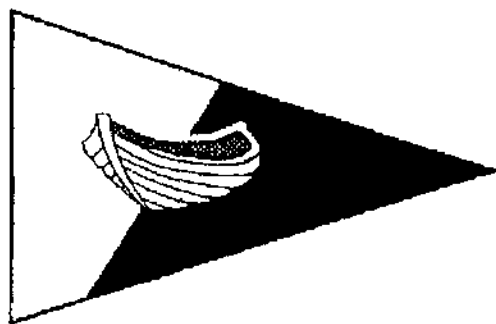


GIG HARBOR CITY COUNCIL MEETING



June 12, 1995

7:00 P.M., CITY HALL COUNCIL CHAMBERS

AGENDA FOR GIG HARBOR CITY COUNCIL MEETING
June 12, 1995 - 7:00 p.m.

PUBLIC COMMENT/DISCUSSION:

SWEARING IN CEREMONY:

Swearing In of New Councilmember, Marilyn Owel, by Judge Tom Farrow.

CALL TO ORDER:

APPROVAL OF MINUTES:

CORRESPONDENCE:

1. Bruce and Linda Dishman - Cruizin' the Gig.
2. Kent Wienker, President, Tacoma Wheelmen's Bicycle Club.
3. Pierce County 4-H Guide Puppy Raisers.
4. Pierce County Resolution R95-110 - Organizing the Tacoma/Pierce County Health Department as the Pierce County Health Department.

OLD BUSINESS:

NEW BUSINESS:

1. Summer Tennis Program Proposal.
2. Appointment to the Planning Commission.
3. Repeal of Seceded Resolutions No. 164 and No. 173.
4. Resolution - Hearing Examiner Recommendation - Leta Dawn Stanton, Coffee House.
5. First Reading - Revised Building Code.
6. Resolution - Amending Fee Schedules.
7. Resolution - Corrected Legal Description (ANX91-07 - Gig Harbor Interchange Annex.)
8. Liquor License Application - Good Spirit Market & Deli.
9. Transfer Application - Kinza Teriyaki.
10. Liquor License Renewals - Harvester, Puerto Vallarta, and Round Table Pizza.

MAYOR'S REPORT:

COUNCIL COMMENTS:

STAFF REPORTS:

Ben Yazici - Public Works Department.
Chief Richards - Gig Harbor Police Department.

ANNOUNCEMENT OF OTHER MEETINGS:

APPROVAL OF BILLS:

APPROVAL OF PAYROLL:

ADJOURN:

REGULAR GIG HARBOR CITY COUNCIL MEETING OF MAY 22, 1995

PRESENT: Councilmembers Picinich, Ekberg, Platt, Markovich and Mayor Wilbert.

PUBLIC COMMENT / DISCUSSION:

Tom Morfee, PNA - 3803 Harborview Drive. Mr. Morfee stated that the City has a responsibility whether to approve sewer to the proposed Wal-Mart. He said the building would be four times the size of the existing Fisherman's Village, making it the largest in the area. He added that there is substantial opposition to this development due to concerns about the impact on traffic, small businesses, and the small town character of the area. He said a Wal-Mart had been approved for Pt. Orchard and South Hill in Puyallup, and that should be enough.

CALL TO ORDER: 7:09 p.m.

APPROVAL OF MINUTES:

MOTION: Move approval of the minutes of the May 8, 1995 meeting as presented. Picinich/Ekberg - unanimously approved. Councilman Markovich abstained.

SPECIAL PRESENTATION:

Proclamation - Sale of Buddy Poppies by the V.F.W. Mayor Wilbert introduced Mr. Alan Mathias, Post Commander from the V.F.W. Post #1854. Mr. Mathias thanked the City for allowing the Veteran's to sell their poppies to support needy and disabled veterans and their families. Mayor Wilbert then read the proclamation regarding the sale of Buddy Poppies program. Mr. Mathias announced the annual Memorial Services at Artondale Cemetery on the 29th of May.

CORRESPONDENCE:

1. Pierce Transit Rate Changes. Mayor Wilbert stated she had not received any calls regarding the proposed increase in rates.
2. Re-election of Mary K. Joyce to the Pierce Transit Board. Mayor Wilbert read this letter from Sandy Byers announcing the re-election of Mary K. Joyce to the Pierce Transit Board.
3. Washington Natural Gas - Earthquake Preparedness. Mayor Wilbert summarized the information from Washington Natural Gas regarding their participation in Emergency Preparedness, and added that the wrench used to shut off the gas lines to homes would be available at City Hall for anyone who wished to learn to use it.
4. Croatian - Dalmatian Celebration. Mayor Wilbert announced this celebration and encouraged everyone to attend the slide presentation currently at the Peninsula Library.
5. Sister City International Certificate. Mayor Wilbert said that she had received the signed certificate signifying the city's membership in Sister Cities International and that this certificate, along with the pertinent pictures and letters, would be placed in a framed collage at City Hall.
6. Washington State Liquor Control Board - Rib Ticklers Restaurant. No report was given on this correspondence item.

OLD BUSINESS:

1. Second Reading - Proposed Changes to the Sign Code Ordinance. Ray Gilmore introduced the second reading of this ordinance and gave an overview of the changes based upon the

discussions during the worksession held by the Planning Commission and Councilmembers. He explained that many changes were clarifications and response to expressed concerns by Council. He added that the three areas left open for Council consideration are sign orientation towards the freeway, illumination and color, and non-conforming signs. He said that at legal counsel's advice, any references to change in tenancy or ownership that would trigger the non-conforming threshold in a sign were removed. He said that the ordinance was a hybrid between what the Planning Commission recommended and what staff felt would be appropriate from the discussion at the Worksession.

MOTION: Move we approve Ordinance #691 as currently stated.
Ekberg/Platt -

Councilman Picinich presented a written proposal amending the ordinance and read the content.

MOTION: Move we amend Ordinance #691 to read as follows:

ORDINANCE NO. 691

WHEREAS, the City Council finds and declares that outdoor advertising is a legitimate, commercial use of private property adjacent to City street, roads and highways; and

WHEREAS, outdoor advertising is an integral part of the business and marketing function, and an established segment of the City's economy which serves to promote and protect private investments in commerce and industry; and

WHEREAS, the City has adopted sign regulations in order to safeguard the general welfare of the property owner, to preserve the beauty of the community and to balance this with growth, development and commercial pursuits; and

WHEREAS, emerging trends in signage and business advertisement such as (but not limited to) the use of letter sizes far in excess of normal legibility requirements, the outlining of a building's architectural features with neon tubing, the use of large corporate or business colored panels (often illuminated) and the continuing trend of using large backlit awnings for signage are considered forms of "attention getting" signage which the City's current sign code does not adequately regulate; and

WHEREAS, business owners in the City have the City has witnessed an increased use of recently constructed large "attention getting" signs which have been permitted under the existing sign code regulations; and

WHEREAS, signage has become an increasingly visual component in the commercial areas of the City and also along State Route 16, thereby adversely affecting Gig Harbor's traditional visual character; and

WHEREAS, as a result of the proliferation of these new signs and the City's mandate to adopt new development regulations under the Growth Management Act, the City Council determined that a review of the City's existing sign regulations was necessary; and

WHEREAS, the Planning Commission held two public hearings on the ~~proposed~~ sign code ~~amendments~~ on February 2, 1995 and March 16, 1995 to accept public testimony on the proposed amendments, and four worksessions during February and March of 1995 to consider the public testimony and make adjustments to the sign code as deemed necessary and appropriate; and

WHEREAS, the Planning Commission ~~also in its deliberation~~ reviewed research pertaining to sign legibility which indicated that it takes one inch of letter height for every 50 feet of distance it is read from and that speeds of up to 55 mph on a six lane highway requires a letter height of 16 inches (visible from a distance of 800 feet) to allow a motorist adequate time to respond to the sign; and,

WHEREAS, the Planning Commission recognized that the Growth Management Act requires that any amendments to the City's sign code must be consistent with the Comprehensive Plan; and

WHEREAS, the Planning Commission therefore reviewed the following provisions of the Gig Harbor Comprehensive Plan:

On page 30, ~~the Plan includes the~~ stated the City's intent to allow for effective signage ~~to for the~~ identification of businesses, while also providing a positive contribution to the City's visual quality and that "attention getter" signs are neither necessary nor desirable in Gig Harbor's small town setting.

On pages 31 - 33, the Comprehensive Plan states several goals and policies relating to maintaining signage as a subordinate element in building design including, but not limited to (a) minimizing sign area in facade design, (b) avoidance of signage as a dominant architectural feature, including corporate or logo panels into signage area calculations, (b) avoidance of covering architectural details, and (c) encouragement of sign designs which reflect the building style or period by encouraging sandblasted-type signs.

On page 32-33, the Comprehensive Plan has the stated goal to avoid flamboyancy in signage by keeping internally illuminated signs subdued through restrictions on sign face illumination.

On page 33, the Comprehensive Plan has the stated goal to coordinate sign designs on multi-tenant buildings through the use of master sign plans designed to allocate signage among tenants and to unify the site design.

On page 34, the Comprehensive Plan has the stated goal to restrict use of off-premise signage and to avoid signage design for distant viewing.

On page 21 and 22, the Comprehensive Plan identifies SR-16 as an enhancement corridor which should require an extensive level of design review.

WHEREAS, the Planning Commission integrated the above Comprehensive Plan policies into its review process, and developed amendments to the sign code, which was forwarded to the City Council; and

WHEREAS, the City Council held a public hearing on the draft sign ordinance, and accepted public testimony on April 24, 1995, and May 8, 1995, but continued its deliberations until May 22, 1995; and

WHEREAS, the City Council conducted a worksession with the City Planning Commission on May 15, 1995; and,

WHEREAS, on May 22, the City Council considered the draft sign ordinance during its regularly scheduled public meeting; and

WHEREAS, at that meeting, the City Council made the following findings with regard to the proposed sign code amendments:

1. A multiplicity of signs is distracting to motorists and a hazard to vehicular and pedestrian traffic.
2. A proliferation of "attention getter" signs is not only distracting and unattractive, but also obscures the legitimate effort of local business establishments to reasonably identify the location and nature of their business.
3. Limitations on signs must be established by the City in order to address these objectives, or to limit distraction to motorists, reduce the danger to pedestrians and motorists, control and abate the unsightly use of buildings and land, enhance the appearance of the landscape, and to preserve the beauty of the landscape and residential and commercial architecture.
4. Restricting letter heights to up to eighteen and twenty-four inches for upper and lower case letters is reasonable in that it would allow for signs that would be more than adequate in size to be read from all of Gig Harbor's streets without unduly limiting creativity in sign design.
5. Signs in excess of 18 and 24 inches are larger than necessary for reasonable legibility and creativity and therefore constitute "attention getting" signs; and,
6. The proposed amendments will (a) further the goals and policies outlined in the City's Comprehensive Plan (b) protect the public health/safety/welfare by avoiding excessive light and glare of illuminated signage, and (c) and preserve the visual quality which has attracted tourists and new residents to the Gig Harbor area thereby preserving property values and promoting economic development in the Gig Harbor area.

WHEREAS, as a result of the above, the City Council hereby declares all existing signs not in conformance with this ordinance on the date of its adoption to be public nuisances, subject to

abatement within the time periods and under the procedures set forth herein:

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

* * *

~~C. Nonconforming Signs. Nonconforming signs which are permanently installed and were legally installed prior to the adoption of this chapter shall be allowed to continue in use as long as such signs are continuously maintained, are not relocated, are not structurally altered or made more nonconforming in any way. A nonconforming~~

1. Nonconforming sign(s) shall be required to be brought into compliance with this chapter upon the earlier occurrence of any of the following events:

- a) abandonment of the sign or premises,
- b) destruction of the sign beyond 50 percent of its value,
- c) a change in the use of the property where the sign(s) is located requiring additional permits or approvals from the City; or
- d) on June 1, 2002; provided that such time limitation may be extended for periods not to exceed two (2) years at a time by the Administrator upon the granting of a hardship variance as set forth in subsection (2) below.

2. Hardship variances may be granted by the Administrator to extend the time period for compliance with subsection (1)(d) above, if the Administrator finds that all of the following are true:

- a) strict compliance with the provisions of subsection (1)(d) above may impose an undue hardship upon the sign owner. This showing of "undue hardship" may be met, for example, by the sign owner's demonstration that the sign has not fully depreciated for federal income tax purposes. A sign owner's expenditures toward improvement or repair of any nonconforming sign shall not be considered by the Administrator in the showing of hardship.
- b) granting of the variance from the provisions of this chapter will not:
 - i) depreciate or damage neighboring property;
 - ii) create a safety hazard; or
 - iii) be contrary to the purposes of this chapter.
- c) the nonconforming sign has been and will be properly maintained.

Picinich/Platt -

Councilman Ekberg added that he would like to add another amendment.

MOTION: Under Section 17.80.035 Illumination, I would like the recommendation that came from staff substituted so that the words "except that illuminated text must be ivory colored.." be replaced with "except that the illuminated text must be light colored contrasted against the dark background..".
Ekberg/Markovich -

Councilman Markovich mentioned that three main items had been identified, but there was a fourth issue that has been skimmed over related to real estate signs and the proposals made by the Tacoma Board of Realtors.

Councilman Markovich said that the non-conforming use provisions we currently have in effect should remain due to difficulty in enforcement. He said that non-conforming signage and non-conforming usage have been a classical concept in the theory of law and zoning code application and that the reason we have non-conforming use provisions is so that when something does not conform with a change in law, people who previously were in compliance should not be punished, and could continue with that use. He added that if a substantial or structural change of use occurs, then the sign should be brought into compliance with the new codes. He said that never has change in letter content, text, tenancy, occupancy, design style or color been used as a trigger to abate the non-conforming sign. He also said he didn't agree that something that was done legally could now be considered a "public nuisance" and added he knew of no existing sign that was so heinous that he could not live with it for another 10 years. He said he thought that future signs could be controlled by the new ordinance, but non-conforming signs should be left alone.

Councilman Markovich said he read through the proposals submitted by the Tacoma Board of Realtors and felt they are reasonable. He said he would adopt them in entirety. He then spoke about the third issue of signage facing the freeway. He said he wanted to preserve the corridor and retain as many trees as possible, but visibility is a legitimate business concern. He asked for clarification from staff about the size of the interchange areas affected, and said he could support prospectively prohibiting signage toward the freeway. Regarding, illumination, Councilman Markovich said that he seconded Councilman Ekberg's motion and supports this motion.

Councilman Platt asked for clarification from legal counsel regarding shopping center signage, and whether the change of one sign by the owner of the mall would require all the other tenants to replace their signs. Carol Morris advised him the code was intended to affect only the sign associated with a particular property.

Councilman Picinich said we should allow no grandfather clause, and that seven years is plenty of time to bring any non-conforming signs into conformity. He added he felt it would improve and enhance the economy.

Mayor Wilbert asked if Councilman Markovich had any suggestions or wording to address. Councilman Markovich said he would maintain the non-conforming provisions currently in existence under the sign code. Councilman Picinich said his amendment is the best way to go, it is the most legal, and will avoid time spent in court.

Councilman Ekberg thanked the Planning Commission and the public for their input. He said it was a long hard process and that this was a compromise. He said he felt that the real estate sign handling is adequate in the proposal and that he, too, has a problem with non-conforming issues, but that Councilman Picinich's wording is adequate, and along with the other amendments, will make a better ordinance, which will be easier for staff to administer.

Councilman Ekberg restated his last motion for the record.

MOTION: Under Section 17.80.035 Illumination, I would like the recommendation that came from staff substituted so that the words "except that illuminated text must be ivory colored.." be replaced with "except that the illuminated text must be light colored contrasted against the dark background..".
Ekberg/Markovich - unanimously approved.

MOTION: *The amendment to the ordinance submitted by Councilman Picinich stated previously in this document.*
Picinich/Platt - three voted in favor. Councilman Markovich voting against.

MOTION: Move approval of Ordinance #691 as amended.
Ekberg/Platt - three voting in favor. Councilman Markovich voting against.

2. Second Reading - Revision to Ordinance Governing the Election of Councilmembers. Mark Hoppen briefly described this ordinance revising the existing code to comply to the statutory provisions currently in effect. Councilman Picinich suggested taking out the reference to filing with the city clerk, under section 2.12.070 Declaration of Candidacy, to avoid confusion.

MOTION: Move to adopt Ordinance No. 692.
Picinich/Ekberg - unanimously approved.

3. Approval of Contracts - Phipps Property. Mark Hoppen introduced the contract to purchase property adjacent to the Wastewater Treatment Plant, two lease agreements to allow the property owner and his parents to remain living in the existing houses, and a contract with Klienfelder, Inc. to conduct the Phase I environmental assessment of the property. Carol Morris proposed to change the escrow closing date to August 15 to allow for more time for the closing. Councilman Ekberg voiced concerns about adequate insurance coverage and Carol Morris suggested that language be included under section 13, Insurance, to allow the amount of coverage to be approved by the City Administrator.

MOTION: Move to approve the Mayor to sign contract to purchase the Phipps property and lease agreements with the change of closing date to August 15, 1995 and the addition of language in the insurance section.
Picinich/Markovich - unanimously approved.

MOTION: Move to approve Kleinfelder, Inc. as the Phase I environmental assessment firm for a contract cost not to exceed \$2,800.
Picinich/Markovich - unanimously approved.

NEW BUSINESS:

1. Interview of Prospective Council Candidates / Executive Session to Review Candidates. Mayor Wilbert announced that there were nine candidates for the position vacated by Jeanne Stevens Taylor. She mentioned a letter from Linda Clifford to the Pierce County Landmarks Association, resigning from her position. The remaining candidates were chosen randomly to come forward and give a brief overview of their qualifications and interest in becoming a City Councilmember. Mark Robinson, Carol Davis, Walter Moris, Frank Kinney, Kathy

Peterson, Harry Hyde, and Marilyn Owel, each gave a short presentation. A letter from Linda Clifford stating she could not attend this evening's meeting and outlining her qualifications was introduced. John Ross Jr., another candidate, was not present. After hearing the candidates speak, Council adjourned to Executive Session to review the information and make a decision.

MOTION: Move to adjourn to Executive Session for the purpose of choosing someone to fill the vacant council position at 8:34 p.m. for approximately fifteen minutes.
Picinich/Ekberg - unanimously approved.

MOTION: Move to return to regular session at 8:47 p.m.
Markovich/Ekberg - unanimously approved.

Mayor Wilbert explained that the person chosen would be required to run for reelection in the September and November elections. She then polled each councilmember for their vote.

Councilman Ekberg:	Marilyn Owel	Councilman Picinich:	Marilyn Owel
Councilman Platt:	Marilyn Owel	Councilman Markovich:	Marilyn Owel

The decision was unanimous to appoint Marilyn Owel to the vacant position. Mayor Wilbert congratulated Ms. Owel and thanked the other candidates for their participation in the process. The swearing in ceremony will be on June 12th at the next council meeting.

2. Newpark Terrace Sewer and Water Request. Mark Hoppen presented this request for sewer and water extension to a planned residential development located on Reid Road. He explained that our services were currently extended to two developments, Rushmore on the north side of the property, and LongAcres on the south side. He introduced Mr. Terry Ferguson, agent for John Bugay, the owner of the project. Mr. Ferguson stated the project was currently before Pierce County awaiting SEPA review and PAC approval and hoping to get a public hearing by September.

MOTION: Move approval of the extension agreement with Newpark Terrace as applied for.
Markovich / no second to the motion.

Councilman Markovich asked if there was an intention to no longer extend utilities outside city limits or if there was something specific with this project. Councilman Picinich voiced his concerns that no effort to annex into the city had been made. Mark Hoppen clarified that Longacres, an adjacent development, was again showing interest in annexation and that this development would be included in that effort.

Councilman Platt said as a point of order because there was no second, why was it being discussed. Mayor Wilbert said that if there were questions, they deserve to be answered.

Mr. Ferguson stated that the owner, John Bugay, had been trying to annex since 1992 and would be happy to give a history on his attempts. He added that this project was designed

to city standards anticipating annexation into the city. He said they are ready to annex but the proper signatures are not yet in place.

Councilman Ekberg responded to Councilman Markovich's question by saying he had consistently voted against extending services outside city limits because he felt that the process was backwards, and annexation should take place first. Mayor Wilbert advised the applicant to attend the meeting on May 30th regarding annexing that area. Councilman Markovich then restated his motion.

Tom Morfee asked if this property was within the Urban Growth Area and whether the applicant should go through the PAC process before requesting the service extension. Mark Hoppen explained that yes, it is in the UGA area, and that it is reasonable to ask for approval for utilities before the PAC process, thereby committing to a lesser number of lots than would be standard in Pierce County.

MOTION: Move approval of the extension agreement with Newpark Terrace. Markovich/Picinich - two voting in favor, Councilmembers Platt and Ekberg voting against. Mayor Wilbert broke the tie by voting in favor of the extension.

3. Horizon West Sewer Request. Mark Hoppen presented this request for an additional 15 ERUs of sewer service and gave a brief history of the project, which is partially within the city's UGA area, and partially outside. Councilman Platt asked questions about the project fitting into the Comprehensive Water Plan, as it was being served by an outside water company. Ben Yazici stated it was not consistent, and in fact, was in conflict.

Geoff Moore, Pac Tech Engineering. Mr. Moore, representing Walt Smith, stated he had been involved with this project since 1990, prior to the UGA. He gave a brief history of the project. He said that it didn't make sense to extend city water miles from an existing line, when Harbor Water had existing mains on site.

Ben Yazici advised council that approving the additional 15 ERUs would result in the need to amend the Comp Plan to reflect an extension of sewer without water. He added that an existing city line at Women's Correction Center was within one mile of the site and said he needed time to do a cost analysis on extending the line to the project.

Walt Smith - 11302 Burnham Drive. Mr. Smith stated he was in favor of annexation and had already signed two agreements to provide sewer to the property and is a willing applicant. He added that he had not requested water from the city because it is not available, but it is available through Harbor Water. He said that he made his commitments in good faith and was a willing participant during in the extension to the Peninsula School District and has paid his fair share along the way. He said it didn't make sense for the city to extend water to that area to serve such a small area.

Richard Buys - 11223 67th Ave. NW. Mr. Buys is a representative of the Henderson Bay Heights Homeowners Association. This development is adjacent to the proposed Horizon West project. He stated that during the dry period last summer the upper portion of their

development was without water for several days. He said that they doubted that water would be available for fire trucks, and they question whether there is adequate water there now, or if the water table would support further development, and that it needs to be looked at very carefully.

Tom Morfee - PNA. Mr. Morfee said PNA had been involved in this project since the beginning and was very familiar with it. He said that PNA is concerned with the escalating density of the development and that there is no reason the owner could not allocate the existing 60 ERUs throughout the project. He said there is enormous controversy with this project and asked Council to draw the line at what was currently allocated. He added that the water service in that area is very poor. He asked council to table the issue until more information could be obtained, and that they support our Public Works Director.

At this point, Councilman Platt made a motion to deny the extension. Ben Yazici asked for the opportunity to review the water issue and bring back the information and bring it back to Council before action is taken. Councilman Markovich supported this action, and said he didn't want to see fifteen lots within the project placed on septic systems.

MOTION: Move denial of the sewer capacity extension agreement for an additional 15 ERUs.
Platt/Ekberg - three voting in favor. Councilman Markovich voting against.

4. Westside Business Park Sewer Request. Mark Hoppen presented this request to extend 6.45 ERUs sewer capacity for a proposed professional park on the west side. He explained that this had been assessed as part of ULID #2.

MOTION: Move approval of extension of 6.45 of sewer to Mr. Kirk and Mr. Matthai.
Markovich/Ekberg -

Councilman Markovich noted that the expectation in this area has been that sewer was available, and that these property owners had granted the city an easement to run the sewer line across their property. Sewer is being served all around this property and it would be ridiculous not to grant the extension. Ben Yazici added that these people had been paying their ULID assessment for ten years.

The motion was restated:

MOTION: Move approval of extension of 6.45 of sewer to Mr. Kirk and Mr. Matthai.
Markovich/Ekberg - Councilman Markovich voting in favor.
Councilmembers Platt, Ekberg and Picinich voting against.

5. Request for a Change Order - North Harborview/Harborview Drive Project. Ben Yazici presented eight change orders for a \$116,111.44 net reduction in the contract amount with Northwest Cascade.

MOTION: Move to authorize the Public Works Director and Mayor to approve the Construction Change Orders 1 thru 8 for North Harborview

Drive/Harborview Drive projects in the amount of \$116,111.44.
Picinich/Platt - unanimously approved.

6. Comprehensive Water Plan Addendum. Ben Yazici presented this addendum to amend the water plan by changing the alignment of the water line. He added that Gray & Osborne, the consultant who did the original Comprehensive Water Plan, would complete the addendum for \$2,500. Mr. Wade Perrow would reimburse the City the amount required to perform the addendum per his agreement requesting water service extension along Burnham Drive.

MOTION: Move approval of the professional services contract with Gray & Osborne for \$2,500.
Platt/Picinich - three voting in favor. Councilman Ekberg abstained.

7. Selection of Association of Washington Cities Voting Delegates. Mayor Wilbert asked for three names of elected officials interested in attending the AWC Convention business meeting on June 30. She added that a delegate could be appointed from the staff.

MOTION: Move that Marilyn Owel, John Picinich, and Mayor Wilbert attend the AWC Convention Business Meeting as voting delegates.
Markovich/Platt - unanimously approved.

8. Liquor License Renewals - Gourmet Essentials, WB Scott's. No action taken.

9. Request to Add Class I to Liquor License - Neville's Shoreline. No action taken.

MAYOR'S REPORT: Urban Forestry.

Mayor Wilbert asked that Council read the report as it is the beginning of a process that will be underway for at least a year. She added that students, under the leadership of JoAnn Moore in the Field Ecology Class at Gig Harbor High School, have already begun the work.

COUNCIL COMMENTS: None.

STAFF REPORT: None.

ANNOUNCEMENT OF OTHER MEETINGS: Annexation Orientation Meetings:

Tuesday, May 30th	7 p.m. Shoreacres	City Hall
Tuesday, May 30th	8 p.m. East Gig Harbor	City Hall
Wednesday, May 31st	7 p.m. Westside/Pt. Fosdick	Pt. Fosdick Library
Wednesday, May 31st	8 p.m. Other Interests	Pt. Fosdick Library

APPROVAL OF BILLS:

MOTION: Move approval of warrants #14147 through #14235 in the amount of \$838,114.92.
Platt/Ekberg - unanimously approved.

ADJOURN:

MOTION: Move to adjourn at 10:05 p.m.
Platt/Picinich - unanimously approved.

Cassette recorder utilized.
Tape 387 Side A 318 - end.
Tape 387 Side B 000 - end.
Tape 388 Both Sides.
Tape 389 Side A 000 - end.
Tape 389 Side B 000 -403.

Mayor

City Administrator

CRUZIN' THE GIG



May 24, 1995

Gretchen Wilbert
Mayor of Gig Harbor
3105 Judson St
Gig Harbor, Wa 98335

Dear Gretchen,

We would like to thank the City of Gig Harbor and the Public Works Dept. for their continued support of CRUZIN' THE GIG, by donating the enclosed \$200.00 check to the city park fund. The park looks "great".

Sincerely,

Bruce & Linda Dishman

Bruce & Linda Dishman

Bruce & Linda Dishman • 3404 Harborview Drive •
Gig Harbor, Wa 98332
(206) 858-8942

BRUCE H. DISHMAN
LINDA J. DISHMAN
3404 HARBORVIEW DR. (206) 858-0942
GIG HARBOR, WA 98332-2127

19-5771250

1812

May 24, 1995

PAY TO THE
ORDER OF

City of Gig Harbor

\$ *200*⁰⁰/₁₀₀

Two hundred & 00/100

DOLLARS



Key Bank of Washington
Gig Harbor Office 145
3216 Judson Avenue, P.O. Box 107
Gig Harbor, WA 98335-0107
1-800-333-9993

Key Plus

MEMO

Park Fund - car show

Linda J. Dishman

⑆125000574⑆ 0045371853⑈ 1812



RECEIVED
MAY 23 1995
CITY OF GIG HARBOR

May 16, 1995

Mayor Gretchen Wilbert
Mayor, City of Gig Harbor
3105 Judson St.
Gig Harbor, WA 98335

Dear Mayor Wilbert;

The Tacoma Wheelmen's Bicycle Club would like to thank you and Public Works Director Ben Yacizi for working to make the Olympic Interchange safer for bicyclists. Your support was instrumental in getting the Washington State Department of Transportation to modify their design to better accommodate bicyclists. We believe that the new design will provide a safer facility and will reduce the potential for accidents.

The TWBC looks forward to working with the City of Gig Harbor to allow it to be designated as a bicycle friendly city by the League of American Bicyclists. It is exciting and encouraging for our club to work with the City in a common goal of increasing safety for cyclists and enhancing the attractiveness of the community. The Club greatly appreciates your efforts for bicycling and offers any assistance that we may be able to give on future bicycling projects.

Sincerely,

Kent Wienker, President

P.S. We look forward to our next major Club ride, the Peninsula Metric, which has one of its starting points in Gig Harbor and which will be held on Sunday, June 4.

Olympic Interchange Posts Gains For Bikes

Government Relations Committee Report

Bob Myrick, Director

The latest design for the Olympic Interchange on State Route 16 has been changed to accommodate bikes. We discovered that there are actually two projects here, the State's bridge with its approaches, and Pierce County's improvement of Olympic Drive and Point Fosdick Drive.

The Committee wrote a letter requesting improvements for bicycle access in this project as none had been proposed by the State. We also contacted Pierce County Councilmember Karen Biskey (District 7) and Gig Harbor Mayor Gretchen Wilbert. Dena Wessels' letter to the editor, and an article with her photo, were published in the *Peninsula Gateway*. Staff of the County and State met with Councilmember Biskey to resolve this issue. The project was too far along to be considered by WSDOT's Bicycle Advisory Committee.

There was every reason to do the right thing by providing bike lanes (class 2) at this interchange: an urbanized area, the lack of alternative bridge crossings nearby, Gig Harbor's intent to annex the area, the traffic volumes, the park and ride lot nearby, the commercial areas on both sides of the freeway, etc. But because bikes were not part of the equation going in, all the designers could do was give us enough room to ride.

That sounded pretty good until we learned that getting enough room to ride is not exactly the same as getting a

(Continued on page 8)

Olympic Interchange

(Continued from page 7)

signed bike route, which both the State and County declined to do, citing inadequate right-of-way. So, instead of a 2-3 foot shoulder in the original design, the State proposed a 4.5 foot shoulder (but not the 5 feet needed for a striped bike lane next to a curb) which will be on the right hand side of a right turn lane (to the on-ramp) at the lights. The County's widening of its streets will include wide (15 feet) curb lanes, but will reduce the originally proposed sidewalk to a very narrow 5 feet.

This redesigned project is definitely an improvement for bicyclists because it contributes some degree of safety. But because *less than standard width for Class 2 bike lanes was provided*, it can't be made safer. We are concerned that this project will be the basis for not planning Class 2 bikeways on the streets which connect to this project.

Needless to say, the millions of dollars that taxpayers (including bicyclists) contributed to this first class transportation project will again be spent primarily to support a burgeoning population of single occupancy vehicles, perpetuating the notion that our roads and engineering departments are still there just for cars.

We are still looking for that single length of Class 2 bicycle lanes in Pierce County. Has anybody sighted one?



PIERCE COUNTY 4-H GUIDE PUPPY RAISERS

Pooches With A Purpose • 618-125th St. N.W. • Gig Harbor, WA 98332 • (206) 858-3218

May 26, 1995

RECEIVED

JUN - 7 1995

CITY OF GIG HARBOR

City of Gig Harbor
3105 Judson
PO Box 145
Gig Harbor, WA 98335

Dear City Management:

On behalf of the Pierce County 4-H Guide Dog Puppy Raisers, I would like to personally thank you for the use of your facility on May 20 for the State 4-H Leaders meeting of Guide Dog Puppy Raisers. Our meeting was extremely productive and informative to all who attended.

We received numerous comments on the beauty of the building and the unique atmosphere so suited to the community. All city employees that were involved in the arrangement for the day were both extremely helpful and courteous. They are among the many in the Gig Harbor community that make our program such a success.

Sunday too, was a complete success. We received numerous compliments on the location of our fun day. It was a true pleasure to share with the 129 state-wide participants and their families as well as 11 staff members from the guide dog schools in San Rafael, CA and Boring, OR, the beauty and charm of our community. Many spoke of returning this summer to more leisurely enjoy our setting and businesses.

On behalf of our Guide Dog Puppy Raiser families and our four-legged green-capped friends, again, thank you for assisting in the success of our function.

Sincerely,

Carol Meads

GUIDE DOGS FOR THE BLIND

4-H PUPPY RAISERS

AWARD OF MERIT

to

City of Gig Harbor

for

**WASHINGTON STATE 4-H
GUIDE DOG PUPPY FUN DAY**

May 21, 1995 Gig Harbor

Date

Carol Meads

4-H Guide Dog Leader

1 FILE NO. 102

PROPOSAL NO. R95-110

2 Sponsored by: Councilmember Wendell Brown

3 Requested by: Pierce County Council

4
5 RESOLUTION NO. R95-110

6 A RESOLUTION OF THE PIERCE COUNTY COUNCIL REQUESTING THAT THE PIERCE
7 COUNTY EXECUTIVE INVESTIGATE THE FEASIBILITY OF ORGANIZING
8 THE TACOMA-PIERCE COUNTY HEALTH DEPARTMENT AS A DEPARTMENT
9 OF PIERCE COUNTY; AND SUPPORTING SUCH A TRANSITION TO
10 CONSERVE GOVERNMENTAL RESOURCES.

