6-0.

6. GENERAL PUBLIC COMMENT

Bob Barta, Shoreline, advised that he represents the Highland Terrace Neighborhood. He said he is also a volunteer with the Shoreline Fire Department Facility Communications Service and is on the Emergency Management Council for the City. He said he appreciates the volunteer work that the Planning Commissioners do, as well. He explained that since ancient times, cities have depended upon three strengths: a safe place to live, commercially friendly, and the preservation of sacredness. He said the City has done a good job of improving safety and becoming more commercial friendly. However, they need to work more on preserving the sacredness of the City. For example, when someone purchases property in an R-4 or R-6 zoned neighborhood, they should be able to anticipate that the development would remain consistent. He suggested that the R-4 and R-6 zones should not be considered as possible sites for cottage housing developments.

Mr. Barta referred to the concept of constructing "gateways" for the City. He suggested that these "gateways" immediately identify the character of the City and the City's expectations. The City's gateway program is important and should continue since the gateways provide an indication that Shoreline is a classy place to live.

Regarding Economic Development, Mr. Barta advised that Tom Boydell, the City's Economic Development Director, has attended one of their neighborhood meetings. He pointed out that there are a number of shopping areas throughout the City to serve the neighborhoods. He suggested that, in the future, they should use their imagination to make these places inviting for people to come and meet eye-to-eye. He agreed that there should be a central core created along 175th and Aurora, and this would be an excellent location for the new City Hall since wireless communication access would be readily available.

7. PUBLIC HEARING ON PROPOSED ENHANCEMENTS OF THE CODE ENFORCEMENT PROGRAM

Chair Harris reviewed the rules and procedures for the public hearing. Ms. Markle reminded the Commission of the lengthy presentation that was presented by the staff at the Commission's last meeting, which included slides and pictures. She suggested that the staff provide an abbreviated version of their presentation. She pointed out that the photographs would be on display and Commissioners and the public could ask questions about specific issues. The Commission agreed that an abbreviated presentation would be appropriate.

Kristie Anderson, Code Enforcement Officer, explained that the purpose of the meeting is to briefly introduce the code enforcement issues and the proposed solutions, to briefly respond to the questions

staff received from the Planning Commissioners, to conduct a public hearing, and to assist the Commission with the development of a recommendation to the City Council.

Ms. Anderson reviewed the most significant issues that were identified by the citizens. They include: deteriorating properties on both the interior and exterior, junk vehicles stored outside on private property, the number of vehicles allowed to be parked outside on single-family properties, inhabited vehicles parked on the public right-of-way, and a required interval for the removal of garbage. She said other issues were also raised, but were not confirmed as significant. These include: keeping of animals, enforcement or enhancement of sign regulations, mowing and cutting of weeds on private property, and maintenance of planting strips.

Ms. Anderson said staff is proposing the following changes:

- Amend Title 20 to address the number of vehicles allowed on single-family property and to streamline the procedural and administrative requirements in the code.
- Amend Title 10 to address junk and abandoned vehicles parked on the right-of-way.
- Amend Title 13 to establish a required interval for the removal of garbage.
- Adopt the International Property Maintenance Code (IPMC) to address minimum standards for the exterior and interior of properties. Staff is suggesting that the interior standards be limited to rental housing only.

Ms. Anderson recalled that at the last meeting the Commissioners raised several questions, and these were answered in the staff report that was provided in the Commission's packet. She specifically reviewed the following questions that were raised by the Commission:

- *Can the City add or alter the proposed amendments or regulations that are proposed for adoption?* Ms. Anderson advised that after accepting public testimony on the proposed amendments and adoption of new regulations, the Commission would deliberate and formulate a recommendation. Their recommendation could include new amendments that were not previously advertised. The City Council would hold a second hearing to receive public comments on the Planning Commission's recommendation.
- *Can staff provide additional information on the International Property Maintenance Code (IPMC) and the options to apply the IPMC to rental occupied units?* Ms. Anderson explained that the IPMC is one of a group of codes that is adopted by the International Code Council. These codes are evaluated at the State level and certain ones are adopted. The City of Shoreline has adopted the 2003 Series for the International Residential Code, the Building Code, the Mechanical Code, the Plumbing Code, and the Fuels/Gas Code. Staff is now proposing the adoption of the International Property Maintenance Code with applicable amendments for Shoreline.

Ms. Anderson said that if the Commission decides they would like the IPMC to apply to both owner-occupied and rental units, they should recommend denial of Amendments 2 and 47, which exempt owner-occupied units. She briefly reviewed the pros and cons of adopting the IPMC. She said concerns have been raised that the regulations would unduly burden rental-housing owners and

provide the ability for the City to enforce minimum standards for light, ventilation, occupancy, plumbing, and mechanical/electrical systems in owner-occupied units should a complaint be filed. She explained that while the City wants all owner-occupied units to be safe, healthy and sanitary, staff is concerned that regulating some internal aspects of a owner-occupied structure might be too invasive. The City must prove that a violation exists, and if a violation were internal to the structure, the property owner would have to invite the City to inspect. Also, she pointed out that the City's code enforcement program is complaint driven, and staff does not anticipate many property owners reporting themselves. Neither do they expect complaints being called in from invited visitors to these properties.

On the other hand, Ms. Anderson pointed out that rental properties are business enterprises, and government routinely regulates businesses by providing standards for facilities and other physical features. The intent is to ensure that the facilities are safe, sanitary and fit for use as an occupation. The business of rental housing should be no different. Ensuring safe and habitable rental housing is necessary to provide safe and attractive neighborhoods in the City.

- *How would the regulations be enforced and violations be triggered?* Ms. Anderson said staff is proposing that the City's Code Enforcement Team would use the same methodology as is currently in place for enforcement. The program is complaint driven, and a violation would be "triggered" by the receipt of a complaint followed by an official inspection. She briefly reviewed the 4-step enforcement program as outlined in the Staff Report.
- *Does the International Property Maintenance Code conflict with other adopted codes?* Ms. Anderson explained that an inter-departmental team worked on the revisions to the IPMC to physically consider how it would fit in with the rest of the City's codes and programs. Language was included in the document that states that codes, repairs, additions or alterations to a structure or changes of occupancy should be done in accordance with the provisions and procedures of Title 15 (building codes). Additional language was provided to state that nothing in the IPMC shall be construed to cancel, modify or set aside any provision of Title 20 of the Shoreline Municipal Code (Development Code).

Ms. Anderson advised that additional amendments have been proposed to Title 10 (Vehicles and Traffic Title). As per comments received from the City Attorney's Office, staff has moved provisions from the Model Traffic Ordinance definition of Junk Vehicle to the Unauthorized Vehicle Section. They also added "vehicles used for human habitation" to the list of unauthorized vehicles. In addition, they changed the order of the proposed amendment language in the Stopping, Standing or Parking Prohibited Section. She advised that Attachment A contains the same language, but it has been rearranged.

Bob Barta, Shoreline, asked that the Commission consider the enhancement of the code and its enforcement related to boats and trailers being parked on residential streets. The current Highland Terrace Residential Parking Zone, which was adopted by the City Council in September, prohibits boats and trailers from parking on the streets. He suggested that boat and trailer parking on streets be eliminated throughout the City, but allow boats and trailers to park on side yards on impervious surfaces. Because of the slopes that exist on streets in Shoreline, trailers and boats on the streets could

pose safety problems. He reminded the Commission that one of the goals of the City is to maintain health and vibrant neighborhoods.

Bernadette Hart, Shoreline, referred to Page 26 of the Staff Report. Staff states that it is important to remember that the City's Code Enforcement Program is complaint driven, which means that citizens must complain before something happens. She suggested that code compliance is dependent upon the citizens of Shoreline knowing what the code is in order to assist in its enforcement. This requires that the original code and any amendments be promulgated amongst the citizens of the City. Usually a citizen will not complain until a situation is terrible, which could be years after the problem originated. She briefly shared a case that occurred in her neighborhood where much of the problem could have been avoided if the violation had been noted early on. She also expressed her concern that when citizens complain, a great deal of damage can be done to the neighborhood relationship. If codes are important and need to be enforced, the City should provide more mandatory enforcement rather than waiting for a neighbor to complain.

Bob Barta, Shoreline, agreed with Ms. Hart that a great deal of damage could be done to a neighborhood relationship when someone complains about another property owner. He agreed that there should be more teeth in the City's Code Enforcement Program. He said he believes Bob Crozier does an excellent job of scouting out code violations for the City.

Commissioner Phisuthikul asked if the State of Washington has adopted the 2003 IPMC. Ms. Anderson answered that the State of Washington has not adopted the document, but numerous cities in the State have. Mr. Stewart pointed out that this is a local option for cities and not mandatory. Commissioner Phisuthikul inquired if staff is familiar with RCW 59.18.060, which is the Landlord/Tenant Law. Ms. Anderson said she is aware that the State does have a Landlord/Tenant Law, but the IPMC is distinctly different in that the City is not looking to get involved in tenant/landlord issues. She said the IPMC requirements would be similar to what happens when the City receives calls regarding the violation of a private neighborhood covenant. The staff speaks to the property owner about the violation of code, but they do not get involved in civil matters. The Landlord/Tenant Act is a civil action between a landlord and a tenant.

Commissioner Phisuthikul concluded that there is already a State law to protect tenants, and it is more a matter of enforcing what already exists. Ms. Anderson explained that the enforcement provisions within the Landlord/Tenant Act are extremely narrow. An inspector can only view the issue that has been complained about by the tenant. They cannot look for any other violations. Many people are not familiar enough with safety requirements to even know that they should complain. Commissioner Phisuthikul asked if adoption of the IPMC would allow the City staff to find other violations when inspecting a property based on a complaint. Ms. Anderson answered affirmatively, but she pointed out that the standards in the IPMC are minimum. Adoption of the IPMC would give them a tool to deal with substandard living situations so that renters are insured a safe place to live.

