time for a single permit. All fees shall be paid prior to final Department approval of the special inspections.
(Ord. 117405 § 2(part), 1994.)

22.901L.040 Concrete mix design approval.

The fee for the evaluation of a concrete design mix shall be one-half (½) times the Base Fee, paid in advance of the evaluation decision being rendered.
(Ord. 117405 § 2(part), 1994.)

22.901L.050 Development permits with special inspection.

When development permits include the requirements for special inspection, a fee shall be charged as shown in Table 22.

Table 22
SPECIAL INSPECTION FEES

Value of Construction	Fee
$0 to $100,000	Base Fee × 1
$100,001 to $500,000	Base Fee × 2
$500,001 to $1,000,000	Base Fee × 3
$1,000,001 to $5,000,000	Base Fee × 4
$5,000,001 to $10,000,000	Base Fee × 5
Over $10,000,000	Base Fee × 6

(Ord. 117908 § 15, 1995.)

Chapter 22.901M
SPECIAL INVESTIGATION FEES—TABLE 23

Editor's Note: This chapter is effective January 1, 1995.

Sections:

22.901M.010 Special investigation fee.

A. Where a special investigation is made for an action requiring Department approval, a fee, in addition to the permit fee shall be assessed as provided in Table 23:

Table 23
SPECIAL INVESTIGATION FEES

Value of Work (For Permit)	Investigation Fee
$0 — 5,000	$ 100.00
$5,001 — 50,000	300.00
$50,001 — 100,000	500.00
$100,001 — 500,000	1,000.00
$500,001 — 5,000,000	5,000.00
Over $5,000,000	100% of permit fee

B. When a permit fee is not determined by valuation, the special investigation fee will be two (2) times the amount of the permit fee.

C. Alternatively, at the discretion of the Director, the special investigation fee may be assessed at the hourly rate. Special investigation fees may be waived, at the discretion of the Director, for necessary work done in emergency situations.

D. The payment of a special investigation fee shall not relieve any person from complying with the requirements of the applicable codes in the execution of the work nor from any violation penalties prescribed by law.

E. The special investigation fee for a use not established by a permit under the current or previous Land Use Code shall be assessed at a rate of $100.00.
(Ord. 117908 § 16, 1995; Ord. 117405 § 2(part), 1994.)

Chapter 22.901N
SIGN, BILLBOARD, AWNING AND CANOPY FEES

Editor's Note: This chapter is effective January 1, 1997.

Sections:

22.901N.010 Sign, billboard, awning and canopy permit fees.

A. Permanent Signs. For permanent signs, there shall be a permit fee of Eighty Dollars ($80.00) charged for the first one hundred (100) square feet or less of the total display area of the sign plus an additional charge of Six Dollars and

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Fifty Cents ($6.50) for each ten (10) square feet or fraction thereof of total display area in excess of one hundred (100) square feet. Each sign or group of signs for a single business entity installed simultaneously on a single structure shall be charged a separate permit fee. The addition of a sign or group of signs for one (1) business entity to the structure, shall require a separate permit.

B. Sign Measurements. All signs erected or painted simultaneously for a single business entity, provided they are on a single structure, shall be measured together and assessed a fee as if a single sign. Directional ground signs between five (5) and seven (7) square feet may be measured together and assessed a fee as if a single sign.

C. Sign Area. For the purpose of this section, sign area shall be measured in accordance with Section 23.86.004 of the Land Use Code.

D. Painted Wall Signs. The maximum fee for an on-premises sign painted directly on the building wall shall be Three Hundred Five Dollars ($305.00).

E. Awnings and Canopies. A separate permit fee shall be required for the installation of awnings and canopies. The fee assessed for the installation shall be based on the valuation of the awning or canopy and shall be one hundred percent (100%) of the Development Fee Index as calculated according to Table 3. This fee is separate from the fee for any sign on the awning or canopy.

F. Signs on Awnings and Canopies. A permit fee separate from the awning permit fee shall be required for a sign installed or painted on an awning or canopy. Signs for separate business entities shall be assessed a separate fee whether or not on a separate awning or canopy. All signs for each business entity installed concurrently shall be measured to determine the total square footage and shall be assessed a fee as though one (1) sign. The subsequent addition of a sign or group of signs for one (1) business entity shall require a separate permit.