11 WHEREAS, Pierce County and the City of Tacoma have operated a
12 combined County-City Health Department pursuant to Chapter 70.08 RCW
13 since December 1984; and

14 WHEREAS, the original agreement for operating a combined County-
15 City Health Department was amended by the County and City in 1989
16 (Ordinance No. 89-14) and 1991 (Ordinance No. 91-81); and

17 WHEREAS, traditionally, the majority of the Tacoma-Pierce County
18 Health Department's services was provided to citizens residing in the
19 incorporated areas within Pierce County; and

20
21 WHEREAS, the health services currently provided by the Tacoma-
22 Pierce County Health Department are increasingly regional in nature in
23 that they benefit all Pierce County residents without regard to
24 municipal boundaries; and

25
26 WHEREAS, the Growth Management Act contemplates that counties are
27 the appropriate provider of regional governmental services and that
28 cities provide urban services; and

DISTRIBUTION:

EXECUTIVE
CITIES & TOWNS IN PC
HEALTH BOARD MEMBERS
TACOMA CITY MANAGER, RAY CORPUS
BUDGET & FINANCE, PAT KENNEY
COMM. & ECON. DEV., DAISY STALLWORTH
LIBRARY
~~LAW LIBRARY~~ N/A
~~CODE REVISOR~~ N/A
STATE EXAMINER
RECEPTION
BOOK

6/5/95

1 WHEREAS, the current health services provided by the Tacoma-Pierce
2 County Health Department are directed towards all residents of Pierce
3 County and increasingly focus on planning, prevention, and education
4 efforts and consequently may overlap and potentially duplicate many
5 community and human service efforts among the various entities
6 providing such services in Pierce County and could, therefore,
7 potentially waste governmental resources; and

8
9 WHEREAS, recent changes in State law regarding local health
10 departments support the concept and policy that combined county-city
11 health departments should be county departments and regional service
12 providers; and

13
14 WHEREAS, the transition of the Tacoma-Pierce County Health Depart-
15 ment from its existing organization pursuant to an Interlocal Agreement
16 to a Pierce County Department would be a complex transition and,
17 consequently, requires discussions with the Board of Health, the City
18 of Tacoma, Pierce County, the Cities and Towns within Pierce County,
19 and other affected entities and governmental agencies, as well as an
20 analysis of potential program and fiscal impacts; and

21
22 WHEREAS, the Pierce County Council believes investigating the
23 feasibility of establishing the Tacoma-Pierce County Health Department
24 as a County Department is in the best interests of the citizens of
25 Pierce County; NOW, THEREFORE,

26
27 BE IT RESOLVED by the Council of Pierce County:
28

1 Section 1. The Pierce County Council hereby requests that the
2 Pierce County Executive investigate the feasibility of organizing the
3 Tacoma-Pierce County Health Department as a County Department and
4 supports such a transition to conserve governmental resources.

5
6 Section 2. The Pierce County Executive shall work with the Board
7 of Health, City of Tacoma, other Cities and Towns in Pierce County, and
8 other affected entities and governmental agencies and investigate the
9 feasibility of organizing the Tacoma-Pierce County Health Department as
10 a County Department.

11
12 Section 3. The Pierce County Executive shall present the
13 analysis, findings, and recommendations to the Council within 90 days
14 from the passage of this Resolution.

15
16 PASSED this 30th day of May, 1995.

17 ATTEST:

PIERCE COUNTY COUNCIL
Pierce County, Washington

18
19 [Signature]
20 Clerk of the Council

[Signature]
Council Chair

21 Approved As To Form Only:

22 [Signature]
23
24 Deputy Prosecuting Attorney



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT, CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR *MH*
SUBJECT: SUMMER TENNIS LESSON PROGRAM PROPOSAL
DATE: JUNE 1, 1995

INFORMATION/BACKGROUND

Doug Clark, President of Recreation International, who lives within city limits, is offering a summer junior tennis lesson program on the Peninsula. He is attempting to make lessons available around family schedules and other activities, matching interest and location to lesson times. He has proposed utilizing the City Park tennis court for a few hours a week between the hours of 9:00 a.m. and 4:00 p.m., a couple days a week, based on local interest. He would not propose to utilize the courts more than 2 hours in any day.

Three potential sessions are proposed: June 19th, July 10th, and July 31st. Each session would last three weeks. The exact time of each session would be arranged with Administration prior to the session and discreet signage, approved by Planning, would be placed at the park court to identify the exact times of lessons. (No advertising signage would be permitted.)

A contract for city reimbursement for maintenance costs and for insurance coverage would be based on 10% of the net profit for the program.

POLICY CONSIDERATIONS

The city has utilized the park for "first-come-first-served" patronage. It is difficult to play tennis, however, without learning how to play. This tennis programming is a potential contractual relationship that costs the city nothing, and provides youth an opportunity to learn, and hardly detracts from the public availability of the tennis court at all. Depending on the success of this program, the city might encourage similar activity programming. The first-come-first-served policy generally has been a wise policy, but some activity programming should be possible.

FISCAL CONSIDERATIONS

The issue here is not really financial, so much as one of parks policy.

RECOMMENDATION

Dependent on Council determination of policy, staff has no objections to this proposal.

.GREATER PENINSULA SUMMER TENNIS 1995

JUNIOR TENNIS LESSONS

565-3636

CLASSES START
JUNE 19TH

Session I:

June 19th - 3 weeks

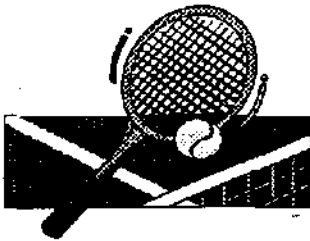
Session II:

July 10th - 3 weeks

Session III:

July 31st - 3 weeks

4th July - Make up on Friday



Junior classes focus on introduction through perfection of stroke mechanics, addition of speciality shots to your game and strategy of singles and doubles play. The coaching staff also maintains the highest standards of sportsmanship and court behavior. We promise to help develop good people as well as good tennis players.

CLASS	Future Stars	Players	Aces
LEVEL	Beginner	Intermediate	Advanced
DAY(S)	(M / W)or (T / Th)	(M / W)or (T / Th)	(M / W)or (T / Th)
TIME	9-10 A.M. or 1-2 P.M.	10-11 A.M. or 2-3 P.M.	11-12 A.M. or 3-4 P.M.

PRICE \$30.00 \$30.00 \$30.00

The Players and Aces will meet together each Friday at different locations for a tournament day. These will consist of fun filled games and match play experiences for the kids. (BONUS - Match day is also a rain date and no extra charge!)

ADULT TENNIS

565-3636

Adult tennis classes offer introduction in stroke mechanics, speciality shots and strategy of match play. These classes will be filled primarily with fun fast moving drills, in addition to supervised match play, under the Play Tennis America U.S.T.A. program.

LEVEL	Beg/Int	Int/Adv	Beg/Int	Int/Adv
DAY	(M / W)or (T / Th)	(M / W)or (T / Th)	Sat or Sun	Sat or Sun
TIME	6-7 P.M.	7-8 P.M.	9-11 A.M.	12-2 P.M.
PRICE	\$42.00	\$42.00	\$42.00	\$42.00

CLASSES START
JUNE 19TH

Session I:

Sat / Sun

June 17 - 18 3 weeks

Session II:

Sat / Sun

July 8 - 9 3 weeks

Session III:

Sat / Sun

July 29 - 30 3 weeks

REGISTRATION

Mark 1st and 2nd choice

All classes will be made-up on Friday if canceled. No refunds will be issued.

_____ Gig Harbor Park (Tentative)

_____ Arletta

_____ Volunteer Park (Key Peninsula)

_____ Rosedale

_____ Peninsula High School (Tentative)

NAME: _____ BIRTHDATE: _____ HOME PHONE: _____

ADDRESS: _____ CITY: _____ STATE: _____

PARENT(S) NAME: _____ DAYTIME PHONE: _____

SESSION/MONTH: _____ PROGRAM(S) ENROLLED: _____ TIME(S): _____

AMOUNT ENCLOSED: _____ Make check payable to Recreation International

Parent Info & Consent: Name of child: _____ Daytime Phone: _____

I hereby certify that the above named child is capable of participating safely in a tennis program, is in normal health, and has no conditions that may be a risk of injury to him/herself or other children.

In consideration of the Recreational International permitting my child/ward to participate in the tennis program, I release and agree to hold harmless Recreational International, its employees, agents, and contracted instructors from any and all losses and liabilities which may arise in connection with my child/ward's participation in any activities related to the tennis program. This included injuries suffered by the above named person and injuries caused to others by my child/ward which may result in actions or demands of any kind against the Recreational International.


Parent or Guardian Signature: _____ Date: _____

BRING OR MAIL TO: Recreation International

2818 69th Ave. W. Tacoma, 98466



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: COUNCILMEMBERS
FROM: MAYOR GRETCHEN WILBERT 
SUBJECT: APPOINTMENT TO THE PLANNING COMMISSION
DATE: JUNE 7, 1995

INTRODUCTION

Council's appointment of Marilyn Owel to fill the council position vacated by Jeanne Stevens Taylor has created a vacancy on the Planning Commission.

I have reviewed the applications submitted by citizens who have offered to serve the city in public appointive positions, and have asked Carol Davis if she is interested in filling the vacant seat. She has agreed to serve.

RECOMMENDATION

A motion to approve the appointment of Carol Davis to fill the remaining term of Marilyn Owel on the Planning Commission would be in order.



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT, CITY COUNCIL
FROM: MARK HOPPEN, CITY ADMINISTRATOR *MH*
SUBJECT: REPEAL OF SUPERSEDED UTILITY RESOLUTIONS
DATE: JUNE 8, 1995

INFORMATION/BACKGROUND

The attached resolutions were superseded by Ordinance #660. Ordinance #660, as well as Resolutions 164 and 173 which were supplanted by the ordinance, are attached for your review.

RECOMMENDATION

Staff recommends this housekeeping resolution be adopted.

**CITY OF GIG HARBOR
RESOLUTION NO. _____**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO EXTENSION OF WATER AND SEWER SERVICES OUTSIDE OF THE CITY LIMITS, CLARIFYING THAT RESOLUTIONS 164 AND 173 WERE SUPERSEDED BY THE ADOPTION OF ORDINANCE NO. 660. (CHAPTER 13.34.6 HMC).

WHEREAS, on November 8, 1982, the City Council passed Resolution No. 164 on the subject of water and sewer extensions outside of the city limits; and

WHEREAS, on July 11, 1983, the City Council amended Resolution No. 164 by the passage of Resolution No. 173; and

WHEREAS, on January 24, 1994, the City Council adopted Ordinance No. 660 on the subject of water and sewer extensions outside of the city limits, but neglected to mention that the Ordinance superseded and replaced Resolutions No. 164 and 173; and

WHEREAS, Ordinance No. 660 has now been codified as chapter 13.34 of the Gig Harbor Municipal Code, and

WHEREAS, chapter 13.34 GHMC contains all of the City's policies and procedures for the City's approval of sewer and water extensions outside of the city limits; now, therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON HEREBY RESOLVES AS FOLLOWS:

Section 1. The City Council hereby declares that Resolutions No. 164 and 173 were superseded by chapter 13.34 GHMC (Ordinance No. 660).

RESOLVED by the City Council this ____ day of _____, 1995.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST/AUTHENTICATED:

Mark E. Hoppen, City Administrator/Clerk

APPROVED AS TO FORM;
OFFICE OF THE CITY ATTORNEY:

BY: _____

FILED WITH THE CITY CLERK: 6/5/95
PASSED BY THE CITY COUNCIL:

ORDINANCE NO. 660

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO THE CITY'S PROVISION OF WATER AND SEWER SERVICE TO PROPERTY OUTSIDE THE CITY LIMITS, DESCRIBING THE CONDITIONS UNDER WHICH SUCH SERVICE SHALL BE PROVIDED, ADDING A NEW CHAPTER 13.34 TO THE GIG HARBOR MUNICIPAL CODE.

WHEREAS, the City is statutorily authorized to provide water and sewer service to property beyond the City limits (RCW 35.67.310 and 35.92.200); and

WHEREAS, the City may provide water and sewer service to property beyond its limits under such terms, conditions and payments as may be prescribed by the City and evidenced in a written agreement between the City and property owners; NOW, THEREFORE,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. A new chapter 13.34 is hereby added to the Gig Harbor Municipal Code to read as follows:

13.34 WATER AND SEWER SERVICE OUTSIDE CITY LIMITS

13.34.010 City's Authority to Provide Service Outside City Limits.

- A. The City is authorized, pursuant to RCW 35.37.310 and RCW 35.92.200 to provide sewer and water service to property outside the City limits. The provision of such service is not mandatory. In all circumstances in which the City agrees to provide water or sewer service to property beyond its limits, the applicants for such service must comply with all the terms and conditions of this chapter.
- B. After designation of the City's Urban Growth Area boundary by the County as contemplated by RCW 36.70A.110, the City is prohibited from annexing territory beyond such boundary (RCW 35A.14.005). Therefore, the City's extension of water and sewer service outside the City limits to property not contained within the City's Urban Growth Area is not appropriate under GHMC Section 13.34.060(H) below.

13.34.020 Water or Sewer Service Application. Any person desiring to have their property connected with the City's water supply system or with sewer service shall make application at the office of the City Clerk-treasurer on the appropriate form. Every such application shall be made by the owner of the property to be supplied the service, or by his/her authorized agent. The applicant must state fully the purposes for which the water and/or sewer service is required. Applicants must agree to conform to the City's rules and regulations concerning water and sewer service set forth in Title 13 of the Gig Harbor Municipal Code, as the same now exists or may be amended in the future.

13.34.040 Charges for Water or Sewer Service. Applicants for water and/or sewer service to property outside the City limits shall be charged the rates for such service as set forth in GHMC Section 13.04.030 (water service) and 13.32.030 (sewer service), as those code sections now exist or may hereafter be amended. All other additional charges applicable to water and/or sewer service to property within the City limits in Title 13 shall also be imposed, where appropriate.

13.34.060 Utility Extension Agreement. Every applicant for water and/or sewer service outside the City limits must agree to sign an agreement with the City, which conditions the provision of the service on the following terms:

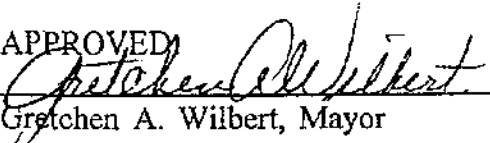
- A. **Agreement to Run with the Property.** The agreement shall be recorded against the property in the Pierce County Auditor's office, and shall constitute a covenant running with the land. All covenants and provisions of the agreement shall be binding on the owner and all other persons subsequently acquiring any right, title or interest in or to said property.
- B. **Warranty of Title.** The agreement shall be executed by the Owner of the property, who shall also warrant that he/she is authorized to enter into such agreement.
- C. **Costs of Design, Engineering and Construction of Extension.** The Owner shall agree to pay all costs of design, engineering and construction of the extension, which shall be accomplished to City standards and conform to plans approved by the City Public Works Director. Costs of plan review and construction inspection shall also be paid by the Owner.
- D. **Capacity Commitment Payments.** The Owner shall agree to pay for the City's reservation of sewer and/or water capacity, which is calculated as a percentage of the connection fee for the sewer and/or water service. Such payments shall be made under the payment schedule determined by the City.
- E. **Easements and Permits.** The Owner shall secure and obtain at the Owner's sole cost and expense, all permits, easements and licenses necessary to construct the extension.
- F. **Dedication of Capital Facilities.** The Owner shall agree to dedicate all capital facilities constructed as part of the water and sewer extension, (such as water or sewer main lines, pump stations, wells, etc.), at no cost to the City, upon the completion of construction, approval and acceptance by the City.
- G. **Connection Charges.** The Owner shall agree to pay the connection charges set by the City in GHMC Sections 13.04.080(C) and/or 13.32.070 (as these sections now exist or may hereafter be amended), as a condition of connecting to the City water and/or sewer system. Such connection charges shall be calculated at the rate schedules applicable at the time of actual connection.

- H. **Agreement Not to Protest Annexation.** The Owner shall agree to sign a petition(s) for annexation of his/her property when requested to do so by the City.
- I. **Waiver of Right to Protest LID.** If, at the time of execution of the agreement, the City has plans to construct certain improvements that would specially benefit the Owner's property, the agreement shall specifically describe the improvement. The Owner shall agree to sign a petition for the formation of an LID or ULID for the specified improvements at the time one is circulated, and to waive his/her right to protest formation of any such LID or ULID.
- J. **Development of Property to Conform to City Code.** The Owner shall agree to comply with all requirements of the City's comprehensive land use plan, zoning and building codes, and the City of Gig Harbor Public Works Standards when developing or redeveloping the property subject to the agreement.
- K. **Termination for Non-Compliance.** In addition to all other remedies available to the City for the Owner's non-compliance with the terms of the agreement, the City shall have the ability to disconnect the utility, and for that purpose may at any time enter upon the property.

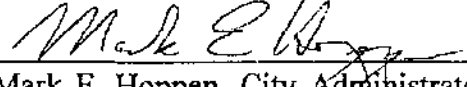
Section 2. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 3. This ordinance shall be in force and take effect five (5) days after its publication of an approved summary consisting of the title.

APPROVED


Gretchen A. Wilbert, Mayor

ATTEST/AUTHENTICATED:


Mark E. Hoppen, City Administrator

APPROVED AS TO FORM OFFICE OF THE CITY ATTORNEY:

BY _____

Filed with City Clerk: 1/5/94
Passed by City Council: 1/24/94
Date Published: 2/2/94
Date Effective: 2/7/94

A RESOLUTION adopting a policy on the extension of water and sewer services.

WHEREAS, the City of Gig Harbor has the only source of secondary sewage treatment and disposal for the unincorporated area immediately outside the corporate limits; and,

WHEREAS, the City of Gig Harbor operates the only municipal-owned water system on the Gig Harbor Peninsula; and,

WHEREAS, THE County of Pierce has created a limited sewage utility that does not provide treatment service for sewage and is not available to residents on the Peninsula; and,

WHEREAS, the County of Pierce does not operate a water utility; and,

WHEREAS, the State of Washington enforces stringent rules and regulations relating to septic tanks and alternative means of sewage disposal because of the degradation of ground water; and,

WHEREAS, the City desires full utilization of past and future investments in the water and sewer systems to stabilize user-rates; and,

WHEREAS, the City of Gig Harbor frequently receives requests for extension of water and sewer services to unincorporated areas outside the corporate limits; and,

WHEREAS, the City of Gig Harbor desires maintenance of the community's health and safety; and,

WHEREAS, the time is appropriate for the City Council to make known its policy on extending services to unincorporated areas; NOW, THEREFORE,

The City Council for the City of Gig Harbor DO RESOLVE the following:

Section 1. General Provision

The Council of the City of Gig Harbor expresses its general intent to extend water and sewer services to either organized districts or individuals located outside the corporate limits of Gig Harbor. Therefore the administrative staff is authorized to review and analyze proposals from districts and individuals, and to make recommendations to the council.

Section 2. Application of City Ordinances.

All ordinances, rules, regulations, and procedures relating to the use of water and sewer utilities, now or hereafter adopted by the City, apply with equal force to service connections outside the corporate limits.

Section 3. Competition of Services.

Competition with adjoining utility districts should be avoided. However the City will consider extension of services if the existing utility cannot meet the needs of a property owner.

Section 4. Utility Improvements.

Existing facilities should be improved and replaced to increase their utilization and adjust to the changing needs (i.e. fire flow requirements) of the population. New system components should be located most appropriate to the population being served.

Section 5. Reserved Capacities.

The City will maintain reserved capacities in both utilities to ensure availability for growth inside the corporate limits and to ensure an operating safety margin.

Sewer Utility Capacities

Safety Margin	5% to 10%
In-city Growth	15% to 20%
Extended Service	Difference of current operating level and reserved percentages.

Water Utility Capacities

Safety Margin & Fire Flow	10% to 15%
In-city Growth	15% to 20%
Extended Services	Difference of current operating level and reserved percentages.

Section 6. Fiscal Considerations.

- A. Utility Rates - Connection Fees - Hook-up fees shall be 150% of the rates within the corporate limits.
- B. Proposed users shall be responsible for the cost of extending lines from the existing system to their properties. This cost is additional to the required contributions to capital.
- C. When current operating capacities will not allow extensions, the individual(s) or district may fund improvements to increase capacities.

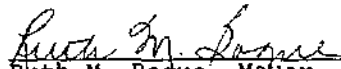
Section 7. Ownership and Maintenance of Extensions.

The City of Gig Harbor shall own and maintain extended systems to the point of private property lines.

Section 8. Limitations on Extensions.

- A. All extended lines shall comply with the City's construction standards and shall be approved by the City's Public Works Director.
- B. Utility lines shall not extend beyond the present or future approved comprehensive drainage basin plan.
- C. Extended lines shall not by-pass intervening properties to service proposed properties (commonly known as the "leap-frog" effect).
- D. Proposed use of the property to which service is extended shall comply with Pierce County land-use regulations.

PASSED this 8th day of November, 1982.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Sliger, City Administrator

RESOLUTION NO. 173

A RESOLUTION relating to extension of water and sewer services: amending Resolution No. 164 to delete and replace obsolete referenes therein.

WHEREAS, the Gig Harbor City Council determined that the City should not extend utilities to properties where the land use is not compatable with the City's comprehensive land use plan; and,

WHEREAS, the City Council desires a balance between the implied ojectives in Resolution 164; NOW, THEREFORE,

The City Council for the City of Gig Harbor DO RESOLVE the following:

Section 1.

Section 8C of Resolution No. 164 is amended as follows: "C. Extended lines ((~~shall not by-pass intervening properties to service proposed properties (commonly known as the "leap-frog" effect)~~)) may by-pass intervening properties for the first quarter-of-a-mile outside the City limits to service proposed properties. Beyond the distance intervening properties must participate in the extension."


Section 2.

Section 8D of Resolution No. 164 is amended as follows: "D. Proposed use of the property to which service is extended shall comply with ((~~Pierce County land use regulations~~)). ~~The~~ City of Gig Harbor's comprehensive land use plan and zoning regulations."

PASSED this 11th day of July, 1983.


Ruth M. Bogue, Mayor

ATTEST:


Jeff Snider,
Administrator



City of Gig Harbor. The "Maritime City."

3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: PLANNING STAFF *S.D.*
DATE: JUNE 6, 1995
RE: SPR 95-02 - LITA DAWN STANTON - REQUEST FOR SITE PLAN APPROVAL FOR COFFEE SHOP LOCATED AT 3615 HARBORVIEW DRIVE.

Lita Dawn Stanton is requesting site plan approval for a 15-seat coffee shop which is to be located in the existing house located at 3615 Harborview Drive. The house will also include a 300 square foot office upstairs. This is the house in front of the old Coast Guard building. The Coast Guard building is currently being used as an office. The Hearing Examiner has approved the a conditional use permit for the coffee shop and is recommending approval of the site plan subject to the same conditions recommended by the staff. A copy of the Hearing Examiner's report, along with a copy of the staff report to the Hearing Examiner and a draft resolution approving the site plan, are attached for the Council's consideration. Also attached are all site plan illustrations. Because there are no proposed changes to the outside of the house, no elevation drawings are included.

Council is reminded that its consideration of the Examiner's recommendation is not a public hearing.

CITY OF GIG HARBOR
HEARING EXAMINER
FINDINGS, CONCLUSIONS AND
DECISION/RECOMMENDATION

APPLICANT: Lita Dawn Stanton
CASE NO.: CUP 95-02/SPR 95-02
LOCATION: 3615 Harborview Drive
APPLICATION: Request for site plan and conditional use approval to operate a coffee shop out of an existing house.

SUMMARY OF RECOMMENDATIONS AND DECISION:

Staff Recommendation: Approve with conditions
Hearing Examiner Decision/Recommendation: Approve with conditions

PUBLIC HEARING:

After reviewing the official file which included the Community Development Staff Advisory Report; and after visiting the site, the Hearing Examiner conducted a public hearing on the application. The hearing on the Stanton application was opened at 5:22 p.m. 1995, in the City Hall, Gig Harbor, Washington, and closed at 6:20 pm. Participants at the public hearing and the exhibits offered and entered are listed in the minutes of the meeting. A verbatim recording of the hearing is available in the Planning Department.

HEARING COMMENTS:

The following is a summary of the comments offered at the public hearing:

From the City:

Steve Osguthorpe, Associate Planner, reviewed the Staff Report (Exhibit A) and noted that the only change recommended to the proposed site plan is to move the parking spaces to the east in order than an 8 foot landscaped setback along the western property line can be provided. He also noted that if the application is approved, then the existing office space on the owners property would either need to be terminated or additional parking would need to be provided.

From the Applicant:

Lita Dawn Stanton, the applicant, read a statement at the hearing (Exhibit K). She said she didn't expect her proposed coffee shop to draw from outside the area and felt that with approximately 15,000 cars a day on Harborview, her 15 seat coffee shop would create no impact. She noted that parked cars will be a problem in the area twice a year during fishing season.

From the Community:

Several people spoke in favor of the proposal. They were:

Jean Fandel
George Ancich
Pam Portin

Their comments in support of the proposal included the following:

- The attempt to maintain the existing house will help keep intact the charm and history of Gig Harbor and should be applauded.
- Very few cars are parked on Harborview except around the fishing season, approximately: 10 days in the fall and 30 days in the spring.

A number of people also spoke in opposition to the proposal. They were:

- Dick Allen (his hearing comments were submitted as Exhibit M).
- Dick Vanberg
- Ron Ray
- Carolyn Duvall
- Jim French

Their objections and concerns included the following:

- The Millville area is already impacted and the proposed coffee house will impact it more.
- There are no off-street parking requirements for the Fishing Fleet which employs approximately 100 people in the immediate vicinity during the fishing season.
- There is no off-street parking provided for the 8 pleasure boats, 1 liveaboard and existing business on the adjacent property owned by the same property owner. Even though it is a separate parcel, parking for both parcel should be considered in the decision.
- The current exemptions from off-street parking has created a problem and to add additional parking to the area is more than a residential street should be expected to bear.
- The proposed parking behind the coffee house will not be apparent to the customers and they will tend to park on the street.
- There are many places in the vicinity to get coffee already, consequently it was questioned if there is a need for a coffee house.
- If the proposal is approved, then 11 off-street parking stalls should be provided instead of the 7 recommended by staff.
- The best way to preserve and maintain the "White House" is to live in it, not to turn it into a commercial use.
- Those speaking or writing in support of the proposal either will be involved in the proposed business or they don't live in the immediate area. It was alleged by one of the opponents that the properties colored yellow on Exhibit L were owned by people who opposed the proposed coffee house.

WRITTEN COMMENTS:

Letters in support of the application were submitted by the following:

Tom and Jean Fandel
 Anne Robertson Nerin, Ph.D
 Betty Lou Smith
 Pauline Lovrovich
 Mary E. Smith
 Robert and Janis Jensen

Written comments in support included the following:

- Gig Harbor's identity has been in jeopardy and the importance of the founding families remaining involved in community business cannot be overemphasized.
- The renovation of such a historic site will teach many newcomers who have moved here that it is important to preserve our local buildings and heritage.
- There are a number of tourists who walk on Harborview and the proposed gallery and coffee house, located where it is, will help unit North Harborview Drive with downtown shopping.
- The proposed gallery/coffee house on Harborview would enhance the community.
- the City Zoning has already allowed a mix of commercial and residential structures along Harborview, and since the shop will be occupying an existing building with only a small amount of seating, it is unlikely that traffic will increase or even be an issue.

Response by Staff:

- Ray Gilmore, Planning Director and Steve Osguthorpe, Associate Planner, responded to the issue raised regarding parking for the marina on the adjacent parcel. They noted that while both parcels are owned by the same individual they are two separate parcels and are two separate uses. They noted, however, that the building which houses the existing office straddles the property line and therefore, they are recommending that either additional parking be required for that use or that the use be abated.

Response by the Applicant:

- Lita Dawn Stanton said she hoped her proposal would be judged on its merits and she said if approved it would be a low key establishment.

FINDINGS, CONCLUSIONS AND DECISION/RECOMMENDATION:

Having considered the entire record in this matter, the Hearing Examiner now makes and enters the following:

I. FINDINGS:

- A. The information contained in Sections I through VII of the Planning Staff Advisory Report (Hearing Examiner Exhibit A) is found by the Hearing Examiner to be supported by the evidence presented during the hearing and by this reference is adopted as a part of the Hearing Examiner's findings of fact. A copy of said report is available in the Planning Department.

- B. George Bujacich submitted a letter to the City of Gig Harbor which indicated he had leased one handicap parking space and one regular parking space at 3525 Harborview Drive N.W. to Lita Dawn Stanton for a term of two years (renewable thereafter) to satisfy the parking requirements for the proposed coffee house.
- C. Two photos were submitted at the hearing by staff which showed the subject house and the adjacent properties. No parking problems appeared to exist on the day staff took the photos.
Nine photos were submitted at the hearing by a neighbor. The photos were taken when Wildbirds Unlimited was having a sale or special event as acknowledged by the neighbor and by close examination of one of the photos which clearly shows a group of people in front of Wildbirds Unlimited. The photos also clearly show cars parked in most of the on-street parking spaces along that section of Harborview Drive.
- D. Rose Tarabochia owns the subject house and the adjacent parcel of land which has a marina located on it. In addition, there is a building which straddles the property line between the two parcels in which an office is located.

II. CONCLUSIONS:

- A. The conclusions prepared by the Planning Staff and contained in Section VIII of the Planning Staff's Advisory Report accurately set forth a portion of the conclusions of the Hearing Examiner and by this reference is adopted as a portion of the Hearing Examiner's conclusions. A copy of said report is available in the Planning Department.
- B. The principal issue in this case is one of parking. It is acknowledged that a parking problem does exist in the area during the fishing season and when Wildbirds Unlimited has a special event of sale. No evidence was submitted which indicated there is a parking problem along that section of the Harborview Drive during the remainder of the year. Therefore, it is concluded that a parking problem does exist for approximately 10 percent of the year, and that there is little or no parking problem along that section of Harborview for approximately 90 percent of the year.
- C. The Examiner concurs with staff's analysis of the parking requirements for the subject application and relative to the two parcels of land owned by Rose Tarabochia. The Examiner also concurs with staff that since the existing building in which the office is located straddles the property line parking for that use should be addressed along with the subject application.
- D. The installation of a small sign which provides customers with directions to the off-street parking for coffee house customers should serve to minimize further impacts on parking during the fishing season and during Wildbirds Unlimited sales and special events.

E. A conditional use is a use that has been legislatively determined to be allowed within a given zone if appropriate conditions can be imposed to ensure its compatibility with those uses which are permitted as a matter of right within that zone. A conditional use thus carries a fairly heavy assumption of acceptability within the zone it includes. In consideration any conditional use permit application, the Examiner is required to consider the degree of compatibility which would exist between the use and its particular surroundings and may impose such conditions as are necessary to ensure compatibility. If compatibility can be ensured, then the permit should be approved.

In this Case, the Examiner believes the proposal, as conditioned below, would be compatible with the surrounding uses.

III. DECISION/RECOMMENDATION:

Based upon the foregoing findings of fact and conclusions:

A. Conditional Use Permit

The requested Conditional Use Permit is approved, subject to the following conditions:

1. The office space shall be limited to 300 square feet. A small sign shall be conspicuously placed in the hall of the second floor which states the following:

USE OF THIS FLOOR, INCLUDING OFFICE AND OFFICE STORAGE, IS LIMITED TO 300 SQUARE FEET MAXIMUM AS PER CITY OF GIG HARBOR CONDITIONAL USE PERMIT NO. 95-02.

2. The coffee house shall be limited to 15 seats maximum. A small sign shall be conspicuously placed on the first floor which states the following:

COFFEE HOUSE SEATING IS LIMITED TO 15 SEATS MAXIMUM AS PER CITY OF GIG HARBOR CONDITIONAL USE PERMIT NO. 95-02.

3. The site and business may be advertised as a coffee house but may not be identified as an art gallery. All gallery displays shall be ancillary to the coffee house, for the enjoyment or benefit of coffee house customers.
4. Coffee house hours shall be limited to the hours between 7:00 a.m. and 7:00 p.m.
5. A small directional sign which indicates location of the off-street parking shall be installed. Specifications for said sign shall be submitted to the Planning Department for review and approval prior to installation.
6. Approval of the site plan by the Gig Harbor City Council must be received before the subject Conditional Use permit becomes effective.

B. Site Plan

It is recommended that the site plan be approved subject to the following conditions:

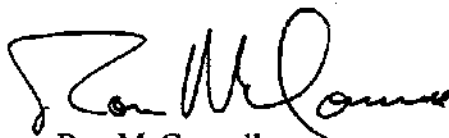
1. The rear parking stalls shall be shifted to the east to provide an 8 foot landscaped setback along the western property line, and shall be shifted to the north to provide the required landing space at the bottom of the back door steps.

2. A parking agreement between the applicant and the off-site property owners shall be entered into and shall contain the following:
 - A. The address and Assessor's tax parcel of the property providing the off-site parking.
 - B. The duration of the parking agreement, as applicable.
 - C. A statement that the applicant or owner of business as 3615 Harborview Drive, Pierce County Assessor's tax parcel number 0221053113, shall bear the responsibility to notify the City within 30 days of the termination of the parking agreement.
 - D. The parking agreement shall state that should off-site parking cease to be made available to the owner or operator of the business located at 3615 Harborview Drive, Pierce County Assessor's tax parcel number 0221053113, the use approved subject to Conditional Use Permit 95-02 shall cease.

The parking agreement shall be filed as a covenant to the parcel's affected by the agreement and shall be recorded with the Pierce County Auditor and run with the land subject to the agreement. The document shall be recorded prior to issuance of an occupancy permit for the facility.