Again, Commissioner Phisuthikul suggested that the laws to deal with substandard living situations are already provided at the State level, and need to be enforced. Ms. Anderson explained that under the Landlord/Tenant Act, the City can inspect the site and identify the deficiency, but there is nothing in the

law that would give the City the right to pursue enforcement action. The staff's intent in recommending adoption of the IPMC is to provide more objective safety and health standards for rental units. They would like the City to have the ability to inspect properties and require rental units to meet the minimum standards.

Chair Harris asked if the City would require that older buildings meet the new building code requirements? Ms. Anderson answered that a building would have to meet the building standards that existed at the time it was constructed. Commissioner MacCully asked if existing units would be grandfathered or if they would be required to meet the new code requirements. Ms. Anderson explained that Shoreline has a lot of illegal dwelling units that have been constructed in basements and garages of existing homes because no permits were obtained. In these situations, the City would require that the modifications meet the current code requirements in order to obtain the necessary permits.

Commissioner MacCully asked if a landlord could request that the City inspect a rental unit to determine if there are too many occupants in the unit based on City code. If so, he asked if the City could issue a citation? Ms. Anderson said the City would never issue a citation without going through the education process to inform both the tenant and the landlord that there appears to be a problem. Also, the City must be granted legal access to the unit in order to inspect. Ms. Markle noted that staff has proposed that the provisions in the IPMC regarding overcrowding be deleted since they conflict with the City's Development Code definition for "family." Staff is not proposing any new regulation for the number of people who can occupy a unit.

Commissioner Sands said that while he understands that there is a Landlord/Tenant Act that allows a tenant or a landlord to file a civil action, he felt it would be helpful to expedite the matter by allowing the City to inspect the situation and issue a code compliance process that is different from the Landlord/Tenant Act.

Mr. Stewart clarified that in the situation described by Commissioner MacCully, the enforcement would be against the owner and not the occupant. The City would notify the owner that the unit was overcrowded and that he/she must fix it. Ms. Anderson further explained that there is typically a provision in most rental agreements that prohibits a tenant from using the property in an illegal manner, and this is a great tool for a landlord to handle a problem tenant.

VICE CHAIR PIRO MOVED THAT THE PUBLIC HEARING BE CLOSED. COMMISSIONER SANDS SECONDED THE MOTION. THE MOTION CARRIED 6-0.

8. COMMISSION DELIBERATION ON PROPOSED ENHANCEMENTS OF THE CODE ENFORCEMENT PROGRAM

COMMISSIONER MACCULLY MOVED THAT THE COMMISSION RECOMMEND DENIAL OF THE PROPOSED AMENDMENTS TO THE CODE ENFORCEMENT PROGRAM. CHAIR HARRIS SECONDED THE MOTION.

Commissioner MacCully said that the clarification provided by Mr. Stewart was helpful. However, his concern is that the City could wind up in the position of enforcing relations between landlords and tenants. As a landlord, he said he would not necessarily be opposed to this because it is currently almost impossible to take care of issues created by a problem tenant because tenants typically have more power. He said that according to Mr. Stewart's comment, whenever there is a violation of the IPMC, the only person who would be cited is the owner of the property. Commissioner Sands clarified that Mr. Stewart's comment was only related to the overcrowding example cited by Commissioner MacCully. As an example, Ms. Anderson said the City currently has provisions regarding the storage of refuse, and in some cases the City has determined that if refuse was put on the property by the tenant, the warning and/or citation would go to the tenant. However, the City makes sure the property owner is aware that a violation has occurred on the property. Ultimately, if the City cannot get the tenant to correct the problem, they approach the landlord since they are the responsible party. The landlord would then be responsible for requiring the tenant to resolve the issue. Commissioner Sands said that even if the City did not get involved, the landlord would be held responsible for compliance with all of the City codes and requirements. The landlord would have to take some action under the Landlord/Tenant Act, which is very difficult and lengthy process. He questioned whether or not adoption of the IPMC would change the current situation.

Chair Harris said he believes the code enforcement amendments were driven by the issues related to the external appearance of neighborhoods. He questioned whether the City wants to commit to the additional expense and time associated with new code requirements related to the interior of structures. Commissioner Sands questioned why it would be more difficult for the City to inspect both the exterior and interior of housing units as opposed to just the exterior. Chair Harris said it would not be more difficult, but it would likely require more staff time.

Commissioner Phisuthikul referred to Attachment 8a of the June 16th Staff Report, which discusses the financial impacts of adopting the IPMC. It states that "if the City Council chooses to respond by adopting the recommended solutions or increasing the priority of an issue or adding issues to the priority list, then the priority of other issues would need to shift or additional resources would need to be allocated to the code enforcement program." He suggested that adopting the IPMC would result in the creation of another bureaucracy.

Commissioner MacCully asked what the impact on staff time would be if the City Council were to adopt the IPMC and the amendments as proposed. Ms. Anderson answered that staff does not have firm data on the costs associated with implementing the proposed changes since the Customer Response Team already receives calls of this nature. However, they estimate that they receive less than two calls a month that pertain to the interior condition of a property.

Commissioner Hall reminded the Commission of the citizen workshop meetings that have been conducted by staff. The community was asked to prioritize their issues and concerns, and the Commission should carefully consider the input they provided. Chair Harris agreed. He said his only concern is related to the adoption of standards for the interior of rental properties. He pointed out that this was not an issue raised by the citizens. Commissioner Hall reminded the Commission that Commissioner MacCully's motion was to recommend denial of all of the proposed amendments.

THE MOTION FAILED 1-5, WITH COMMISSIONER MACCULLY VOTING IN FAVOR AND THE REMAINDER OF THE COMMISSIONERS VOTING IN OPPOSITION.

COMMISSIONER HALL MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE AMENDMENTS TO TITLE 10 (VEHICLES AND TRAFFIC) AND TITLE 13 (UTILITIES) OF THE SHORELINE MUNICIPAL CODE AS PROPOSED BY STAFF WITH THE CORRECTION OF THE TYPOGRAPHICAL ERROR IN ITEM 13a ON PAGE 31 (ITEM 7.1 – ATTACHMENT A) OF THE JULY 7TH PACKET. VICE CHAIR PIRO SECONDED THE MOTION.

Commissioner Hall said he believes the proposed amendments are tweaks to the code rather than huge changes. He said he is a little concerned about interpretive issues related to boats and trailers, but he trusts the staff's discretion to work through voluntary measures to resolve issues that arise. Chair Harris agreed. He said it is important that the City have the necessary tools to apply the codes in extreme situations.

THE MOTION CARRIED 6-0.

COMMISSIONER HALL MOVED THAT THE COMMISSION RECOMMEND APPROVAL OF THE AMENDMENTS TO TITLE 20 (SHORELINE DEVELOPMENT CODE) OF THE SHORELINE MUNICIPAL CODE AS PROPOSED BY STAFF. COMMISSIONER MACCULLY SECONDED THE MOTION. THE MOTION CARRIED 6-0.

COMMISSIONER HALL MOVED THAT THE COMMISSION RECOMMEND THE ADOPTION OF THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE AS PROPOSED BY STAFF. VICE CHAIR PIRO SECONDED THE MOTION.

Commissioner Hall said he appreciates the research staff conducted regarding the IPMC's applicability to owner-occupied versus rental housing units. He said he understands staff's logic and the unlikely event that the City would actually have an owner file a complaint against their own property. However, he can imagine situations where this could happen, and he is not confident that the City should get involved with regulating the interior of owner-occupied units. However, if the goal of adopting the IPMC is to ensure that the living standards of people in Shoreline are safe, he would be more comfortable if the IPMC requirements were applied equally to both owner-occupied or rental units.

COMMISSIONER HALL MOVED THAT THE MAIN MOTION BE AMENDED BY STRIKING ITEMS 2 AND 47 IN STAFF'S MATRIX SO THAT THE IPMC STANDARDS WOULD APPLY EQUALLY TO BOTH RENTAL AND OWNER-OCCUPIED UNITS. VICE CHAIR PIRO SECONDED THE MOTION.

Vice Chair Piro said he believes citizens who live in owner-occupied units should also have the benefit of what the City is trying to achieve by adopting the IPMC. Commissioner Hall agreed and noted that these people are not covered by the Landlord/Tenant Act. Commissioner MacCully said that while he

would like to support Commissioner Hall's motion, he is concerned that if the IPMC is adopted, existing properties owners could potentially be forced to build to a new standard. Secondly, he worries that adoption of the IPMC could provide a tool for divorcees or other family members to get back at each other by filing a complaint against a property.

Mr. Stewart clarified that the IPMC was written without distinction between owner-occupied and rental units. The amendment proposed by staff would create a distinction, and the motion that is before the Commission would remove this distinction. Commissioner Sands questioned if when the IPMC was created, there was any discussion about making a distinction between owners and renters. Ms. Markle said that when the list of issues and the idea of adopting the IPMC was presented to the City Council, staff received mixed feedback. Some of the Council Members were nervous about adopting rules that would apply to owners as well as renters. There was concern expressed that this would be too intrusive. On the flip side, there was some interest expressed that the IPMC should apply equally to both rental and owner-occupied units. The staff especially wanted the exterior standards to be adopted since they address some of the highest level of complaints they received. Staff proposed a compromise that the interior standards only apply to rental properties. The Commission's feedback would be helpful to the City Council since they seemed to be split on the issue.

Mr. Stewart clarified that the general rule on code enforcement and grandfathering is that property that was legally constructed would always be vested. But any changes must be consistent with the code that is in effect at the time of modification. If a property owner can show a legal permit for a change, the property would be vested and no enforcement action would be taken.