(Ord. 118398 § 20, 1996; Ord. 117405 § 2(part), 1994.)

22.901N.020Off-premises advertising sign (billboard) registration fees.

A registration fee of Forty Dollars ($40.00) shall be charged initially to establish and annually to renew each face of an off-premises advertising sign (billboard). The renewal fees are due on or before July 1st of each year.

(Ord. 117405 § 2(part), 1994.)

Chapter 22.901O
(RESERVED)

Chapter 22.901P
HOUSING FEES—TABLES 24 AND 25

Editor's Note: This chapter is effective January 1, 1997.

Sections:

22.901P.010Monitoring vacant buildings.

A. A quarterly reinspection fee shall be charged as set forth in Table 24 for reinspections of buildings closed pursuant to or in response to the requirements of the Housing and Building Maintenance Code. Building and premises shall be maintained per the standards of the Housing and Building Maintenance Code, Land Use Code, Solid Waste Code and Weeds and Vegetation Ordinance.

Table 24
MONITORING VACANT BUILDINGS

Condition of Premises	Fee
Building is closed to entry and premises are in compliance with applicable codes.	Base Fee × 1.5
Building is closed to entry and premises are not in compliance with applicable codes.	Base Fee × 2.5
Building is not closed to entry regardless of compliance with applicable codes.	Base Fee × 3

B. The Department shall send a bill to the taxpayer and/or owner of record of each property inspected.
(Ord. 117908 § 17, 1995: Ord. 117405 § 2(part), 1994.)

22.901P.020Advisory Housing and Building Maintenance Code and condominium conversion inspection.

A. The fee for advisory inspections requested pursuant to the Housing and Building Maintenance Code or inspections required by the Condominium Conversion Ordinance shall be charged at the rate of two and one-half (2½) times the Base Fee for inspecting a building and one (1) housing unit plus a charge at the rate of one-half (½) times the Base Fee for inspecting each additional housing unit in the same building. No additional fee shall be charged for one (1) follow-up inspection, if requested.

B. Additional reinspections requested or required after the first reinspection shall be charged a fee at the rate of one (1) times the Base Fee for each building and one (1) housing unit plus one-fourth (¼) times the Base Fee for each additional housing unit in the same building.
(Ord. 117405 § 2(part), 1994.)

22.901P.030Reserved.
(Ord. 118398 § 21, 1996: Ord. 117908 § 18, 1995; Ord. 117492 § 6, 1995; Ord. 117405 § 2(part), 1994.)

22.901P.040Accessory dwelling unit fees.

A. New Units. The fee for a new accessory dwelling unit shall be calculated according to Tables 3 and 4, with the minimum fee of One Hundred Forty Dollars ($140).

B. Existing Units. The application fee to legalize an existing accessory dwelling unit shall be Three Hundred Ninety Dollars ($390). A plan review fee calculated according to Tables 3 and 4 shall be charged for projects where additional plans are required for ordinance and structural review.

C. A notification fee of Fifty Dollars ($50) shall be assessed for all approved accessory dwelling units.

D. The fee for review of parking waiver surveys shall be charged at the rate of two (2) times the Base Fee.
(Ord. 118472 § 2, 1997: Ord. 117405 § 2(part), 1994.)

22.901P.050Research and inspection on Notices of Violation.

The fee to conduct research to issue a certificate to clear the title records of a property cited with a Notice of Violation shall be charged at the rate of one-half (½) times the Base Fee. If an inspection in the field is also performed an additional fee at the rate of one (1) times the Base Fee shall be charged.
(Ord. 117405 § 2(part), 1994.)

Chapter 22.901Q
NOISE FEES—TABLE 26

Editor's Note: This chapter is effective January 1, 1995.

Sections:

22.901Q.010Noise fees.

A. Certain construction and land use proposals require noise survey reviews. Project review shall be charged according to Table 26. Any hourly fees owed must be paid prior to the publication of a decision on the application and prior to issuance of the permit. The actual charges and fees paid shall be reconciled and all outstanding balances shall be due and payable on demand. In cases where no published decision is required, hourly fees owed must be paid prior to issuance of the permit, or issuance of a letter.