3. A final landscape plan which indicates plan species, size and spacing consistent with GHMC Section 17.78 shall be submitted to and approved by the Planning Staff prior to issuance of an occupancy permit.
4. The structure and site must conform to current fire, building code and handicap access requirements.
5. Either additional parking shall be provided for the existing office space on the subject Tarabochia property which meets the requirements of Chapter 17.72 of the Gig Harbor Zoning Code or the use of said office must be terminated prior to the opening of the proposed coffee shop.

Dated this 2nd day of May, 1995.



Ron McConnell
Hearing Examiner

RECONSIDERATION:

Any aggrieved person feeling that the decision of the Examiner is based on erroneous procedures, errors of law or fact, error in judgment, or the discovery of new evidence which could not be reasonably available at the prior hearing, may make a written request for reconsideration by the Examiner within ten (10) days of the date the decision is rendered. This request shall set forth the specific errors of new information relied upon by such appellant, and the Examiner may, after review of the record, take further action as he or she deems proper.

APPEAL OF EXAMINER'S DECISION ON THE CONDITIONAL USE PERMIT:

Any party who feels aggrieved by the Examiner's decision may submit an appeal in writing to the Gig Harbor Planning Director within (14) days from the date the final decision of the Examiner is rendered, requesting a review of such decision.

Such appeal shall be upon the record, established and made at the hearing held by the Examiner. Whenever a decision of the Examiner is reviewed by the City Council pursuant to this section, other parties of record may submit written memoranda in support of their position. In addition, the Council shall allow each side no more than fifteen minutes of oral presentation. However, no new evidence or testimony shall be presented to the Council during such oral presentation. The City Council shall accept, modify or reject any findings or conclusions, or remand the decisions of the Examiner for conclusions, or remand the decisions of the Examiner for further hearing; provided that any decision of the City Council shall be based on the record of the hearing conducted by the Examiner; however, the Council may publicly request additional information of the appellant and the Examiner at its discretion.

Upon such written appeal being filed within the time period allotted and upon payment of fees as required, a review shall be held by the City Council. Such review shall be held in accordance with appeal procedures adopted by the City Council by resolution. If the Examiner has recommended approval of the proposal, such recommendation shall be considered by the City Council at the same time as the consideration of the appeal.

Further action by the Examiner shall be within thirty (30) days of the reconsideration request.

COUNCIL ACTION:

Any application requiring action by the City Council shall be taken by the adoption of a resolution or ordinance by the Council. When taking any such final action, the Council shall make and enter Findings of Fact from the record and conclusions therefrom which support its action. The City Council may adopt all or portions of the Examiner's Findings and Conclusions.

In the Case of an ordinance or rezone of property, the ordinance shall not be placed on the council's agenda until all conditions, restrictions, or modifications which may have been stipulated by the Council have been accomplished or provisions for compliance made to the satisfaction of the Council.

The action of the Council, approving, modifying, or reversing a decision of the Examiner, shall be final and conclusive, unless within twenty (20) business days from the date of the Council action an aggrieved party of record applies for a Writ of certiorari to the Superior Court of Washington for Pierce County, for the purpose of review of the action taken.

EXHIBITS:

The following exhibits were offered and entered into the record:

- A. Staff report with attachments
- B. Photos of subject property
- C. Letter from Lenit Markovich, dated 4/10/95
- D. Letter from Tom and Joan Fondel, dated 4/10/95
- E. Letter from Dr. Anne Nerin, dated 4/10/95
- F. Letter from George Bujacich, dated 4/10/05
- G. Letter from Betty Lou Smith, dated 4/19/95
- H. Letter from Pauline Lovrovich, dated 4/15/95
- I. Letter from Mary Smith, dated 4/6/95
- J. Letter from Robert and Janis Jensen, dated 4/18/95
- K. Hearing statement from Lita Dawn Stanton
- L. Tax parcel map
- M. Hearing statement from Dick Allen
- N. 9 photographs showing parking on Harborview during sale at Wild Birds Unlimited

PARTIES OF RECORD:

Lita Dawn Stanton
111 Raft Island
Gig Harbor, WA 98335

Rose Tarabochia
8021 Shirley Avenue
Gig Harbor, WA 98335

Lenita Markovich
P.O. Box 1938
Gig Harbor, WA 98335

Tom and Joan Fandel
7923 Warren Drive N.W.
Gig Harbor, WA 98335

Anne Nerin, Ph.D.
11221 35th Ave. Ct. N.W.
Gig Harbor, WA 98335

George Bujacich
3525 Ross
Gig Harbor, WA 98335

Terry and Betty Lou Smith
8919 Prentice Avenue
Gig Harbor, WA 98335

Pauline Lovrovich
3406 Rosedale Street
Gig Harbor, WA 98335

Mary E. Smith
P.O. Box 1591
Gig Harbor, WA 98335

Robert and Janis Jensen
8207 Bayridge Avenue
Gig Harbor, WA 98335

Dick Allen
3603 Ross Avenue
Gig Harbor, WA 98335

Dick Vanberg
3616 Harborview Drive
Gig Harbor, WA 98335

Ron Ray
3519 Harborview
Gig Harbor, WA 98335

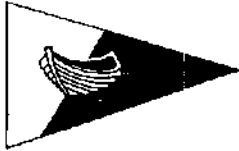
Carolyn Duvall
3526 Harborview
Gig Harbor, WA 98335

Jim French
3701 Harborview
Gig Harbor, WA 98335

George Ancich
9109 Prentice Ave.
Gig Harbor, WA 98335

Pam Protin
9411 N.E. 32nd
Bellevue, WA 98004

Robert Whitman
3519 Harborview
Gig Harbor, WA 98335



City of Gig Harbor. The "Maritime City."
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GIG HARBOR, WASHINGTON 98335
(206) 851-8136

**GIG HARBOR COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT**

TO: Hearing Examiner
FROM: Planning Staff
DATE: April 19, 1995

RE: CUP 95-02/SPR 95-02 -- White House Coffee Shop - 3615 Harborview Drive -
Request for site plan and conditional use approval to operate a coffee shop out of existing house.

I. GENERAL INFORMATION

APPLICANT: Lita Dawn Stanton
111 Raft Island
Gig Harbor, WA 98335

OWNER: Rose Tarabochia
8021 Shirley Avenue
Gig Harbor, WA 98335

AGENT: Lita Dawn Stanton

II. PROPERTY DESCRIPTION

1. **Location:** 3615 Harborview Drive N.W.
Assessor's parcel No. 02-21-05-3-113
2. **Site Area/Acreage:** (unknown)
3. **Natural Site Characteristics:**
 - i. **Soil Type:** Harstine gravelly sandy loam
 - ii. **Slope:** Between 8 - 10%
 - iii. **Drainage:** Toward Gig Harbor Bay
 - iv. **Vegetation:** Domestic

4. **Zoning:**

- i. **Subject parcel:** WM (Waterfront Millville)
- ii. **Adjacent zoning and land use:**
 - North: Gig Harbor Bay
 - South: R-1, single family development
 - East: WM, commercial fishing dock
 - West: WM, residential use and net shed

5. **Utilities/road access:** The parcel is served by City sewer and water and is accessed off of Harborview Drive - a city street.

III. **APPLICABLE LAND-USE POLICIES/CODES**

1. **Comprehensive Plan:** The comprehensive plan includes the following goals and policies relating to historic structures and waterfront development

Pg. 24

Goal: Identify, preserve, and develop an appropriate waterfront architecture.
(a) Respect established waterfront architecture

Pg. 25

Goal: Develop the waterfront as a place of outdoor people activity.
4. Minimize asphalt coverage along waterfront. . . .
(b) Development of off-site parking areas. (Encouraged).

Pg. 26

Goal: To Preserve the integrity of those structures which individually possess important historical, architectural, and/or cultural significance.
1. Encourage retention and adaptive reuse of older buildings . . .

Pg. 27

Goal: To preserve the character of those sites or districts which reflect the style of Gig Harbor's historical development.

Pg. 59

Goal: Increase Local Economic Opportunities
6. Small business development. Encourage local business development opportunities, particularly for small start-up business concerns which may be

owned by or employ local residents. Promote the local use of special small business financing and management assistance programs. Help identify facilities which may be used for small business start-ups including older structures which may be suitably reused for business purposes.

7. Property revitalization. Assist with special planning and development efforts to reuse older buildings, redevelop vacant properties, and revitalize older commercial and business districts within the city. Help structure local marketing efforts, physical improvements programs, parking and building improvements and special management organizations.

2. Zoning Ordinance:

GHMC Section 17.48.010 states that the intent of the Waterfront Millville District is "to provide a wide range of uses and activities on the shoreline of gig Harbor located within the area between Rosedale Street and Stinson Avenue. This district serves primarily as a medium intensity, mixed use district with an emphasis on medium-density, mixed use waterfront district with an emphasis on medium-density residential, marine-dependent and marine-related uses.

GHMC Section 17.48.030(F) states that coffee houses not to exceed 1000 square feet may be permitted as a conditional use.

GHMC Section 17.48.035 states that coffee houses may operate between the hours of 7:00 a.m. to 7:00 p.m., daily.

GHMC Section 17.72.030(K) states that one parking space is required for every three restaurant seats.

The review criteria for a conditional use, as per Section 17.64.040, are as follows:

- A. That the use for which the conditional use permit is applied for is specified by this title as being conditionally permitted within the zone, and is consistent with the description and purpose of the zone district in which the property is located;
- B. That the granting of such conditional use permit will not be detrimental to the public health, safety, comfort, convenience and general welfare, will not adversely affect the established character of the surrounding neighborhood, and will not be injurious to the property or improvements in such vicinity and/or zone in which the property is located;

- C. That the proposed use is properly located in relation to the other land uses and to transportation and service facilities in the vicinity and; further, that the use can be adequately served by such public facilities and street capacities without placing an undue burden on such facilities and streets;
- D. That the site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls and fences, parking, loading, landscaping and other such features as are required by this title or as needed in the opinion of the examiner.

IV. BACKGROUND INFORMATION:

The subject house is a small, craftsman-style cottage which was built in the early 1900's. It is located adjacent to the site of one of the last five remaining active commercial fishing docks. The fishing docks have been in operation since the early 1920's. There is no proposed change to the operation of the fishing dock at this time.

V. REQUEST/PROJECT DESCRIPTION:

The current request is to convert an existing residential dwelling into a coffee house. The coffee house will include a small room devoted to art display and will also include a small office upstairs. The applicant proposed to provide five tables with 3 chairs each for a total of 15 seats. This requires five parking spaces as per Section 17.72.030(K). In addition, 300 square feet of office space is proposed which requires one additional parking space. A total of six parking spaces is therefore required. The applicant proposes to provide five on-site parking spaces. This will require an expansion of the existing asphalt area. Two additional off-site parking spaces will be located on Mr. George Bujacich's property which is two parcels to the west and within 100 feet of the applicant's parcel. Mr. Bujacich has submitted a letter confirming his willingness to lease to Ms. Stanton the two spaces for a term of two years (renewable thereafter). The applicant has submitted the following statement (shown in *italics*) describing the proposal:

THE WHITE HOUSE is located in the Northern section of the historical Millville District. This original craftsman style home stands at the head of one of the last five remaining active commercial fishing docks.

While other espresso shops exist, none can boast the visibility, historic value, style and unique character that THE WHITE HOUSE will provide.

By focusing on the historic climate of the home itself, THE WHITE HOUSE can enhance the city's effort to lend visual confirmation to its commitment to preserve the small town flavor of Gig Harbor.

Anna and Martin Ancich, both from what was Yugoslavia, built the home in the early 1900's. Martin supported Anna and their six children by rowing an open wooden boat across the Sound to Commencement Bay and working in the sawmill there. His summers were spent "beach seining" in the San Juan Islands. Anna would set-up camp on the beach and cook for him.

After Martin's accidental death in 1924, Anna successfully built and operated a number of fishing vessels; one of which, named the "ANNA A" was built in the mid 1930's. Their children, grandchildren and great-grandchildren continue in the tradition of commercial fishing today and a plaque will be displayed at THE WHITE HOUSE as an historical footnote in their honor.

THE WHITE HOUSE has an opportunity to provide a link to the past. Historic exhibits and local fine artists can create an environment that will provide information in a relaxed, inspirational atmosphere. Locals and tourists alike will enjoy the charm and flavor of a "neighborhood" coffee house.

As one of the grandchildren of Anna Ancich, I have an opportunity, as well as a commitment to preserve THE WHITE HOUSE. . . .

In response to the conditional use criteria outlined in GHMC Section 17.64.040, the applicant has submitted the following response:

- 1) *The property located at 3615 Harborview is within the Waterfront Millville (WM) zone and the conditional use description includes Coffee Houses.*
- 2) *Public health, safety, comfort, convenience and general welfare will not be adversely affected by the conditional use at 3615 Harborview Drive. Further, the surrounding neighborhood and properties in the vicinity will not be adversely affected by the property or improvements at 3615 Harborview Drive. Off-street parking will be provided and the exterior of the structure will remain intact. The Ivanovich home, next door, is adequately screened from view and will not be directly affected by traffic entering THE WHITE HOUSE. Likewise, the two-story wall of the structure facing the Ivanovich home does not have excessive window openings and will not therefore, become intrusive. The property adjacent, on the opposite side, is vacant. (see photo)*
- 3) *The historic integrity of the building will be maintained and the proposed use is properly located in relation to the other land uses and to transportation and service facilities in the vicinity. Further, the use can be adequately served by*

such public facilities and street capacities without placing an undue burden on such facilities and streets. Street parking, though available, will not be compromised because seven additional off-street parking stalls will be made available by THE WHITE HOUSE.

4. *The site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls and fences, parking, loading, landscaping and other such features as are required by this title. (See site plan)*

VI. **PUBLIC NOTICE:** Legal notice was posted on the property and sent to property owners within 300 feet on April 7, 1995 and published in the Peninsula Gateway April 5, 1995. To date, one letter was received in support of the proposal from Anne Roberston Nerin, Ph.D., 11221 - 35th Avenue Ct. N.W. Ms. Nerin states that she feels the coffee shop would enhance the community; Tom and Joan Fandel (address unknown) who support the effort to keep in tact the charm and history of the original Gig Harbor; Lenita Markovich, 3434 Harborview Drive, who states that she applauds Ms. Stanton for trying to preserve a small part of the town's history, believing also that the project will help unite North Harborview Drive with the downtown shopping due to the number of tourists walking along Harborview Drive.

VII. **ANALYSIS:** The staff believes that the proposed coffee house is consistent with the goals and policies stated in the comprehensive plan, particularly regarding adaptive reuse of historic structures and economic development. There are a couple of site plan issues which will require adjustments in order to conform with current landscaping and parking requirements. First, the parking stalls proposed on the west side of the parcel must be shifted to the east to maintain 8 feet of landscaping along the west property line. This will encroach into the required landing area for the back steps so the stalls must be shifted to the north to accommodate the landing

The interior use of the structure must be consistent with available parking and also with zoning code restrictions on the allowable size of a coffee house. The overall house exceeds 1000 square feet, so not all of the house may be used for coffee house use. 300 square feet of the upstairs is proposed for office space. This will require one parking stall. The downstairs will consist of approximately 973 square feet devoted to coffee house use which includes a large foyer which will be used to display art work and paintings. The remaining portion of the downstairs includes closet, stairwell and utility room area. Fifteen seats are proposed for the coffee house which will require 5 parking spaces.

Clearly, the proposal does not fully utilize the house's available floor space and it may be tempting to add additional coffee house seats or to expand the office area upstairs. The applicant must clearly understand that parking availability is limited and that uses

more intense than that being proposed are prohibited without provisions for additional parking.

The applicant must also understand that galleries are not a permitted or conditional use in the WM zone. The foyer may be used for gallery displays for the enjoyment of coffee house customers, but this must be ancillary to the coffee house operation and it may not be advertised as a gallery.

Finally, the parking agreement with Mr. Bujacich must include language stating that the applicant has the responsibility to notify the City within 30 days if her parking agreement terminates and/or is not renewed.

A final landscape plan indicating plant species, size and spacing must be submitted before an occupancy permit is issued.

Additional Staff and/or agency comments are as follows:

1. Building Official: The structure and site must conform to current fire, building code and handicap access requirements.
2. Public Works: (no comments submitted)
3. SEPA Responsible Official: The SEPA Responsible Official has determined that this proposal is exempt from SEPA review as per WAC 197-11-800-1(a)iii.

VIII. FINDINGS AND CONCLUSIONS:

Based upon a site inspection and the analysis contained in Part VII of this report, the Staff finds as follows:

- A. The property located at 3615 Harborview Drive is within the Waterfront Millville (WM) zone which allows consideration of coffee houses as conditional uses but does not allow galleries either as permitted or conditional uses.
- B. That the granting of such conditional use permit will not be detrimental to the public health, safety, comfort, convenience and general welfare provided that code required parking is maintained over time. The use will not adversely affect the established character of the surrounding neighborhood, and will not be injurious to the property or improvements in such vicinity and/or zone in which the property is located and is in fact consistent with the zoning code's stated intent of the WM zone (GHMC Section 17.48.010) and is consistent with the comprehensive plan's goals and policies for economic development and historic preservation stated on page 24, 25, 26, 27 & 59 of the City's Comprehensive Plan.

- C. That the proposed use is properly located in relation to the other land uses and to transportation and service facilities in the vicinity and; further, that the use can be adequately served by such public facilities and street capacities without placing an undue burden on such facilities and streets;
- D. That the site is of sufficient size to accommodate the proposed use and all yards, open spaces, walls and fences, parking, loading, landscaping and other such features as are required by the City's zoning code, provided that (a) the parking stalls in the rear are shifted to the east to maintain the required 8 foot landscaped setback, (b) the proposed off-site parking is retained for the proposed use, and (c) the proposed use is not expanded or otherwise intensified.

IX. RECOMMENDATION:

The staff recommends that the proposed site plan and coffee house conditional use permit be approved, subject to the following conditions:

1. The rear parking stalls shall be shifted to the east to provide an 8 foot landscaped setback along the western property line, and shall be shifted to the north to provide the required landing space at the bottom of the back door steps.
2. A parking agreement between the applicant and the off-site property owner shall be entered into and shall contain the following:
 - A. The address and Assessor's tax parcel of the property providing the off-site parking.
 - B. The duration of the parking agreement, as applicable.
 - C. A statement that the applicant or owner of the business at 3615 Harborview Drive, Pierce County Assessor's tax parcel number 0221053113, shall bear the responsibility to notify the City within 30 days of the termination of the parking agreement.
 - D. The parking agreement shall state that should off-site parking cease to be made available to the owner or operator of the business located at 3615 Harborview Drive, Pierce County Assessor's tax parcel number 0221053113, the use approved subject to Conditional Use Permit 95-02 shall cease.

The parking agreement shall be filed as a covenant to the parcel's affected by the agreement and shall be recorded with the Pierce County Auditor and run with the land subject to the agreement. The document shall be recorded prior to issuance of an occupancy permit for the facility.

3. The office space shall be limited to 300 square feet. A small sign shall be conspicuously placed in the hall of the second floor which states the following:

USE OF THIS FLOOR, INCLUDING OFFICE AND OFFICE STORAGE, IS LIMITED TO 300 SQUARE FEET MAXIMUM AS PER CITY OF GIG HARBOR CONDITIONAL USE PERMIT NO. 95-02.

4. The coffee house shall be limited to 15 seats maximum. A small sign shall be conspicuously displayed on the first floor which states the following:

COFFEE HOUSE SEATING IS LIMITED TO 15 SEATS MAXIMUM AS PER CITY OF GIG HARBOR CONDITIONAL USE PERMIT NO. 95-02.

5. The site and business may be advertised as a coffee house but may not be identified as an art gallery. All gallery displays shall be ancillary to the coffee house, for the enjoyment or benefit of coffee house customers.


6. A final landscape plan which indicates plant species, size and spacing consistent with GHMC Section 17.78 shall be submitted to and approved by the Planning Staff prior to issuance of an occupancy permit.

7. Coffee house hours shall be limited to the hours between 7:00 a.m. and 7:00 p.m.

8. The structure and site must conform to current fire, building code and handicap access requirements.

Documents pertinent to the Examiner's review and consideration are attached.

Project Planner: Steve Osguthorpe, Associate Planner



Date: 4-14-75

**CITY OF GIG HARBOR
RESOLUTION NO. _____**

WHEREAS, Lita Dawn Stanton has requested site plan approval for a coffee shop and office located at 3615 Harborview Drive; and,

WHEREAS, the Gig Harbor City Council has adopted Ordinance #489 which establishes guidelines for the reviewing of site plans; and,

WHEREAS, the Planning Department for the City of Gig Harbor has recommended conditional approval of the project, in a staff report dated April 16, 1995; and

WHEREAS, the City of Gig Harbor Hearing Examiner conducted a public hearing on the application on April 16, 1995 to accept public comment on; and,

WHEREAS, the City of Gig Harbor Hearing Examiner has made specific findings and conclusions and has recommended conditional approval of said site plan in his report dated May 2, 1995; and,

WHEREAS, the City Council, during its regular meeting of June 12, 1995 reviewed the proposed site plan and the findings and recommendation of the Hearing Examiner; and,

WHEREAS, the City Council has determined that the site plan and the recommendation of the Hearing Examiner to be consistent with City codes and policies regulating site plan development;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Gig Harbor, Washington, as follows:

That the findings, conclusions and recommendations of the hearing examiner in his report dated May 2, 1995, are hereby adopted and the site plan is approved subject to the following conditions:

1. The rear parking stalls shall be shifted to the east to provide an 8 foot landscaped setback along the western property line, and shall be shifted to the north to provide the required landing space at the bottom of the back door steps.
2. A parking agreement between the applicant and the off-site property owner shall be entered into and shall contain the following:
 - A. The address and Assessor's tax parcel of the property providing the off-site parking.
 - B. The duration of the parking agreement, as applicable.

- C. A statement that the applicant or owner of the business at 3615 Harborview Drive, Pierce County Assessor's tax parcel number 0221053113, shall bear the responsibility to notify the City within 30 days of the termination of the parking agreement.
- D. The parking agreement shall state that should off-site parking cease to be made available to the owner or operator of the business located at 3615 Harborview Drive, Pierce County Assessor's tax parcel number 0221053113, the use approved subject to Conditional Use Permit 95-02 shall cease.

The parking agreement shall be filed as a covenant to the parcel's affected by the agreement and shall be recorded with the Pierce County Auditor and run with the land subject to the agreement. The document shall be recorded prior to issuance of an occupancy permit for the facility.

- 3. A final landscape plan which indicates plant species, size and spacing consistent with GHMC Section 17.78 shall be submitted to and approved by the Planning Staff prior to issuance of an occupancy permit.
- 4. The structure and site must conform to current fire, building code and handicap access requirements.
- 5. Either additional parking shall be provided for the existing office space on the subject Tarabochia property which meets the requirements of Chapter 17.72 of the Gig Harbor Zoning Code or the use of said office must be terminated prior to the opening of the proposed coffee shop.

PASSED by the City Council of the City of Gig Harbor, Washington, and approved by its Mayor at a regular meeting of the Council held on this 12th day of June, 1995.

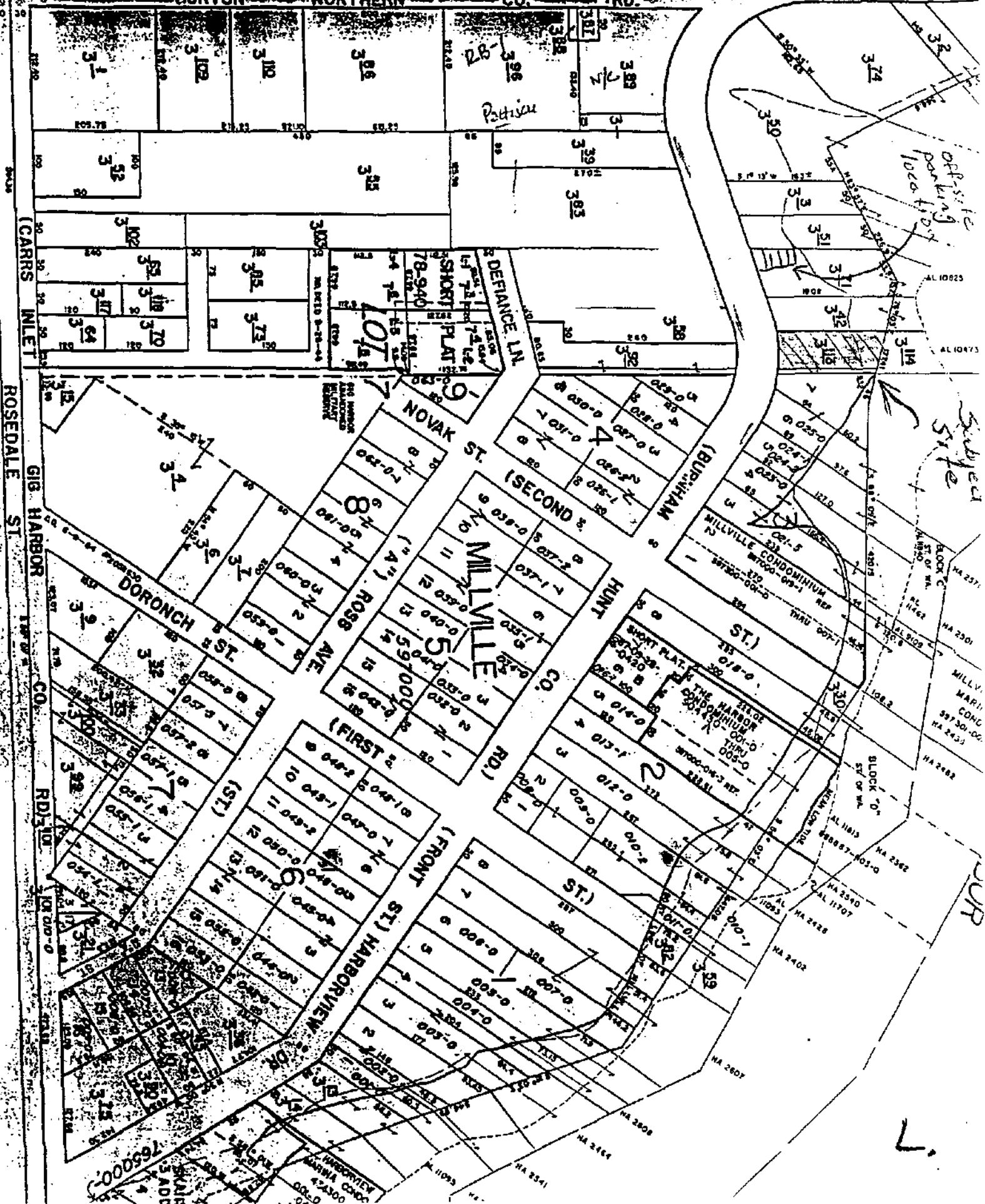
Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen
City Administrator/Clerk

Filed with City Clerk: 6/4/95
Passed by City Council: 6/12/95

BURTON NORTHERN CO. STINSON AVE. RD.



Pasture

off-site parking 1000 ft. x 100 ft.

super site

LOT 7

LOT 8

LOT 9

LOT 10

LOT 11

LOT 12

LOT 13

LOT 14

LOT 15

LOT 16

LOT 17

LOT 18

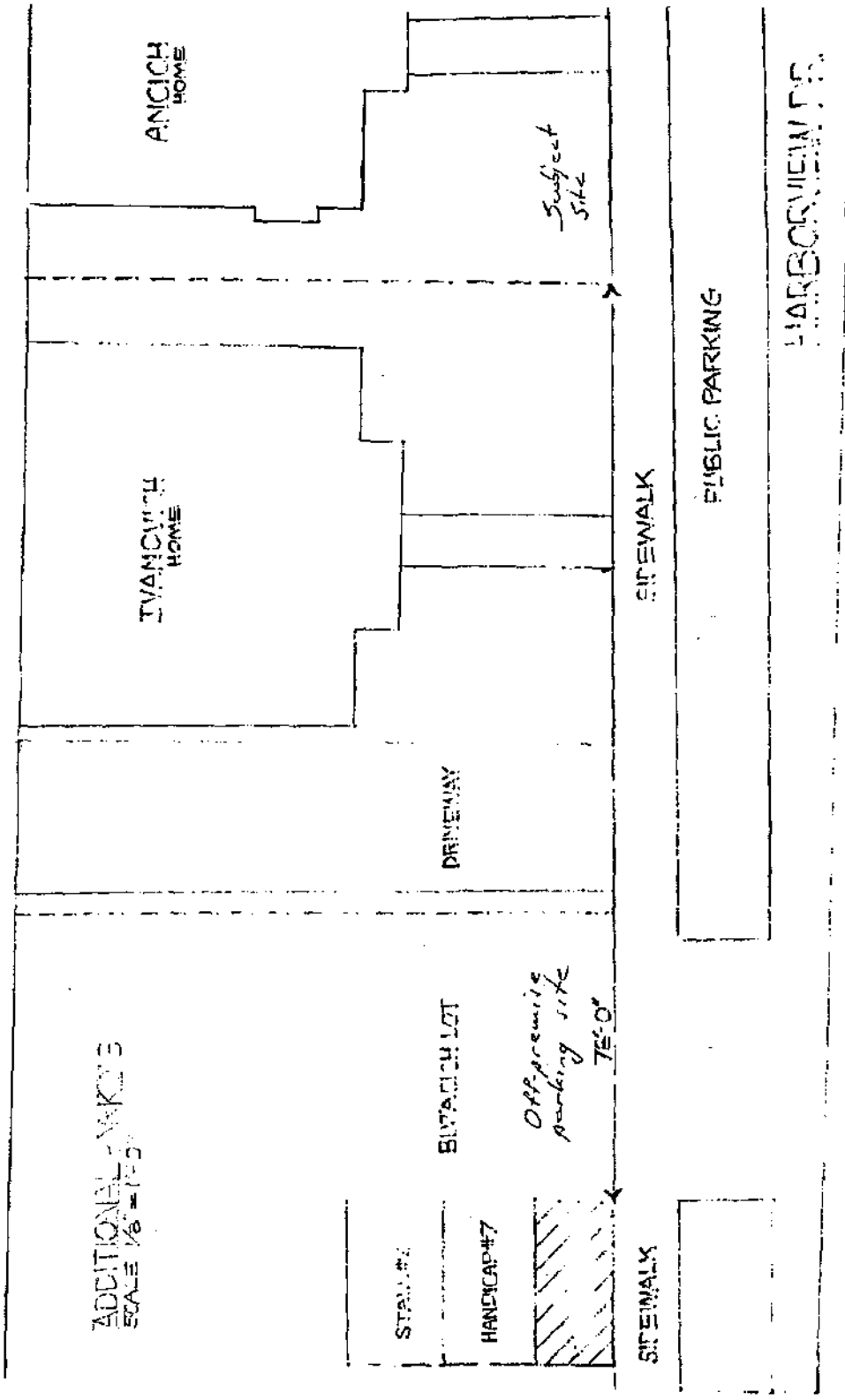
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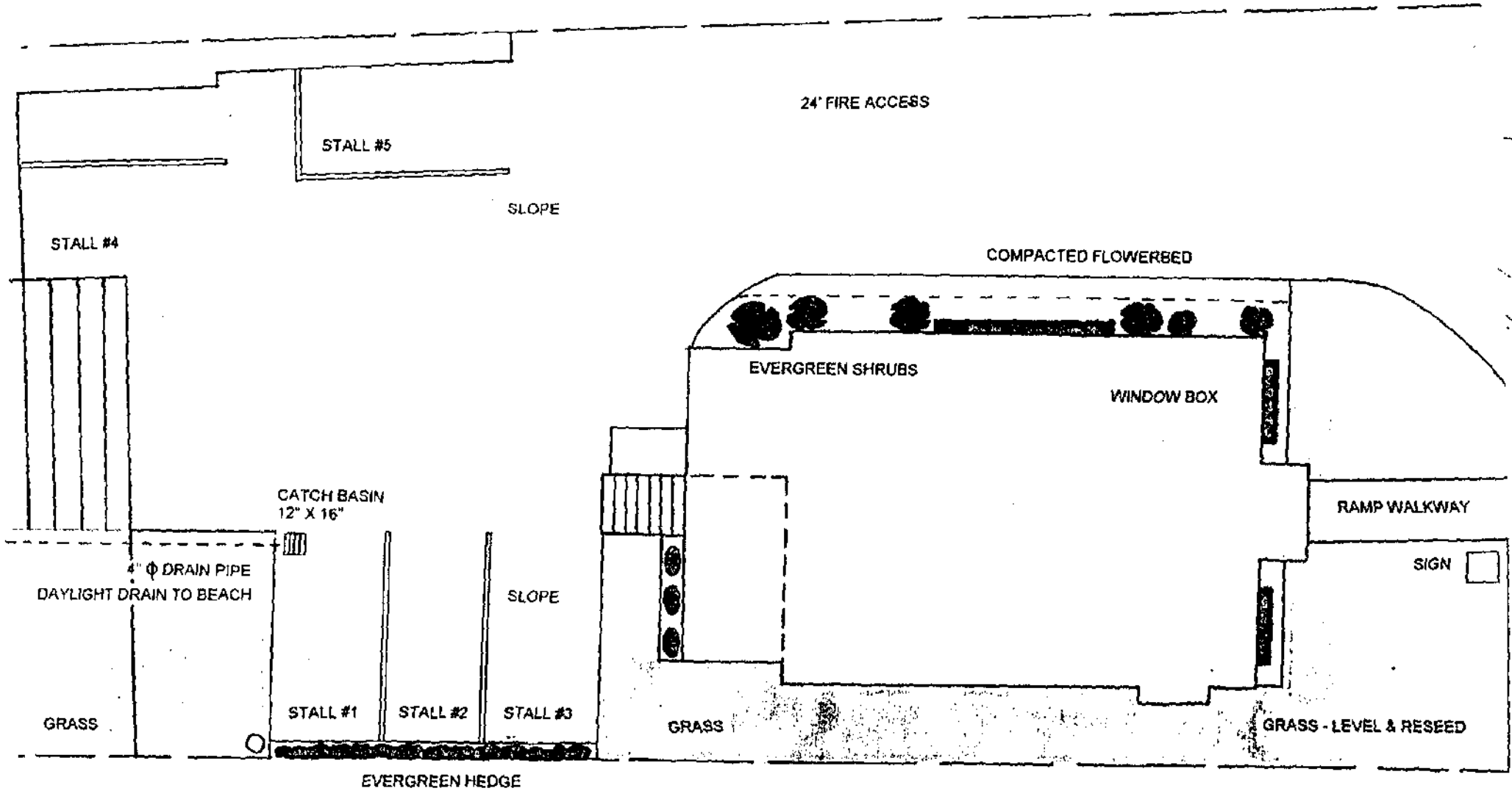
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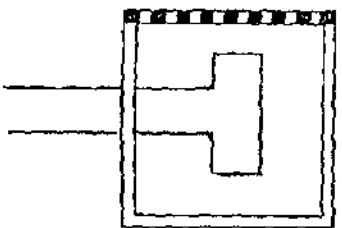


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Architect's Name

↑
MEAN WATER LINE



CATCH BASIN DESIGN

HANDICAP STALL #6
(See Bujacich Letter)

**THE WHITE HOUSE
PARKING & LANDSCAPE PLAN**



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL
FROM: *SB* STEVE BOWMAN, BUILDING OFFICIAL/FIRE MARSHAL
DATE: JUNE 2, 1995
SUBJECT: ADOPTION OF THE WA. STATE BUILDING CODES WITH STATE
AND CITY REVISIONS

INTRODUCTION:

The Washington State Legislature has delegated the responsibility for revising the State Building Codes to the Building Code Council (BCC). Revisions to the State Building Codes were adopted by the BCC on November 18, 1994 with an effective date set for June 30, 1995. Summaries of the proposed amendments are attached. Complete copies of the Uniform Codes and their revisions are available for review in the Gig Harbor Department of Planning and Building.