Commissioner MacCully inquired if adoption of the IPMC would bring an additional complexity into the acquisition of income producing property since it would be the property owner's responsibility to ensure that it is in compliance with the IPMC. Commissioner Hall pointed out that the standards in the IPMC are not extraordinary or difficult to meet. He expressed his belief that the standards are designed to be widely applicable and not particularly onerous. Commissioner MacCully said he is not concerned about applying the IPMC to new construction, but he is concerned about it being applied to existing construction, too.

Commissioner Phisuthikul asked if it is true that the City has no guidelines for enforcing the exterior maintenance of a house. Ms. Anderson answered affirmatively. Commissioner Phisuthikul summarized that staff anticipates using the IPMC as a tool and guideline for enforcement. Mr. Stewart referred to the pictures of homes that were presented by the staff at the June 16th meeting. He advised that, currently, these situations could only be considered code violations if they were found to be structurally unsound. Another option would be for the City to pursue the situation under some nuisance, which is very vague. He explained that there are actually two parts to the IPMC. He advised that the Commission could recommend adoption of the exterior standards and exclude the interior standards.

Commissioner Hall pointed out that Amendment 3 on the staff's matrix adds an exception that the standards in Section 305 and in Chapters 4, 5 and 6 are advisory only for owner-occupied dwellings. Chapter 4 contains the light, ventilation and occupancy limitations, Chapter 5 addresses plumbing facilities and fixture requirements, and Chapter 6 contains the mechanical and electrical requirements.

He said his motion to amend would only be relative if the Commission were to adopt the interior standards of the IPMC as recommended by staff. He further explained that if interior standards are to be adopted, the intent of his motion is to address whether they should apply to all properties or just to rental properties. Even if the Commission recommends denial of the entire IPMC, he would like to go on record saying that if interiors are regulated, the standards should apply to all properties.

THE MOTION TO AMEND THE MAIN MOTION SO THAT THE INTERIOR STANDARDS WOULD APPLY TO BOTH RENTAL AND OWNER-OCCUPIED PROPERTIES WAS APPROVED 6-0.

Commissioner Phisuthikul proposed that the Commission recommend adoption of only the IPMC standards that apply to the exterior of the building. Commissioner Hall reminded the Commission of the main motion that is on the table to adopt the IPMC and suggested that the more appropriate action would be to either amend the main motion to adopt only those portions that apply to the exterior, or amend the main motion to delete Section 305 and Chapters 4, 5 and 6.

COMMISSIONER HALL MOVED THAT THE MAIN MOTION BE AMENDED TO DELETE THE INTERIOR STANDARDS FROM THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE (SECTION 305 AND CHAPTERS 4, 5, 6, 7 AND ANY OTHER STANDARDS THAT APPLY TO THE INTERIOR OF A STRUCTURE). COMMISSIONER SANDS SECONDED THE MOTION.

Vice Chair Piro said he can appreciate the concern of his fellow Commissioner, but what they are trying to achieve overall to improve the public's health and safety depends on what takes place on both the interior and exterior of housing units. He said he would vote against the motion.

Commissioner MacCully noted that in the preference exercise that staff conducted with the Ridgcrest and North City Neighborhoods, approximately 10 percent of the respondents identified interior as a significant issue and the other 90 percent focused on the exterior. This is a clear indication of what the citizens are concerned about. He said he shares Vice Chair Piro's concerns about the condition of the interior of units, but more thought must go into the interior standards before they are adopted.

Commissioner MacCully recalled that staff previously stated that the City does not appear to have a way of enforcing the RCW's. Ms. Anderson clarified that the Landlord/Tenant Act details how to handle civil disputes between the owners and the renters. When the act was crafted, it did not provide enforcement provisions for local governments.

Vice Chair Piro suggested that the Commission consider a substitute motion to table or postpone action on the interior standards and consider them at a later date. He expressed his concern that the issues pertaining to the interior of a dwelling unit are also important.

Commissioner MacCully noted staff's previous indication that there would likely be an average of only two complaints per month regarding interior issues. He suggested that the amended motion would address the vast majority of the concerns and complaints that have been identified by the citizens as

significant issues. Mr. Stewart suggested that if the amended motion is passed, the Commission could ask the staff to monitor the level of calls regarding the interior of dwelling units and provide a report to the Commission.

COMMISSIONER HALL MOVED THAT HIS MOTION TO AMEND BE CHANGED TO ADD A REQUEST THAT STAFF FURTHER MONITOR THE LEVEL OF COMPLAINTS REGARDING INTERIOR HOUSING PROBLEMS. COMMISSIONER SANDS SECONDED THE AMENDMENT. THE MOTION TO AMEND WAS APPROVED 6-0.

THE MOTION TO AMEND THE MAIN MOTION TO DELETE THE INTERIOR STANDARDS FROM THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE AND TO FURTHER MONITOR THE LEVEL OF COMPLAINTS REGARDING INTERIOR HOUSING PROBLEMS CARRIED 5-1, WITH VICE CHAIR PIRO VOTING IN OPPOSITION.

THE MAIN MOTION TO RECOMMEND THE ADOPTION OF THE 2003 INTERNATIONAL PROPERTY MAINTENANCE CODE AS AMENDED WAS APPROVED 6-0.

9. REPORTS OF COMMITTEES AND COMMISSIONERS

Commissioner Hall reported that groundbreaking for the Aurora Corridor Project took place last week. This is a major milestone in the City's history. Mr. Stewart said there was a nice ceremony that was attended by Senator Murray, Congressman Inslee, and a number of other dignitaries.

Commissioner Hall said he recently received an official announcement of the 10-year City of Shoreline Celebration co-sponsored by the Shoreline Historical Society. This is another huge milestone for the City.

10. UNFINISHED BUSINESS

There was no new business scheduled on the agenda.

11. NEW BUSINESS

Planning Commission Agenda Planner

Ms. Spencer referred the Commission to the memorandum that was provided on Page 35 of their packets. She recalled that there are two significant tasks that have to be completed by the Planning Commission before the end of the year: the Critical Areas Ordinance Update and the Cottage Housing Update. She advised that a State mandate requires the City to complete the adoption of the Critical Areas Ordinance Update by December 1st. Because of that deadline and the need to get the document to the City Council as soon as possible, staff is recommending that the Commission deal with the Critical Areas Ordinance Update next. Vice Chair Piro said it makes sense for the Commission to get the Critical Areas Ordinance to the City Council by the end of August or first of September so that they

have ample time to work through their issues and concerns before the December 1st deadline. The remainder of the Commission concurred.

Commissioner Hall reminded the Commission of their previous decision that they would only deliberate on amendments that Commissioners have already sent to the staff, and that they would not add additional amendments on the spot. Any additional amendments staff wants to add should be identified before the July 21st meeting. Once the list of amendments is solidified, the Commission would be able to add structure to their review.

Vice Chair Piro said it would be important for the staff to provide clarification regarding the proper process for the deliberations. Since this is a continuing issue, staff should identify which Commissioners can and cannot vote on each of the proposed amendments. Mr. Stewart explained that because this issue is a legislative action, the rules are not as stringent.

Ms. Spencer referred the Commission to a letter that was prepared by staff on behalf of the Commission regarding their recommendation to the City Council to extend the moratorium on Cottage Housing. The recommendation would be considered by the City Council on July 18th. Vice Chair Piro asked that Commissioners provide their comments regarding the letter so that it can be signed and transmitted to the City Council as soon as possible.

Commissioner Hall referred to the second paragraph and recalled that he cast a couple of dissenting votes and made a motion that was ruled out of order. He suggested that since the vote tally is identified in the first paragraph, then the vote tally for the final recommendation should be identified in the letter, as well. He emphasized that he did not vote in support of the Commission's recommendation that the City Council continue the moratorium. He recalled that he expressed his belief that the City should make a decision one way or another as soon as possible since the debate has gone on for quite some time. The Commission agreed that Commissioner Hall's recommended change should be made to the letter.

Request for Leave by Commissioner MacCully

Mr. Stewart referred to the letter that was submitted to the Commission by Commissioner MacCully requesting a leave of absence. He referred to the Article 5, Section 1 of the Commission rules, which states that unexcused absences of more than three consecutive meetings shall be cause for removal. It also states that members must communicate their request for an excused absence with the Chair, Vice Chair or Planning and Development Services Director prior to the meeting. The Chair of the Commission has the authority to approve excused absences.

Chair Harris indicated that he would excuse Commissioner MacCully's absences as requested.

12. ANNOUNCEMENTS

No announcements were provided.

13. AGENDA FOR NEXT MEETING

Mr. Stewart advised that staff would provide a new packet related to the Critical Areas Ordinance Update that is scheduled for deliberation at the July 21st meeting.

14. ADJOURNMENT

The meeting was adjourned at 9:35 p.m.

David Harris
Chair, Planning Commission

Jessica Simulcik Smith
Clerk, Planning Commission

ATTACHMENT G

CODE ENFORCEMENT PRIORITIES LIST



CURRENT CODE ENFORCEMENT PRIORITY LEVEL GUIDELINES
(Used to determine response times and level of enforcement effort – general rule: the greater the threat to public health, safety and the environment, the higher the priority.)