B. Applications for variances shall be charged according to Table 26 except for applications for

temporary variances as components of a master filming permit issued pursuant to SMC Section 15.35.010 which shall be charged as part of the single fee for the master filming permit. Renewal of variances shall be assessed at the same rate.

Table 26
NOISE FEES

Type	Permit Fee	Project Review Fee
Temporary variance	$100.00 (No separate fee when issued as part of a master filming permit)	None
Economic/technical variance in residential zones	$100.00	Hourly (2-hour deposit)
Economic/technical variance in commercial/ industrial zones	$250.00	Hourly (2-hour deposit)
Noise survey review	None	Hourly

(Ord. 118238 § 7, 1996: Ord. 117908 § 19, 1995: Ord. 117405 § 2(part), 1994.)

Chapter 22.901R
DESIGN COMMISSION FEES

Editor's Note: This chapter is effective January 1, 1995.

Sections:

22.901R.010Design Commission fees.

A. City Capital Improvement Projects, as Defined in SMC Section 3.58.020. Design Commission fees shall be assessed at a rate of three-tenths of one (0.3) percent of the construction cost of City capital improvement projects, except as specified in subsection B of this section. Billing will occur at the time of contract award by the Executive Services Department, who will forward the bills to the Department for distribution to appropriate City departments. Payment will be made through a fund transfer to the Department Operating Fund.

B. Major City Capital Improvement Projects. Design Commission fees shall be assessed at a rate of up to three-tenths of one (0.3) percent of the construction cost of major City capital improvement projects (greater than Ten Million Dollars ($10,000,000) construction budget.) The fee shall be set through negotiations with the Budget Director and the Design Commission. Billing shall occur in accordance with a schedule agreed upon by the Budget Director and the Design Commission.

C. Special Exceptions. Rather than assessing fees as a percentage of the construction cost as described in subsections A and B of this section, low-income and special needs housing projects subject to Design Commission review and projects with total construction budgets of Fifty Thousand Dollars ($50,000) or less will be billed at the hourly rate of One Hundred Dollars ($100) per hour per Commissioner for subcommittee review, or Seven Hundred Dollars ($700) per hour for full Commission review. Fees for review of these projects may be waived at the discretion of the Commission.

D. Street Use Permit Reviews. Street use permit reviews, which are required before issuance of a street use permit for improvements within the public right-of-way, will be billed at the hourly rate of One Hundred Dollars ($100) per hour per Commissioner for subcommittee review, or Seven Hundred Dollars ($700) per hour for full Commission review. Billing will be sent directly to the applicant by the Department. E.

Early Master Use Permit Stage or Projects Outside City Contract Process. For design review at an early Master Use Permit stage or for projects outside The City of Seattle contract award process, Design Commission fees will be billed by the Department at an hourly rate of One Hundred Dollars ($100) per hour per Commissioner for subcommittee review, or Seven Hundred Dollars ($700) per hour for full Commission review.
(Ord. 118912 § 35, 1998: Ord. 117908 § 20, 1995: Ord. 117405 § 2(part), 1994.)

Chapter 22.901S
MISCELLANEOUS FEES—TABLE 27

Editor's Note: This chapter is effective January 1, 1997.

Sections:

22.901S.010Miscellaneous and special fees.

A. Miscellaneous and special fees shall be assessed to recover City costs for services and materials which are not otherwise specified in this subtitle or where the valuation or other methodology normally used does not reflect actual conditions which may include but are not limited to the following:

1. Notification, examination, consultation, testing, or inspection of proposals, sites (or locations), particular plans, construction, equipment, personnel or material which may be related to, but not directly covered by, a specific permit or approval process;

2. Reproduction and/or search of records and documents. A microfilm copy of microfilm records: Three Dollars ($3) for each microfilm diazo. Charges for plans reproduced from the microfilm library are shown in Table 27.

Table 27
FEES FOR REPRODUCTIONS FROM MICROFILM

Size of Page	Price per Page
8½″ × 11″ or 8½″ × 14″	$ .25
11″ × 17″	1.00

3. Furnishing or certification of affidavits, reports, data, or similar documentation;

4. Recording or filing documents with other agencies;

5. Delivery and mailing costs.

B. A Thirty-five Dollar ($35) fee will be required per appointment for failure by applicant to notify the Department prior to a scheduled application intake appointment that the appointment will not be kept.