POLICY ISSUES:

Attached for your consideration is an ordinance, for adoption by reference, of the BCC revisions. Included are revisions to the Uniform Building, Fire, Plumbing, Mechanical, Barrier Free, and Energy Codes, and the Water Conservation Performance Standards. The Washington State Building Code Council has prepared small business economic impact statements under Chapter 19.85 RCW for the State adoption of the Uniform Codes and the WA State amendments.

Other revisions are editorial to remove references to previous code editions which are no longer City or State codes. Chapter 15.20 (Gasoline Service Stations) appropriate sections are now in the Zoning Code; Chapter 15.24 (Television & Radio Antennas) enforced by the City Clerk; and 15.28 (Security Devices) enforced by the Police Department are proposed to be repealed.

The Washington State BCC has amended the 1994 UBC to provide a different rise/run standard for stairways. The Washington Association of Building Officials has recommended that all jurisdictions within the State not adopt the revision because it is a reduction in the minimum standards which have been proven to provide a safer means of egress for people.

The draft ordinance before you would approve the WA State revision to the 1994 UBC as recommended by the City of Gig Harbor Building Code Advisory Board. The Gig Harbor Building Code Advisory Board recommended approval of the proposed ordinance during their meeting on June 1, 1995. The City of Gig Harbor Building Code Advisory Board is concerned that the City of Gig Harbor have standards that are uniform with the standards enforced in the jurisdictions surrounding the City of Gig Harbor.

In an effort to determine how these standards will be enforced in other jurisdictions, a survey was made to determine if other cities and counties will be adopting the WA State revisions or will be using the 1994 UBC without a stairway rise/run revision. Many jurisdictions will either

not be adopting the WA State revision or will be amending the section even further. GHMC Section # 15.06.090 is proposed to be added to the ordinance to pattern the same revision proposed by Pierce County. (See the complete body of the section at the end of this memo.)

Radon test kits will no longer be provided by the City of Gig Harbor for new dwellings. A resolution is also attached which would revise the fee schedule to no longer require building permit (for new dwellings) applicants to pay a \$15.00 radon test kit fee.

The City Attorney is reviewing this draft of the adopting ordinance and will be submitting comments for consideration prior to the second reading.

RECOMMENDATION:

The Mayor and City Council adopt the 1994 Uniform Building Codes with the revisions as adopted by the Washington State Building Code Council and as recommended by the Gig Harbor Building Code Advisory Board, and further amended to require stairways to have a rise/run in accordance with the following GHMC Section # 15.06.090, after the second reading of the ordinance and inclusion of any required revisions.

**Stairway Rise/Run Amendment
to the
WA State Amendment to the 1994 UBC**

Section # 15.06.090, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.06.090 Amendment to Section 1006.3, Uniform Building Code as amended by the Washington State Building Code Council on November 18, 1994 and published as 51-30 WAC. Section 1006.3 of the Uniform Building Code as amended by the Washington State Building Code Council on November 18, 1994 and published as 51-30 WAC is amended as follows:

1006.3 **Rise and Run.** The rise of steps shall not be less than 4 inches (102 mm) or greater than ~~7-1/2 inches (190 mm)~~ 7 inches (178 mm). Except as permitted in Sections 1006.4 and 1006.6, the run shall not be less than ~~10 inches (254 mm)~~ 11 inches (279 mm), as measured horizontally between the vertical planes of the furthestmost projections of adjacent treads. Except as permitted in Section 1006.4, 1006.5 and 1006.6, the largest tread run within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm). The greatest riser height within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

EXCEPTIONS: 1. Private steps and stairways serving an occupant load of less than 10 and stairways to unoccupied roofs may be constructed with an 8-inch-maximum (203 mm) rise and a 9-inch-minimum (229 mm) run.

2. Where the bottom or top riser adjoins a sloping public way, walk or driveway having an established grade and serving as a landing, the bottom or top riser may be reduced along the slope.

3. Steps and stairways serving three and four family dwellings may be constructed with a 7 1/2 inches (190 mm) rise and a 10 inches (254 mm) run.

Where Exception 2 to Section 1103.2.2 is used in a building design, the run of stair treads shall not be less than 11 inches (279 mm), as measured horizontally between the vertical planes of the furthest projections of adjacent tread. The largest tread within any flight of stairs shall not exceed the smallest by more than 3/8 inch (9.5 mm).

TABLE REPRESENTING THE STANDARDS FOR STAIRWAYS OF DIFFERENT BUILDING OCCUPANCIES IF THE ABOVE SECTION # 15.060.090 IS ADOPTED

1 & 2 Family Dwellings	3 & 4 Family Dwellings	Others
8" Max.Rise & 9" Min.Run	7 1/2" Max.Rise & 10 1/2" Min.Run	7" Max.Rise & 11" Min.Run

**SUMMARY OF PROPOSED CHANGES FROM THE
1991 EDITION TO THE 1994 EDITION OF
THE UNIFORM BUILDING CODE
(Proposed WAC Chapter 51-30)**

The proposed rule will adopt by reference and amend the 1994 Edition of the Uniform Building Code (UBC) published by the International Conference of Building Officials (ICBO).

The provisions of the 1994 Edition of the UBC have been reformatted into the common code format established by the Council of American Building Officials. The new format establishes a common format of chapter designations for the three model building codes published in the United States. Apart from those changes approved by the conference membership, this reformatting has not changed the technical content of the code.

This reformatting is a major change in the organization of the document which has necessitated assigning it a new Washington Administrative Code (WAC) numbers. Topics and entire chapters have been relocated within the code, resulting in a totally reorganized chapter and section numbering scheme. Within the chapters, sections are no longer subdivided using an alpha-numeric system, the 1994 UBC has been changed to a decimal system for subdividing sections. In addition to the English inch-pound (IP) unit system, the Système International (SI), or metric, has been added following the English units in parenthesis.

A major reorganization item was the Description of Occupancies by Group and Division. Occupancies that were split out into their own new groups include: F-factories; M-display or sale of merchandise; S-storage facilities, repair and parking garages, aircraft hangars and helistops; and U-private garages, carports, sheds, agricultural buildings, fences over 6 feet (182.9 mm) high, tanks and towers.

Smoke control was a new item addressed by ICBO during this code cycle. New engineered requirements were added to the code for smoke control in atrium and areas open to atriums, in high-rise buildings, and in covered malls.

The Technical Advisory Group (TAG) which held public meetings to discuss the proposed amendments that were submitted to the State Building Code Council (SBCC) is recommending to the SBCC to maintain 26 of the existing state amendments and to delete 11 of the existing amendments. The reason for the deletion of several of these amendments was that the new language in the 1994 code had changed to be compatible with the needs of Washington. The TAG also reviewed over 40 new proposed

amendments. Of those proposals, 32 are being forwarded to Uniform Codes Committee for their consideration. Six of these proposals have had options added to them for committees consideration. An additional six proposed amendments were rejected.

A sub-TAG was formed to study the Group R, Division 4 and 5 Occupancies in conjunction with other long term care facilities licensed by the Departments of Health and Social and Health Services. One of the major proposed amendments is the result of their labors. Several of the existing amendments and several of the proposed amendments were absorbed into this proposal.

In conjunction with the Uniform Plumbing Code TAG, it is proposed to amend and move the Minimum Plumbing Fixture Table from the UPC to the main body of the UBC. The Department of Health also made valued input into the required numbers of fixtures required in hospitals based on their WACs. This was incorporated into the proposed changes.

The Structural Engineering Association of Washington reviewed Volume 2 of the UBC, 1994 Edition, and found the following:

Many of the changes to the structural chapters are editorial or add clarification to the usage of the code. These changes mostly come from other recognized national standards such as the American Concrete Institute and the American Institute of Steel Construction. There are two areas of change that may have notable economic impact and are summarized below.

Every building code since 1973 has had significant changes to the earthquake design provisions. This is due to the increase in knowledge about earthquakes and building performance. The 1994 UBC is possibly the first of these codes that has new seismic provisions that will actually produce construction cost savings. The design of concrete shear walls has been revised due to years of research and testing and is expected to save costs. The masonry section has a new optional method of wall design which also produce savings

The most significant cost issue is in the wood design section. The UBC has been revised according to the National Forest Product Association Standards. There are numerous revisions to the design methodologies which affect designers, but the construction cost of these is undetermined. There could be higher cost due to the reduction of allowable stresses (carrying capacity) of certain wood species, such as Douglas Fir, commonly used in Washington. The extent of how this will change wood construction is not known, but an increase in lumber for floor construction is expected.

**1994 UNIFORM BUILDING CODE
SUMMARY OF ECONOMIC IMPACT
ON SMALL BUSINESSES**

WAC 51-30-0104 104.2.8, Refines the language of this section by use of more appropriate English.

No economic impacts on small business are anticipated.

WAC 51-30-0204 204-C, Maintains WAC definitions for "CHILD DAY CARE" and "CHILD DAY CARE, FAMILY".

No economic impacts on small business are anticipated.

WAC 51-30-0207 207-F, Maintains WAC definition for "FAMILY ABODE". In the definition of FLOOR AREA gridirons are excluded from being part of the area calculated as floor area.

No economic impacts on small business are anticipated.

WAC 51-30-0217 217-F, Maintains WAC definition for "PORTABLE SCHOOL CLASSROOM".

No economic impacts on small business are anticipated.

WAC 51-30-0220 220-S, Maintains the WAC definition for "STRUCTURAL OBSERVATION" and "SURGICAL AREA".

No economic impacts on small business are anticipated.

WAC 51-30-0302 302.1.2.3, No occupancy separation required in R-3 occupancy for in-home office or some other specific uses, if area is 500 square feet or less.

This is maintaining an existing WAC, therefore there is no new savings.

WAC 51-30-0303 303.5, Correct the section title to read "Light, Ventilation and Sanitation."

No economic impacts on small business are anticipated.

WAC 51-30-0304 304.2.2.1, Requires a group of laboratories and the accessory support areas to be separated from other portions of the building by a one hour fire-resistive occupancy separation. Requires an occupant load of 10 before two exits are required.

Maintains WAC, therefore there are no new savings.

WAC 51-30-0305 305.1, Maintains WAC definition for occupancy type for "family child day care homes".

No economic impacts on small business are anticipated.

305.2.3, Maintains the WAC that requires that the two exits exit directly into separate exiting systems as defined in Section 1017. Also deletes the age restriction of the children who use these facilities.

No economic impacts on small business are anticipated.

WAC 51-30-0307 307.1.6, Maintains that an applicant may use a previously required report, if in fact it was submitted, to provide compliance with filing of a report that may be required by the building official.

No economic impacts on small business are anticipated.

307.2.7, Maintains Standby Power to all electrical equipment required by the Electrical Code when normal electrical supply system is interrupted.

No economic impacts on small business are anticipated.

307.2.8, Maintains Emergency Power to the exhaust ventilation system when the normal electrical supply system is interrupted.

No economic impacts on small business are anticipated.

WAC 51-30-0310 310.1, Maintains "family child day care" in R-3, Division III Occupancy.

No economic impacts on small business are anticipated.

WAC 51-30-0310 310.9.1, Maintain existing fire protection for "family child care home" with more than six children.

No economic impacts on small business are anticipated.

WAC 51-30-0311

Option 1: New Section 311.2.3.6, requires compartmentalization with one hour fire-resistive construction of mini-storage units over 1,500 square feet (140 m²).

Significant cost increases depending on the size and configuration of the mini-storage units.

Option 2: Do not amend the 1994 UBC.

No cost increase.

WAC 51-30-0313 Section 313, a new Section for Licensed Care Occupancy (LC).

SECTION 313 - REQUIREMENTS FOR GROUP LC OCCUPANCIES

This section is proposed to replace existing WAC provisions for R-4 and R-5 occupancies. It is intended to allow better coordination between the building code and the wide variety of care providers licensed by the Departments of Health and Social and Health Services. Most standards are based on residential standards but provide additional requirements based on the clients ability to respond to emergencies.

These provisions should improve the ability for small licensed care facilities to be established with lower construction costs when compared to WAC 51-20. This new section is intended to allow closer coordination between DSHS, DOH, and SBCC.

WAC 51-30-0403 403.6.1, Maintains the flexibility for the approved authority in determining the size and configuration of the fire departments central control station room.

No economic impacts on small business are anticipated.

WAC 51-30-0405 405.1.2, In the definition of GRIDIRON this proposal adds that a gridiron is not to be considered a floor.

Minor savings may be gained by this proposal.

405.1.2, Clarifies the definitions of "FLY GALLERY", "GRIDIRON", "PINRAIL" and STAGE HEIGHT".

No economic impacts on small business are anticipated.

405.3.5, Maintain state language for type of construction. for Gridirons, Fly Galleries, Pinrails.

No economic impacts on small business are anticipated.

**WAC 51-30-0417 Appendix Chapter 4 SPECIAL USE AND OCCUPANCY
Division I - BARRIERS FOR SWIMMING POOLS, SPAS AND HOT TUBS
Appendix Chapter 4, Division I**

Option 1: Leave Appendix Chapter 4 as an appendix chapter.

No economic impacts on small business are anticipated.

Option 2: Adopt Appendix Chapter 4 into the body of the code making Barriers for Swimming pools, Spas, and Hot Tubs mandatory in Group R, Division 3 occupancies.

There would be significant expense associated with this proposal, but it would only affect Group R, Division 3 occupancies, private residences.

WAC 51-30-0510 510.1 Maintains WAC definitions for "DESIGNATED AREAS", and "SUBSTANTIALLY REMODELED".

No economic impacts on small business are anticipated.

510.3 allows the installation of antique wood cook and heat stoves.

No economic impacts on small business are anticipated.

WAC 51-30-0601 601.5.2.3, Allows non-combustible, non-load-bearing partitions within health-care suites.

No economic impacts on small business are anticipated.

WAC 51-30-0804 804.1, Exception 2. Exempts Group I, Divisions 1.1 or 1.2 complying with Section 1019.7 from this exception (i.e., reducing the flame spread by one classification when a sprinkler system is installed).

No economic impacts on small business are anticipated.

WAC 51-30-0902 SECTION 902 - STANDARDS OF QUALITY

Add the NFPA Standard 13-d to the list of recognized standards.

No economic impacts on small business are anticipated

WAC 51-30-0904 904.2.2 All occupancies except Group R, Division 3 and Group U Occupancies.

Number 5 is an added requirement in the 1994 UBC.

Option 1: Deletes number 5, requiring automatic sprinkler system in all portions of a buildings with an occupant load of 30 or more that is located 55 feet or more above the lowest level of fire department access. Deletes the exceptions.

Option 2: Changes number 5 by deleting occupant load requirement, raising the 55 foot height level to 75 feet. Maintains the exceptions.

Except for Group R-1 and Group U Occupancies, all buildings, unless they provide specific fire department access, have to have sprinklers, as do apartments, hotels and office buildings over 75 feet. Other occupancies are limited by number of stories or area without having a sprinkler system installed. At 15 feet between floors, and a maximum 1500 square feet per floor, option one or two would allow a five story, 7500 square foot building. With an allowed occupancy, this would be a more economical land use, plus the savings of the money not required to install a sprinkler system. Number 5, as it now exists, with a maximum 30 person occupancy load., would allow a maximum 3000 square foot two story building.

904.2.4.1 General.

Revises state language for determining value of E-1 Occupancies. Allows the Building Official and the Fire Chief more flexibility in determining when fire-extinguishing system is required.

No economic impacts on small business are anticipated.

904.2.6 Group I Occupancies 904.2.6, Provides modified wording for sprinklers in light hazard areas. This wording is also to be used in Standard 38-12.

Chapter 10 MEANS OF EGRESS

WAC 51-30-1001 SECTION 1001.2 Definitions.

Use the NFPA definition for "Smoke Protected Assembly Seating".

No economic impacts on small business are anticipated.

WAC 51-30-1004 SECTION 1004.1 General.

Referencing exit doors on accessible route of travel to Section 1004.11

No economic impacts on small business are anticipated.

1004.2 Swing and Opening Force.

Describing swing and open force on doors for consistency with the State Regulation for Barrier-Free Facilities.

No economic impacts on small business are anticipated.

1004.5 Special Egress-Control Devices.

Adds I-1, I-1.1, I-1.2 and LC Occupancies to the list of Occupancies that may use egress-control devices at exit doors. Provides for use of key pad exit control devices at units caring for dementia patients.

No economic impacts on small business are anticipated.

1004.8 Special Doors.

Maintains accessibility by use of a secondary door or gate where a turnstiles is used and an accessible route is required.

No economic impacts on small business are anticipated.

1004.9 Floor Level at Doors.

Requires a maximum allowable threshold height at sliding doors within accessible dwelling units, provided an additional accessible entry is provided.

No economic impacts on small business are anticipated.

WAC 51-30-1005 1005.10 Elevators

Option 1: Do not provide a pressurized elevator shaft and provide an elevator lobby.

Option 2: Where an elevator shaft is pressurized, an elevator lobby need not be provided.

This allows a design choice to fit the scope and scale of the facility. No economic impacts on small business are anticipated.

WAC 51-30-1006 1006.1 General.

To allow a stair or a ladder access to specific rooms in an individual dwelling, if that space is 200 square feet or less. This exception allows a design option of accessing a loft by means of a ladder rather than a stairway. Ladders have been installed for years, this just makes it legal.

Moderate savings can be accomplished if using a ladder for access to a loft.

1006.3 Rise and Run.

Option 1: Maintain the 1994 UBC language.

Option 2: Would allow 7.5" and 10" for the maximum rise and minimum run in any stair other than residential buildings of four or fewer units, that do not exceed two stories, and less than five thousand square feet in area.

Option 1: No economic impacts on small business are anticipated.

Option 2: There could be a moderate savings due to savings in area required for the stairway, materials, and construction time.

1006.7 Landings.

Maintains landings at top and bottom of stairways. Where the door swings into the landing a minimum landing area is required beyond the door swing.

No economic impacts on small business are anticipated.

1006.9 Handrails.

Updates occupancy reference. Changes the minimum cross-sectional dimension at handrails from 1.5 inches (38 mm) to 1.25 inches (32 mm). This is more consistent with pipe stock sizes that are often used in the fabrication of handrails.

No economic impacts on small business are anticipated.

1006.16 Stairway Identification.

Reiterates that all fixed use rooms require identification signage and that this signage shall comply with Chapter 11.

No economic impacts on small business are anticipated.

WAC 51-30-1007 1007.4 Landings.

Option 1: References Chapter 11 for maneuvering clearances at ramp landings. Deletes the verbiage here covered in Chapter 11. Provides a reduction in length for landings with a slope of less than 1 in 12.

Option 2: References Chapter 11 for maneuvering clearances at ramp landings. Deletes the need for a 6 foot landing at the bottom of ramps.

No economic impacts on small business are anticipated.

1007.5 Handrails.

Requires handrails at ramps with a slope of 1 in 20, rather than 1 in 15. Adds language to extend at least one handrail beyond the top and bottom of the ramp, as is required in Chapter 11.

No economic impacts on small business are anticipated.

WAC 51-30-1009 1009.1 General.

Requires enclosing interior stairways, ramps, and escalators in R-1 if used as Licensed Care facility (LC) if serving more than one adjacent floor and not connected with corridors or stairways serving other floors.

This will incur a moderate cost depending on the configuration of the facility.

1009.8 Vestibules.

Allow wheelchair Areas for Evacuation Assistance to be in areas other than vestibules, that comply with Section 1104.

There can be a minor savings depending on the configuration of the facility. This does allow greater freedom in the design of a facility.

WAC 51-30-1014 1014.3 Width in Assembly Occupancies with Fixed Seats.

Modifies this section to better serve small theaters and large arenas for calculating aisle widths. This will allow the smaller theaters to have reasonable widths at the aisles.

Delete Table 10-B.

This will allow more seating compared to the total square footage of the facility, and therefore provides a significant savings.

1014.5 Ramp Slope

Maintains exception for ramp slope in theaters with fixed seating.

No economic impacts on small business are anticipated.

1014.6.1 When prohibited.

Maintains *reference for exception noted in 1014.5 (see above)*.

WAC 51-30-1019 1019.7 Suites.

Rewrites this section for patient suits in Group I, Division 1.1 1.2 and 2 to make it logical and readable. Exiting from these suits is clarified. This rewrite and reorganization will make the code easier to use and that is a time savings.

No economic impacts on small business are anticipated.

WAC 51-30-1022 TABLE 10-A MINIMUM EGRESS REQUIREMENTS
Maintains state occupancy load for laboratories, #17, based on classroom use verses research occupancies.

No economic impacts on small business are anticipated

WAC 51-30-1203 1203.3 Ventilation.
Eliminates redundant wording.

No economic impacts on small business are anticipated

WAC 51-30-1607 SECTION 1607 - ALTERNATIVE FLOOR LIVE LOAD REDUCTION
Delete in its entirety. Too complicated and unnecessary.

No economic impacts on small business are anticipated.

WAC 51-30-1614 1614 DEFINITIONS
Revise the basic wind speed for Exposure D to "greater than 80 miles per hour."
Correction of code grammar.

No economic impacts on small business are anticipated.

WAC 51-30-1702 1702 - STRUCTURAL OBSERVATION
More specifically defines number 4 requirement for when structural observations shall be made.

No economic impacts on small business are anticipated.

WAC 51-30-1909 1909.3.4.2
Allows for an inadequate trade-off between strength and ductility in concrete frames.

No economic impacts on small business are anticipated.

WAC 51-30-2211 2211.10.13 Brace and Beam strength.

No economic impacts on small business are anticipated.

WAC 51-30-2406 2406.4.10 Hazardous Locations.

Redefines areas near stairways requiring safety glazing. This does not effect glazing in railings.

There will be a moderate savings due to the reduction in the use of safety glass, if in fact these walls are designed with glass in them.

WAC 51 30 2900 Chapter 2900 PLUMBING SYSTEMS

Chapter 29 PLUMBING SYSTEMS, Revised in total. The Minimum Plumbing Fixture Table is moved from the Appendix Chapter 29 of the 1994 edition of the UBC to Chapter 29 of the UBC. In the E Occupancy, the number of square feet per occupant doubled to better reflect the actual need of the schools. Also staff and students have been separated to better identify staffs needs. In A Occupancy, Assembly Places have been regrouped to reflect actual needs at intermissions during performances as compared to a steady on going demand for toilet usage. Note: the Appendix C Minimum Plumbing Facilities is being deleted from the Uniform Plumbing Code in coordination with these changes.

Schools will have fewer w/c. Performing Arts facilities will have more w/c. Group R will not be affected. The economic impact will depend on the occupancy.

WAC 51-30-3403 3403.2

Optional. Modifies the wording in the exception to the section on Additions, Alterations or Repairs which allows structural alterations to not meet the full code requirements, dependent on certain conditions.

No economic impacts on small business are anticipated.

SECTION 3404 - MOVED BUILDINGS

Add exception to make the WAC match the RCW.

There would be a significant saving when moving Group R, Division 3 structures.

**STATE BUILDING CODE ADOPTION AND AMENDMENT
OF THE 1994 EDITION OF THE UNIFORM BUILDING CODE**

**Summary Of Economic Impact
On Small Businesses**

CHAPTER 51-30 WAC

WAC 51-30-001 AUTHORITY. Maintain WAC. No economic impacts on small business are anticipated.

WAC 51-30-002 PURPOSE. Maintain WAC. No economic impacts on small business are anticipated.

WAC 51-30-003 UNIFORM BUILDING CODE. Maintain WAC. No economic impacts on small business are anticipated.

WAC 51-30-004 CONFLICTS WITH WASHINGTON STATE VENTILATION AND INDOOR QUALITY CODE. Maintain WAC. No economic impacts on small business are anticipated.

WAC 51-30-005 UNIFORM BUILDING CODE REQUIREMENTS FOR BARRIER-FREE ACCESSIBILITY. Maintain WAC. No economic impacts on small business are anticipated.

WAC 51-30-007 EXCEPTIONS. Maintain WAC. No economic impacts on small business are anticipated.

WAC 51-30-008 IMPLEMENTATION. Maintain WAC. No economic impacts on small business are anticipated.

WAC 51-30-009 RECYCLABLE MATERIALS AND SOLID WASTE STORAGE. Maintain WAC. No economic impacts on small business are anticipated.

CHAPTER 1 ADMINISTRATION

WAC 51-30-0104 Section 104.2.8 Alternate materials, alternate design and methods of construction. Refines the language of this section by use of more appropriate English. No economic impacts on small business are anticipated.

CHAPTER 2 DEFINITIONS AND ABBREVIATIONS

WAC 51-30-0204 Section 204 - C. Maintains WAC definitions for "CHILD DAY CARE" and "CHILD DAY CARE, FAMILY". No economic impacts on small business are anticipated.

WAC 51-30-0207 Section 207 - F. Maintains WAC definition for "FAMILY ABODE". In the definition of FLOOR AREA gridirons are excluded from being part of the area calculated as floor area. No economic impacts on small business are anticipated.

WAC 51-30-0217 Section 217 - F. Maintains WAC definition for "PORTABLE SCHOOL CLASSROOM". No economic impacts on small business are anticipated.

WAC 51-30-0220 Section 220 - S. Maintains the WAC definition for "STRUCTURAL OBSERVATION" and "SURGICAL AREA". No economic impacts on small business are anticipated.

CHAPTER 3 USE OR OCCUPANCY

WAC 51-30-0302 Section 302.1 General. Exception 2.6 No occupancy separation required in R-3 occupancy for in-home office or some other specific uses, if area is 500 square feet or less. This is maintaining an existing WAC, therefore there is no new savings.

WAC 51-30-0304 Section 304.2.2.1 Laboratories and vocational shops. Requires a group of laboratories and the accessory support areas to be separated from other portions of the building by a one hour fire-resistive occupancy separation. Requires an occupant load of 10 before two exits are required. Maintains WAC, therefore there are no new savings.

WAC 51-30-0305 Section 305.1 Group E Occupancies Defined. Maintains WAC definition for occupancy type for "family child day care homes". No economic impacts on small business are anticipated.

Section 305.2.3 Special provisions. Maintains the WAC that requires that the two exits exit directly into separate exiting systems as defined in Section 1017. Also deletes the age restriction of the children who use these facilities. No economic impacts on small business are anticipated.

WAC 51-30-0307 Section 307.1.6 Requirement for report. Maintains that an applicant may use a previously required report, if in fact it was submitted, to provide compliance with filing of a report that may be required by the building official. No economic impacts on small business are anticipated.

WAC 51-30-0310 Section 310.1 Group R Occupancies Defined. Maintains "family child day care" in R-3, Division III Occupancy. No economic impacts on small business are anticipated.

Section 310.9.1.6 Smoke detectors and sprinkler systems. Maintain existing fire detection for "family child care home" with more than six children. No economic impacts on small business are anticipated.

Section 310.13 Family Child Day Care Homes. Maintain existing exiting and fire protection requirements for Family Child Day Care Homes. No economic impacts on small business are anticipated.

WAC 51-30-0311

Option 1: New Section 311.2.3.6, requires compartmentalization with one hour fire-resistive construction of mini-storage units over 1,500 square feet (140 m²). Significant cost increases depending on the size and configuration of the mini-storage units.

Option 2: Do not amend the 1994 U.B.C. No cost increase.

WAC 51-30-0313 Section 313, a new Section for Licensed Care Occupancy (LC).

SECTION 313 - REQUIREMENTS FOR GROUP LC OCCUPANCIES

This section is proposed to replace existing WAC provisions for R-4 and R-5 occupancies. It is intended to allow better coordination between the building code and the wide variety of care providers licensed by the Departments of Health and Social and Health Services. Most standards are based on residential standards but provide additional requirements based on the clients ability to respond to emergencies.

These provisions should improve the ability for small licensed care facilities to be established with lower construction costs when compared to WAC 51-20. This new section is intended to allow closer coordination between DSHS, DOH and SBCC.

CHAPTER 4 SPECIAL USE AND OCCUPANCY

WAC 51-30-0403 Section 403.6.1 General. Maintains the flexibility for the approved authority in determining the size and configuration of the fire departments central control station room. No economic impacts on small business are anticipated.

WAC 51-30-0405 Section 405.1.2 Definitions. In the definition of GRIDIRON this proposal adds that a gridiron is not to be considered a floor. Minor savings may be gained by this proposal.

Section 405.1.2 Definitions. Clarifies the definitions of "FLY GALLERY", "GRIDIRON", "PINRAIL" and "STAGE HEIGHT". No economic impacts on small business are anticipated.

Section 405.3.5 Gridirons, fly galleries and pinrails. Maintain state language for type of construction for gridirons, fly galleries and pinrails. No economic impacts on small business are anticipated.

WAC 51-30-0417 Appendix Chapter 4 Special Use and Occupancy Division I - Barriers For Swimming Pools, Spas And Hot Tubs; Appendix Chapter 4, Division I

Option 1: Leave Appendix Chapter 4 as an appendix chapter. No economic impacts on small business are anticipated.

Option 2: Adopt Appendix Chapter 4 into the body of the code making Barriers for Swimming pools, Spas, and Hot Tubs mandatory in Group R, Division 3 Occupancies. There would be significant expense associated with this proposal, but it would only affect Group R, Division 3 occupancies, private residences.

CHAPTER 5 GENERAL BUILDING LIMITATIONS

WAC 51-30-0502 Section 502.1 Premise Identification.

Option 1: Maintain the 1994 language. No economic impacts on small business are anticipated.

Option 2: Amend section to require visual identification Devices on all new R-3 construction. No economic impacts on small business are anticipated.

WAC 51-30-0510 Section 510.1 Heating. Maintains WAC definitions for "DESIGNATED AREAS", and "SUBSTANTIALLY REMODELED". No economic impacts on small business are anticipated.

Section 510.3 Solid Fuel Burning Devices. Allows the installation of antique wood cook and heat stoves. No economic impacts on small business are anticipated.

CHAPTER 6 TYPES OF CONSTRUCTION

WAC 51-30-0601 Section 601.5.2.3 Walls within health-care suites. Allows non-combustible, non-load-bearing partitions within health-care suites. No economic impacts on small business are anticipated.

CHAPTER 8 INTERIOR FINISHED

WAC 51-30-0804 Section 804.1 General. Exception 2 Exempts Group I, Divisions 1.1 or 1.2 complying with Section 1019.7 from this exception (i.e., reducing the flame spread by one classification when a sprinkler system is installed). No economic impacts on small business are anticipated.

CHAPTER 9 FIRE-PROTECTION SYSTEMS

WAC 51-30-0902 Section 902 - Standards of Quality. Add the NFPA Standard 13d to the list of recognized standards. No economic impacts on small business are anticipated

WAC 51-30-904 Section 904.1.4 Clearance around sprinklers in ceiling cavity.

Option 1: Do not amend 1994 U.B.C. No economic impacts on small business are anticipated.

Option 2: Maintain the WAC 51-20-3801 as a portion of WAC 51-30-0904. No economic impacts on small business are anticipated.

WAC 51-30-0904 Section 904.2.2 All occupancies except Group R, Division 3 and Group U Occupancies. Number 5 is an added requirement in the 1994 UBC.

Option 1: Maintain 1994 U.B.C. language No economic impacts on small business are anticipated.

Option 2: Deletes number 5, requiring automatic sprinkler system in all portions of a buildings with an occupant load of 30 or more that is located 55 feet or more above the lowest level of fire department access. Deletes the exceptions. Significant savings to small business are anticipated.

Option 3: Changes number 5 by deleting occupant load requirement, raising the 55 foot height level to 75 feet. Maintains the exceptions. Significant savings to small business are anticipated.

Except for Group R-1 and Group U Occupancies, all buildings, unless they provide specific fire department access, have to have sprinklers, as do apartments, hotels and office buildings over 75 feet. Other occupancies are limited by number of stories or area without having a sprinkler system installed. At 15 feet between floors, and a maximum 1500 square feet per floor, option one or two would allow a five story, 7500 square foot building. With an allowed occupancy, this would be a more economical land use, plus the savings of the money not required to install a sprinkler system. Number 5, as it now exists, with a maximum 30 person occupancy load., would allow a maximum 3000 square foot two story building.