URGENT LEVEL PRIORITY (HAZARDOUS)

- ✦ Imminent threats to Public Health and Safety
- ✦ Imminent threats to Environment (streams, wetlands, slopes etc.)
- ✦ Illegal Dumping in Progress
- ✦ Violating a Stop Work Order or Notice to Vacate
- ✦ Working Without a Permit
- ✦ Requests for immediate assistance from other agencies

IMPORTANT LEVEL PRIORITY

- ✦ Violations of permit conditions or mitigation requirements
- ✦ Major accumulations of junk (including vehicles) and debris and attractive nuisances to children
- ✦ Wetlands violations with minimal impact
- ✦ Illegal dumping with suspect information
- ✦ Illegal home occupation w/ significant impact
- ✦ Land Use violations with major impact
- ✦ Repeat violations (same property, same person)

ROUTINE LEVEL PRIORITY (NON HAZARDOUS)

- ✦ Minor accumulations of junk and debris
- ✦ Land Use violations with minimal impact
- ✦ Sign complaints
- ✦ Sidewalk obstructions
- ✦ Fence complaints
- ✦ Setback violations

ATTACHMENT H

INTERNATIONAL PROPERTY MAINTENANCE CODE

2003 International Property Maintenance Code®

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PREFACE

Introduction

Internationally, code officials recognize the need for a modern, up-to-date property maintenance code governing the maintenance of existing buildings. The *International Property Maintenance Code*, in this 2003 edition, is designed to meet this need through model code regulations that contain clear and specific property maintenance requirements with required property improvement provisions.

This 2003 edition is fully compatible with all the *International Codes* (“I-Codes”) published by the International Code Council (ICC), including the *International Building Code*, *ICC Electrical Code*, *International Energy Conservation Code*, *International Existing Building Code*, *International Fire Code*, *International Fuel Gas Code*, *International Mechanical Code*, *ICC Performance Code*, *International Plumbing Code*, *International Private Sewage Disposal Code*, *International Residential Code*, *International Urban-Wildland Interface Code* and *International Zoning Code*.

The *International Property Maintenance Code* provisions provide many benefits, among which is the model code development process that offers an international forum for code officials and other interested parties to discuss performance and prescriptive code requirements. This forum provides an excellent arena to debate proposed revisions. This model code also encourages international consistency in the application of provisions.

Development

The first edition of the *International Property Maintenance Code* (1998) was the culmination of an effort initiated in 1996 by a development committee appointed by ICC and consisting of the representatives of the three statutory members of the International Code Council: Building Officials and Code Administrators International, Inc. (BOCA), International Conference of Building Officials (ICBO) and Southern Building Code Congress International (SBCCI). The committee drafted a comprehensive set of regulations for existing buildings that was consistent with the existing model property maintenance codes at the time. This 2003 edition presents the code as originally issued, with changes approved through the ICC Code Development Process through 2002. A new edition such as this is promulgated every three years.

With the development and publication of the family of *International Codes* in 2000, the continued development and maintenance of the model codes individually promulgated by BOCA (“BOCA National Codes”), ICBO (“Uniform Codes”) and SBCCI (“Standard Codes”) was discontinued. This 2003 *International Property Maintenance Code*, as well as its predecessor—the 2000 edition, is intended to be the successor property maintenance code to those codes previously developed by BOCA, ICBO and SBCCI.

The development of a single set of comprehensive and coordinated family of *International Codes* was a significant milestone in the development of regulations for the built environment. The timing of this publication mirrors a milestone in the change in structure of the model codes, namely, the pending Consolidation of BOCA, ICBO and SBCCI into the ICC. The activities and services previously provided by the individual model code organizations will be the responsibility of the Consolidated ICC.

This code is founded on principles intended to establish provisions consistent with the scope of a property maintenance code that adequately protects public health, safety and welfare; provisions that do not unnecessarily increase construction costs; provisions that do not restrict the use of new materials, productions or methods of construction; and provisions that do not give preferential treatment to particular types or classes of materials, products or methods of construction.

Adoption

The *International Property Maintenance Code* is available for adoption and use by jurisdictions internationally. Its use within a governmental jurisdiction is intended to be accomplished through adoption by reference in accordance with proceedings establishing the jurisdiction’s laws. At the time of adoption, jurisdictions should insert the appropriate information in provisions requiring specific local information, such as the name of the adopting jurisdiction. These locations are shown in bracketed words in small capital letters in the code and in the sample ordinance. The sample adoption ordinance on page v addresses several key elements of a code adoption ordinance, including the information required for insertion into the code text.

Maintenance

The *International Property Maintenance Code* is kept up to date through the review of proposed changes submitted by code enforcing officials, industry representatives, design professionals and other interested parties. Proposed changes are carefully considered through an open code development process in which all interested and affected parties may participate.

The contents of this work are subject to change both through the Code Development Cycles and the governmental body that enacts the code into law. For more information regarding the code development process, contact the Code and Standard Development Department of the International Code Council.

2003 INTERNATIONAL PROPERTY MAINTENANCE CODE

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While the development procedure of the *International Property Maintenance Code* assures the highest degree of care, ICC and the founding members of ICC—BOCA, ICBO, SBCCI—their members and those participating in the development of this code do not accept any liability resulting from compliance or noncompliance with the provisions because ICC and its founding members do not have the power or authority to police or enforce compliance with the contents of this code. Only the governmental body that enacts the code into law has such authority.

Letter Designations in Front of Section Numbers

In each code development cycle, proposed changes to this code are considered at the Code Development Hearing by the International Property Maintenance Code Development Committee, whose action constitutes a recommendation to the voting membership for final action on the proposed change. Proposed changes to a code section whose number begins with a letter in brackets are considered by a different code development committee. For instance, proposed changes to code sections which have the letter [F] in front (e.g., [F] 704.1), are considered by the International Fire Code Development Committee at the Code Development Hearing. Where this designation is applicable to the entire content of a main section of the code, the designation appears at the main section number and title and is not repeated at every subsection in that section.

The content of sections in this code which begin with a letter designation are maintained by another code development committee in accordance with the following: [F] = International Fire Code Development Committee; and [P] = International Plumbing Code Development Committee.

Marginal Markings

Solid vertical lines in the margins within the body of the code indicate a technical change from the requirements of the 2000 edition. Deletion indicators (.) are provided in the margin where a paragraph or item has been deleted.

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CHAPTER 1 ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the *Property Maintenance Code* of ~~[NAME OF JURISDICTION]~~ City of Shoreline, hereinafter referred to as "this code."

101.2 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, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises, and for administration, enforcement and penalties.~~

101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are 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 minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with the *International Existing-Building Code*.

101.4 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.

SECTION 102 APPLICABILITY

102.1 General. The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in Section 101. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern.

102.2 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, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from or 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 designated agent shall be responsible for the maintenance of buildings, structures and premises.

102.3 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 ~~*International Existing-Building Code*~~ *Title 15 of the City of Shoreline Municipal Code*. Nothing in this code shall be construed to cancel, modify or set aside any provision of ~~the *International Zoning Code*~~ *Title 20 of the City of Shoreline Municipal Code (Shoreline Development Code)*.

102.4 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 which is dangerous, unsafe and ~~insanitary~~ unsanitary.

102.5 Workmanship. Repairs, maintenance work, alterations or installations which 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.

102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare.

102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 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.

102.8 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.

SECTION 103

DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION CODE ENFORCEMENT

103.1 General. ~~The department of property maintenance inspection is hereby created~~ code official is charged with carrying out the provisions of this code, and the executive official in charge City Manager or designee thereof shall be known as the code official.

103.2 Appointment. ~~The code official shall be appointed by the chief appointing authority of the jurisdiction; and the code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.~~

103.3 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 code official, other related technical officers, inspectors and other employees.~~

103.4 Liability. The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

Any suit 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; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule.

[JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]

Reinspection fees may be assessed if work is incomplete, corrections not completed or the allotted time is depleted. All City of Shoreline fees shall be established by Shoreline Municipal Code Chapter 3.01.010. Fees will be assessed at the hourly charge in minimum fifteen (15) minute increments.

SECTION 104

DUTIES AND POWERS OF THE CODE OFFICIAL

104.1 General. The code official shall enforce the provisions of this code.

104.2 Rule-making authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare, to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such

rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

104.3 Inspections. The code official shall make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All 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.

104.4 Right of entry. The code official is authorized to enter the structure or premises at reasonable times to inspect subject to constitutional restrictions on unreasonable searches and seizures. If entry is refused or not obtained, the code official is authorized to pursue recourse as provided by law.

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

104.6 Notices and orders. The code official shall issue all necessary notices or orders to ensure compliance with this code.

104.7 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 as long as the building or structure to which such records relate remains in existence, unless otherwise provided for by other regulations.

104.8 Coordination of inspections. Whenever in the enforcement of this code or another code or ordinance, the responsibility of more than one code official of the jurisdiction is involved, it shall be the duty of the code officials involved to coordinate their inspections and administrative orders as fully as practicable so that the owners and occupants of the structure shall not be subjected to visits by numerous inspectors or multiple or conflicting orders. Whenever an inspector from any agency or department observes an apparent or actual violation of some provision of some law, ordinance or code not within the inspector's authority to enforce, the inspector shall report the findings to the code official having jurisdiction.

SECTION 105 APPROVAL

105.1 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, provided the code 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, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material 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, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

105.3 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.

105.3.1 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.

105.3.2 Test reports. Reports of tests shall be retained by the code official for the period required for retention of public records.

105.4 Material and equipment reuse. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved.

SECTION 106 VIOLATIONS

106.1 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.

106.2 Notice of violation. The code official shall serve a notice of violation order in accordance with Section 107 Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

106.3 Prosecution of violation. ~~Any person failing to comply with a notice of violation or order lawfully served in accordance with Section 107 shall be deemed guilty of a misdemeanor, 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.~~ Prosecution of violations shall be in accordance with Shoreline Municipal Code Title 20, Chapter 30.

106.4 Violation penalties. ~~Any person who shall violate a provision of this code, or fail 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. Penalties shall be assessed in accordance with Shoreline Municipal Code Title 20, Chapter 30.~~

106.5 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.~~ Abatement of violations shall be in accordance with Shoreline Municipal Code Title 20, Chapter 30.