C. The fee for expert witness testimony shall be charged at the hourly rate.

D. The fee for approval of computer programs such as those used to analyze compliance with the Energy Code shall be charged at the hourly rate.
(Ord. 118398 § 22, 1996; Ord. 117908 § 21, 1995; Ord. 117405 § 2(part), 1994.)

22.901S.020Property address change.

The fee to correct the property address on an application or, if applicable, on an issued permit shall be Twenty-six Dollars ($26). When an address change is requested which is unrelated to an application for a permit or for an issued permit, a fee at the rate of one (1) times the Base Fee shall be assessed.
(Ord. 117405 § 2(part), 1994.)

22.901S.030Reinspection fees.

To obtain a reinspection a permit holder shall be charged at the rate of one-half (½) times the Base Fee per reinspection. No reinspection of the work shall be performed until the required fees have been paid; provided, that in the case of boilers and refrigeration systems, the permit holder may be billed for the reinspection fee.
(Ord. 117405 § 2(part), 1994.)

Chapter 22.901T
FEES FOR OTHER DEPARTMENTS

Editor's Note: This chapter is effective January 1, 1997.

Sections:

22.901T.010Department of Neighborhood fees assessed in association with Department review.

The following fees shall be collected by the Director of the Department of Neighborhoods and shall be deposited in the General Fund.

A. Certificate of Approval Fees. There shall be a charge for a Certificate of Approval as required by all applicable ordinances for the construction or alteration of property in a designated Special

Review District, Landmark, Landmark District, or Historic District of Ten Dollars ($10) for construction costs of One Thousand Five Hundred Dollars ($1,500) or less, plus Ten Dollars ($10) for each additional Five Thousand Dollars ($5,000) of construction costs up to a maximum fee of One Thousand Dollars ($1,000). There shall be an additional charge of Ten Dollars ($10) for a Certificate of Use Approval in the Pioneer Square Preservation District, the Pike Place Market Historical District and the International Special Review District.

B. Special Valuation Program For Historic Properties. There shall be a charge of Two Hundred Fifty Dollars ($250) for review by the Seattle Landmarks Preservation Board of applications for special tax valuation for historic properties pursuant to the Historic Property Act (RCW Chapter 84.26). A fee for Board review of proposed alterations to historic properties shall be charged according to the schedule of fees set forth in Section 22.901T.020 A (Certificate of Approval Fees).

(Ord. 117405 § 2(part), 1994.)

Editor's Note: **Agency.** From and after January 1, 1995, until the effective date of Council Bill 110398, or substitute legislation for such bill, transferring from the Engineering Department to the Department of Construction and Land Use certain duties and functions with respect to intake of permit applications and fees, plan review, and permit issuance, the Director of the Department of Construction and Land Use and the Director of the Engineering Department, and their respective designees, are each authorized to act as agent for the other in connection with the computation, receipt, and processing of permit applications and permit fees for those permitting activities mentioned or included in any of the provisions of this ordinance. Nothing in this section shall in any way alter or reduce or limit the perpetual authority of the Director of the Department of Construction and Land Use under Section 22.901A.040 C.

(Ord. 117405 § 4, 1994.)

22.901T.020 Fees assessed in association with review by the Seattle Transportation Department and the Seattle Public Utility.

The fees shown in Table 28 shall be collected by the Department for transfer to the Seattle Transportation Department (STD) or the Seattle Public Utility (SPU).

Table 28
SEATTLE TRANSPORTATION DEPARTMENT
and
SEATTLE PUBLIC UTILITY FEES

	Work for Which Fee is Charged	Amount of Fee	Department
1.	Building Grade Sheet prepared by SED	$220	SPU
2.	School Use and School Development Advisory Committee Reviews	$110 per hour	STD
3.	Major Institution Master Plans	$110 per hour	STD
4.	Processing of Right-of-Way Dedications	$110 per hour	STD
5.	Shoring and Excavation Review[1]	$110 per hour	STD
6.	Street Tree Review fee for new structures where street trees are required or existing City-owned street trees are proposed to be removed	$50 per hour	STD

Note to Table 20:

1. A separate street use permit must be obtained from the STD under Title 15 if excavation or shoring will occur in the public right-of-way. This fee is collected for STD for shoring projects adjacent to the public right-of-way; it is for the review of utility conflicts, bonding, and temporary use of the right-of-way, and for a deposit to pay for inspections during construction.