Section 904.2.4.1 General. Revises state language for determining value of E-1 Occupancies. Allows the Building Official and the Fire Chief more flexibility in determining when fire-extinguishing system is required. No economic impacts on small business are anticipated.

Section 904.2.6 Group I Occupancies Provides modified wording for sprinklers in light hazard areas. This wording is also to be used in Standard 38-12.

Section 904.2.8 Group R, Division, I Occupancies

Option 1: Maintain 1994 U.B.C. language. No economic impacts on small business are anticipated.

Option 2: Requires sprinklers in the following facilities:

Apartment houses - containing ~~16~~ 5 units

Congregate residence - occupant load of ~~20~~ or more than 10

Hotels - containing ~~20~~ 10 or more guest rooms

Significant cost impacts on small business are anticipated.

CHAPTER 10 MEANS OF EGRESS

WAC 51-30-1001 SECTION 1001.2 Definitions. Use the NFPA definition for "Smoke Protected Assembly Seating". No economic impacts on small business are anticipated.

WAC 51-30-1004 SECTION 1004.1 General. Referencing exit doors on accessible route of travel to Section 1004.11. No economic impacts on small business are anticipated.

Section 1004.2 Swing and Opening Force. Describing swing and open force on doors for consistency with the State Regulation for Barrier-Free Facilities. No economic impacts on small business are anticipated.

Section 1004.5 Special Egress-Control Devices. Adds I-1, I-1.1, I-1.2 and LC Occupancies to the list of Occupancies that may use egress-control devices at exit doors. Provides for use of key pad exit control devices at units caring for dementia patients. No economic impacts on small business are anticipated.

Section 1004.8 Special Doors. Maintains accessibility by use of a secondary door or gate where a turnstiles is used and an accessible route is required. No economic impacts on small business are anticipated.

Section 1004.9 Floor Level at Doors. Requires a maximum allowable threshold height at sliding doors within accessible dwelling units, provided an additional accessible entry is provided. No economic impacts on small business are anticipated.

WAC 51-30-1005 Section 1005.10 Elevators

Option 1: Maintain 1994 U.B.C. language

Option 2: Where an elevator shaft is pressurized, an elevator lobby need not be provided. This allows a design choice to fit the scope and scale of the facility. No economic impacts on small business are anticipated.

WAC 51-30-1006 Section 1006.1 General. To allow a stair or a ladder access to specific rooms in an individual dwelling, if that space is 200 square feet or less. This exception allows a design option of accessing a loft by means of a ladder rather than a stairway. Ladders have been installed for years, this just makes it legal. Moderate savings can be accomplished if using a ladder for access to a loft.

Section 1006.3 Rise and Run.

Option 1: Maintain the 1994 UBC language. No economic impacts on small business are anticipated.

Option 2: Would allow 7.5" and 10" for the maximum rise and minimum run in any stair other than residential buildings of four or fewer units, that do not exceed two stories, and less than five thousand square feet in area. There could be a moderate savings due to savings in area required for the stairway, materials, and construction time.

Section 1006.7 Landings. Maintains landings at top and bottom of stairways. Where the door swings into the landing a minimum landing area is required beyond the door swing. No economic impacts on small business are anticipated.

Section 1006.9 Handrails. This proposed amendment disallows the concurrent use of the Exception in the first paragraph of Section 1103.2.2 and this Exception. Clarifies the distance beyond the bottom of a stairway that a handrail must extend. No economic impacts on small business are anticipated.

Section 1006.16 Stairway Identification. Reiterates that all fixed use rooms require identification signage and that this signage shall comply with Chapter 11. No economic impacts on small business are anticipated.

WAC 51-30-1007 Section 1007.4 Landings.

Option 1: References Chapter 11 for maneuvering clearances at ramp landings. Deletes the verbiage here covered in Chapter 11. Provides a reduction in length for landings with a slope of less than 1 in 12. No economic impacts on small business are anticipated.

Option 2: References Chapter 11 for maneuvering clearances at ramp landings. Deletes the need for a 6 foot landing at the bottom of ramps. No economic impacts on small business are anticipated.

Section 1007.5 Handrails. Requires handrails at ramps with a slope of 1 in 20, rather than 1 in 15. Adds language to extend at least one handrail beyond the top and bottom of the ramp, as is required in Chapter 11. No economic impacts on small business are anticipated.

WAC 51-30-1009 Section 1009.1 General. Requires enclosing interior stairways, ramps, and escalators in R-1 if used as Licensed Care facility (LC) if serving more than one adjacent floor and not connected with corridors or stairways serving other floors. This will incur a moderate cost depending on the configuration of the facility.

Section 1009.8 Vestibules. Allow wheelchair Areas for Evacuation Assistance to be in areas other than vestibules, that comply with Section 1104. There can be a minor savings depending on the configuration of the facility. This does allow greater freedom in the design of a facility.

WAC 51-30-1014 Section 1014.3 Width in Assembly Occupancies with Fixed Seats. Modifies this section to better serve small theaters and large arenas for calculating aisle widths. This will allow the smaller theaters to have reasonable widths at the aisles. Delete Table 10-B. This will allow more seating compared to the total square footage of the facility, and therefore provides a significant savings.

Section 1014.5 Ramp Slope. Maintains exception for ramp slope in theaters with fixed seating. No economic impacts on small business are anticipated.

Section 1014.6.2 When required. Maintains reference for exception noted in 1014.5 (see above). No economic impacts on small business are anticipated.

WAC 51-30-1019 Section 1019.7 Suites. Rewrites this section for patient suits in Group I, Division 1.1 1.2 and 2 to make it logical and readable. Exiting from these suits is clarified. This rewrite and reorganization will make the code easier to use and that is a time savings. No economic impacts on small business are anticipated.

WAC 51-30-1022 TABLE 10-A MINIMUM EGRESS REQUIREMENTS. Maintains state occupancy load for congregate residences (#8). Maintains state occupancy load for laboratories, #17, based on classroom use verses research occupancies. No economic impacts on small business are anticipated

CHAPTER 11 ACCESSIBILITY

Primary

Option 1: Other than renumbering and adding metric equivalent measurements, there are only three changes in Version 1 of Chapter 11 as compared to Chapter 31 of WAC 51-20. Each of the three changes would reduce costs of compliance with the regulations for small businesses and would also reduce enforcement costs.

Primary

Option 2: As with any adoption of new regulations, there are costs imposed on the users of the regulation for training, formal or informal, to all users of the new regulations. Many of the provisions in this version of Chapter 11 are clarifying revisions to existing accessibility provisions. Once learned, the effect of these revisions should be to reduce costs of interpretation, enforcement, and compliance. Certain specific provisions, individually, or one or more of the options being considered for specific provisions, have the following potential economic impacts. Frequently, where options would result in Washington's regulations providing less accessibility than either the Americans with Disabilities Act or the Federal Fair Housing Act, the costs of complying with Washington law may be perceived as less; however, owner/builders are still obligated to comply with the federal standards and incur the costs of compliance.

WAC 51-30-1103 Section 1103 The following provisions would reduce the costs of complying with, and enforcing, the Washington accessibility standards:

Option 1 for exception 1, Option 2 for exception 2, Option 2 for exception 5 and proposed exception 4 in Section 1103.1.1; Option 1 in Section 1103.1.2.1; Option 2 in Section 1103.1.3; Option 2 in Section 1103.1.7; Option 1 in Section 1103.1.9.3; Proposed exception in Section 1103.1.10; Option 1 in 1103.2.3 and Option 1 in Section 1103.2.4.2.

Section 1103.1.1, Exception 1 If option 2 is implemented, there will be costs imposed on the construction of new buildings to make machinery, mechanical and electrical equipment rooms accessible.

Section 1103.1.1, Exception 2 If option 1 is implemented to maintain this exception, there may be a decrease in construction costs as certain areas of a building could be exempted from being accessible, however there may be an increase in local jurisdiction administrative costs waivers being sought, appropriate or otherwise, are considered.

Section 1103.1.12 The new Licensed Care (LC) occupancy requires the occupancies to be accessible in new buildings. This will be a increase in costs to some operators over the existing regulations which exempted R-4 and R-5 occupancies from accessibility requirements.

Section 1103.2.2.1 Option 1 forces an interior accessible route where floor levels are required to be connected by an accessible route and an interior stairway or escalator is provided. This may result in increased costs from the current provision which allows for exterior routes to connect accessible levels where there is grade level access.

WAC 51-30-1104 Section 1104 The following provisions would reduce the costs of complying with, and enforcing, the Washington accessibility standards:

Option 2 for Exception #5 to Section 1104.1.2, Option 2 for Exception #3 to Section 1104.1.3 and Option 1 in Section 1104.2.5.

Section 1104.2.3 Both options for paragraph 2 introduce a new requirement which could impose slightly higher construction and life cycle costs of a building because more space may be needed to comply with the size requirements of areas of refuge, Option 2 would be more costly than option 1.

Section 1104.2.7 Option 2 would require an additional sign to provide direction when not all exits are accessible. The added sign would be an added cost.

WAC 51-30-1105 Section 1105 The following provisions would reduce the costs of complying with, and enforcing, the Washington accessibility standards:

Option 1 for Section 1105.3.1, Option 1 for Section 1105.4.1, Option 2 of Section 1105.4.10, Option 1 in Section 1105.5.2.1, Option 1 of Section 1105.5.2.2, Option 1 of Section 1105.5.2.3 and Exception 1 to Section 1105.5.4.1,

Section 1105.2.2 Second paragraph. The requirement for an ambulatory accessible toilet stall in men's rooms will result in more of these being provide at a minor increase in cost (two grab bars).

Section 1105.4.2 Option 2 to this provision, requiring 5 percent of work and/or study fixed stations to be accessible would be an additional cost of construction and administration of the code.

Section 1105.4.5.2 The controls and hardware requirements in this version of Chapter 11 would require accessible window hardware for dwelling units, guest rooms and similar facilities. This is a new requirement which may add construction costs depending on the cost of this type of hardware.

Section 1105.4.8.3 Options 1 for this provision would require limited accessibility in kitchens of non-residential buildings. This would increase both the costs of compliance and enforcement.

Section 1105.4.9 Option 2 requires sinks in classrooms to be accessible. This would increase both the costs of compliance and enforcement.

Section 1105.4.12 This section would add slightly to enforcement costs because particular attention would have to be focused on ATM locations.

Section 1105.5.4.2 Options 1 and 2 for Item #2 would require accessible sinks in accessible dwelling units. Both options would be an increase in cost of compliance and enforcement. Similarly Option 2 for Item #4 regarding appliance locations would also increase the costs of compliance and enforcement.

WAC 51-30-1107 Section 1107 The following provisions would reduce the costs of complying with, and enforcing, the Washington accessibility standards:

Item 1 for Section 1107.1.1, Item 2 for Section 1107.1.1 and Option 1 for Section 1107.3.

Section 1107.1.1 Option 1 for Item #4 would increase compliance costs for accessible parking at apartment building by adding an accessible van space requirement.

WAC 51-30-1111 Section 1111 The following provisions would reduce the costs of complying with, and enforcing, the Washington accessibility standards:

Option 1 for Exception 1 to the second paragraph of Section 1111.1.2 and Options 1 for each of Items 1, 2 and 3 to the third paragraph of the same section; Option 1 for exception 1 and exception 2 to Section 1111.1.3 and Option 2 for exception to item 6 in Section 1111.3.

WAC 51-30-1112 Section 1112 Both options 1 and 2 would reduce the costs of complying with the accessibility standards at the time of a change of occupancy.

WAC 51-30-1115 Section 1115 The following provisions would reduce the costs of complying with, and enforcing, the Washington accessibility standards:

Section 1115.2.3, Section. 1115.6.3, Option 1 for Section 1115.8.2, Option 1 for Section 1115.13.2, Option 1 for Section 1115.13.4, Option 1 for Section 1115.22.2

Section 1115.33.2 Option 1 would impose greater space requirements in toilet facilities in Type B dwelling units, thereby increasing costs of compliance both at construction and for the life of the building.

CHAPTER 12 INTERIOR ENVIRONMENT

WAC 51-30-1203 Section 1203.3 Ventilation. Eliminates redundant wording. No economic impacts on small business are anticipated

CHAPTER 16 STRUCTURAL FORCES

WAC 51-30-1614 Section 1614 Definitions. Revise the basic wind speed for Exposure D to "greater than 80 miles per hour." Correction of code grammar. No economic impacts on small business are anticipated.

CHAPTER 17 STRUCTURAL TESTS AND INSPECTIONS

WAC 51-30-1702 Section 1702 Structural Observation. More specifically defines number 4 requirement for when structural observations shall be made. No economic impacts on small business are anticipated.

CHAPTER 19 CONCRETE

WAC 51-30-1909 Section 1909.3.4.2 Allows for an inadequate trade-off between strength and ductility in concrete frames.
No economic impacts on small business are anticipated.

CHAPTER 22 STEEL

WAC 51-30-2211 Section 2211.10.13 Brace and Beam strength. No economic impacts on small business are anticipated.

CHAPTER 24 GLASS AND GLAZING

WAC 51-30-2406 Section 2406.4.10 Hazardous Locations. Redefines areas near stairways requiring safety glazing. This does not effect glazing in railings. There will be a moderate savings due to the reduction in the use of safety glass, if in fact these walls are designed with glass in them.

CHAPTER 29 PLUMBING SYSTEMS

WAC 51 30 2900 Chapter 2900 Plumbing Systems. Chapter 29, Plumbing Systems, Revised in total. The Minimum Plumbing Fixture Table is moved from the Appendix Chapter 29 of the 1994 edition of the UBC to Chapter 29 of the UBC. In the E Occupancy, the number of square feet per occupant doubled to better reflect the actual need of the schools. Also staff and students have been separated to better identify staffs needs. In A Occupancy, Assembly Places have been regrouped to reflect actual needs at intermissions during performances as compared to a steady on going demand for toilet usage. Note: the Appendix C Minimum Plumbing Facilities is being deleted from the Uniform Plumbing Code in coordination with these changes.

Schools will have fewer w/c. Performing Arts facilities will have more w/c. Group R will not be affected. The economic impact will depend on the occupancy.

CHAPTER 34 EXISTING STRUCTURES

WAC 51-30-3404 Section 3404 Moved Buildings. Add exception to make the WAC match the RCW. There would be a significant saving when moving Group R, Division 3 structures.

ADDENDUM

STATE BUILDING CODE ADOPTION AND AMENDMENT
OF THE 1994 EDITION OF THE UNIFORM BUILDING CODE

CHAPTER 51-30 WAC

WAC 51-30-001 AUTHORITY. These rules are adopted under the authority of Chapter 19.27 RCW.

WAC 51-30-002 PURPOSE. The purpose of these rules is to implement the provisions of Chapter 19.27 RCW, which provides that the State Building Code Council shall maintain the State Building Code in a status which is consistent with the purpose as set forth in RCW 19.27.020. In maintaining the codes the Council shall regularly review updated versions of the codes adopted under the act, and other pertinent information, and shall amend the codes as deemed appropriate by the Council.

WAC 51-30-003 UNIFORM BUILDING CODE. The 1994 edition of the Uniform Building Code as published by the International Conference of Building Officials and available from the International Conference of Building Officials, 5360 Workman Mill Road, Whittier, California 90601 is hereby adopted by reference with the following additions, deletions, and exceptions.

WAC 51-30-004 CONFLICTS WITH WASHINGTON STATE VENTILATION AND INDOOR AIR QUALITY CODE. In the case of conflict between the ventilation requirements of Chapter 12 of this code and the ventilation requirements of Chapter 51-13 WAC, the Washington State Ventilation and Indoor Air Quality Code, the provisions of the ventilation and indoor air quality code shall govern.

WAC 51-30-005 UNIFORM BUILDING CODE REQUIREMENTS FOR BARRIER-FREE ACCESSIBILITY. Chapter 11 and other Uniform Building Code requirements for barrier-free access are adopted pursuant to Chapters 70.92 and 19.27 RCW.

Pursuant to RCW 19.27.040, Chapter 11 and requirements affecting barrier-free access in Sections 1004.1, 1004.2, 1004.8, 1004.9, 1006.3, 1006.7, 1006.9, 1006.16, 1007.4, 1007.5, shall not be amended by local governments.

WAC 51-30-007 EXCEPTIONS. The exceptions and amendments to the Uniform Building Code contained in the provisions of Chapter 19.27 RCW shall apply in case of conflict with any of the provisions of these rules.

Table 10-B and Section 1607 of the 1994 Uniform Building Code are not adopted.

1
2 **WAC 51-30-008 IMPLEMENTATION.** The Uniform Building Code adopted under
3 Chapter 51-30 WAC shall become effective in all counties and cities of this state on June 30,
4 1995, ~~unless local government residential amendments have been approved by the state~~
5 ~~building code council.~~

6
7 **WAC 51-30-009 RECYCLABLE MATERIALS AND SOLID WASTE STORAGE.**
8 For the purposes of this section, the following definition shall apply:
9

10 **RECYCLED MATERIALS** means those solid wastes that are separated for recycling or
11 reuse, such as papers, metals and glass.
12

13 All local jurisdiction shall require that space be provide for the storage of recycled
14 materials and solid waste in all new buildings.
15

16 **EXCEPTIONS:** Group R, Division 3 and Group U Occupancies.
17

18 The storage area shall be designated to meet the needs of the occupancy, efficiency of
19 pickup, and shall be available to occupants and haulers.
20
21

2
3
4
5 Proposed Code Changes (Effective July 1, 1995)

- 6
7
8 ❖ Revise Log Home Requirements
9 ❖ Revise Section References to Uniform Codes

10
11

WSEC Section	Reference Code	Old Reference	New Reference
105.2.1	UBC	305(e)	108.5
108	UBC	Chapters 51-20 and 51-21 WAC	Chapter 51-30 WAC
	UMC	1005	Table 6D
	UMC	Chapter 51-22 WAC	Chapter 51-32 WAC
502.1.4.1	UBC	1713 and 1714	2602 and 707
502.1.4.2 ex 1 ex 3	UBC	1713	2602
	UBC	1714	707
502.1.4.5	UBC	3205(c)	1505.3
502.1.4.7	UMC	1008	607
502.1.5 and Tables 6-1 - 6-6	WSEC	Deemed to Satisfy	Delete obsolete Deemed to Satisfy Language
Table 5-1	WSEC	N/A	Log home Changes
Table 6-6	WSEC	N/A	Log home Changes
900	UBC	4211- 1212	310.11
1143.2	UBC	305(e)	108.5
	UBC	306(b) and (c)	1701

SUMMARY OF PROPOSED AMENDMENTS TO THE 1994 U.F.C.

See Page 2, Line 6 of Proposed Code Amendments:

WAC 51-34-0206. Definition: ELECTRICAL CODE. This amendment was in the 1991 U.F.C. The revised definition gives recognition to the Washington State Electrical Code.

See Page 2, Line 36 of Proposed Code Amendments:

WAC 51-34-0216. Definition: GROUP E OCCUPANCIES. This amendment was in the 1991 U.F.C. The additional amendment to the definition of Group E Occupancy is for consistency with the Uniform Building Code (U.B.C.) definition.

See Page 2, Line 42 of Proposed Code Amendments:

WAC 51-34-0216. Definition: GROUP LC OCCUPANCIES. Defines a new occupancy group proposed for the U.B.C. to include licensed care facilities.

See Page 3, Line 37 of Proposed Code Amendments:

WAC 51-34-0216. Definition: GROUP R OCCUPANCIES. This amendment, which was in the 1991 U.F.C., has been revised for consistency with the U.B.C. definition.

See Page 3, Line 43 of Proposed Code Amendments:

WAC 51-34-0216. Definition: OPEN BURNING. Reference is given to Department of Ecology regulations for burning.

See Page 4, Line 7 of Proposed Code Amendments:

WAC 51-34-0219. Definition: RECREATIONAL FIRE. Reference is given to Department of Ecology regulations for burning.

See Page 4, Line 16 of Proposed Code Amendments:

WAC 51-34-0223. Definition: VEHICLE FUELING APPLIANCE. A new definition to go along with the proposed amendment of Section 5204.5.3.

See Page 5, Lines 25 & 38 of Proposed Code Amendments:

WAC 51-34-0901, Section 901.4.4.

Option 1: Maintains the code as published with no changes.

Option 2: Would give the fire chief the ability to require the installation of flashing visual identification devices (VIDs) on residential occupancies as an aid to premises identification for emergency personnel. Option 2 also includes the adoption of WAC 51-35-09000, new U.F.C. Standard 9-10, Visual Identification Devices, to regulate the installation of VIDs.

See Page 5, Lines 9 & 18 and Page 6, Line 4 of Proposed Code Amendments:
WAC 51-34-0901, Sections 901.2.2.1 and 901.4.2; also
WAC 51-34-0902. This amendment, which was in the 1991 U.F.C., meets the provisions of RCW 19.27.060(5), which states: "No provision of the Uniform Fire Code concerning roadways shall be part of the state building code: Provided, that this subsection shall not limit the authority of a county or city to adopt street, road, or access standards."

See Page 8, Line 8 of Proposed Code Amendments:
WAC 51-34-1003, Section 1003.2.4.1. An amendment, which was in the 1991 U.F.C., that has been revised to meet the requirements of Substitute Senate Bill 5261 requiring all new buildings classified as Group E-1 Occupancies to be provided with automatic fire-extinguishing systems. Revised language provides for a minimum water supply, allows for reduced fire flow requirements and allows building value to be determined by a more reasonable means.

See Page 9, Line 2 of Proposed Code Amendments:
WAC 51-34-1003, Section 1003.2.6. Requires quick-response sprinkler heads in hospitals and nursing homes to provide patients the same level of life safety as is already required in apartments, hotels, motels, and residential group care facilities with occupant loads of 16 or less. This requirement is contained in WAC 212-12, Fire Marshal Standards.

See Page 9, Lines 14 & 23 of Proposed Code Amendments:
WAC 51-34-1003, Section 1003.2.8.
Option 1: Maintains the code as published with no changes.
Option 2: Increases the automatic fire sprinkler system requirement for Group R, Division 1 Occupancies and does not allow area separation walls to delete the sprinkler requirement.

See Page 10, Lines 8 & 15 of Proposed Code Amendments:
WAC 51-34-1007, Sections 1007.1.5 and 1007.2.12.9 These are new subsections which collect the numerous references to fire alarm systems contained in WAC 51-30-1100, Accessibility, into one location so that the authority having jurisdiction who administers the provisions of U.F.C. Article 10 will have them readily available, thus improving the uniform application of these requirements.

See Page 12, Lines 9 & 19 of Proposed Code Amendments:
WAC 51-34-2501, Section 2501.9.5 and 2501.9.6.2. This amendment was in the 1991 U.F.C. and is consistent with a similar amendment to U.B.C. Section 1014.5. The amendment allows an exception to ramp slope requirements for theaters with fixed seating.

See Page 13, Lines 8 & 21 of Proposed Code Amendments:
WAC 51-34-5201, Section 5201.1.
Option 1: Deletes existing amendments to the 1991 U.F.C. and maintains the code as published with no changes.
Option 2: Retains existing amendments to the 1991 U.F.C. which allows for fleet fueling operations.

See Page 14, Lines 21 & 33 of Proposed Code Amendments:

WAC 51-34-5201, Section 5201.4.1. Requires that CNG (Compressed Natural Gas) refueling operations be in accordance with Section 5204, which contains specific regulations, and clarifies that CNG operations are completely subject to Section 5204 and Standard 52-1.

See Page 14, Line 46 of Proposed Code Amendments:

WAC 51-34-5201, Section 5201.5.3. Change approved at recent IFCI meeting but not yet in the published U.F.C.

See Page 15, Lines 16 & 41 of Proposed Code Amendments:

WAC 51-34-5204, Section 5204.5. References the appropriate installation standard for CNG.

See Page 16, Line 6 of Proposed Code Amendments:

WAC 51-34-5204, Section 5204.6. Change approved at recent IFCI meeting but not yet published in the U.F.C.

See Page 17, Line 5 of Proposed Code Amendments:

WAC 51-34-6103. Requires a permit to remove, abandon, place temporarily out of service or otherwise dispose of a combustible liquids tank, which includes residential fuel oil tanks.

See Page 17, Line 21 of Proposed Code Amendments:

WAC 51-34-6106. Clearly includes residential fuel oil tanks in the U.F.C. requirements for abandonment.

See Page 17, Line 43 and Page 18, Lines 14 & 33 of Proposed Code Amendments:

WAC 51-34-6107, Section 6107.3.

(These options are also proposed for the Uniform Mechanical Code, Section 327.6.)

Option 1: Leaves the section as published with no changes.

Option 2: Includes an existing 1991 Uniform Mechanical Code amendment which permits the use of unvented portable oil-fueled heaters as supplemental heat in any Group B, F-2, M, R, or U Occupancy provided such heaters shall not be located in sleeping rooms or bathrooms. This provision presently exists in RCW 19.27A.

Option 3: Adds language to option 2 which also allows the installation of unvented gas logs and fireplaces in any Group I or Group R Occupancy, except bathrooms and bedrooms.

See Page 20, Line 6 of Proposed Code Amendments:

WAC 51-34-7802. This amendment was in the 1991 U.F.C. The U.F.C. fireworks requirements are deleted, this being consistent with RCW 70.77 which supersedes the U.F.C. provisions. Local jurisdictions can adopt U.F.C. Article 78 so long as the local ordinance complies with the requirements of RCW 70.77.

See Page 26, Line 24 of Proposed Code Amendments:

WAC 51-34-7901, Section 7901.1.1. Includes residential fuel oil tanks in the U.F.C. requirements for abandonment.

See Page 26, Line 43 and Page 27, Lines 3 & 7 of Proposed Code Amendments:
WAC 51-34-7902, Sections 7902.6.8, 7902.6.10 and 7902.6.15.2. This amendment was in the 1991 U.F.C. and provides for consistency with WAC 173-360 on Underground Tank Regulations, which supersede the U.F.C. provisions.

See Page 27, Lines 15 & 32 of Proposed Code Amendments:
WAC 51-34-7904, Section 7904.5.4.2.2.

Option 1: Deletes existing amendments to the 1991 U.F.C. and maintains the code as published with no changes.

Option 2: Retains existing amendments to the 1991 U.F.C. This amendment complements the amendment of Section 5201.1, which allows for fleet fueling operations.

See Page 30, Line 13 of Proposed Code Amendments:
WAC 51-34-8001, Section 8001.3.2. An amendment proposed for consistency with an identical amendment being proposed for U.B.C. Section 307.1.6.

See Page 30, Line 23 of Proposed Code Amendments:
WAC 51-34-8003, Section 8003.3.2.3. This amendment was in the 1991 U.F.C. and provides an exception to fire sprinkler system requirements for anhydrous ammonia fertilizer storage canopies.

See Page 31, Line 3 of Proposed Code Amendments:
WAC 51-34-9100, APPENDIX II-F. Allows for the storage and dispensing of motor fuels from protected aboveground tanks located outside buildings while ensuring a similar level of physical and thermal protection achieved with underground tank installations.

See Page 37, Line 6 of Proposed Code Amendments:
WAC 51-35-09000. UNIFORM FIRE CODE STANDARD 9-10. A proposed new U.F.C. standard, Visual Identification Devices, to regulate the installation of VID's called for in proposed Section 901.4.5.

WAC 51-35-52000. UNIFORM FIRE CODE STANDARD 52-1.

See Page 39, Line 13 of Proposed Code Amendments:
4-4.1: Returns needed language to the standard.

See Page 39, Line 22 of Proposed Code Amendments:
4-4.2.2: Recognizes the CNG vehicle fueling appliance enclosure's limited purpose and makes the appropriate allowances.

See Page 41, Line 42 of Proposed Code Amendments:
4-11.5: This section is needed due to proposed changes to U.F.C. Standard 52-1, Chapter 5.

See Page 43, Line 4 of Proposed Code Amendments:

4-17.2: Change approved at recent IFCI meeting but not yet in the U.F.C. Reinserts exemption from Chapter 4 requirements because of proposed new Chapter 5 regulations.

See Page 44, Line 6 of Proposed Code Amendments:

Chapter 5: Chapter has been rewritten to provide appropriate regulations for CNG Vehicle Fueling Appliances.

**SUMMARY OF PROPOSED AMENDMENTS
TO THE 1991 EDITION OF
THE UNIFORM PLUMBING CODE**

(Chapter 51-26 WAC)

(j) Short explanation of rule, its purpose and anticipated effects:

REGULATORY ANALYSIS (per Executive Order 94-07)

1. Objective of Rule

Section 19.27.074 of the RCW directs the Council to adopt and maintain the Uniform Plumbing Code and Uniform Plumbing Code Standards. The objective of this rule is to amend the Uniform Plumbing Code and Uniform Plumbing Code Standards for statewide application and enforcement by each city and county of the state.

2. Alternative Methods to Achieve Same Objective

The mission of the State Building Code Council is to adopt a plumbing code for uniform application throughout the state. This is best achieved through a single code. Amending other regulations of other agencies, or directing local governments to adopt the codes independently have been historically counterproductive to the purpose of the State Building Code Act (19.27 RCW).

3. Coordination with Other Agencies

The State Building Code Council rule making process has included participation by local building, fire, mechanical and plumbing officials. Representatives from the Departments of Ecology and Health were active state participants in our Technical Advisory Group. The Seattle Water Department was also an active influence during this process.

Statute requires local governments to enforce the codes adopted by the Council. Technical assistance to local governments is an ongoing activity of Council staff.

The Departments of Social and Health Services, Health, Public Instruction, Labor and Industries, Washington State Energy Office and Fire Protection Services are among the state agencies who no longer write their individual construction standards, but rely on the codes adopted by the Building Code Council.

4. Cost Effectiveness

Changes to other rules or statutes will not achieve this same objective, this proposal being the most cost-effective manner of achieving the regulatory objective.

5. Anticipated Environmental and Fiscal Consequences

Adopting the most current editions of the codes will allow the state's building industry to utilize current construction trends, materials and technology. The codes foster development of buildings which are safe for the health and safety of the citizens of the state.

The fiscal consequences to state government is minimized in that the Building Code Council adopts and maintains the Uniform Codes that are referenced or used by all other state agencies dealing with physical plants, rather than each agency or department attempting to develop and maintain their own building code. Enforcement of multiple plumbing codes, on a statewide basis, would be impossible. The cost of construction with multiple codes would also increase dramatically.

6. Interaction with Federal Laws

The Uniform Building Codes have traditionally been a state-level issue. Today there is movement towards a national uniform code format; however, each state, for the foreseeable future, will adopt the model code and amend it to meet the unique conditions of each state or municipality. Equivalent metric measurements have been added along side English measurements as a result of Federal regulations continuing to ease the nation into metrification.

7. Differences in Application to Public and Private Entities

All regulations adopted by the State Building Code Council apply equally to both public and private entities.

The proposed rule will further amend the 1991 Edition of the Uniform Plumbing Code (UPC) published by the International Association of Plumbing and Mechanical Officials as adopted on November 8, 1991, and November 12, 1992, by the State Building Code Council.

Agency comments or recommendations:

The State Building Code Council seeks comments on the issues and options that are proposed in the following proposed amendments:

1. Amend WAC 51-26-1800, the ANSI/CSA Standards for labeling plumbing fixtures and fittings for water conservation performance standards.
2. Delete the Minimum Plumbing Facilities table from Appendix C.

Amend Appendix C with the following: "Table 29-A Minimum Plumbing Fixtures table is located in Chapter 29 of the Uniform Building Code, 1994 Edition, as adopted in WAC 51-30-2900".

Delete the Minimum Plumbing Facilities table from WAC 51- 26-2200 Chapter 22.

Amend WAC 51-26-2200 with the following: "Table 29-A Minimum Plumbing Fixtures table is located in Chapter 29 of the Uniform Building Code, 1994 Edition, as adopted in WAC 51-30-2900".

3. Amend the Uniform Plumbing Code with the following proposals:
 - Section 909(g) Pressure Balancing or Thermostatic Mixing Valves
 - Section 1007(c) Temperature and Pressure Relief Valves
 - Section 1009(d) Parallel Water Distribution System
 - Section 1301-General Pressure and Temperature Relief Valves

**1994 UNIFORM PLUMBING CODE SUMMARY OF
ECONOMIC IMPACT ON SMALL BUSINESSES**

Moving the Minimum Plumbing Fixture table from the Uniform Plumbing Code to the Uniform Building Code

No economic impact on small business are anticipated.

Section 909(g) Pressure Balancing or Thermostatic Mixing Valves. There is an increase of cost of approximately \$25.00 per valve.

Section 1007(c) Temperature and Pressure Relief Valves. There is an increase of cost of approximately \$25.00 per valve.

Section 1009(d) Parallel Water Distribution System. This will allow this type of system to be used in new construction or in retrofit. The amount of savings depends on the configuration of the building and the number of fixtures being installed. There are too many variables to affix a dollar amount.

Section 1301-General Pressure and Temperature Relief Valves. There is an increase of cost of approximately \$25.00 per valve.

**Washington State Building Code Council
Attachment for CR-102
Proposed Chapter 51-32 WAC**

(j) Short explanation of rule, its purpose, and anticipated effects:

The proposed rule will adopt by reference and amend the 1994 Edition of the Uniform Mechanical Code (UMC) published by the International Conference of Building Officials. The purpose is to replace the 1991 UMC and assign the 1994 UMC a new WAC number (51-32 WAC). The 1994 UMC will be amended to provide greater safety and flexibility than the published version for its application in Washington State.

The 1994 UMC has been updated as well as reformatted into the common code format established by the Council of American Building Officials (CABO). The new format establishes a common format of chapter designations for the three model mechanical codes published in the United States.