SECTION 107 NOTICES AND ORDERS

107.1 Notice to person responsible. Whenever the code official determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9, Sections 107.2 and 107.3 to the person responsible for the violation as specified in this code. ~~Notices for condemnation procedures shall also comply with Section 108.3.~~

107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following: Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

- ~~1. Be in writing.~~
- ~~dwelling unit or structure into compliance with the provisions of this code.~~
- ~~5. Inform the property owner of the right to appeal.~~
- ~~6. Include a statement of the right to file a lien in accordance with Section 106.3.~~

107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is: if delivered in accordance with Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

1. ~~Delivered personally;~~
2. ~~Sent by certified or first class mail addressed to the last known address; or~~
3. ~~If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.~~

107.4 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in ~~Section 106.4~~ Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.

107.5 Transfer of ownership. It shall be unlawful for the owner of any dwelling unit or structure who has received a ~~compliance notice and order~~ or upon whom a ~~notice of violation and order~~ 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 notice and order~~ has have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any ~~compliance order or notice of violation notice and order~~ 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 notice and order~~ and fully accepting the responsibility without condition for making the corrections or repairs required by such ~~compliance order or notice of violation notice and order~~.

SECTION 108 UNSAFE STRUCTURES AND EQUIPMENT

108.1 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, such structure shall be condemned pursuant to the provisions of this code.

108.1.1 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.

108.1.2 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.

108.1.3 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 insanitary, 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.

108.1.4 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 was erected, altered or occupied contrary to law.

108.2 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 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.

108.3 Notice. Whenever the code official has condemned a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the condemned equipment. The notice shall be in the form prescribed in Section 107.2.

108.4 Placarding. Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official shall post on the premises or on defective equipment a placard bearing the word "Condemned" and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard.

108.4.1 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.

108.5 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 or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code.

SECTION 109 EMERGENCY MEASURES

109.1 Imminent danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which 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/premise.~~ Potentially dangerous conditions include because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, open pits, wells, shafts, or other dangerous excavations unprotected or inadequately protected. The code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official shall cause to be posted ~~at each entrance to such structure~~ a notice reading as follows: "This Structure/Premise Is Unsafe and Its Occupancy/Use Has Been Prohibited by the Code Official." It shall be unlawful for any person to enter ~~such structure upon this property~~ except for the ~~purpose of securing the property, the structure,~~ making the required repairs, removing the hazardous condition or of demolishing the same.

109.2 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 shall order the necessary work to be done, including the boarding up of openings and/or the fencing of premises, to render such structure/premise 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.

109.3 Closing streets. When necessary for public safety, the code official shall 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.

109.4 Emergency repairs. For the purposes of this section, the code official shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, ~~upon petition directed to the appeals board,~~ be afforded a hearing ~~as described in this code as prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9.~~

SECTION 110 DEMOLITION

110.1 General. The code official shall order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, 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 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, to demolish and remove such structure.

110.2 Notices and orders. All notices and orders shall comply with Section 107.

110.3 Failure to comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall 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.

~~**110.4 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 at the highest price obtainable. 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.~~

SECTION 111 MEANS OF APPEAL

111.1 Application for 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 prescribed in Shoreline Municipal Code, Title 20, Chapter 30, subchapter 9 ~~to the board of appeals; provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served.~~ 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 the requirements of this code are adequately satisfied by other means.

~~**111.2 Membership of board.** The board of appeals shall consist of a minimum of three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The code official shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.~~

~~**111.2.1 Alternate members.** The chief appointing authority shall appoint two or more alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.~~

~~**111.2.2 Chairman.** The board shall annually select one of its members to serve as chairman.~~

~~**111.2.3 Disqualification of member.** A member shall not ear an appeal in which that member has a personal, professional or financial interest.~~

~~**111.2.4 Secretary.** The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.~~

111.2.5 Compensation of members. Compensation of members shall be determined by law.

111.3 Notice of meeting. The board shall meet upon notice from the chairman, within 20 days of the filing of an appeal, or at stated periodic meetings.

111.4 Open hearing. All hearings before the board shall be open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of not less than two-thirds of the board membership.

111.4.1 Procedure. The board shall adopt and make available to the public through the secretary procedures under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

111.5 Postponed hearing. When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

111.6 Board decision. The board shall modify or reverse the decision of the code official only by a concurring vote of a majority of the total number of appointed board members.

111.6.1 Records and copies. The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the code official.

111.6.2 Administration. The code official shall take immediate action in accordance with the decision of the board.

111.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law following the filing of the decision in the office of the chief administrative officer.

111.8 Stays of enforcement. Appeals of notice and orders (other than Imminent Danger notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board.

CHAPTER 2 DEFINITIONS

SECTION 201 GENERAL

201.1 Scope. Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

201.2 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.

201.3 Terms defined in other codes. Where terms are not defined in this code and are defined in the *International Building Code*, *International Fire Code*, *International Zoning Code*, *International Plumbing Code*, *International Mechanical Code*, *International Existing Building Code* or the *ICC Electrical Code*, such terms shall have the meanings ascribed to them as in those codes.

201.4 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.

201.5 Parts. Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

SECTION 202 GENERAL DEFINITIONS

APPROVED. Approved by the code official.

BASEMENT. That portion of a building which is partly or completely below grade.

BATHROOM. A room containing plumbing fixtures including a bathtub or shower.

BEDROOM. Any room or space used or intended to be used for sleeping purposes.

CODE OFFICIAL. ~~The official who~~ City Manager or his/her designee is charged with the administration and enforcement of this code, ~~or any duly authorized representative.~~

CONDEMN. To adjudge unfit for occupancy or use.

DWELLING UNIT. A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

EASEMENT. 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 a said lot or lots.

EXTERIOR PROPERTY. The open space on the premises and on adjoining property under the control of owners or operators of such premises.

EXTERMINATION. The control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

GARBAGE. The animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

GUARD. 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.

HABITABLE SPACE. 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.

HOUSEKEEPING UNIT. 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.

IMMINENT DANGER. A condition which could cause serious or life-threatening injury or death at any time.

INFESTATION. The presence, within or contiguous to, a structure or premises of insects, rats, vermin or other pests.

INOPERABLE MOTOR VEHICLE. A vehicle which cannot be driven upon the public streets for reason including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

LABELED. Devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with

product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

LET FOR OCCUPANCY OR LET. To permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premise 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.

OCCUPANCY. The purpose for which a building or portion thereof is utilized or occupied.

OCCUPANT. Any individual living or sleeping in a building, or having possession of a space within a building.

OPENABLE AREA. That part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

OPERATOR. Any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

OWNER. 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.

PERSON. An individual, corporation, partnership or any other group acting as a unit.

PREMISES. A lot, plot or parcel of land, easement or public way, including any structures thereon.

PUBLIC WAY. Any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

ROOMING HOUSE. A building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

ROOMING UNIT. 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.

RUBBISH. 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.

STRICT LIABILITY OFFENSE. 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.

STRUCTURE. That which is built or constructed or a portion thereof.

TENANT. A person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

TOILET ROOM. A room containing a water closet or urinal but not a bathtub or shower.

VENTILATION. The natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

WATER CLOSET. A water-flushed plumbing fixture designed to receive human waste directly from the user of the fixture.

WORKMANLIKE. Executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

YARD. An open space on the same lot with a structure.

CHAPTER 3 GENERAL REQUIREMENTS

SECTION 301 GENERAL

301.1 Scope. The provisions of this chapter shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment, premises and exterior property.

301.2 Responsibility. The owner of the premises shall maintain the structures, premises 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 which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. 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.

301.3 Vacant structures and land. All 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.

SECTION 302 EXTERIOR PROPERTY AREAS

302.1 Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

302.2 Grading and drainage. All 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 and reservoirs.

302.3 Sidewalks and driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

302.4 Weeds. All premises and exterior property shall be maintained free from weeds or plant growth in excess of (jurisdiction to insert height in inches). All noxious weeds shall be prohibited. Weeds shall be defined as all grasses, annual plants and vegetation, other than trees or shrubs provided; however, this term shall not include cultivated flowers and gardens. Upon failure of the owner or agent having charge of a property to cut and destroy weeds after service of a notice violation, they shall be subject to prosecution in accordance with Section 106.3 and as prescribed by the authority having jurisdiction. Upon failure to comply with the notice of violation, 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 weeds growing thereon, and the costs of such removal shall be paid by the owner or agent responsible for the property.

302.5 Rodent harborage. All 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 which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent reinfestation.

302.6 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.

302.7 Accessory structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

302.8 Motor vehicles, recreational vehicles, and boats. Except as provided for in other regulations, no inoperative or unlicensed motor vehicle, recreational vehicle or boat shall be parked, kept or stored on any premises, and no vehicle, recreational vehicle or boat shall at any time be in a state of major disassembly, disrepair, damaged to the extent it prevents normal operation, or in the process of being stripped or dismantled. Painting of vehicles is prohibited unless conducted inside an approved spray booth.

Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes.

302.9 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.

SECTION 303 SWIMMING POOLS, SPAS AND HOT TUBS

~~**303.1 Swimming pools.** Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.~~

303.21 Enclosures. Private swimming pools, hot tubs and spas, containing water more than 24 inches (610 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1372 mm) 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 6 inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier.

SECTION 304 EXTERIOR STRUCTURE

304.1 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.

304.2 Protective treatment. All exterior surfaces, including but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences 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. All 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 water tight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

304.3 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 a minimum of 4 inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

304.4 Structural members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

304.5 Foundation walls. All 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.

304.6 Exterior walls. All 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.

304.7 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 in a manner that creates a public nuisance.

304.8 Decorative features. All 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.

304.9 Overhang extensions. All 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. When 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.

304.10 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.

304.11 Chimneys and towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. 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.