(Ord. 118398 § 23, 1996.)

Subtitle X Miscellaneous Rules and Regulations

Chapter 22.902
COOPERATIVE CONVERSION

Sections:

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

(Ord. 109125 § 19(part), 1980: Ord. 107707 (part), 1978.)

22.902.010 Short title.

This chapter may be cited as the "Cooperative Conversion Ordinance."
(Ord. 115105 § 1, 1990: Ord. 107707 § 1.1, 1978.)

22.902.020 Definitions.

The following words and phrases used in this chapter shall have the meanings set forth in this section:

A. "Acceptance of offer of sale" means a written commitment for the purchase of an interest in a cooperative at a specific price and on specific terms.

B. "Agent" means any person, firm, partnership, association, joint venture, corporation or any other entity or combination of entities who represents or acts for or on behalf of a developer in selling or offering to sell any cooperative unit or interest in a cooperative.

C. "Building" means any existing structure containing one (1) or more housing units and any grouping of such structures which as rental units were operated under a single name.

D. "Conversions of cooperatives" means the execution of a lease agreement by a member of a cooperative association.

E. "Converted building" means any cooperative which formerly contained rental housing units.

F. "Cooperative" means any existing structure, including surrounding land and improvements, which contains one (1) or more housing units and which:

1. Is owned by an association organized pursuant to the Cooperative Association Act (RCW Chapter 23.86); or

2. Is owned by an association with resident shareholders who are granted renewable leasehold interests in housing units in the building.

G. "Cooperative unit" means any housing unit in a cooperative.

H. "Developer" means any person, firm, partnership, association, joint venture or corporation or any other entity or combination of entities or successors thereto who undertake to convert rental units to cooperative units or sell cooperative shares in an existing building which contains housing units or lease units to a cooperative association's shareholders. The term "developer"

shall include the developer's agent and any other person acting on behalf of the developer.

I. "Eviction" means any effort by a developer to remove a tenant from the premises or terminate a tenancy by lawful or unlawful means.

J. "Housing Code" means the Seattle Housing and Building Maintenance Code as codified in Ordinance No. 113545 as amended.[1]

K. "Offer for sale to public" means any advertisement, inducement, solicitation, or attempt by a developer to encourage any person other than a tenant to purchase a cooperative unit.

L. "Offer of sale to tenant" means a written offer to sell a cooperative unit to the tenant in possession of that unit at a specific price and on specific terms.

M. "Owners' association" means the association formed by owners of units in a cooperative for the purpose of managing the cooperative.

N. "Person" means any individual, corporation, partnership, association, trustee or other legal entity.

O. "Rental unit" means any housing unit, other than a single-family dwelling or units in a single-family dwelling, which is occupied pursuant to a lawful rental agreement, oral or written, express or implied, which was not owned as a cooperative unit on the effective date of the ordinance codified in this chapter.[2] A housing unit in a converted building for which there has been no acceptance of sale on the effective date of the ordinance codified in this chapter shall be considered a rental unit.

P. "Tenant" means any person who occupies or has a leasehold interest in a rental unit under a lawful rental agreement whether oral or written, express or implied.

(Ord. 115105 § 2, 1990: Ord. 107707 § 1.2, 1978.)

1.Editor's Note: The Housing and Building Maintenance Code is codified in Subtitle II of this title.

2.Editor's Note: Ord. 107707 became effective on November 3, 1978; amending Ord. 115105 became effective July 1, 1990.

22.902.030 Application to conversion of cooperatives.

This chapter shall apply only to the conversion and sale of rental units that have not yet been converted to cooperative units, and to those units in converted buildings that are not subject to a binding purchase commitment or have not been sold on the effective date of the ordinance codified in this chapter.[1] This chapter shall not apply to cooperative units that are vacant on October 2, 1978 and which have been offered for sale prior to that date; provided, that any tenant who takes possession of the unit after October 2, 1978

shall be provided the disclosures required by Section 22.902.040 and shall be entitled to the benefits of that section if the required disclosures are not given.
(Ord. 115105 § 3, 1990: Ord. 107707 § 2.1, 1978.)