The code reformatting is a major change in the document which necessitated assigning it a new WAC number. Topics and entire chapters have been relocated within the code, resulting in a totally reorganized chapter and section numbering scheme. Within the chapters, sections are no longer subdivided using an alpha-numeric system, the 1994 UMC having been changed to a decimal system for subdividing sections. With the 1994 Edition the UMC has been metricated, with the Système International (SI) conversions following the inch-pound (IP) units in parenthesis.

For the most part the technical content of the code has not changed. A significant change has been made in the refrigeration requirements due to the advent of new refrigerants mandated by federal requirements and new standards and practices. Chapter 11, Refrigeration, consolidates 1991 UMC Chapters 12, 14, 15 and 16 and is revised in its entirety.

Proposed Amendments to the 1994 UMC:

WAC 51-32-0223. Provides added language to clarify what unusually tight construction is by referencing codes unique to the State or the Northwest. This is a revision of an existing amendment to the 1991 UMC.

WAC 51-32-0327. Option 1: Leaves the section as published with no changes.

Option 2: Retains the existing 1991 UMC amendment which permits the use of unvented portable oil-fueled heaters as supplemental heat in any Group B, F-2, M, R, or U Occupancy provided such heaters shall not be located in sleeping rooms or bathrooms. This provision presently exists in RCW 19.27A.

Option 3: Adds language to option 2 which also allows the installation of unvented gas logs and fireplaces in any Group I or Group R Occupancy, except bathrooms and bedrooms.

WAC 51-32-0504. This is an existing amendment to the 1991 UMC. Added language requires clothes dryer exhaust ducts to be protected by steel plates or clips to prevent accidental penetration by nails or screws.

WAC 51-32-0601.1 This is an existing amendment to the 1991 UMC. Changes provide flexibility as to what materials can be used for air ducts.

WAC 51-32-0601.1.1 Option 1: This is an existing amendment to the 1991 UMC. Allows corridors to be used as part of air-conveying systems in fire-resistive construction if stringent requirements are met.

Option 2: This is the same as Option 1, except that corridors in Group I Occupancies are not included among those which may be used as part of air-conveying systems.

WAC 51-32-0601.2 This is an existing amendment to the 1991 UMC. Exceptions allow exhaust ducts to extend into or through ducts or plenums when specified conditions are met.

WAC 51-32-0605. Makes code user aware of the Building Code allowance for the deletion of fire dampers in air ducts passing through the wall, floor, or ceiling separating a Group R, Division 3 Occupancy from a Group U Occupancy.

WAC 51-32-1312. Allows corrugated stainless steel tubing to be used for gas piping.

WAC 51-32-1313. Requires underground ferrous gas piping to be electrically isolated from the rest of the gas system.

Washington State Building Code Council
Proposed Chapter 51-32 WAC
1994 Uniform Mechanical Code
Small Business Economic Impact Statement

The small business economic impacts have been analyzed for changes in the 1994 Uniform Mechanical Code compared to the 1991 edition which it replaces. The following is an analysis of the changes with possible small business economic impacts.

Sec. 51-32-0403 WAC. This is a new section which requires air filters in a heating, cooling, and make-up air systems, and requires that filters meet specified performance requirements. These new requirements will possibly add cost, depending on what type of filters, if any, have been utilized in the past.

Sec. 51-32-0608 WAC. Changes expand the requirement to providing automatic shutoffs activated by duct smoke detectors in air-moving systems within buildings. This will add some cost to new systems which supply air in excess of 2,000 cubic feet per minute (940 L/s).

Sec. 51-32-0908 WAC. It is required that a minimum opening of 100 square inches (0.0645 m²) for makeup air be provided for clothes dryer closets. Some added cost may be incurred depending on the method used to meet this requirement.

Sec. 51-32-1100 WAC. Chapter 11, REFRIGERATION, is revised in its entirety and updated to current standards and practices and provides for new refrigerants mandated by federal requirements. An increase in cost is anticipated for businesses utilizing refrigeration.

Sec. 51-32-1312 WAC. Changes allow corrugated stainless steel tubing to be used for gas piping. An increase in inspection cost may be experienced by local jurisdictions. For specific projects, savings on installation costs may be realized due to the flexibility of this product.

**Ventilation and Indoor Air Quality Code
Small Business Economic Impact Statement
June 17, 1994**

The majority of the proposed changes are clarification and corrective language which have no economic impact. There are no proposed reporting requirements for small businesses.

The change to the list of high risk radon counties will have an economic impact for Group R Occupancies in the counties involved. However, small businesses should not be effected disproportionately. Those counties that are on the list will have additional building costs for radon premitigation measures in Group R Occupancies.

After the building is complete, if it is determined that radon mitigation measures are needed, the premitigation measures already installed will enable the mitigation measures to be installed at far less cost. For example, placing a layer of aggregate under a concrete slab after the building is complete far too expensive and basically impossible. However, if premitigation measures are installed and it is determined that mitigation is not needed, although the premitigation measures will still work passively, they will generally serve as an added expense.

It is assumed that 70% of all new single family housing units are built over ventilated crawl spaces that already meet the proposed requirements.

The remaining 30% are built on concrete slabs or over basements. In those units the following additional measures would be required:

1. A four inch layer of gravel under the slab;
2. A layer of 6 mil extruded polystyrene between the slab and the gravel;
3. Sealing of all cracks and penetrations through the slab that will not be exposed when the building is finished;
4. A continuous sealed pipe run from under the concrete slab to a point outside the building.
5. An accessible area for future location of an in-line fan including a 110 volt power supply provided at a junction box near the fan location.

In 1990, at the time when these regulations were first adopted, the expected costs of these measures ranged from \$300 to \$500 per unit although no statewide analysis of the incremental costs was completed.

It is assumed that the radon resistive construction standards for multi-family buildings will be similar to those for single family buildings. The cost per unit will be decreased somewhat since the required measures will be applied to the building as a whole, rather than each individual unit. At the time when these regulations were first adopted, no statewide analysis of incremental costs was completed.

CITY OF GIG HARBOR

ORDINANCE NO. ____

AN ORDINANCE OF THE CITY OF GIG HARBOR, WASHINGTON, ADOPTING THE WASHINGTON STATE BUILDING CODE, including the 1994 editions to the Uniform Building Code, Uniform Fire Code, Uniform Plumbing Code, Uniform Mechanical Code and those amendments as adopted by the Washington State Building Code Council and as recommended by the Gig Harbor Building Code Council.

WHEREAS, the Washington State Building Code Council has adopted the 1994 editions to the Uniform Building Codes with certain amendments for use within the State of Washington; and,

WHEREAS, the Codes as amended will become effective in the State of Washington on June 30, 1995; and,

WHEREAS, the Gig Harbor Municipal Code must be amended to reflect the new section numbers as revised within the 1994 Uniform Building Codes with certain Washington State Building Code amendments; and,

WHEREAS, the Gig Harbor City Council does find that the adoption of the 1994 Uniform Building Codes with certain Washington State Building Code amendments is in the public's interest.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Sections Repealed. The following Sections of the Gig Harbor Municipal Code are hereby repealed:

- 15.06.015 Provisions adopted.
- 15.06.020 Limitation of benefited and protected classes.
- 15.06.021 Amendment to Section 1211, Uniform Building Code.
- 15.06.022 Amendment to Section 3802(h), Uniform Building Code.
- 15.06.035 Permit Fees.
- 15.06.037 Appeals - Hearing examiner/building code advisory board.
- 15.06.060 Expiration.
- 15.06.070 Validity.

15.08.015	Provisions adopted.
15.08.020	Limitation of benefited protected classes.
15.08.025	Repealed.
15.08.030	Repealed.
15.08.040	Appeals of administrative determinations.
15.08.050	Validity.
15.10.010	Provisions adopted.
15.10.015	Limitation of benefited and protected classes.
15.10.020	Conflict with State Energy Code.
15.10.030	Repealed.
15.10.035	Repealed.
15.10.038	Appeals of administrative determinations.
15.10.040	Validity.
15.12.015	Provisions adopted.
15.12.017	Fire flow appendix.
15.12.021	Amendment to Section 14.104(c), Uniform Fire Code.
15.12.022	Amendment to Section 10.306(h), Uniform Fire Code.
15.12.023	Amendment to Section 85.104, Uniform Fire Code.
15.12.024	Automatic fire sprinkler systems.
15.12.025	Limitation of benefited and protected classes.
15.12.026	Fire alarm systems.
15.12.030	Conflicts with other codes.
15.12.040	Definitions.
15.12.050	Definitions.
15.12.060	Additions to Uniform Fire Code.
15.12.070	Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is to be prohibited.
15.12.080	Establishment of limits in which bulk storage of liquefied petroleum gas is to be restricted.
15.12.090	Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.
15.12.095	Amendments to Appendix II-C(5)(a).
15.12.110	Repealed.
15.12.120	Validity.
15.20.010	Location and construction.
15.20.020	Operation and maintenance.
15.20.025	Definitions.
15.20.030	Variance - Application.
15.20.040	Variance - Appeal.

- 15.20.050 Variance - Fee.
- 15.20.060 Violation - Penalty.

- 15.24.010 Television set in motor vehicle.
- 15.24.020 Antenna standards.
- 15.24.030 Conformity to standards required.
- 15.24.040 Antenna permit required.
- 15.24.050 Violation - Penalty.

- 15.28.010 Security requirements - Exceptions.
- 15.28.020 Enforcement - Right of entry.
- 15.28.030 Responsibility for compliance.
- 15.28.040 Inspection - Notice.
- 15.28.050 Security measures - Locking devices.
- 15.28.060 Security measures - Intrusion detection devices.
- 15.28.070 Appeal from intrusion detection device requirements.
- 15.28.080 Penalties for violations.

Section 2. State Building Code. The State Building Code, as follows, is adopted by reference:

Chapter 15.06
UNIFORM BUILDING CODE

Sections:

- 15.06.015 Provisions adopted.
- 15.06.020 Historic Building Code adopted.
- 15.06.030 Appeals - Hearing examiner/building code advisory board.
- 15.06.040 Complete Permit Application.
- 15.06.050 Expiration.
- 15.06.060 Permit fees.
- 15.06.070 Amendment to Section 310.10, Uniform Building Code.
- 15.06.080 Amendment to Section 904.2.8, Uniform Building Code.

A. Section # 15.06.015, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.06.015 Provisions adopted.
The Uniform Building Code, 1994 Edition, including Appendix Chapters 15 and 33, Uniform Building Code Standards, 1994 Edition, the Uniform Code for the Abatement of Dangerous Buildings, 1994 Edition, published by the International Conference of Building Officials and as amended by the Washington State Building Code Council on November 18, 1994, and as published as Chapters 51-30 WAC are adopted for use within the city of Gig

Harbor.

B. Section # 15.06.020, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.06.020 Historic Building Code adopted.
The Historic Building Code, 1991 Edition, published by the Washington Association of Building Officials and as adopted by the Washington State Building Code Council November 9, 1990 and became effective July 1, 1991 are adopted for use within the city of Gig Harbor.

C. Section # 15.06.030, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.06.030 Amendment to Section 105.1, Uniform Building Code.
Section 105.1 of the Uniform Building Code is amended as follows:

105.1 General. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and trained to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. Appeals of Civil Penalty Orders, and Appeals of a nontechnical standard or code shall be considered pursuant to the Hearing Examiner, Chapter 17.10 of the Gig Harbor Municipal Code. Appeals of Administrative Determination where alternative materials or methods of construction are proposed, shall be considered pursuant to the Building Code Advisory Board, Chapter 15.02 of the Gig Harbor Municipal Code.

D. Section # 15.06.040, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.06.040 Amendment to Section 106.3.1, Uniform Building Code.
Section 106.3.1 of the Uniform Building Code is amended as follows:

106.3.1 Application. To obtain a permit, the applicant shall first file an

application therefor in writing on a form furnished by the code enforcement agency for that purpose. Pursuant to RCW 19.27.095 a fully completed building permit application shall be any application including the necessary fees therefor and shall. Every such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use or occupancy for which the proposed work is intended.
4. Be accompanied by plans, diagrams, computations and specifications and other data as required in Section 106.3.2.
5. State the valuation of any new building or structure or any addition, remodeling or alteration to an existing building.
6. Be signed by the applicant, or the applicant's authorized agent.
7. Give such other data and information as may be required by the building official.
8. Include the necessary verification that the applicable components within the following table have been completed, or submitted for review, or approved:

DESCRIPTION	COMMENTS
Grading Permit	When the project requires grading or filing in amounts that require a separate Grading Permit in accordance with Appendix 33, 1994 UBC
Geotechnical Report/Assessment	A geotechnical report/assessment is required when project is located in a slope hazard area or when required in accordance with Appendix 33, 1994 UBC
Hydrogeologic Report	A hydrogeologic report is required when project is located in an aquifer recharge area.
Land Use Application	Any Land Use Permits required to approve the application shall be applied for prior to, or with the building permit application.

<u>Environmental Checklist</u>	A completed checklist is required if the project is located within a sensitive area.
<u>Wetlands Application</u>	A wetlands application is required when project is located in a wetland area or if it is a non-exempt commercial or residential project.
<u>Septic Application Approval</u>	Buildings served by on-site sewage systems require Approve As-Built Plans and application for on-site approval from the Tacoma/Pierce County Health Department prior to building permit application.
<u>Water Availability</u>	Water Availability Letter signed by the water purveyor shall provided at the time of building permit application. Water source, quantity and quality review. RCW 19.27.097
<u>Health Sanitation Review</u>	Schools, swimming pools and restaurants require review by Tacoma/Pierce County Health Department. Application for this review shall be made prior to or with the building permit application.
<u>Sewer Service/On-Site Sewage Systems</u>	If building is not to be served by an approved city sanitary sewer, a copy of approval from the city Public Works Department and Tacoma/Pierce County Health Department must be submitted with the building permit application.
<u>Fire-Flow Letter</u>	Provide Fire-Flow Letter signed by the water purveyor indicating hydrant placement (location) and water flow in GPM.

<p>Construction Drawings</p>	<p>In addition to those items stated in 1-7 above, submit necessary energy review plans and specifications stamped by a WABO certified plans examiner for non-residential buildings; fire protection drawings stamped by a WA State registered designer; plumbing and mechanical system plans and specifications. Plans and specifications shall be submitted in duplicate with the necessary Architect/Engineer's stamps.</p>
<p>Plot Plan</p>	<p>Plot plan shall include, but not be limited to, the following (in an approved scale drawing): a vicinity map; all buildings on the same site and immediately adjoining the site; access drives; emergency vehicle access and any site improvements which would restrict fire fighters; landscaping; garbage & recycle containers; sanitary sewer/septic system; storm, water and other utility locations; fire hydrant and auto fire sprinkler system fire department connections; vault size(s) and location(s), dimension all setbacks from property lines and buildings; grading contours (existing & finished) if lot slope is 15% or greater, and for all commercial and multi-family residential projects.</p>
<p>Public Works Plan Review</p>	<p>City Public Works Plan Review must be submitted prior to or with the building permit application.</p>

E. Section # 15.06.050, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.06.050 Amendment to Section 106.4.4, Uniform Building Code.
Section 106.4.4 of the Uniform Building Code is amended as follows:

106.4.4 Expiration. Every permit issued by the building official under the

provisions of this code shall expire by limitation and become null and void if the building or work authorized by such permit is not commenced within 180 days from the date of such permit, or if the building or work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days, or if the building or work authorized by such permit has not been completed and a final inspection has not been given and a certificate of occupancy issued within one year from the date of such permit. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and substantial construction as determined by the building official has taken place; and provided further than such suspension, abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding and unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

F. Section # 15.06.060, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.06.060 Amendment to Section 107.2, Uniform Building Code.
Section 107.2 of the Uniform Building Code is amended as follows:

107.2 Permit Fees. ~~The fee for each permit shall be as set forth in Table 1-A.~~ A fee for each permit shall be paid to the City of Gig Harbor in the amount set forth in ~~Title 3.40 of the Gig Harbor Municipal Code.~~

The determination of value or valuation under any of the provisions of this code shall be made by the building official. ~~The determination of value or valuation under any of the provisions of this code shall be made by the building official using the most current publication of the Building Valuation Work sheet, based upon data compiled by the International Conference of Building Officials and published in the Building Standards as a building cost reference. Said building valuation Work sheet shall be posted in the Building Department of Planning and Building.~~

The value to be used in computing the building permit and building plan

review fees shall be the total value of all construction work for which the permit is issued, as well as all finish work, painting, roofing, electrical, plumbing, heating, air conditioning, elevators, fire-extinguishing systems and any other permanent equipment.

G. Section # 15.06.070, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.06.070 Amendment to Section 310.10, Uniform Building Code.
Section 310.10 of the Uniform Building Code is amended as follows:

310.10 Fire Alarm Systems. Group R, Division 1 Occupancies shall be provided with an approved manual and automatic fire alarm system in apartment houses three or more stories in height, ~~or two or more stories in height with a basement;~~ or containing more than ~~16~~ **5** or more dwelling units, and every ~~in~~ hotels and motel which contains six (6) ~~three or more stories in height or containing 20~~ or more guest rooms and in congregate residences three or more stories in height or having an occupant load of 20 or more ~~in accordance with the Fire Code.~~ A fire alarm and communication system shall be provided in Group R, Division 1 Occupancies located in a high-rise building.

EXCEPTIONS: 1. A manual fire alarm system need not be provided in buildings not over two stories in height when all individual dwelling units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least one-hour fire-resistive occupancy separations and each individual dwelling unit or guest room has an exit directly to a public way, exit court or yard, ~~exterior stairway or exterior exit balcony.~~

2. A separate fire alarm system need not be provided in buildings which are protected throughout by an approved supervised fire sprinkler system ~~installed in accordance with U.B.C. Standard No. 9-1 and having a local alarm to notify all occupants.~~

The alarm signal shall be a distinctive sound which is not used for any other purpose other than the fire alarm. Alarm-signaling devices shall produce a sound that exceeds the prevailing equivalent sound level in the room or space by 15 decibels minimum, or exceeds any maximum sound level with a duration of 30 seconds minimum by 5 decibels minimum, whichever is louder. Sound levels for alarm signals shall be 120 decibels maximum.

For the purposes of this section, area separation walls shall not define separate buildings.

H. Section # 15.06.080, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.06.080 Amendment to Section 904.2.8, Uniform Building Code.
Section 904.2.8 of the Uniform Building Code is amended as follows:

904.2.8 Group R, Division 1 Occupancies. An automatic sprinkler system shall be installed throughout every ~~apartment-house~~ building classified as a ~~Group R, Division 1 occupancy which exceeds 5,000 square feet or exceeds two (2) three or more stories in height or containing 16 5 or more dwelling units, every congregate residence three or more stories in height or having an occupant load of 20 or more than 10, and every hotel and motel three or more stories in height or containing 20 which contains six (6) or more guest rooms (e.g., for the purposes of this section, a structure with two (2) stories and a basement shall be considered as exceeding two stories.)~~ Residential or quick-response standard sprinklers shall be used in the dwelling units and guest room portions of the building.

~~For the purpose of this Section, area separation walls shall not define separate buildings.~~

Chapter 15.08
UNIFORM PLUMBING CODE

Sections:

- 15.08.015 Provisions adopted.
- 15.08.060 Permit fees.
- 15.08.070 Appeals - Hearing examiner/building code advisory board.
- 15.08.050 Expiration.

I. Section # 15.08.015, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.08.015 Provisions adopted.
The Uniform Plumbing Code, 1991 Edition, including Appendix Chapters A, B, D and H, and the Uniform Plumbing Code Standards, published by the International Association of Plumbing and Mechanical Officials as amended by the Washington State Building Code Council on November 8, 1991, November 13, 1992 and November 18, 1994 and published as Chapters 51-26 and 51-27 WAC (amendments include the Washington State Water Conservation Performance Standards) are adopted for use within the city of Gig Harbor.

J. Section # 15.08.050, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

- 15.08.050 Amendment to Section 30.3 (d), Uniform Plumbing Code.

Section 30.3 (d) of the Uniform Plumbing Code is amended as follows:

30.3 (d) Expiration. Every permit issued by the Administrative Authority Building Official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days, or if the work authorized by such permit has not been completed and a final inspection has not been given and a certificate of occupancy issued within one year from the date of such permit. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work; and substantial construction as determined by the building official has taken place; and provided further than such suspension, abandonment has not exceeded one year. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

Any permittee holding and unexpired permit may apply for an extension of the time within which he may commence work under that permit when he is unable to commence work within the time required by this section for good and satisfactory reasons. The building official may extend the time for action by the permittee for a period not exceeding 180 days upon written request by the permittee showing that circumstances beyond the control of the permittee have prevented action from being taken. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

K. Section # 15.08.060, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.08.060 Amendment to Section 30.4 (a), Uniform Plumbing Code.
Section 30.4 (a), Uniform Plumbing Code is amended as follows:

30.4 (a) Permit Fees. The fee for each permit shall be as set forth in Table 3-A. A fee for each permit shall be paid to the City of Gig Harbor in the amount set forth in Title 3.40 of the Gig Harbor Municipal Code.

L. Section # 15.08.070, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.08.070 A new sub-paragraph (i) shall be added to Section 201, Uniform Plumbing Code. Section 201 of the Uniform Plumbing Code is

amended as follows:

Section 201 (i) APPEALS - Hearing examiner/building code advisory board. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and trained to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. Appeals of Civil Penalty Orders, and Appeals of a nontechnical standard or code shall be considered pursuant to the Hearing Examiner, Chapter 17.10 of the Gig Harbor Municipal Code. Appeals of Administrative Determination where alternative materials or methods of construction are proposed, shall be considered pursuant to the Building Code Advisory Board, Chapter 15.02 of the Gig Harbor Municipal Code.

Chapter 15.10
UNIFORM MECHANICAL CODE

Sections:

- | | |
|-----------|--|
| 15.10.015 | Provisions adopted. |
| 15.06.070 | Permit fees. |
| 15.10.050 | Appeals - Hearing examiner/building code advisory board. |
| 15.10.060 | Expiration. |

M. Section # 15.10.015, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.10.015 Provisions adopted.
The Uniform Mechanical Code, 1991 Edition, including Chapter 22, Fuel Gas Piping, Appendix B, published by the International Conference of Building Officials and the International Association of Plumbing and Mechanical Officials, as adopted by the Washington State Building Code Council and published as Chapter 51-22 WAC, is adopted for use within the city of Gig Harbor.

N. Section # 15.10.050, of the City of Gig Harbor Municipal Code, is hereby adopted

as follows:

15.10.050 Amendment to Section 110.1, Uniform Mechanical Code.
Section 110.1 of the Uniform Mechanical Code is amended as follows:

Section 110.1 - BOARD OF APPEALS - Hearing examiner/building code advisory board. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and trained to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the governing body and shall hold office at its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the appellant with a duplicate copy to the building official. Appeals of Civil Penalty Orders, and Appeals of a nontechnical standard or code shall be considered pursuant to the Hearing Examiner, Chapter 17.10 of the Gig Harbor Municipal Code. Appeals of Administrative Determination where alternative materials or methods of construction are proposed, shall be considered pursuant to the Building Code Advisory Board, Chapter 15.02 of the Gig Harbor Municipal Code.

O. Section # 15.08.060, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.10.060 Amendment to Section 114.4.1, Uniform Mechanical Code.
Section 114.4.1 of the Uniform Mechanical Code is amended as follows:

114.4.1 Expiration. Every permit issued by the building official under the provisions of this code shall expire by limitation and become null and void if the work authorized by such permit is not commenced within 180 days from the date of such permit, or if the work authorized by such permit is suspended or abandoned at any time after the work is commenced for a period of 180 days, or if the work authorized by such permit has not been completed and a final inspection has not been given and a certificate of occupancy issued within one year from the date of such permit. Before such work can be recommenced, a new permit shall be first obtained to do so, and the fee therefor shall be one half the amount required for a new permit for such work, provided no changes have been made or will be made in the original plans and specifications for such work, and substantial construction as determined by the building official has taken place, and provided further than such suspension, abandonment has

not exceeded one year. No permit shall be extended more than once. In order to renew action on a permit after expiration, the permittee shall pay a new full permit fee.

P. Section # 15.10.070, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.10.070 Amendment to Section 115.2, Uniform Mechanical Code.
Section 115.2, Uniform Mechanical Code is amended as follows:

115.2 Permit Fees. The fee for each permit shall be as set forth in Table 3-A. A fee for each permit shall be paid to the City of Gig Harbor in the amount set forth in Title 3.40 of the Gig Harbor Municipal Code.

Chapter 15.12 UNIFORM FIRE CODE

Sections:

- 15.12.015 Provisions adopted.
- 15.12.020 Appeals
- 15.12.030 Investigations
- 15.12.040 Definitions, Additional.
- 15.12.050 Definitions, Amended.
- 15.12.060 Amendment to Section 901.4, Fire apparatus access.
- 15.12.070 Amendment to Sections 902.1 - 902.4.1, WA State amendment not adopted.
- 15.12.080 Amendment to Section 902.2.2.1, Dimensions.
- 15.12.090 Amendment to Section 902.2.2.3, Turning Radius
- 15.12.100 Amendment to Section 903.3, Type of water supply.
- 15.12.110 Amendment to Section 903.4.2, Required installations.

- 15.12.120 Amendment to Sections 1003.2.8, Fire sprinkler systems.
- 15.12.130 Amendment to Section 1007.2.9.1.1, Fire Alarm Systems.
- 15.12.140 Establishment of limited in districts for storage of compressed natural gas.
- 15.12.150 Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.
- 15.12.160 Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is to be prohibited.
- 15.12.170 Establishment of limits in which bulk storage of liquefied petroleum gas is to be restricted.
- 15.12.180 Amendments to Section 8504, Abatement of Electrical Hazards.
- 15.12.190 Amendments to Appendix III-C, Testing Personnel

15.12.210 Amendment to Section 6.3, Appendix II-C, Pier Fire Flow.

Q. Section # 15.12.015, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.015 Provisions adopted.

The Uniform Fire Code, 1994 Edition, including Appendix Chapters I-A, II-C, II-E, II-F, III-A, III-B, III-C, V-A and VI-A, and the Uniform Fire Code Standards, published by the International Conference of Building Officials and the Western Fire Chiefs' Association, as amended by the Washington State Building Code Council on November 18, 1994 and published as Chapters 51-34, are adopted for use within the city of Gig Harbor.

R. Section # 15.12.020, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.020 Amendment to Section 103.1.4, Uniform Fire Code.

Section 103.1.4 of the Uniform Mechanical Code is amended as follows:

103.1.4 APPEALS - Hearing examiner/building code advisory board: To determine the suitability of alternate materials and types of construction and to provide for reasonable interpretations of the provisions of this code, there shall be and hereby is created a board of appeals consisting of five members who are qualified by experience and training to pass judgement upon pertinent matters. In order to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code, there shall be and is hereby created a board of appeals consisting of members who are qualified by experience and trained to pass on matters pertaining to building construction and who are not employees of the jurisdiction. The building official shall be an ex officio member of and shall act as secretary to said board but shall have no vote on any matter before the board. The board of appeals shall be appointed by the executive governing body and shall hold office at their its pleasure. The board shall adopt rules of procedure for conducting its business, and shall render all decisions and findings in writing to the fire chief appellant with a duplicate copy to the appellant fire marshal. Appeals of Civil Penalty Orders, and Appeals of a nontechnical standard or code shall be considered pursuant to the Hearing Examiner, Chapter 17.10 of the Gig Harbor Municipal Code. Appeals of Administrative Determination where alternative materials or methods of construction are proposed, shall be considered pursuant to the Building Code Advisory Board, Chapter 15.02 of the Gig Harbor Municipal Code.

S. Section # 15.12.030, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.030 Amendment to Section 104.2, Uniform Fire Code. Section 104.2 of the Uniform Fire Code is amended as follows:

104.2 Investigations. ~~The fire department is authorized to investigate promptly the cause, origin and circumstances of each and every fire occurring in the jurisdiction involving loss of life or injury to person or destruction or damage to property and, if it appears to the bureau of investigation that such fire is of suspicious origin, they are authorized to take immediate charge of all physical evidence relating to the cause of the fire and are authorized to pursue the investigation to its conclusion.~~

~~(a) The chief (Chief shall mean the Fire Chief for the fire department providing fire protection for the city of Gig Harbor) is authorized to investigate the cause, origin and circumstances of unauthorized releases of hazardous materials.~~

~~The police department Gig Harbor Police Department is authorized to assist the fire department in its investigations when requested to do so.~~

~~(b) The Fire Marshal should investigate promptly the cause, origin and circumstances of each and every fire occurring within the City of Gig Harbor boundaries and involving loss of life or injury to persons or destruction to or damage of property. If the Fire Marshal has reasonable cause to believe that arson or criminal activity is connected with the fire, then the Fire Marshal will report his findings to the Gig Harbor Police Department. The Gig Harbor Police Department shall take primary responsibility for the investigation, may take immediate possession and charge of all physical evidence relating to the fire, and shall investigate the fire. If in the exercise of judgment and discretion, the Gig Harbor Police Department believes that, after preliminary investigation, there is insufficient evidence to indicate arson or criminal activity in connection with the fire, the Gig Harbor Police Department may decline further investigation of the fire. The Fire Marshal shall assist the Gig Harbor Police Department throughout the investigation.~~

~~(c) The Gig Harbor Fire Marshal or in his absence the Gig Harbor Police Chief, is authorized to request assistance by other approved inspection agencies in making fire investigations if after preliminary investigation, the Fire Marshal has reasonable cause to believe that arson or criminal activity is connected with the fire, or if a fatality is involved.~~

T. Section # 15.12.040, of the City of Gig Harbor Municipal Code, is hereby adopted

as follows:

15.12.040 Amendment to Article 2, Uniform Fire Code. Section Article 2 of the Uniform Fire Code is amended as follows:

The following are additional definitions and abbreviations to those found in Article 2 of the Uniform Fire Code:

1. "AWWA" means the American Water Works Association.
2. "Building valuation data" means the Building Standards monthly publication issued by the International Conference of Building Officials.
3. "Commercial areas" means any development with buildings other than dwellings or industrial structures. Questions arising in the administration of this regulation, concerning whether a development is commercial shall be resolved by reference to the occupancy tables contained in the Uniform Fire Code.
4. "Corporation counsel," as used in the Uniform Fire Code, means the city attorney for Gig Harbor.
5. "Dead-end main" means a water main over 50 feet long and not being fed from both ends at the time of installation.
6. "Draft hydrant" means a mechanical device designed for the removal of water by a fire pumper by applying a negative pressure without going through the normal domestic water system.
7. "Expanding water system" means an approved, expanding water system which is undertaking new construction (definition follows) to provide water service to additional service connections. Any expanding water system shall install facilities sized to meet the necessary minimum design criteria for area being served. The expanding system shall show by plans submitted by a registered professional engineer how fire flow, if required, is to be provided and the plan shall be approved by the Gig Harbor public works department and the Gig Harbor fire marshal.
8. "Fire chief," "chief," or "chief of the fire prevention bureau," as used in the Uniform Fire Code, means the fire marshal of Gig Harbor.
9. "Fire flow" means the flow of water required for fire-fighting at a specific building or within a specific area.
10. "Fire marshal" means the city fire marshal or his appointee.
11. "Flush-type hydrant" means a hydrant installed entirely below grade.
12. "G.P.M." or "g.p.m." means gallons per minute.
13. Hydrant. "Hydrants" shall mean fire hydrants as approved by the city fire marshal. Special purpose adapters may be used with approval of the fire department.

- 14. "Industrial area" means manufacturing operations conducted in buildings of conventional design suitable for various types of manufacture.
- 15. "Inspector" of the fire department, or bureau of fire prevention, means personnel designated and assigned to perform the fire inspection functions by the fire marshal of Gig Harbor.
- 16. "ISO" means Insurance Services Office pamphlet entitled "Guide for Determination of Required Fire Flow," 1974 edition.
- 17. "Office of fire prevention and arson control," as used in the Uniform Fire Code and as amended in this chapter means that office as recognized by the city fire marshal to be able to perform the necessary functions of arson control.
- 18. "Private hydrant" means a fire hydrant situated and maintained to provide water for fire-fighting purposes with restrictions as to use. The location may be such that it is not readily accessible for immediate use by the fire department for other than certain private property.
- 19. "Public hydrant" means a fire hydrant so situated and maintained as to provide water for fire-fighting purposes without restriction as to use for the purpose. The location is such that it is accessible for immediate use of the fire department at all times.
- 20. "Standby firemen," "fire watch," and "fire guard," as used in the Uniform Fire Code and as amended in this chapter means one or more experienced firemen or other qualified persons, as required and approved by the Gig Harbor fire marshal. They shall be uniformed and have available the necessary fire protection equipment. Also see Section 2501.19 of the Uniform Fire Code.
- 21. "Substantial alteration" means any alteration, remodeling or structural change to a structure, which change shall cost 40 percent or more of the building valuation within a 12-month period, provided, that if the cost of the change is less than \$50,000, the alteration shall not be considered a substantial alteration. Existing valuation shall be determined from the most recent Pierce County Assessor's Data. New construction building valuation shall be determined by use of the building valuation data as defined in this section.
- 22. "Transmission main" means a main used to transport water from a source to storage, source to source, source or storage to water main.
- 23. "Water authority" and "purveyor" means the city public works department, a water district, or other body legally supplying water in the area and approved by the city.
- 24. "Water main" means the piping used to deliver domestic water and water intended for fire protection.
- 25. "Yard system" means any extension from a transmission main and/or water main onto a development site.

U. Section # 15.12.050, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.050 Amendment to Article 2, Uniform Fire Code. Section Article 2 of the Uniform Fire Code is amended as follows:

The following definitions are amendments to those found in the Uniform Fire Code:

(A) **FIRE DEPARTMENT** is a regularly organized fire department, fire protection district or fire company regularly charged with the responsibility of providing fire protection to the jurisdiction. Where referenced within this code the fire department shall mean the Department of Planning and Building.