304.12 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.

304.13 Window, skylight and door frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

303.13.1 Glazing. All glazing materials shall be maintained free from cracks and holes.

303.13.2 Openable windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

304.14 Insect screens. During the period from [DATE] to [DATE], every door, window and other outside opening required for ventilation of habitable rooms, food preparation areas, food service areas or any areas where products to be included or utilized in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tightly fitting screens of not less than 16 mesh per inch (16 mesh per 25 mm) and every swinging door shall have a self-closing device in good working condition.

Exception: Screens shall not be required where other approved means, such as air curtains or insect repellent fans, are employed.

304.15 Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall tightly secure the door. Locks on means of egress doors shall be in accordance with Section 702.3.

304.16 Basement hatchways. Every basement hatchway shall be maintained to prevent the entrance of rodents, rain and surface drainage water.

304.17 Guards for basement windows. Every basement window that is openable shall be supplied with rodent shields, storm windows or other approved protection against the entry of rodents.

304.18 Building security. Doors, windows or hatchways for dwelling units, room units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within.

304.18.1 Doors. Doors providing access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a deadbolt lock meeting specifications set forth herein. Such deadbolt locks shall be operated only by the turning of a knob or a key and shall have a lock throw of not less than 1-inch. For the purpose of this section, a sliding bolt shall not be considered an acceptable deadbolt lock. Such deadbolt locks shall be installed according to manufacturer's specifications and maintained in good working order. All deadbolt locks required by this section shall be designed and installed in such a manner so as to be operable inside of the dwelling unit, rooming unit or housekeeping unit without the use of a key, tool, combination thereof or any other special knowledge or effort.

304.18.2 Windows. Operable windows located in whole or in part within 6 feet (1828 mm) above ground level or a walking surface below that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with a window sash locking devices.

304.18.3 Basement hatchways. Basement hatchways that provide access to a dwelling unit, rooming unit or housekeeping unit that is rented, leased or let shall be equipped with devices that secure the units from unauthorized entry.

SECTION 305 INTERIOR STRUCTURE

305.1 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 which 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.~~

305.2 Structural members. ~~All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.~~

305.3 Interior surfaces. ~~All 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 and other defective surface conditions shall be corrected.~~

305.4 Stairs and walking surfaces. ~~Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.~~

305.5 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.~~

305.6 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.~~

SECTION 306 HANDRAILS AND GUARDRAILS

306.1 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 which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code.

SECTION 307 RUBBISH AND GARBAGE

~~**307.1 Accumulation of rubbish or garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.~~

~~**307.2 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.~~

~~**307.2.1 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.~~

~~**307.2.2 Refrigerators.** Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises without first removing the doors.~~

~~**307.3 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.~~

~~**307.3.1 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 leak proof, covered, outside garbage container.~~

~~**307.3.2 Containers.** The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak proof containers provided with close fitting covers for the storage of such materials until removed from the premises for disposal.~~

SECTION 308 EXTERMINATION

308.1 Infestation. All structures shall be kept free from insect and rodent infestation. All 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.

308.2 Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

308.3 Single occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

308.4 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 shall be responsible for extermination.

308.5 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.

CHAPTER 4 LIGHT, VENTILATION AND OCCUPANCY LIMITATIONS

SECTION 401 GENERAL

401.1 Scope. The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

401.2 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 chapter.

401.3 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* shall be permitted.

SECTION 402 LIGHT

402.1 Habitable spaces. Every habitable space shall have at least 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 8 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 3 feet (914 mm) 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: 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 at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m²). The exterior glazing area shall be based on the total floor area being served.

402.2 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 at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination, provided that the spacing between lights shall not be greater than 30 feet (9144 mm). In other than residential occupancies, means of egress, including exterior means of egress stairways shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of 1-foot candle (11 lux) at floors, landings and treads.

402.3 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.

SECTION 403

VENTILATION

403.1 Habitable spaces. Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in Section 402.1.

Exception: Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least 8 percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

403.2 Bathrooms and toilet rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by Section 403.1, 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.

403.3 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 a rooming unit or dormitory unit.

Exception: Where specifically approved in writing by the code official.

403.4 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.

403.5 Clothes dryer exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions.

SECTION 404 OCCUPANCY LIMITATIONS

404.1 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.

404.2 Minimum room widths. A habitable room, other than a kitchen, shall not be less than 7 feet (2134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than 3 feet (914 mm) between counterfronts and appliances or counterfronts and walls.

404.3 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 7 feet (2134 mm).

Exceptions:

1. In one and two family dwellings, beams or girders spaced not less than 4 feet (1219 mm) on center and projecting not more than 6 inches (152 mm) 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 6 feet 8 inches (2033 mm) with not less than 6 feet 4 inches (1932 mm) 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 7 feet (2134 mm) 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 5 feet (1524 mm) or more shall be included.

404.4 Bedroom requirements. Every bedroom shall comply with the requirements of Sections 404.4.1 through 404.4.5.

404.4.1 Area for sleeping purposes. Every bedroom occupied by one person shall contain at least 70 square feet (6.5 m²) of floor area, and every bedroom occupied by more than one person shall contain at least 50 square feet (4.6 m²) of floor area for each occupant thereof.

404.4.2 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.

404.4.3 Water closet accessibility. Every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom. Every bedroom in a dwelling unit shall have access to at least one water closet and lavatory located in the same story as the bedroom or an adjacent story.

404.4.4 Prohibited occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

404.4.5 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 chapter; the plumbing facilities and water heating facilities requirements of Chapter 5; the heating facilities and electrical receptacle requirements of Chapter 6; and the smoke detector and emergency escape requirements of Chapter 7.

404.5 Overcrowding. Dwelling units shall not be occupied by more occupants than permitted by the minimum area requirements of Table 404.5.

TABLE 404.5

MINIMUM AREA REQUIREMENTS

MINIMUM AREA IN SQUARE FEET

SPACE	1-2 occupants	3-5 occupants	6 or more occupants
Living room (a,b)	No requirements	120	150
Dining room (b)	No requirements	80	100
Bedrooms	Shall comply with Section 404.4		

For SI: 1 square foot = 0.093 m².

a. See Section 404.5.2 for combined living room/dining room spaces.

b. See Section 404.5.1 for limitations on determining the minimum occupancy area for sleeping purposes.

404.5.1 Sleeping area. The minimum occupancy area required by Table 404.5 shall not be included as a sleeping area in determining the minimum occupancy area for sleeping purposes. All sleeping areas shall comply with Section 404.4.

404.5.2 Combined spaces. Combined living room and dining room spaces shall comply with the requirements of Table 404.5 if the total area is equal to that required for separate rooms and if the space is located so as to function as a combination living room/dining room.

404.6 Efficiency unit. Nothing in this section shall prohibit an efficiency living unit from meeting the following requirements:

1. A unit occupied by not more than two occupants shall have a clear floor area of not less than 220 square feet (20.4 m²). A unit occupied by three occupants shall have a clear floor area of not less than 320 square feet (29.7 m²). These required areas shall be exclusive of the areas required by Items 2 and 3.

2. The unit shall be provided with a kitchen sink, cooking appliance and refrigeration facilities, each having a clear working space of not less than 30 inches (762 mm) in front. Light and ventilation conforming to this code shall be provided.

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

4. The maximum number of occupants shall be three.

~~404.7 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.

CHAPTER 5 PLUMBING FACILITIES AND FIXTURE REQUIREMENTS

SECTION 501 GENERAL

~~501.1 Scope.~~ The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided.

~~501.2 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 chapter.

[P] SECTION 502 REQUIRED FACILITIES

~~502.1 Dwelling units.~~ Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which 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.

~~502.2 Rooming houses.~~ At least one water closet, lavatory and bathtub or shower shall be supplied for each four rooming units.

~~502.3 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.

~~502.4 Employees' facilities.~~ A minimum of one water closet, one lavatory and one drinking facility shall be available to employees.

~~502.4.1 Drinking facilities.~~ Drinking facilities shall be a drinking fountain, water cooler, bottled water cooler or disposable cups next to a sink or water dispenser. Drinking facilities shall not be located in toilet rooms or bathrooms.

[P] SECTION 503 TOILET ROOMS

~~503.1 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.

~~503.2 Location.~~ Toilet rooms and bathrooms serving hotel units, rooming units or 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.

503.3 Location of employee toilet facilities. Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

503.4 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.

[P] SECTION 504 PLUMBING SYSTEMS AND FIXTURES

504.1 General. All 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. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition.

504.2 Fixture clearances. Plumbing fixtures shall have adequate clearances for usage and cleaning.

504.3 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 shall require the defects to be corrected to eliminate the hazard.

SECTION 505 WATER SYSTEM

505.1 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. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the *International Plumbing Code adopted by the City of Shoreline*.

[P] 505.2 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.

505.3 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.

505.4 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 110°F (43°C). 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.

[P] SECTION 506 SANITARY DRAINAGE SYSTEM

506.1 General. All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

506.2 Maintenance. Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects.

[P] SECTION 507 STORM DRAINAGE

507.1 General. Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall not be discharged in a manner that creates a public nuisance.

CHAPTER 6 MECHANICAL AND ELECTRICAL REQUIREMENTS

SECTION 601 GENERAL

601.1 Scope. The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

601.2 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 which does not comply with the requirements of this chapter.

SECTION 602 HEATING FACILITIES

602.1 Facilities required. Heating facilities shall be provided in structures as required by this section.

602.2 Residential occupancies. Dwellings shall be provided with permanently installed, safe, functioning heating facilities and an approved power or fuel supply system capable of maintaining a room temperature of 65°F (18°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the *International Plumbing Code*. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

Exception: In areas where the average monthly temperature is above 30°F (1°C), a minimum temperature of 65°F (18°C) shall be maintained.