1.Editor's Note: Ord. 107707 became effective on November 3, 1978; amending Ord. 115105 became effective July 1, 1990.

22.902.040Application to tenants.

This chapter shall apply only to those tenants and subtenants who occupy rental units in converted buildings at the time the notices, offers, and disclosures provided by this chapter are required to be delivered. This chapter shall not apply to tenants who take possession of a unit vacated by a tenant who has received the notices and other benefits provided by this chapter; provided, that developers shall disclose in writing to all tenants who take possession after service of the notice required by Section 22.902.060, that the unit has been sold or will be offered for sale as a cooperative. This disclosure shall be made prior to the execution of any written rental agreement or prior to the tenant's taking possession whichever occurs earlier. A developer's failure to disclose, within the time specified above, that the unit has been sold, or offered for sale shall entitle the tenant to all the protections and benefits of this chapter.
(Ord. 115105 § 4, 1990: Ord. 107707 § 2.2, 1978.)

22.902.060Notice to all tenants prior to offering any unit for sale to the public as a cooperative unit.

At least one hundred twenty (120) days prior to offering any rental unit or units for sale to the public as a cooperative unit, the developer shall deliver to each tenant in the building written notice of his or her intention to sell the unit or units. The notice shall specify the individual units to be sold and the sale price of each unit. This notice shall be in addition to and not in lieu of the notices required for eviction by RCW Chapters 59.12 and 59.18, and shall be delivered as provided in Section 22.902.210. With the notice the developer shall also deliver to the tenant a statement, in a format to be provided by the

Director of Construction and Land Use, of the tenant's rights.
(Ord. 115105 § 6, 1990: Ord. 109125 § 19(part), 1980: Ord. 107707 § 3.2, 1978.)

22.902.070Purchase rights of tenant in possession.

With the notice provided in Section 22.902.060, the developer shall deliver to each tenant whose unit is to be offered for sale, a firm offer of sale of the unit that the tenant occupies. In the event that more than one (1) tenant occupies a single unit, the developer shall deliver the offer to all tenants jointly or separately. For sixty (60) days from the date of delivery of the offer the tenant shall have the exclusive right to purchase his or her unit. For a period of one (1) year following the rejection of an offer by the tenant in possession, the developer shall not offer the unit for sale to any other person on terms in any respect more favorable than those offered the tenant.
(Ord. 107707 § 3.3, 1978.)

22.902.080Purchase rights of tenants whose units are offered for sale prior to effective date.

Tenants of rental units which were offered for sale as cooperative units prior to the effective date of the ordinance codified in this chapter[1] but for which offers there have been no acceptances, shall be entitled to the rights and benefits of this chapter except that those rights provided by Section 22.902.100 shall terminate sixty (60) days from the offer of sale of the unit to the tenant.
(Ord. 115105 § 7, 1990: Ord. 107707 § 3.4, 1978.)

1.Editor's Note: Ord. 107707 became effective on November 3, 1978; amending Ord. 115105 became effective July 1, 1990.

22.902.090Subtenants' purchase rights.

Should a tenant reject an offer of sale, the subtenant in possession at the time the notice provided in Section 22.902.060 is delivered, shall be offered the unit on the same terms as those offered the tenant. For thirty (30) days following the offer or until the expiration of the tenants' sixty (60) day purchase period as provided in Section 22.902.070, whichever occurs later, the subtenant shall have the exclusive right to purchase the unit.
(Ord. 107707 § 3.5, 1978.)

22.902.100Rights of tenants in converted buildings to purchase other units in the building.

Should both the tenant and subtenant reject the offer of sale or vacate, the unit shall be made

available to other tenants and subtenants in the building. The tenants' and subtenants' right to purchase another unit in the building shall extend to the end of the one-hundred-twenty (120) day notice period provided the tenant in possession of that unit; provided, that tenants and subtenants shall not have the right to purchase more than one (1) unit in the building. Whenever all tenants and subtenants in a building have indicated in writing their intention not to purchase a unit and that unit is or becomes vacant then the developer may offer for sale and sell the unit to the public.
(Ord. 107707 § 3.6, 1978.)

22.902.110Tenant's right to rescind.