Exception: "Fire Department" means the fire authority normally responsible for the fire protection in the area where reference is made to or when pertaining to suppression or extinguishing of fires within this code.

V. Section # 15.12.060, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.060 Amendment to Section 901.4, Uniform Fire Code. Section 901.4 of the Uniform Fire Code is amended as follows:

901.4 Fire apparatus access roads. (a) When required by the chief, city fire marshal, approved signs or other approved notices shall be provided and maintained for fire apparatus access roads to identify such roads and prohibit the obstruction thereof or both.

(b) All private roads, recognized as a part of the addressing system of the City, shall be marked with road signs constructed and installed in accordance with Gig Harbor City Road Standards.

(c) Costs of signs and their installation shall be the responsibility of the property owner and/or developer.

W. Section # 15.12.070, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.070 The amendment to Sections 902.1 through 902.2.4.1, Uniform Fire Code as approved by the Washington State Building Code Council on November 18, 1994 and published by the Washington Association of Building

Officials is not adopted for use within the city of Gig Harbor.

X. Section # 15.12.080, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.080 Amendment to Section 902.2.2.1, Uniform Fire Code. Section 902.2.2.1 of the Uniform Fire Code is amended as follows:

902.2.2.1 Dimensions. (a) Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm) and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

(b) The minimum cleared vehicular roadway, driveway, or street, width shall be twelve (12) (3658 mm) feet from shoulder to shoulder for one single family residence, fifteen (15) (4572 mm) feet from shoulder to shoulder for one way traffic in other developments, and twenty-four (24) feet (7315 mm) minimum driving surface for all two-way traffic.

EXCEPTIONS. (1) Private roadways which serve less than 10 living units may be twenty (20) feet (6096 mm) in width from shoulder to shoulder for two way traffic when the roadway serves only R-1 or R-3 occupancies as defined in the Uniform Building Code and the buildings and site improvements comply with the Special Hazards section of the currently adopted Uniform Fire Code [I.E. See Section 1001.9, 1994 Uniform Fire Code].

(2) Upon approval by the chief, vertical clearance may be reduced, provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance.

(3) The use of fire protection features to reduce the required fire apparatus access may be considered by the fire marshal if a review by the fire department indicates that the use of fire protection features would provide an equivalent fire protection to that which would be provided had the full fire apparatus access be provided in accordance with this code. A site plan and letter stating the proposed method of fire protection shall be submitted to the fire marshal and fire department. The fire department must indicate approval of the proposed method of fire protection or an alternate method to that proposed before the fire marshal may approve the alternate method of fire protection.

Y. Section # 15.12.090, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.090 Amendment to Section 902.2.2.3, Uniform Fire Code. Section 902.2.2.3 of the Uniform Fire Code is amended as follows:

902.2.2.3 Turning Radius. The turning radius of a fire apparatus access road shall be as approved by the chief city fire marshal. A minimum turning radius of forty-five (45) feet shall be provided for lanes, streets, driveways, and cul-de-sacs, the latter which are in excess of one hundred fifty (150) feet. (See Appendix A set out in Figure 15.12.080.)

Z. Section # 15.12.100, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.100 Amendment to Section 903.3, Uniform Fire Code. Section 903.3 of the Uniform Fire Code is amended as follows:

903.3 Type of Water Supply. (a) Water supply is allowed to consist of reservoirs, pressure tanks, elevated tanks, water mains or other fixed systems capable of providing the required fire flow. In setting the requirements for fire flow, the chief city fire marshal may be guided by Appendix III-A. Appendix III-A is adopted by reference for use within the city of Gig Harbor.

Exceptions: (1) Dwellings. The minimum fire flow requirements for one- and two-family dwellings (Group R Division 3), shall be 750 gallons per minute at 20 psi for a period of forty-five (45) minutes. Fire flow for buildings of three thousand six hundred (3600) square feet or more in floor area including attached garage, shall be one thousand (1,000) GPM for one (1) hour. For buildings of 3600 square feet or more, duration of fire flow may be reduced to not less than forty-five (45) minutes when using fire protection credits as described in Table III of this Section. Fire protection credits as described in Table III may be used in lieu of providing fire flow for one- and two-family dwellings (Group R Division 3) when:

(aa) built on lots which are one gross acre or more in area, or
(bb) if the cost of providing fire flow exceeds the cost of adding a hydrant to a water main capable of providing at least 500 GPM of fire flow to the building, portion of a building, or substantial alteration thereto. If the above fire flow can be provided by the addition of a hydrant, the hydrant shall be installed. When at least five hundred (500) GPM is available from an approved hydrant it shall be credited toward the required fire flow. The additional fire flow requirement may be provided by using fire protection credits as described in Table III in lieu of providing additional fire flow. The use of fire protection features to reduce the required fire flow may be considered by the fire

marshal if a review by the fire district indicates that the use of fire protection features would provide an equivalent fire protection to that which would be provided had the full fire flow be provided in accordance with this code. A site plan and letter stating the proposed method of fire protection shall be submitted to the fire marshal and fire department. The fire department must indicate approval of the proposed method of fire protection or an alternate method to that proposed before the fire marshal may approve the alternate method of fire protection.

(2) **Private Garages.** The minimum fire flow requirements for private garages (Group M Division 1) shall be seven hundred fifty (750) GPM for forty-five (45) minutes. Fire protection credits as described in Table III may be used in lieu of providing fire flow for private garages (Group M Division 1) when:

- (a) built on lots which are one gross acre or more in area; or
- (b) if the cost of providing fire flow exceeds the cost of adding a hydrant to a water main capable of providing at least 500 GPM of fire flow to the building, portion of a building, or substantial alteration thereto. If the above fire flow can be provided by the addition of a hydrant, the hydrant shall be installed. When at least five hundred (500) GPM is available from an approved hydrant it shall be credited toward the required fire flow. The additional fire flow requirement may be provided by using fire protection credits as described in Table III in lieu of providing additional fire flow.

However, fire flow is not required for a private garage meeting all of the following criteria:

- (i) It does not exceed two thousand five hundred (2,500) square feet, and
- (ii) it is accessory to a one- or two-family dwelling (Group R Division 3) that meets the requirements of this section, and
- (iii) it has setback from side and rear lot lines of at least twenty (20) feet, and at least ten (10) feet from other buildings on the same lot.

(3) **Other Buildings.** Fire protection features consisting of approved monitored automatic sprinkler system; or fire resistive building construction as specified in Appendix III-A of the Uniform Fire Code may be used in lieu of providing the full fire flow required by Appendix III-A for all buildings other than one- and two-family dwellings (Group R Division 3) or private garages (Group M Division 1).

- (a) The reduction of required fire flow for approved monitored sprinkler systems may be up to 75%, as approved by the Fire

Marshal. However, the minimum amount of fire flow required shall at no time be less than 1500 GPM except as noted in (2) below. Duration of fire flow shall be the duration of the actual fire flow required after reductions for fire protection features described above.

(b) When at least seven hundred fifty (750) GPM is available from an existing approved hydrant, it shall be credited toward the required fire flow. The additional fire flow requirement may be provided by using fire protection features such as approved monitored automatic sprinkler systems or fire resistive building construction as specified in Appendix III-A of the Uniform Fire Code in lieu of additional fire flow. The use of fire protection features to reduce the required fire flow may be considered by the fire marshal if a review by the fire department indicates that the use of fire protection features would provide an equivalent fire protection to that which would be provided had the full fire flow be provided in accordance with this code. A site plan and letter stating the proposed method of fire protection shall be submitted to the fire marshal and fire department. The fire department must indicate approval of the proposed method of fire protection or an alternate method to that proposed before the fire marshal may approve the alternate method of fire protection. Duration of fire flow shall be the duration of the actual fire flow required after reductions for fire protection features described above.

(4) The use of any of the above exceptions to the fire flow as prescribed in the Uniform Fire Code shall not be allowed if the fire protection is required for compliance with Uniform Building or other adopted code.

Table III
Fire Protection Credits

Options to Reduce Fire Flow (1)	(% of Reduction)		
	Group R-3 & U-1	Group R-1	
	1-2 LV	3-4 LV	5+LV
Off Site Water (2) Building < 3,600 sq. ft.	-35	-0	0

Building > 3,600 sq. ft.	-25	-0	0
NFPA* 13 sprinkler system (3)	-50	-50	0
NFPA* 13 monitored system (3)	-65	-75	0
NFPA* 13 D/R sprinkler system (3)	-35	-50	0
Building < 2,000 sq. ft.	-35	-0	0
30 ft. Min setback all PL ** (4)	-25	-20	20
60 ft. Min setback all PL ** (4)	-25	-30	30
Monitored fire alarm (3)	-25	-15	-0
One-hour construction (5)	-15	-20	-20
Class A or B roof	-15	-20	-20
60% brick/stone exterior	-15	-20	-20

Notes: (1) Credits used for or with substantial alterations shall be applied to the entire structure.
(2) May be taken if the responding fire department has the capability to provide area-wide (not site-specific) off-site water.
(3) These reductions may not be taken together.
(4) These reductions may not be taken together. The 30 ft. and 60 ft. setbacks are from side and rear property lines. Front setback may be that allowed by the zoning of the property.
(5) Consists of a minimum of 1/2 inch type X drywall throughout the interior for Group R-3 occupancies. Other occupancy groups shall meet the requirements for one-hour construction in the building code.

* National Fire Protection Association

****Property lines
L.V.=living units**

(b) Procedures for Compliance: The following shall be required for site plan, subdivisions, short subdivisions, commercial and industrial area, all water systems, and all other areas which must comply with this regulation.

(1) Requirements for formal subdivisions:

(aa) Upon submittal of site plan or preliminary plat, the applicant shall submit to the Gig Harbor Fire Marshal, a letter from the water authority addressing its willingness and ability to satisfy the requirements of this regulation.

(bb) Prior to final plat approval, the following shall be required:

(f) Water system plans and specifications which comply with these regulations must be designed and stamped by a registered professional engineer. Said plans shall be signed by the purveyor and must be approved by, and filed with the Gig Harbor Fire Marshal and the Gig Harbor Public Works Department.

(ii) Water system plans shall be approved in writing by the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(iii) The approved water system shall be installed prior to final plat approval; however, this requirement may be waived if a bond or other security is posted and approved prior to said plat approval. The form of security, if other than a bond, shall be approved by the Gig Harbor City Attorney. The bond or security shall be in an amount sufficient to pay for the approved water system as determined by the Director of Public Works after consultation with the engineer who designed the system and the water authority who will supply the water. The bond amount shall be not less than 125% of the estimated cost of improvement. The bond or other security shall be issued to the City of Gig Harbor and shall be approved by the Gig Harbor Public Works Director. Prior to said approval, the water authority (if other than the City of Gig Harbor) shall submit a letter to the Gig Harbor Public Works Director stating its commitment to install the water system in the event the system is not installed by the applicant.

(iv) Two (2) copies of the "as built" drawings shall be filed with the Gig Harbor Fire Marshal and Public Works Director, as well as test results showing the

amount of fire flow at each hydrant at 20 p.s.i.

(cc) When the distribution system is installed, said installation must be under the direction of a registered professional engineer who shall certify that the construction of the system is in accordance with the approved design. In the event a bond is posted, installation of the system must be completed and operable, in accordance with this regulation, prior to occupancy or any other use of any structure.

(2) Requirements of short subdivisions and commercial and industrial areas. (Site Plan)

(aa) Prior to approval of plat/site plan, the applicant shall submit to the Gig Harbor Fire Marshal a letter from the water authority if other than the City of Gig Harbor, addressing its willingness and ability to satisfy the requirements of this regulation. Water system plans and specifications which comply with these regulations must be designed and stamped by a registered professional engineer. Said plans shall be signed by the water authority and shall be filed with the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(bb) Water system plans shall be approved in writing by the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(cc) The approved water system must be installed prior to the issuance of a building permit, provided that this requirement may be waived if a bond or other security is posted and approved prior to said issuance. The form of security, if other than a bond, shall be approved by the Gig Harbor City Attorney. The amount of the bond or security shall be determined by the water authority supplying the water. The bond or other security shall be issued to the City of Gig Harbor and shall be approved by the Gig Harbor Public Works Director. Prior to said approval, the water authority (if other than the City of Gig Harbor) shall submit a letter to the Gig Harbor Public Works Director stating its commitment to install the water system in the event the system is not installed by the applicant.

(dd) After the system is installed, two (2) copies of the "as built" drawings shall be filed with the Gig Harbor Fire Marshal and Public Works Director, as well as test results showing the amount of fire flow at each hydrant at 20 p.s.i.

(3) Requirements for Water System, Water Storage and Comprehensive Water System Plans.

(1) Prior to approval of new developments, water system plans

and specifications subject to these regulations, must be designed and stamped by a registered professional engineer. Said plans shall be signed by the water authority and shall be filed with the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(2) Water storage and water system plans shall be approved in writing by the Gig Harbor Fire Marshal and Gig Harbor Public Works Director.

(3) Prior to final approval, two (2) copies of "as built" drawings shall be filed with the Gig Harbor Fire Marshal and Gig Harbor Public Works Director, as well as test results showing the amount of fire flow at each hydrant at 20 p.s.i., as required by this ordinance.

(4) Water authority responsibility.

(aa) Water authorities shall not be required to exercise police or regulatory powers toward the enforcement of this chapter. The only role of water authorities shall be to provide information, such as:

(i) The water authority may be requested by the Gig Harbor Fire Marshal to indicate in writing its capability to provide water service, consistent with the standards contained in this chapter, to any building permit, subdivision, or short subdivision, site plan applicant, or to the City.

(ii) The water authority will notify the Pierce County Fire District #5 in writing when a water system installed pursuant to this chapter is available for use.

(iii) All purveyors shall continuously supply water at or above the minimum flow requirements at all times specified herein; provided that the purveyor need not comply with these requirements in the event of vandalism, acts of God, loss of power, temporary shut down for repairs and/or replacement.

(bb) **Enforcement responsibility**, for determining whether or not to approve a building permit, subdivision, or short subdivision application, based on information provided by the water authority, shall belong solely to the Gig Harbor Fire Marshal.

(5) Minimum Flow Variance for Water Purveyor. In the event a subdivision, short subdivision or commercial or industrial area is unable to provide adequate water flow due to the unavailability of an adequate water supply, the development may be allowed to proceed pursuant to this variance. The applicant shall submit the following:

(aa) A letter to the Gig Harbor Fire Marshal from the water authority indicating the reason the water company is unable to provide the fire flows in accordance with this ordinance.

(bb) A plan designed by a registered professional engineer must be submitted to the Fire Marshal which shows the system improvement necessary to increase the water flows, and shall be in accordance with the current water system plan for the purveyor, approved by the Department of Social and Health Services for the service area, and it shall comply with this regulation in the time period specified herein. The system improvements or expansion shall be designed so that the water supply for the remainder of the supplier's service will not be detrimentally affected.

(cc) A letter from the water purveyor stating that at the very minimum, the purveyor will comply with the following schedule:

Type of Development	Percent of Compliance with Required Fire Flow GPM	Time When Applicable Percent Must Be Satisfied
Family Dwelling (Including Duplex) & Garage	50% of GPM	Prior to Issuance of Building Permit
	100% of GPM	Within 5 Years After Issuance of Building Permit
All Other Development	75 % of GPM	Prior to Issuance of Building Permit
	100% of GPM	Within 5 Years After Issuance of Building Permit

(dd) The letter from the purveyor shall specify dates when aspects of the plan must be satisfied and that said purveyor will notify the Gig Harbor Fire Marshal as to when these dates occur and what progress has been made.

(ee) The letter shall include a breakdown of the necessary costs for the system improvements and must include the purveyor's sources for the funds necessary to implement said system. Based on the information supplied and any other available information, including the water supplier's past history for reliability, the Gig Harbor Fire Marshal shall approve or disapprove the applicant's request to proceed under this variance. A variance shall not be granted unless the Fire Marshal

finds that adequate fire protection will be provided for the development through the use of fire protection measures in excess of the minimum requirements of this code per the following schedule:

Family Dwelling (Including Duplex) & Garage	Provide an automatic fire sprinkler system per the Uniform Building Code (NFPA 13-D, or similar system as approved by the Gig Harbor Fire Marshal may be used as an approved alternative system)
All Other Development	Provide an automatic fire sprinkler system per the Uniform Building Code.

Alternative fire protection shall be submitted to the Board of Appeals for approval, or be approved by the Gig Harbor City Council during site plan review. Alternative fire protection shall include one or any combination of the following:

- 1) Fire-resistive construction
- 2) Two (2) hour area separation walls
- 3) One (1) hour exterior fire walls with parapets
- 4) A letter signed by the chief or assistant chief of Fire District #5 stating that a sufficient number of tanker trucks are available under normal circumstances to provide minimum fire suppression for the development.

The above listed alternative fire protection measures shall not be considered if they were used in the original calculations to determine required fire flow per the ISO Guide or if they were required by other sections of this code or the Uniform Building Code. The Gig Harbor Fire Marshal's decision shall be made in writing and shall briefly explain the primary basis for the decision:

(ff) If at the end of five years, the purveyor shows intent to comply in accordance with the approved plan but development in the area has not been as expected so that the purveyor is not in full compliance, an extension of time may be granted a water purveyor based on unforeseen circumstances and approval by the Gig Harbor Fire Marshal and the Public Works Director. The extension of time shall not exceed five years.

AA. Section # 15.12.110, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.110 Amendment to Section 903.4.2, Uniform Fire Code. Section 903.4.2 of the Uniform Fire Code is amended as follows:

903.4.2 Required installations. (a) The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on the public street or on the site of the premises or both to be protected as required and approved by the chief city fire marshal. See Appendix III-B. Appendix III-B is adopted by reference for use within the city of Gig Harbor.

(b) New or replace water mains (water main repair excluded) shall be a minimum of eight (8") inches in diameter for dead-ends; and six (6") inches for circulating mains, provided that for dead-end cul-de-sacs, an eight (8") inch main need only extend to the last required fire hydrant and normal domestic mains may be installed thereafter to the remaining residences. Hydrant leads less than fifty (50') feet in length shall be a minimum of six (6") inches in diameter. A dead end main which extends across a street only for the purpose of serving a hydrant shall be of a size capable of providing the required fire flow, but it shall not be less than (6") inches in diameter. All mains shall have hydrants and/or tees and valves installed to conform with this regulation, except that no hydrants, tees or valves shall be required along transmission mains. Any service connection made to a transmission main may require that a hydrant or hydrants be installed, pursuant to Table IX, Fire Hydrant Spacing.

(b) Standard hydrants shall have not less than five (5") inch main valve openings (MVO) with two (2) two and one-half (2-1/2") inch outlet ports and one four-and-one-half (4-1/2") inch steamer outlet. All two and one-half (2-1/2") inch outlet ports and the steamer port outlet shall have National Standard Threads that correspond with and meet the approval of Pierce County Fire District #5. Hydrants shall meet the current A.W.W.A. Standards (IOWA or equal). All four-and-one-half-inch (4-1/2") outlet ports shall have five (5") inch storz fittings.

(c) There shall be an auxiliary gate valve installed to permit the repair and replacement of the hydrants without disruption of water service.

(d) Hydrants shall stand plumb and be set to the finished grade. The bottom of the lowest outlet of the hydrant shall be no less than eighteen (18") inches above the finished grade, and the bottom of the ground flange shall be a minimum of one (1") inch above finished grade. There shall be thirty-six (36") inches of clear area about the hydrant for operation of a hydrant wrench on the outlets and on the control valve. The pumper port shall face the street. Where the street cannot be clearly defined or recognized, the port shall face the most likely route of approach and the location of the fire truck while pumping, as determined by the Gig Harbor Fire Marshal.

(e) Hydrants shall not be obstructed by any structure or vegetation, or have the visibility impaired for a distance of fifty (50') feet in the direction of vehicular approach to the hydrant.

(f) Hydrants are to be accessible for fire department pumps.

(g) Fire hydrants located in areas subject to regular private, commercial or industrial motor vehicle traffic shall be protected against vehicle damage by curbs, space separation, grade-level changes, guard posts, or other means acceptable to the Fire Marshal.

(h) All hydrants shall be subject to testing and inspection by the fire department, subject to reasonable notice and scheduling with the water authority.

(i) Fire Hydrant Spacing. The following table specifies the maximum permissible spacing between hydrants:

TABLE IX

Type of Development	Hydrant Spacing**
Subdivisions and Short Subdivisions Limited to Single Family Dwellings	600 feet
Multiple Dwelling - Low Density Twelve or Less Units Per Acre	500 feet
Commercial and Multiple Dwelling High Density - More than Twelve Units Per Acre	400 feet
Industrial, Hospitals, Shopping Centers, Schools, Areas of More Than 20 Commercial Establishments	300 feet

Notes:

**Spacing shall be measured to the pathway required for the fire department to lay the fire hose. This spacing shall be determined by the Gig Harbor Fire Marshal.

Where possible hydrants shall be located at street intersections, except that in no event shall any hydrant be more than three hundred (300') feet from the center of the frontage of any lot except on dead-end cul-de-sacs with dwellings only. When the dead end cul-de-sac exceeds six hundred (600') feet from the center of the intersection to the end of the cul-de-sac, a hydrant shall be located at the intersection and additional hydrant(s) will be required. The hydrant(s) shall be located three hundred (300') feet from the center of the frontage from the last lot on the cul-de-sac, and shall comply with the maximum spacing requirements listed above.

(1) Commercial building requirements.

(i) All new commercial buildings and substantial alterations or additions to existing buildings shall be provided with water mains and fire hydrants capable of supplying the required fire flow. Hydrants and mains shall be operational when building construction commences. (Prior to bringing combustible materials to the site.)

(ii) Change of occupancy from a lower to a higher classification per the Uniform Building Code shall require that the existing building be provided with water mains and fire hydrants capable of supplying the required fire flow per this ordinance.

(iii) Commercial buildings and additions so located that a portion is more than one hundred fifty (150') feet from a street property line as measured by vehicular travel shall have mains extended to them, with fire hydrants, capable of supplying the required fire flow in accordance with Appendix III-A and III-B of the Uniform Fire Code as adopted by the city of Gig Harbor.

(iv) The number of fire hydrants required shall be determined on an average of three hundred (300') feet, computed on an imaginary perimeter that is parallel to and fifty (50') feet from the building or group of buildings. The number of fire hydrants required shall be increased by one for each story over two stories and basement.

(v) The fire marshal shall determine the location of fire hydrants depending on utility, topography and building location. Hydrants shall be a minimum of fifty (50') feet out from the building except when it is impractical due to topography or property lines.

(1) Fire flow criteria. Required fire flows determined by the fire marshal shall be based on criteria set forth in Appendix III-A of the Uniform Fire Code as currently adopted by the city of Gig Harbor.

EXCEPTIONS:

a. This requirement shall not apply to those projects which have previously received approval (and conform to the standards in effect at the time of installation) for adequacy of water or water supply in regards to fire flow from the City of Gig Harbor as of the effective date of the ordinance codified in this section.

b. This requirement shall not apply to those projects where it has been documented to be impractical due to topography, property lines or other site conditions and when alternate methods of protection are provided as approved by the Fire Marshal.

(j) The location of hydrants shall be determined by the Gig Harbor Fire Marshal.

(k) The location of all water mains, fire hydrants, and valves to be installed shall be properly and accurately marked on identifiable plans or drawings, which shall be prepared by a registered professional engineer. Two copies of all plans or drawings shall be furnished to the Gig Harbor Fire Marshal and

Public Works Director prior to installation.

(d) After construction is completed, two copies of the "As Built" drawings shall be filed with the Gig Harbor Fire Marshal and Public Works Director, as well as test results showing the amount of fire flow at each hydrant at 20 p.s.i.

(m) Maintenance of Hydrants:

(1) Pierce County Fire District #5 will, after notifying the purveyor, test hydrants for flow capability with proper notification to the purveyor.

(2) The Gig Harbor Public Works Department will maintain exterior working parts of hydrants above ground, including keeping brush and other physical obstructions from blocking access to, operation of hydrants. Exception: Private hydrants shall be maintained and kept accessible by the property owner.

(3) Pierce County District #5 will check operation of hydrants and notify the water authority of any malfunction or leaking which will require correction.

AB. Section # 15.12.120, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.120 Amendment to Section 1003.2.8, Uniform Fire Code. Section 1003.2.8 of the Uniform Fire Code is amended as follows:

Section 1003.2.8. Group R, Division 1 Occupancies.

A. Policy and Purpose. The city council finds that automatic fire sprinkler systems are now technologically and economically viable and can help to reduce the loss of life and property due to fire, and are therefore reasonably necessary in order to protect the public health, safety and welfare.

B. An automatic sprinkler system shall be installed throughout every apartment house building classified as a Group R, Division 1 Occupancy which exceeds 5,000 square feet or exceeds two (2) ~~three or more~~ stories in height or containing ~~4~~ (5) or more dwelling units, every congregate residence three or more stories in height or having an occupant load of ~~20 or more,~~ more than 10, and every hotel and motel ~~three or more stories in height or containing 20~~ which contains six (6) or more guest rooms (e.g., for the purposes of this section, a structure with two (2) stories and a basement shall be considered as exceeding two stories). Residential or quick-response standard sprinkler heads shall be used in the dwelling unit and guest room portions of the building. The automatic fire sprinkler system may be installed in accordance with the requirements of Washington State Building Code Standard No. 38-3 for all existing buildings housing Group R, Division 1 occupancies, which are four or less stories in height. In buildings housing Group R, Division 1 occupancies over four stories in height, the sprinkler

system shall be installed in accordance with the requirements of Uniform Building Code Standard 38-1. A Uniform Building Code Standard 38-3 system is to be installed in buildings with a height to highest humanly-occupied floor less than 75 feet above lowest fire department access. For the purpose of this Section, area separation walls shall not define separate buildings.

C. Sprinkler Installation Requirements

1. Automatic sprinklers in all hotels and motels shall be installed, tested and approved within five years of the effective date of this section.
2. An automatic sprinkler system, in accordance with this section, shall be required to be installed immediately whenever:
 - a. A building classified as a Group R, Division 1 (as defined in subsection B of this section) occupancy is being substantially remodeled or renovated; or
 - b. A building classified as a Group R, Division 1 occupancy incurs a fire with substantial damage.
3. In the event there is a conflict between any provisions of this section and the provisions of the last adopted I.C.B.O. Uniform Building Code or the Uniform Fire Code, the more restrictive (greatest protection) provisions shall apply.

AC. Section # 15.12.130, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.130 Amendment to Section 1007.2.9.1.1, Uniform Fire Code.
Section 1007.2.9.1.1 of the Uniform Fire Code is amended as follows:

Section 1007.2.9.1.1. General. Group R Occupancies shall be provided with fire alarm systems in accordance with Section 1007.2.9. Group R, Division 1 Occupancies shall be provided with a manual and automatic fire alarm system in apartment houses three or more stories in height, or two or more stories in height with a basement, or containing more than ~~16~~ **5** or more dwelling units, and every in hotels and motel which contains six (6) ~~three or more stories in height or containing 20~~ or more guest rooms and in congregate residences three or more stories in height or having an occupant load of 20 or more. See also Section 1007.2.12. A fire alarm and communication system shall be provided in Group R, Division 1 Occupancies located in a high-rise building.

EXCEPTIONS: 1. A manual fire alarm system need not be provided in buildings not over two stories in height when all individual dwelling units and contiguous attic and crawl spaces are separated from each other and public or common areas by at least one-hour fire-resistive occupancy separations and each individual dwelling unit or

guest room has an exit directly to a public way, exit court or yard, exterior stairway or exterior exit balcony.

2. A separate fire alarm system need not be provided in buildings which are protected throughout by an approved supervised fire sprinkler system installed in accordance with U.B.C. Standard No. 9-1 and having a local alarm to notify all occupants.

Alarm systems for Group R, Division 1 Occupancies having interior corridors serving as a required exit for an occupant load of ten or more shall consist of not less than an approved and listed system-type smoke detector installed within such corridors in accordance with the manufacturer's instructions. When activated, such detectors shall initiate an alarm audible throughout the building.

The fire alarm system for Group R, Division 1 Occupancies other than those specified above shall be provided with manual sending stations or equivalent alternate protection in location as required by the city fire marshal.

An approved and listed system-type automatic heat detector shall be installed within common areas such as recreational rooms, laundry rooms and furnace rooms of buildings containing Group R, Division 1 Occupancies.

The detectors shall be installed on the ceiling or wall of such rooms in accordance with the manufacturer's installation instructions and, when activated, shall initiate an alarm which is audible throughout the building.

For the purpose of this Section, area separation walls shall not define separate buildings.

Each existing dwelling unit or guest room shall be provided with approved smoke detectors. A smoke detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to rooms used for sleeping purposes. Additional detectors shall be centrally located on the ceiling of the main room and sleeping rooms. Where sleeping rooms are on an upper level, the detector shall be placed at the center of the ceiling directly above the stairway. All detectors shall be located in accordance with approved manufacturer's instructions and in conformance with the Uniform Building Code Standards. When actuated, the detector shall provide an alarm in the dwelling unit or guest room.

Power Source. Smoke detectors shall receive their primary power from the building wiring and shall be equipped with a battery backup. Wiring shall be permanent without a disconnecting switch other than those required for over-current protection. Building owners or their agents shall identify whose smoke detectors which are not wired to the primary building wiring, and shall

install new smoke detectors with complying wiring within two years of the effective date of this section. (This section was originally enacted by Ordinance No. 632 and became effective on September 1, 1992. The passage of this section in this ordinance does not change the effective date of the original ordinance.) Notification of compliance shall be sent to the Gig Harbor building official/fire marshal.

AD. Section # 15.12.140, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.140 Establishment of limits of districts in which storage of compressed natural gas is to be prohibited.

The limits referred to in Section 5204.5.2 of the Uniform Fire Code, in which storage of compressed natural gas is prohibited, are established and shall apply to all areas in which the Uniform Fire Code is in force; provided, however, that the office of the fire marshal may issue a special permit for such storage, where there appears in its judgment to be no undue danger to persons or property and where such storage would not be in conflict with other city codes.

AE. Section # 15.12.150, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.150 Establishment of limits of districts in which storage of explosives and blasting agents is to be prohibited.

The limits referred to in Section 7701.7.2 of the Uniform Fire Code, in which storage of explosives and blasting agents is prohibited, are established and shall apply to all areas in which the Uniform Fire Code is in force; provided, however, that the office of the fire marshal may issue a special permit for such storage, where there appears in its judgment to be no undue danger to persons or property and where such storage would not be in conflict with other city codes.

AF. Section # 15.12.160, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.160 Establishment of limits of districts in which storage of flammable or combustible liquids in outside aboveground tanks is to be prohibited.

The limits referred to in Section 7902.2.2.1 and 7904.2.5.4.2 of the Uniform

Fire Code, in which storage of flammable or combustible liquids is restricted are hereby established and shall apply to all areas in which the Uniform Fire Code is in force; provided, however, that the office of the fire marshal may issue a special permit for such storage, where there appears in its judgment to be no undue danger to persons or property and where such storage would not be in conflict with other city codes.

AG. Section # 15.12.170, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.170 Establishment of limits in which bulk storage of liquefied petroleum gas is to be restricted.

The limits referred to in Section 8204.2 of the Uniform Fire Code, in which bulk storage of liquefied petroleum gas is restricted, are hereby established and shall apply to all areas in which the Uniform Fire Code is in force; provided, however, that the office of the fire marshal may issue a special permit for such storage, where there appears in its judgment to be no undue danger to persons or property and where such storage would not be in conflict with other Gig Harbor city codes.

AH. Section # 15.12.180, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.180 Amendment to Section 8504, Uniform Fire Code. Section 8504 of the Uniform Fire Code is amended as follows:

Section 8504 - ABATEMENT OF ELECTRICAL HAZARDS

When electrical hazards are identified, measures to abate such conditions shall be taken. Identified hazardous electrical conditions in permanent wiring or temporary wiring corrected in cooperation with the authority enforcing the Electrical Code. The Washington State Division of Labor and Industries must provide all necessary electrical inspections within the City of Gig Harbor to identify any electrical hazards as defined by the Washington State Electrical Code. Such inspections must include, but are not limited to, 1) underground work prior to cover, 2) roughing in wiring prior to cover, 3) final prior to occupancy, and, 4) other requested inspections when a hazard has been identified by the Gig Harbor Fire Marshal.

Electrical wiring, devices, appliances and other equipment which are modified or damaged and constitute an electrical shock or fire hazard shall not be used.

AI. Section # 15.12.190, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.190 Amendment to Section 1.2, Appendix III-C, Uniform Fire Code. Section 1.2, Appendix III-C of the Uniform Fire Code is amended as follows:

1.2 Testing Personnel. The tests established by Appendix III-C shall be conducted by a person qualified to perform the full testing procedure for the particular system or device being tested. ~~The owner shall bear the cost of such tests.~~

AJ. Section # 15.12.210, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

15.12.210 Amendments to Section 6.3, Appendix II-C Uniform Fire Code. Section 6.3, Appendix II-C of the Uniform Fire Code is amended as follows:

6.3 Access and Water Supply. Piers and wharves shall be provided with fire apparatus access roads and water-supply systems with on-site fire hydrants when required by the chief. Such roads and water systems shall be provided and maintained in accordance with Sections 902.2 and 903. ~~The minimum fire flow at each hose station shall be 500 gpm at 20 psi (65 gpm at 100 psi or 80 gpm at 80 psi).~~
~~EXCEPTION: A fire flow analysis in conformance to the 1974 ISO Guide or an NFPA-approved method of analysis may be submitted to the Fire Marshal for approval.~~

[See printed copy of Appendix A, Section #15.12.090 attached]

AK. Chapter 15.36, of the City of Gig Harbor Municipal Code, is hereby adopted as follows:

Chapter 15.36
MOVEMENT OF BUILDINGS

Sections:

- | | |
|-----------|-------------------------------------|
| 15.36.010 | Definitions. |
| 15.36.020 | Permit - Required. |
| 15.36.030 | Permit - Application. |
| 15.36.040 | Application - Fee. |
| 15.36.050 | Application - Insurance. |
| 15.36.060 | Application - Deposit for expenses. |

- 15.36.070 Application - Cash deposit or surety bond.
- 15.36.080 Permit - Denial.
- 15.36.090 Appeal procedure.
- 15.36.100 Duties of permittee.
- 15.36.110 Fees and deposits.
- 15.36.120 Moving route designated.
- 15.36.130 Inspection.
- 15.36.140 Enforcement.
- 15.36.150 Violation - Penalty.