602.3 Heat supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat during the period from [DATE] to [DATE] to maintain a temperature of not less than 6865°F (2018°C) in all habitable rooms, bathrooms, and toilet rooms.

Exceptions:

1. When the outdoor temperature is below the winter outdoor design temperature for the locality, maintenance of the minimum room temperature shall not be required provided that the heating system is operating at its full design capacity. The winter outdoor design temperature for the locality shall be as indicated in Appendix D of the *International the Plumbing Code adopted by the City of Shoreline*.

2. In areas where the average monthly temperature is above 30°F (1°C) a minimum temperature of 65°F (18°C) shall be maintained.

~~602.4 Occupiable work spaces.~~ Indoor occupiable work spaces shall be supplied with heat during the period from [DATE] to [DATE] to maintain a temperature of not less than 65°F (18°C) during the period the spaces are occupied.

Exceptions:

- ~~1. Processing, storage and operation areas that require cooling or special temperature conditions.~~
- ~~2. Areas in which persons are primarily engaged in vigorous physical activities.~~

~~602.5 Room temperature measurement.~~ The required room temperatures shall be measured 3 feet (914mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

SECTION 603 MECHANICAL EQUIPMENT

~~603.1 Mechanical appliances.~~ All mechanical 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.

~~603.2 Removal of combustion products.~~ All fuel burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel burning equipment and appliances which are labeled for unvented operation.

~~603.3 Clearances.~~ All required clearances to combustible materials shall be maintained.

~~603.4 Safety controls.~~ All safety controls for fuel burning equipment shall be maintained in effective operation.

~~603.5 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.

~~603.6 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.

SECTION 604 ELECTRICAL FACILITIES

~~604.1 Facilities required.~~ Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

~~604.2 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 ICC *Electrical Code* as adopted by the City of Shoreline. 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.

~~604.3 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 shall require the defects to be corrected to eliminate the hazard.

SECTION 605 ELECTRICAL EQUIPMENT

~~605.1 Installation.~~ All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

605.3 Lighting fixtures. Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain at least one electric lighting fixture.

SECTION 606 ELEVATORS, ESCALATORS AND DUMBWAITERS

606.1 General. Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly, and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter, or the certificate shall be available for public inspection in the office of the building operator.

606.2 Elevators. In buildings equipped with passenger elevators, at least 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.

SECTION 607 DUCT SYSTEMS

607.1 General. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

CHAPTER 7 FIRE SAFETY REQUIREMENTS

SECTION 701 GENERAL

701.1 Scope. The provisions of this chapter 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.

701.2 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 chapter.

[F] SECTION 702 MEANS OF EGRESS

702.1 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*.

702.2 Aisles. The required width of aisles in accordance with the *International Fire Code* shall be unobstructed.

702.3 Locked doors. All 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 that permitted by the *International Building Code*.

702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools. 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 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.

[F] SECTION 703 FIRE RESISTANCE RATINGS

703.1 Fire resistance-rated assemblies. The required fire resistance rating of fire resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

703.2 Opening protectives. Required opening protectives shall be maintained in an operative condition. All fire and smokestop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

[F] SECTION 704 FIRE PROTECTION SYSTEMS

704.1 General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with the *International Fire Code*.

704.2 Smoke alarms. Single or multiple station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars 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.

Single or multiple station smoke alarms shall be installed in other groups in accordance with the *International Fire Code*.

704.3 Power source. In Group R occupancies and in dwellings not regulated as Group R occupancies, 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 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.

Exception: Smoke alarms are permitted to be solely battery operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

704.4 Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, 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. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

1. ~~Interconnection is not required in buildings which are not undergoing alterations, repairs, or construction of any kind.~~
2. ~~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 which could provide access for interconnection without the removal of interior finishes.~~

**CHAPTER 8
REFERENCED STANDARDS**

This chapter 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 this document that reference the standard. The application of the referenced standards shall be as specified in Section 102.7.

ICC

International Code Council
5203 Leesburg Pike, Suite 600
Falls Church, VA 22041

Standard reference number	Title	Referenced in code section number
ICC EC 03	ICC Electrical Code™	Administrative Provisions
..... 201.3, 604.2		
IBC—03	International Building Code®	201.3, 302.7.1, 401.3, 702.3, 702.4
IEBC—03	International Existing Building Code™	101.3, 102.3, 201.3
IFC 03	International Fire Code®	201.3, 702.1, 702.2, 704.1, 704.2
IMC 03	International Mechanical Code®	201.3
IPC 03	International Plumbing Code®	201.3, 505.1, 602.2, 602.3
IZC—03	International Zoning Code®	102.3, 201.3

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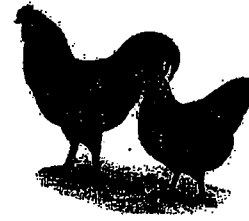
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ATTACHMENT I

CHICKENS IN YOUR BACKYARD



Chickens in Your Backyard



Keeping chickens is becoming increasingly popular in urban areas. This flyer is provided to answer the most common questions related to backyard chickens in Shoreline.

Q. How many chickens can I have?

A. The City of Shoreline does not specify the number of chickens allowed on a property. However, you must comply with King County Animal Control regulations, which include protection against animal cruelty and neglect, and which provide for nuisance abatement for unreasonable noise disturbance and untreated diseased animals.

Q. Where can I keep my chickens?

A. Chicken coops must be at least 10 feet from any property line. Be considerate and consult with your neighbors before building. You don't want to infringe on others' enjoyment of their property



Q. What kind of coop do I need?

A. As with any animal, for happy and healthy chickens, provide plenty of air circulation and room to wander inside enclosures. Be sure the enclosure protects your chickens from the sun as well as from cats, dogs, and raccoons. There are many good books on raising backyard chickens with attractive designs for chicken houses. Chicken coops must provide at least one square-foot of space for each chicken.



Q. Can I have a rooster?

A. It is legal to keep roosters in Shoreline, but we recommend against it. If you do plan to have a rooster, consult with your neighbors first in order to avoid noise complaints.

Q. What if my neighbors' chickens are too noisy?

A. It is unlawful to maintain an animal that makes noises to an unreasonable degree which disturbs others. Try talking to your neighbors if there is a problem. Animal noise complaints should go to King County Animal Control at 296-PETS (7387).

Q. What if my neighbors' chicken coop is too smelly?

A. Talk to your neighbors about controlling odor by keeping their chicken enclosure clean. The only time chicken coops will smell bad is if they are not cleaned often enough or if the animals are sick. Suspected health code violations should be reported to King County Animal Control at 296-PETS (7387).

Laws related to keeping animals in Shoreline The below codes are available at the public library and on the Internet. Call the City Clerk's Office at (206) 546-5042 if you have trouble locating them.

Shoreline Municipal Code (www.cityofshoreline.com):
SMC Title 6 Animals
SMC Chapter 20.40.240 Animals
SMC Chapter 9.05 Public Disturbance Noise

The City of Shoreline has adopted the following sections of the Revised Code of Washington (RCW) that may relate to keeping chickens:
Public nuisances: RCW 9.66.010-050
Crimes relating to animals:
RCW 9.08.020 Diseased animals

RCW 9.08.030 False certificate of registration of animals
RCW 9.08.070 Pet animals -Taking, concealing, injuring, etc.
RCW 16.52.080 Transporting or confining an animal in an unsafe manner
RCW 16.52.100 Confining animals without food or water
RCW 16.52.117 Animal fighting
RCW 16.52.190-195 Poisoning animals
RCW 16.52.207 Animal cruelty

The RCW is available on the Internet at <http://leg.wa.gov> or at your public library.

ATTACHMENT J

MATRIX OF PROPOSED AMENDMENTS

Summary Matrix of Recommended Amendments to the Shoreline Municipal Code

Amendment #	Brief Description of Amendments
Title 10 Vehicles and Traffic (Shoreline Municipal Code)	
Chapter 10.05 Model Traffic Ordinance	
1	10.05.010 Add reference to SMC 10.50.030.
2	amend definition (4)(c) of the State Model Traffic Ordinance definition of "junk vehicle" to include when a vehicle is not currently capable of being operated legally on a public highway.
3	amend definition (13) of the State Model Traffic Ordinance to add to the section regarding unauthorized vehicles subject to removal from public locations: (iv) vehicles used for human habitation.
4	amend definition (13) of the State Model Traffic Ordinance to add to the section regarding unauthorized vehicles subject to removal from public locations: (v) vehicles that fail to display current plates & registration tabs.
5	add a new section allowing removal from a public street by a police officer when a vehicle meets the definition of a "junk vehicle"
6	amend by adding provisions to the RCW section which prohibits parking a vehicle that is unlicensed/unregistered, or to repark a vehicle to avoid a posted time limit, or to use a vehicle on a public street for habitation.
Title 13 Utilities (Shoreline Municipal Code)	
Chapter 13.14 Garbage Code	
7	13.14.030 amend the section to provide that all refuse shall be removed at least every two (2) weeks.
Title 15 Buildings and Construction (Shoreline Municipal Code)	
Chapter 15.05 State Building Codes	
8	15.05.010 amend by adding premises to the list items that are regulated by the building and construction codes.
9	15.05.010(I) add a reference to the adoption of the International Property Maintenance Code as amended.