A tenant may rescind an earnest money agreement or any other acceptance of an offer of sale by delivering to the developer or his agent, by registered or certified mail, written notice of revocation within fifteen (15) days of acceptance of the offer. Upon receipt of a timely revocation the developer shall immediately refund any deposit, earnest money, or other funds and the parties shall have no further rights or liabilities under the purchase agreement. Developers shall include in their sales contracts a clause informing purchasers of their rights under this section. The clause shall be located either immediately above the purchaser's signature or under a separate conspicuous caption entitled "Purchaser's Right To Cancel." In addition each binding sale agreement shall provide that the prevailing party in any action to enforce rights under the agreement shall be entitled to reasonable attorney's fees.
(Ord. 107707 § 3.7, 1978.)

22.902.120Evictions only for good cause during notice period.

A developer shall not evict tenants or force tenants to vacate their rental units for the purposes of avoiding application of this chapter. No cooperative unit shall be sold or offered for sale if, in the one-hundred-fifty (150) day period immediately preceding the sale or offer for sale, any tenant has been evicted without good cause. For one hundred twenty (120) days prior to offering a rental unit for sale to the public, the tenant of that unit shall be evicted only for good cause. For the purposes of this chapter "good cause" shall mean:

A. Failure to pay rent after service of a three (3) day notice to pay rent or vacate as provided in RCW 59.12.030(3);

B. Failure to comply with a term or terms of the tenancy after service of a ten (10) day notice to comply or vacate as provided in RCW 59.12.030(4); and

C. The commission or permission of a waste or the maintenance of a nuisance on the premises and failure to vacate after service of a three (3) day notice as provided in RCW 59.12.030(5).
(Ord. 115105 § 8, 1990: Ord. 107707 § 3.8, 1978.)

22.902.130Relocation assistance.

Relocation assistance of Five Hundred Dollars ($500.00) per unit shall be paid to tenants and subtenants who vacate the building either voluntarily or involuntarily after receiving the notice of intention to sell as provided in Section 22.902.060. In unfurnished sublet units the subtenant shall be entitled to the benefits of this provision. Otherwise, the tenant shall be entitled to the benefit; provided, that the developer shall not be obligated to determine tenant from subtenant and shall have fulfilled his obligation under this section by delivering the relocation benefit to either the tenant or the subtenant. Relocation assistance shall be paid on or before the date the tenant or subtenant vacates and shall be in addition to any damage deposit or other compensation or refund to which the tenant is otherwise entitled.
(Ord. 115105 § 9, 1990: Ord. 107707 § 3.9, 1978.)

22.902.140Tenant's right to vacate.

Tenants who receive one-hundred-twenty (120) day notices of sale may terminate their tenancies at any time in the manner provided by RCW 59.18.200 and RCW 59.18.220.
(Ord. 107707 § 3.11, 1978.)

22.902.150Mandatory Housing Code inspection and repair—Notice to buyers and tenants.

Prior to delivery of the one-hundred-twenty (120) day notice described in Section 22.902.060, developers shall, at their expense, request a Housing Code[1] inspection of the entire building by the Seattle Department of Construction and Land Use.

The inspection shall be completed within forty-five (45) days of a developer's request. The inspection for compliance shall be completed within seven (7) days of a developer's request unless the developer fails to provide or refuses access to Department of Construction and Land Use personnel. All violations of the Housing Code revealed by the inspection must be corrected at least seven (7) days prior to the closing of the sale of the first unit or by the compliance date on the inspection report, whichever is sooner. A copy of the Department of Construction and Land Use's inspection report and certification of repairs shall be provided by the developer to each prospective purchaser at least seven (7) days before the signing of any earnest money agreement or other binding purchase commitment. Copies of the inspection report shall be delivered to tenants in the converted building by the developer with the notice of sale as provided in Section 22.902.060.
(Ord. 109125 § 19(part), 1980: Ord. 107707 § 4.1, 1978.)

1.Editor's Note: The Housing Code is codified in Subtitle II of this title.