15.36.010 Definitions.

For the purpose of this chapter the following terms, phrases, words, and their derivations shall have the meaning given in this section:

A. "Building" means a structure as defined in the uniform building code designed, built or occupied as a shelter or roofed enclosure for persons, animals or property and used for including, but not limited to, residential, business, mercantile, storage, commercial, industrial, institutional, assembly, educational or recreational purposes.

B. "Building inspector" means the person appointed as the building official/fire marshal for the city of Gig Harbor.

15.36.020 Permit - Required.

No person, corporation, firm or organization shall move any building over along or across any public highway, street, or alley in the city without first obtaining a permit from the building inspector.

15.36.030 Permit - Application.

A person seeking a permit under this chapter shall file an application with the building inspector upon forms provided by the city. The application shall set forth:

- A. A description of the building(s) to be moved to include dimensions and condition of exterior and interior;
- B. A legal description of the lot from which the building is to be moved, if located in the city;
- C. A legal description of the lot to which the building is to be moved, if located in the city;
- D. The route over which the building is to be moved;
- E. Proposed moving date and hours;
- F. Any additional information which the building inspector or the chief of police find necessary to make a determination.

15.36.040 Application - Fee.

Application for a permit shall be accompanied by a fee of \$20.00 for each

building proposed to be moved.

15.36.050 Application - Insurance.

The applicant shall show proof of liability insurance in a combined single limit amount of \$500,000 for each incident. A specimen copy of the insurance certificate shall be filed with the application and shall name the city of Gig Harbor as an additional named insured.

15.36.060 Application - Deposit for expenses.

Upon receipt of an application, the director of administration shall estimate the expense to remove and replace any city property to accommodate the moving of a building(s). Prior to the issuance of a permit, the director shall require the applicant to deposit a sum of money equal to twice the estimated expense.

15.36.070 Application - Cash deposit or surety bond.

The applicant shall deposit with the director of administration a cash deposit or corporate surety bond in the sum of \$2,000 as indemnity for any damage which the city may sustain which may be caused by or be incidental to the movement of a building over, along, or across any public right-of-way in the city.

15.36.080 Permit - Denial.

The building inspector shall deny a permit if:

- A. Any application requirement or any fee or deposit requirement has not been complied with;
- B. The building is too large to move without endangering persons or property in the city;
- C. The building is in such a state of deterioration or disrepair or is otherwise so structurally unsafe that it could not be moved without endangering persons and property in the city;
- D. The building is structurally unsafe or unfit for the purpose for which moved, if the removal location is in the city;
- E. The applicant's equipment is unsafe and that persons and property would be endangered by its use;
- F. Zoning or other ordinances would be violated by the building in its new location.

15.36.090 Appeal procedure.

Upon denial of a permit by the building inspector, an applicant may appeal to the city council by filing a written notice of appeal with the director of administration within 10 days following notice of denial.

15.36.100 Duties of permittee.

The holder of a building moving permit(s) shall:

A. Use Designated Streets. Move a building only over streets designated for such use in the written permit;

B. Notify of Revised Moving Time. Notify the building inspector in writing of a desired change in moving date and hours as proposed in the application;

C. Notify of Damage. Notify the building inspector in writing of any and all damage done to property belonging to the city within 24 hours after the damage or injury has occurred;

D. Display Lights. Cause red lights to be displayed during the nighttime on every side of the building, while standing on a street, in such manner as to warn the public of the obstruction, and shall at all times erect and maintain barricades across the streets in such manner as to protect the public from damage or injury by reason of the removal of the building;

E. Street Occupancy Period. Remove the building from the city streets after 24 hours of such occupancy, unless an extension is granted by the building inspector;

F. Comply with Governing Law. Within six months from the date of issuance of the permit, comply with the city building, fire and zoning ordinances, and all other applicable ordinances and laws upon relocating the building in the city including the building and electrical code requirements as set forth in RCW 19.27.180;

G. Pay Expense of Officer. Pay the expense of a traffic officer ordered by the building inspector to accompany the movement of the building to protect the public from injury;

H. Clear Old Premises. Remove all rubbish and materials and fill all excavations to existing grade at the original building site so that the premises are left in a safe and sanitary condition;

I. Notify Utility and Transportation Companies. Notify each utility or public transportation company of any of its property that may be encountered in the moving route.

15.36.110 Fees and deposits.

A. Return upon Non-issuance. Upon the refusal of the building inspector to issue a permit, the director of administration shall return to the applicant all fees, deposits and bonds.

B. Return upon Allowance for Expense. After the building has been removed, the director of administration shall prepare a written statement of all expenses incurred in removing and replacing all property belonging to the city, and all material used in the making of the removal and replacement together with a statement of all damage caused to or inflicted upon property belonging to the city; provided, however, that if any wires, poles, lamps or other property are not located in conformity with governing ordinances, the permittee shall

not be liable for the cost of removing the same. The director shall return to the applicant all deposits after deduction of a sum sufficient to pay for all of the cost and expenses and for all damage done to property of the city by reason of the removal of the building.

15.36.120 Moving route designated.

The building inspector shall designate the streets over which the building may be moved. The building inspector shall have the list approved by the police department. In making their determinations, the building inspector and the police department shall act to assure maximum safety to persons and property in the city and to minimize congestion and traffic hazards on public streets.

15.36.130 Inspection.

The building inspector shall inspect the building(s) and the applicant's equipment to determine if the standards for issuance are met.

15.36.140 Enforcement.

A. Enforcing Officers. The building inspector and the police department shall enforce and carry out the requirements of this chapter.

B. Permittee Liable for Expense Above Deposit. The permittee shall be liable for any expense, damages or costs in excess of deposited amounts or securities, and the city attorney shall prosecute an action against the permittee in a court of competent jurisdiction for the recovery of such excessive amounts.

C. Original Premises Left Unsafe. The city shall proceed to do the work necessary to leaving the original premises in a safe and sanitary condition where permittee does not comply with the requirements of this chapter, and the cost thereof shall be charged against the general deposit.

15.36.150 Violation - Penalty.

Violation of any portion of this chapter is an infraction and subject to a penalty of \$1,000 as provided in GHMC 1.16.010D.

Section 3. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication of an approved summary consisting of the title.

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST/AUTHENTICATED:

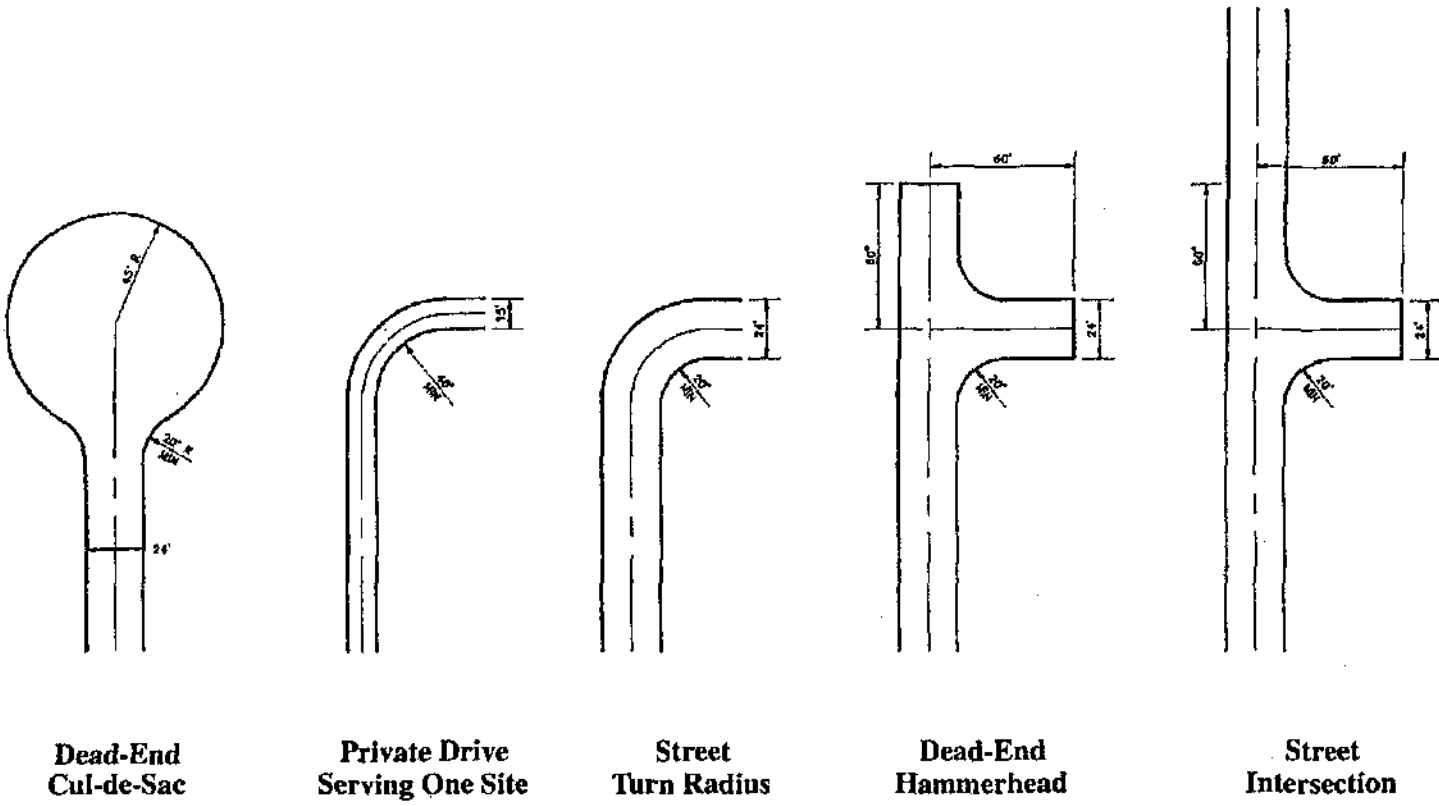
Mark E. Hoppen, City Administrator

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

BY _____

FILED WITH THE CITY CLERK: _____, 1995
PASSED BY THE CITY COUNCIL:
PUBLISHED:
EFFECTIVE DATE:
ORDINANCE NO. _____

Minimum Roadway Widths Turning Radii



Appendix A
Figure 15.12.090



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: RAY GILMORE, PLANNING DIRECTOR
DATE: JUNE 8, 1995
SUBJECT: AMENDMENT TO FEE SCHEDULE -- DELETION OF RADON TEST KIT FEE

INTRODUCTION

The State Building Code Council announced that the radon test program will be discontinued as of July 1, 1995. Consequently, radon test kits will no longer be issued by the city.

POLICY ISSUES

Deletion of the requirement for radon test kits will require an amendment to the fee schedule resolution.

FISCAL IMPACT

The fiscal impact to the city will be minimal as the radon test kit fees provided less than \$500 per year in revenue.

RECOMMENDATION

Staff recommends approval of the amended fee schedule by deleting reference to radon test kits.

**CITY OF GIG HARBOR
RESOLUTION NO.**

A RESOLUTION OF THE CITY OF GIG HARBOR, WASHINGTON, WHICH ESTABLISHES FEES FOR LAND USE PLANNING AND BUILDING APPLICATIONS AND PERMITS AND DELETING THE FEES FOR RADON TEST KITS.

WHEREAS, the City of Gig Harbor has established such fees by Resolution; and,

WHEREAS, the Washington State Building Code Council has deleted the requirement for radon test kits to be issued for each residential building permit; and,

WHEREAS, the \$15.00 fee for a radon test kit should be deleted.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR, AS FOLLOWS:

F. SPECIAL INSPECTIONS (AND PERMITS):

1) **Fire Marshal Inspections.** There is hereby imposed a \$20.00 inspection fee for all inspections carried out pursuant to the provisions of Section 2.201 of the Uniform Fire Code as now enacted or hereafter amended. The \$20.00 inspection fee shall include two reinspections for the purpose of ensuring the correction of any deficiencies noted in a prior inspection. If additional reinspections are necessary to ensure correction of any deficiency or defect, the Gig Harbor fire marshal shall charge a fee of \$30.00 per hour with a one-hour minimum and to be computed in one-quarter-hour increments, not to include travel time. All requested inspections which require a report will be processed under subsection Q4 of this section, Building Official Inspections.

2) **Article IV Permits.** The fire prevention bureau shall charge fees for processing permit applications required pursuant to Article IV of the Uniform Fire Code as now enacted or hereafter amended. The amount of the fee shall be set by resolution of the Gig Harbor City Council and fee schedules shall be made available to members of the public upon payment of photocopying charges. When any occupancy requires multiple permits, the Gig Harbor fire marshal shall charge the highest of the several fees plus one-half of all other required fees.

3) **After Hours Inspection.** For any inspections authorized or required pursuant to the Uniform Fire Code and for which it is necessary to have an inspection made after normal business hours, which are Monday through Friday, 8:30 a.m. until 5:00 p.m., or on recognized City of Gig Harbor holidays, the Gig Harbor City Fire Marshal shall charge an inspection fee of \$45.00 per hour with a minimum of one hour to be measured in quarter-hour increments including travel time.

4) **Building Official Inspections**

Non-classified request

\$50

Reinspection fee assessed under provisions of Section 305 G \$30 each

Additional Plan Review required by changes, additions or revisions to previously approved plans \$30/hour (minimum charge of 1/2 hour)

~~5) Radon Testing. The applicant for a building permit to construct a new single-family or multi-family building within the City of Gig Harbor shall pay \$15.00 for each living unit to cover the cost of supplying the owner of each new living unit a three-month etched track radon measuring device in accordance with a new section to RCW Chapter 19.27.~~

65) Building /Plumbing/Mechanical Permit Fees. Building /Plumbing/Mechanical permit fees shall be based upon the most recent fee schedule as adopted by the State Building Code Council in the respective Uniform Code.

76) Energy Code Inspection. Energy Code Inspection Fees shall be those as established in the Special Plans Examiner/Special Inspector Program, Policies and Procedure Handbook (April, 1994, Utility Code Group, Bellevue, WA).

APPROVED:

Gretchen A. Wilbert, Mayor

ATTEST:

Mark E. Hoppen, City Administrator
City Clerk

Filed with City Clerk:
Passed by City Council:



City of Gig Harbor. The "Maritime City."
3105 JUDSON STREET
GIG HARBOR, WASHINGTON 98335
(206) 851-8136

TO: MAYOR WILBERT AND CITY COUNCIL MEMBERS
FROM: RB RAY GILMORE, PLANNING DIRECTOR
DATE: JUNE 8, 1995
SUBJECT: CORRECTION OF LEGAL DESCRIPTION -- ANX 91-07; RESOLUTION FOR APPROVAL.

INTRODUCTION

In August of 1994, ANX91-07 was submitted to Pierce County for approval. Just recently, the city was informed that the legal description that was submitted was not the correct legal description. The preferred legal description which was approved by Pierce County was not the legal description that was attached to the ordinance as exhibit "A". The correct description is attached.

POLICY ISSUES

As you will note, the corrections are minor and do not effect the boundary of the annexed area. As Pierce County prefers this corrected legal as the true and correct description of the boundaries, it behooves us to submit this for their records as soon as possible.

FISCAL IMPACT

The fiscal impact to the city is negligible, other than the amount of staff time spent communicating with Pierce County on the quality and essence of legal descriptions for this annexation since 1992.

RECOMMENDATION

Staff requests Council's assent to amend exhibit "A" to Ordinance #690 and forward the corrected legal description to Pierce County for their files and records.

**CITY OF GIG HARBOR
RESOLUTION NO.**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR CORRECTING THE LEGAL DESCRIPTION FOR THE AREA KNOWN AS THE GIG HARBOR INTERCHANGE (ANX 91-07).

WHEREAS, in August of 1994, ANX91-07 was approved by the City Council; and,

WHEREAS, in February of 1995, Ordinance #690 was adopted, effectively annexing this area to the City of Gig Harbor and,

WHEREAS, the legal description submitted with the ordinance as exhibit "A" is not the correct legal description as preferred by Pierce Council; and,

WHEREAS, the corrected legal description, which is attached, contains two minor corrections.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GIG HARBOR:

A corrected legal description which is attached as exhibit "A" is hereby approved by the Gig Harbor City Council.

PASSED AND APPROVED, at the regularly scheduled City Council meeting of the 12th day of June, 1995.

Gretchen Wilbert, Mayor

ATTEST:

Mark E. Hoppen, City Administrator

Filed with City Clerk: 6/8/95

Passed by City Council: 6/12/95

EXHIBIT "A"

**LEGAL DESCRIPTION FOR GIG HARBOR INTERCHANGE ANNEXATION
ANX 91-07**

PORTIONS OF SECTIONS 7, 8 AND 18, TOWNSHIP 21 NORTH, RANGE 2 EAST, W.M.,
PIERCE COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE SOUTHERLY RIGHT-OF-WAY LINE OF HUNT STREET NORTHWEST, BEING A LINE PARALLEL WITH AND DISTANT 30 FEET SOUTHERLY, MEASURED AT RIGHT ANGLES, FROM THE NORTH LINE OF SAID SECTION 18, WITH THE SOUTHERLY PROLONGATION OF THE WESTERLY RIGHT-OF-WAY LINE /OF 46TH AVENUE NW/, THENCE NORTHERLY ALONG SAID PROLONGATION AND SAID WESTERLY RIGHT-OF-WAY LINE TO AN INTERSECTION WITH THE WESTERLY PROLONGATION OF THE NORTHERLY RIGHT-OF-WAY LINE OF 72ND STREET NORTHWEST, BEING A LINE PARALLEL WITH AND DISTANT 30 FEET NORTHERLY, MEASURED AT RIGHT ANGLES, FROM THE NORTHERLY LINE OF THE SOUTHEAST QUARTER OF SECTION 7; THENCE EASTERLY ALONG SAID LAST MENTIONED PROLONGATION AND SAID NORTHERLY RIGHT-OF-WAY LINE TO AN INTERSECTION WITH THE WESTERLY LINE OF LOT 7 OF THE PLAT OF GIG HARBOR ABANDONED MILITARY RESERVE IN SAID SECTION 7; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID LOT 7 TO THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROUTE 16; THENCE NORTHWESTERLY ALONG SAID WESTERLY LINE TO A LINE 660 FEET SOUTH OF THE NORTHERLY LINE OF SAID SECTION 7; THENCE EASTERLY PARALLEL WITH, AND 660 FEET SOUTH OF, THE NORTH LINE OF SECTION 7, ALONG SAID LINE TO THE EASTERLY LINE OF LOT 2 OF AFORESAID PLAT OF GIG HARBOR ABANDONED MILITARY RESERVE, IN SAID SECTION 7; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID LOT 2 TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE WESTERLY ALONG THE SOUTHERLY LINE OF LOTS 2 AND 3 AND/OR ITS WESTERLY PROLONGATION OF SAID PLAT IN SAID SECTION 7 TO THE EASTERLY RIGHT-OF-WAY LINE OF AFORESAID STATE ROUTE 16; THENCE SOUTHEASTERLY ALONG SAID EASTERLY LINE TO SAID NORTHERLY RIGHT-OF-WAY LINE OF 72ND STREET NORTHWEST; THENCE EASTERLY ALONG SAID NORTHERLY RIGHT-OF-WAY LINE TO THE EASTERLY LINE OF THE TACOMA-LAKE CUSHMAN POWER LINE RIGHT-OF-WAY, AS DESCRIBED IN QUIT CLAIM DEED TO CITY OF TACOMA, RECORDED AS AUDITOR'S FILE NO. 8205070163 AND AS SHOWN HATCHED ON EXHIBIT "A" ATTACHED THERETO, BEING SHEETS 7 AND 9 OF 52 SHEETS OF THAT CERTAIN MAP OF DEFINITE LOCATION ENTITLED SR 16, NARROWS BRIDGE TO OLYMPIC DRIVE; THENCE SOUTHEASTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE TO THE WESTERLY RIGHT-OF-WAY LINE OF STINSON AVENUE; THENCE NORTHEASTERLY IN A DIRECT LINE TO THE NORTHWESTERLY CORNER OF A CERTAIN PARCEL OF LAND DESCRIBED UNDER AUDITOR'S FILE NO. 2883468; THENCE SOUTHEASTERLY ALONG THE NORTHERLY LINE OF SAID PARCEL TO THE NORTHWESTERLY RIGHT-OF-WAY LINE OF PIONEER WAY; THENCE SOUTHEASTERLY IN A DIRECT LINE TO THE SOUTHEASTERLY RIGHT-OF-WAY

LINE OF PIONEER WAY AT THE MOST NORTHWESTERLY CORNER OF LOT 1 OF GIG HARBOR SHORT PLAT, RECORDED UNDER AUDITOR'S FILE NO. 8402100196; THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF PIONEER WAY AS SHOWN ON SAID PLAT TO SAID EASTERLY LINE OF THE TACOMA-LAKE CUSHMAN POWER LINE RIGHT-OF-WAY AS SHOWN ON SHEET 9 OF SAID EXHIBIT "A"; THENCE SOUTHERLY ALONG THE EASTERLY LINE OF SAID TACOMA-LAKE CUSHMAN POWER LINE RIGHT-OF-WAY TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY LINE OF KIMBALL DRIVE NORTHWEST, BEING A LINE PARALLEL AND/OR CONCENTRIC WITH AND DISTANT 30 FEET WESTERLY, MEASURED AT RIGHT ANGLES OR RADially, FROM THE FR-3 CENTERLINE AS SHOWN ON SAID SHEET 9 OF EXHIBIT "A"; THENCE SOUTHERLY ALONG SAID WESTERLY RIGHT-OF-WAY LINE TO THE NORTHERLY LINE OF LOT 10 OF AFORESAID PLAT OF GIG HARBOR MILITARY RESERVE, IN SAID SECTION 8; THENCE WESTERLY ALONG THE NORTHERLY LINE OF LOTS 10 AND 9 OF SAID PLAT IN SAID SECTION 8 TO THE NORTHWEST CORNER OF SAID LOT 9 BEING ALSO THE NORTHEAST CORNER OF LOT 16 OF SAID PLAT IN SAID SECTION 7; THENCE WESTERLY ALONG THE NORTHERLY LINE OF SAID LOT 16 TO THE NORTHWEST CORNER THEREOF, BEING ALSO THE NORTHEAST CORNER OF LOT 4 OF SUNNYBRAE, RECORDED IN VOLUME 37 OF PLATS, AT PAGE 50, RECORDS OF SAID COUNTY; THENCE WESTERLY ALONG THE NORTHERLY LINE OF LOTS 4 THROUGH 1, INCLUSIVE OF SAID SUNNYBRAE TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF WOLLOCHET DRIVE NORTHWEST AS SHOWN ON SAID LAST MENTIONED PLAT; THENCE SOUTHWESTERLY ALONG SAID SOUTHEASTERLY RIGHT-OF-WAY LINE AND IT SOUTHWESTERLY PROLONGATION TO SAID SOUTHERLY RIGHT-OF-WAY LINE OF HUNT STREET NORTHWEST IN THE NE QUARTER OF SECTION 18; THENCE WESTERLY ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE TO THE POINT OF BEGINNING. THE FOREGOING DESCRIBED ANNEXATION PARCEL BEING CONTIGUOUS ON ITS NORTH AND EAST SIDES WITH THE EXISTING CITY LIMITS OF GIG HARBOR.

TOGETHER WITH THE TACOMA LAKE CUSHMAN POWER LINE RIGHT-OF-WAY IN THE SOUTH HALF OF THE NORTH EAST QUARTER OF SECTION 7, TOWNSHIP 21 NORTH, RANGE 2 E.WM; AND TOGETHER WITH THE RIGHT OF WAY FOR GRANDVIEW AND STINSON AVENUE NW BORDERING THE GIG HARBOR ANNEXATION, ORDINANCE #47, IN THE NORTHEAST QUARTER OF SECTION 7, TOWNSHIP 21 NORTH, RANGE 2 E.WM.; AND EXCEPT THOSE PORTIONS PREVIOUSLY ANNEXED INTO THE CITY OF GIG HARBOR PER ORDINANCES #57 (4-28-60), #206 (9-9-74), #296 (9-25-78), #438(11-28-83), AND # 621 (2-10-91).



RETURN TO: WASHINGTON STATE LIQUOR CONTROL BOARD
 License Division - 1025 E. Union, P.O. Box 43075
 Olympia, WA 98504-3075
 (360) 664-0012

TO: MAYOR OF GIG HARBOR

DATE: 5/22/95

RE: NEW APPLICATION

License: 079219 - 2E County: 27
 Tradename: GOOD SPIRIT MARKET & DELI
 Loc Addr: 6820 KIMBALL DR STE A9/A10
 GIG HARBOR WA 98335
 Mail Addr: 1380 11TH LANE
 FOX ISLAND WA 98333-9661
 Phone No.: 206-549-2473

APPLICANTS:
 JOSS, MICHAEL J
 07-15-57 626-38-2165
 JOSS, SUSANNE
 (Spouse) 02-13-61 621-38-8925

Classes Applied For:
 E Beer by bottle or package - off premises
 F Wine by bottle or package - off premises

As required by RCW 66.24.010(8), you are notified that application has been made to the Washington State Liquor Control Board for a license to conduct business. If return of this notice is not received in this office within 20 DAYS from the date above, it will be assumed that you have no objection to the issuance of the license. If additional time is required you must submit a written request for an extension of up to 20 days. An extension of more than 20 days will be approved only under extraordinary circumstances.

- | | YES | NO |
|--|--------------------------|--------------------------|
| 1. Do you approve of applicant ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you approve of location ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | <input type="checkbox"/> | <input type="checkbox"/> |

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

DATE

SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE

SALES OF FORTIFIED WINE

For the purpose of this title, any beverage containing fourteen percent or less of alcohol by volume when bottled or packaged by the manufacturer shall be referred to as "table wine," and any beverage containing an alcohol content greater than fourteen percent by volume when bottled or packaged by the manufacturer shall be referred to as "fortified wine." However, "fortified wine" shall not include: (a) wines that are both sealed or capped by cork closure and aged two years or more; and (b) wines that contain more than fourteen percent alcohol by volume solely as a result of the natural fermentation process and that have not been produced with the addition of wine spirits, brandy, or alcohol.

This subsection shall not be interpreted to require that any wine be labeled with the designation "table wine" or fortified wine."

The Board shall issue a restricted class F license, authorizing the licensee to sell only table wine, if the Board finds upon issuance or renewal of the license that the sale of fortified wine would be against the public interest. In determining the public interest, the Board shall consider at least the following factors: (a) The likelihood that the applicant will sell fortified wine to persons who are intoxicated; (b) Law enforcement problems in the vicinity of the applicant's establishment that may arise from persons purchasing fortified wine at the establishment; and (c) Whether the sale of fortified wine would be detrimental to or inconsistent with a government-operated or funded alcohol treatment or detoxification program in the area.

If the Board receives no evidence or objection that the sale of fortified wine would be against the public interest, it shall issue or renew the license without restriction, as applicable. The burden of establishing that the sale of fortified wine by the licensee would be against the public interest is on those persons objecting.



RETURN TO: WASHINGTON STATE LIQUOR CONTROL BOARD
 License Division - 1025 E. Union, P.O. Box 43075
 Olympia, WA 98504-3075
 (360) 664-0012

TO: MAYOR OF GIG HARBOR

DATE: 5/31/95

RE: TRANSFER APPLICATION
 from JU, SUN WOO
 dba KINZA TERIYAKI

APPLICANTS:

LEE, NO RI
 07-02-67 532-27-4519
 LEE, SEUNG HOON
 01-20-63 539-94-4687

License: 077031 - 2A County: 27

Tradenname: KINZA TERIYAKI
 Loc Addr: 6820 KIMBALL DR #A-1
 GIG HARBOR WA 98335

Mail Addr: 6820 KIMBALL DR #A-1
 GIG HARBOR WA 98335-5124

Phone No.: 206-858-8989

Classes Applied For:
 C Wine on premises
 D Beer by open bottle only - on premises

As required by RCW 66.24.010(8), you are notified that application has been made to the Washington State Liquor Control Board for a license to conduct business. If return of this notice is not received in this office within **20 DAYS** from the date above, it will be assumed that you have no objection to the issuance of the license. **If additional time is required you must submit a written request for an extension of up to 20 days.** An extension of more than 20 days will be approved only under extraordinary circumstances.

- | | YES | NO |
|--|--------------------------|--------------------------|
| 1. Do you approve of applicant ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Do you approve of location ? | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. If you disapprove and the Board contemplates issuing a license, do you want a hearing before final action is taken? | <input type="checkbox"/> | <input type="checkbox"/> |

If you have indicated disapproval of the applicant, location or both, please submit a statement of all facts upon which such objections are based.

DATE

SIGNATURE OF MAYOR, CITY MANAGER, COUNTY COMMISSIONERS OR DESIGNEE

.C090080-2

WASHINGTON STATE LIQUOR CONTROL BOARD

DATE: 6/02/95

LICENSED ESTABLISHMENTS IN INCORPORATED AREAS CITY OF GIG HARBOR
FOR EXPIRATION DATE OF 8/31/95

	LICENSEE	BUSINESS NAME AND ADDRESS	LICENSE NUMBER	CLASSES
1	TWETEN, DELMER L TWETEN, GLORIA R	HARVESTER RESTAURANT WEST 5601 SOUNDVIEW DR GIG HARBOR WA 98335 0000	366797	H
2	ANDRADE'S, INC.	PUERTO VALLARTA - GIG HARBOR #2 4225 HARBORVIEW DR GIG HARBOR WA 98335 0000	364637	H
3	PENDRAGON MANAGEMENT CO., A PA WYVERN RESTAURANTS, INC. CAROL M VINUM MICHAEL MC GIMPSEY MICHELLE MC GIMPSEY	ROUND TABLE PIZZA 5500 OLYMPIC DR BLDG H GIG HARBOR WA 98335 0000	076725	A C

MAYOR'S REPORT

June 12, 1995

Best Management Practice for Hazardous Waste

Delivery of educational material to the marina owners for distribution to their tenants this past week completed a principal objective of mine with respect to the protection of Gig Harbor Bay. I have been working since 1991 to protect the Harbor Basin. Recently, you may remember, I helped foster the completion of the BMP manual to be used as a model throughout the Puget Sound area for marina owners and operators. The manual portrays Best Management Practices for marina owners and has been distributed in Gig Harbor.

These basin protection objectives were funded by a grant awarded to Puget Soundkeepers Alliance, a private, non-profit group dedicated to cleaning up Puget Sound. The grant was awarded by the Puget Sound Water Quality Authority.

In the future, the City will need to encourage marina owners to provide separate depositories for different kinds of hazardous waste on location at each marina facility, and coordinate a recycling or disposal plan.

This next objective will best be accomplished through a cooperative effort between the City, marina owners, recycling companies, Fire District #5's hazardous waste collection drive, and Pierce County.

In a Major Earthquake, what do I do about Natural Gas?

With the next billing from Washington Natural Gas, customers will find an insert information piece that headlines "*It's not a question of if, but a question of when!*" Our turn will come in the Pacific Northwest and we need to continue to prepare ourselves as individuals, organizations, in classrooms, within families, and neighborhoods.

Throughout many neighborhoods on the Peninsula, natural gas lines have been laid and extend service into many homes. Each home served has a meter. In the event of an earthquake, an individual may be called upon to shut off the gas at the meter. Washington Natural Gas is quick to assure us they use the safest underground pipeline material available, plastic and flexible steel, which should withstand a severe quake. A great deal has been learned from previous disasters.

Washington Natural Gas, in cooperation with the Gig Harbor / Key Peninsula Emergency Preparedness Committee, Ace Hardware, and Borgens Building Supply, have set up a model gas meter at City Hall, equipped with the appropriate wrench to model turning the valve to shut off the gas. Citizens are encouraged to locate their gas meters and have an appropriate wrench in a secure location near the meter. Citizens are also invited to visit the meter display at City Hall during regular business hours, 8:30 a.m. to 5:00 p.m. Monday through Friday, to familiarize themselves with the meter shut-off valve. The display will remain at City Hall through July and may be checked out overnight for display at group meetings.



DENNIS RICHARDS
Chief of Police

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GIG HARBOR POLICE DEPARTMENT

MONTHLY ACTIVITY REPORT

MAY 1995

	MAY 1995	YTD 1995	YTD 1994	%chg to 1994
CALLS FOR SERVICE	<u>302</u>	<u>1242</u>	<u>1285</u>	- 3
CRIMINAL TRAFFIC	<u>25</u>	<u>98</u>	<u>126</u>	- 22
TRAFFIC INFRACTIONS	<u>91</u>	<u>382</u>	<u>385</u>	- .7
DUI ARRESTS	<u>7</u>	<u>22</u>	<u>45</u>	- 51
FELONY ARRESTS	<u>13</u>	<u>33</u>	<u>21</u>	+ 57
MISDEMEANOR ARRESTS	<u>10</u>	<u>68</u>	<u>103</u>	- 33
WARRANT ARRESTS	<u>6</u>	<u>32</u>	<u>42</u>	- 23
CASE REPORTS	<u>77</u>	<u>335</u>	<u>333</u>	+ .6