Summary Matrix of Recommended Amendments to the Shoreline Development Code

Amendment #	Section	Brief Description of Amendments
Title 20 Shoreline Development Code (Shoreline Municipal Code)		
Chapter 20 Definitions		
1	20.20.016	Modify the definition of "dwelling unit" to match International Building Codes definitions.
Chapter 30 Procedures & Administration		
2	20.30.730(A)	Replace the term <i>penalties</i> with the term <i>enforcement action</i> as more accurate terminology
3	20.30.730(A)	Add the term <i>and abatement costs</i> as allowed by the ordinance
4	20.30.730(B)	Modify section to clarify precedence of Notice & Order compliance date.
6	20.30.740	Rewrite section to include all enforcement provisions in one section.
7	20.30.740 (D)	Move section on Civil Penalties from 20.30.780 into this section (20.40.740)
8	20.30.740 (D)(4)	Add language to ensure access to perform compliance inspections. The proposed language clarifies that the term "come into compliance" requires an official inspection to confirm compliance.
9	20.30.740 (E)	Add language on what is subject to abatement.
10	20.30.740 (F)	Add standard clause that allows other actions as allowed in the Shoreline Municipal Code.
11	20.30.750 (A)	Expand section to broaden and clarify what is meant by the term " <i>public nuisance</i> "
12	20.30.750 (B)	Delete this statement it is repeated.
13	20.30.750 (B)	Add standard exemption clause.
14	20.30.770 (E)(8)	Remove the term "commenced" and add language allowing for extension of compliance date specified in the Notice & Order. The current language prohibits our ability to take action within our stated compliance date.
15	20.30.770 (J)	Delete references to "Collection of Costs". These provisions are moved to 20.30.775(2).
16	20.30.775	Create a new section entitled Collection of Penalties and Costs. Relocate regulations scattered throughout subchapter relating to Collection of Penalties and Costs to this section. Add a provision for the City to begin a civil action to collect
16	20.30.780	Repealed in its entirety - relocated to 20.30.740 Enforcement provisions (D) - this was done in an effort to locate all enforcement provisions in one sections.
Chapter 50 General Development Standards		
17	20.50.410 (B)	Add the term " <i>wholly or partially</i> " concerning vehicles parked or stored on single-family or duplex properties.
18	20.50.410 (B)	Remove "excluding" and change to including recreation vehicles, boats and trailers in the maximum number of vehicles allowed parked outside on single family detached properties.

Summary Matrix of Recommended Amendments to the 2003 International Property Maintenance Code

Amendment #	IPMC Section	Brief Description of Amendments
2003 International Property Maintenance Code		
<i>Chapter 1 Administration, Section 101 General</i>		
1	101.1	Fill in name of jurisdiction: City of Shoreline
2	101.2	Remove references to interior standards: light, ventilation, space, heating and the occupancy of existing structures
3	101.3	Remove reference to International "Existing" Building Code. The City did not adopt the IEBC, but did adopt the IBC.
<i>Section 102 Applicability</i>		
4	102.3	Application of other codes: reference to Title 15 and Title 20 of the SMC
5	102.4	Replace insanitary with unsanitary.
<i>Section 103</i>		
6	103	Change Section Name to Code Enforcement
7	103.1	General: code enforcement charged with carrying out provisions instead of dept. of property maintenance (City doesn't have a dept. of property maintenance)
8	103.2	Delete section. Appointment or hiring of staff is in accordance with City Policy
9	103.3	Delete section. Appointment or hiring of staff is in accordance with City Policy
10	103.5	Fees: (insert fee schedule in Code)
<i>Section 106 Violations</i>		
11	106.2	change to existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.
12	106.3	change to existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.
13	106.4	change to existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.
14	106.5	change to existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.
<i>Section 107 Notices and Orders</i>		
15	107.1	Notice to person responsible: existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.
16	107.2	Form: existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.
17	107.3	Method of service: existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.
18	107.4	Penalties: existing process as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.

Summary Matrix of Recommended Amendments to the 2003 International Property Maintenance Code

Amendment #	IPMC Section	Brief Description of Amendments
2003 International Property Maintenance Code		
19	107.5	Transfer of ownership: Change all references of "notice of violation" to the Shoreline practice of issuing "Notice and Order to Correct" as prescribed in Title 20, Chapter 30, Subchapter 9 of the SMC.
<i>Section 109 Emergency Measures</i>		
20	109.1	Imminent danger: expand the application to include property and premises.
21	109.2	Temporary safeguards: Add text 'and/or fencing of premises' and 'premise'
22	109.6	Hearing: delete board of appeals; add right to appeal as currently prescribed in Title 20, Chapter 30, Subchapter 9
<i>Section 110 Demolition</i>		
23	110.1	Replace insaniary with unsanitary.
24	110.4	Delete section Salvage materials: this section is not practical to administer or enforce.
<i>Section 111 Means of Appeal</i>		
25	111.1	Application for appeal: right to appeal as prescribed in SMC, Title 20, Chapter 30, Subchapter 9.
26	111.2	Membership of board: Delete (pertaining to board of appeals) appeal process is currently prescribed in SMC, Title 20, Chapter 30, Subchapter 9.
27	111.3	Notice of meeting: Delete (pertaining to board of appeals) appeal process is currently prescribed in SMC, Title 20, Chapter 30, Subchapter 9.
28	111.4	Open hearing: Delete (pertaining to board of appeals) appeal process is currently prescribed in SMC, Title 20, Chapter 30, Subchapter 9.
29	111.5	Postponed hearing: Delete (pertaining to board of appeals) appeal process is currently prescribed in SMC, Title 20, Chapter 30, Subchapter 9.
30	111.6	Board decision: Delete (pertaining to board of appeals, which Shoreline does not have)
31	111.7	Court review: delete redundant text
32	111.8	Delete: appeal process is currently prescribed in SMC, Title 20, Chapter 30, Subchapter 9
<i>Chapter 2 Definitions, Section 202 General Definitions</i>		
33	202	Code Official: add specific title to identify official
34	202	Condemn: to adjudge unfit for occupancy (add text) 'or use'
35	202	Add a definition for water closet

Summary Matrix of Recommended Amendments to the 2003 International Property Maintenance Code

Amend-ment #	IPMC Section	Brief Description of Amendments
2003 International Property Maintenance Code		
<i>Chapter 3 General Requirements, Section - 301 General</i>		
36	301.1	Scope: (add text) 'premises'
37	301.2	Responsibility: (add text) 'premises'
<i>Section 302 Exterior Property Areas</i>		
38	302.4	Weeds: Deleted, not adequate resources.
39	302.8	Add recreational vehicles and boats to standards for "vehicles" located in exterior property areas
<i>Section 303 Swimming Pools, Spas and Hot Tubs</i>		
40	303.1	Deleted standard pertaining to cleanliness and condition of swimming pools.
<i>Section 304 Exterior Structure</i>		
41	304.14	Insect screens: Deleted, not applicable to Northwest
<i>Section 305 Interior Structures</i>		
42	305	Delete 305.1 - 305.6 (entire section) remove all standards pertaining to the interior of structures
<i>Section 307 Rubbish and Garbage</i>		
43	307.1	Accumulation of rubbish or garbage: Delete (covered in SMC 13.14 - Garbage Code)
44	307.2	Disposal of rubbish: Delete (covered in SMC 13.14 - Garbage Code)
45	307.3	Disposal of garbage: Delete (covered in SMC 13.14 - Garbage Code)
<i>Section 402 Light</i>		
46	402	Delete 402.1-402.3 (entire section) remove all standards pertaining to the interior of structures
<i>Section 403 Ventilation</i>		
47	403	Delete 403.1-403.5 (entire section) remove all standards pertaining to the interior of structures
<i>Section 404 Occupancy Limitations</i>		
48	404	Delete 404.1-404.7 (entire section) remove all standards pertaining to the interior of structures
<i>Chapter 5 Plumbing Facilities and Fixture Requirements, [P] Section 503 Toilet Rooms</i>		
49	501	Delete 501.1-501.2 General (entire section) remove all standards pertaining to the interior of structures
50	502	Delete 502.1-502.4 Required Facilities (entire section) remove all standards pertaining to the interior of structures

Summary Matrix of Recommended Amendments to the 2003 International Property Maintenance Code

Amendment #	IPMC Section	Brief Description of Amendments
2003 International Property Maintenance Code		
51	503	Delete 503.1-503.4 Toilet Rooms (entire section) remove all standards pertaining to the interior of structures
52	504	Delete 504.1-504.3 Plumbing Systems and Fixtures (entire section) remove all standards pertaining to the interior of structures
53	505	Delete 505.1-504.4 Water Heating Facilities (entire section) remove all standards pertaining to the interior of structures
54	506	Delete 506.1-506.2 Sanitary Drainage System (entire section) remove all standards pertaining to the interior of structures
<i>Chapter 6 Mechanical and Electrical Requirements, Section 602 Heating Facilities</i>		
55	601	Delete 601.1-601.2 General (entire section) remove all standards pertaining to the interior of structures
56	602	Delete 602.1-602.5 Heating Facilities (entire section) remove all standards pertaining to the interior of structures
57	603	Delete 603.1-603.6 Mechanical Equipment (entire section) remove all standards pertaining to the interior of structures
58	604	Delete 604.1-604.3 Electrical Facilities (entire section) remove all standards pertaining to the interior of structures
59	605	Delete 605.1-604.3 Electrical Equipment (entire section) remove all standards pertaining to the interior of structures
60	606	Delete 606.1-606.2 Elevators, Escalators and Dumbwaiters (entire section) remove all standards pertaining to the interior of structures
61	607	Delete 607.1 Duct Systems (entire section) remove all standards pertaining to the interior of structures
<i>Chapter 7 Fire Safety Requirements</i>		
62	701	Delete 701.1- 701.2 General (entire section) remove all standards pertaining to the interior of structures
63	702	Delete 702.1- 702.4 Means of Egress (entire section) remove all standards pertaining to the interior of structures
64	703	Delete 703.1- 703.2 Fire Resistance Ratings (entire section) remove all standards pertaining to the interior of structures
65	704	Delete 704.1- 704.4 Fire Protection Systems (entire section) remove all standards pertaining to the interior of structures