22.902.160 Department of Construction and Land Use certification of repairs.

For the protection of the general public, the Department of Construction and Land Use shall inspect the repairs of defective conditions identified in the inspection report and certify that the violations have been corrected. The certification shall state that only those defects discovered by the Housing Code[1] inspection and listed on the inspection report have been corrected and that the certification does not guarantee that all Housing Code violations have been corrected. Prior to closing any sale the developer shall deliver a copy of the certificate to the purchaser. No developer, however, shall use the Department of Construction and Land Use's certification in any advertising or indicate to anyone, in any fashion, for the purpose of inducing a person to purchase a cooperative unit, that the City or any of its departments has "approved" the building or any unit for sale because the City has certified the building or any unit to be in any particular condition.
(Ord. 115105 § 10, 1990: Ord. 109125 § 19(part), 1980: Ord. 107707 § 4.2, 1978.)

1.Editor's Note: The Housing Code is codified in Subtitle II of this title.

22.902.170 Disclosure requirements.

In addition to the disclosures required by previous sections of this chapter, developers shall make available the following information to prospective purchasers at least seven (7) days before any purchase commitment is signed, or, in the case of existing tenants, with the one-hundred-twenty (120) day notice provided in Section 22.902.060: (A) an itemization of the specific repairs and improvements made to the entire building during the six (6) months immediately preceding the offer for sale; (B) an itemization of the repairs and improvements to be completed before the close of sale; (C) a statement of the services and expenses which are being paid for by the developer but which will in the future be terminated, or transferred to the purchaser, or transferred to the owners' association; (D) an accurate estimate of the useful life of the building's major components and mechanical systems (foundation, exterior walls, exterior wall coverings other than paint or similar protective coating, exterior stairs, floors and floor supports, carpeting in common areas, roof cover, chimneys, plumbing system, heating system, water heating appliances, mechanical ventilation system, and elevator equipment) and an estimate of the cost of repairing any component whose useful life will terminate in less than five (5) years from the date of this disclosure. For each system and component whose expected life cannot be accurately estimated, the developer shall provide a detailed description of its present condition and an explanation of why no estimate is possible. In addition, the developer shall provide an itemized statement in budget form of the monthly costs of owning the unit that the purchaser intends to buy. The itemization shall include but shall not be limited to: (1) payments on purchase loan; (2) taxes; (3) insurance; (4) utilities (which shall be listed individually); (5) homeowner's assessments; (6) the projected monthly assessment needed for replacing building components and systems whose life expectancy is less than five (5) years; and (7) a statement of the budget assumptions concerning occupancy and inflation factors.
(Ord. 115105 § 11, 1990: Ord. 107707 § 4.3, 1978.)

22.902.180Warranty of repairs—Fund set aside for repairs.

Each developer shall warrant for one (1) year from the date of completion all improvements and repairs disclosed pursuant to Section 22.902.170. In addition, the developer shall establish within thirty (30) days after sale of the first unit, in a bank or other financial institution of his or her choosing, an escrow fund in an amount equal to ten percent (10%) of the cost of all repairs and improvements warranted. The location of the fund shall be made known to all cooperative unit owners and to the owners' association and shall be available for making repairs to warranted improvements and repairs; provided, that no money shall be withdrawn from the fund unless the developer has been advised in writing of the need for the specific repair and has failed to complete the repairs within a reasonable period of time. Depletion of the escrow fund prior to expiration of the warranty period shall not relieve the developer of the obligation of making all repairs warranted. Any money remaining in the fund at the end of the one (1) year period shall be returned to the developer. The owners' association's claim to any money in the escrow fund shall be prior to any creditor of the landlord, including a trustee in bankruptcy or receiver, even if such funds are commingled.
(Ord. 115105 § 12, 1990: Ord. 107707 § 4.4, 1978.)

22.902.190Unlawful representations.

It shall be unlawful for any developer, agent, or person to make or cause to be made in any disclosure or other document required by this chapter any statement or representation that is knowingly false or misleading. It shall also be unlawful for any developer, agent, or other person to make, or cause to be made, to any prospective purchaser, including a tenant, any oral representation which differs from the statements made in the disclosures and other documents required to be provided tenants and purchasers by this chapter.
(Ord. 107707 § 4.5, 1978.)

22.902.200Purchaser's right to rescind.

Any purchaser who does not receive the notices, disclosures, and documents required by this chapter may, at any time prior to closing of the sale, rescind, in writing, any binding purchase agreement without any liability on the purchaser's part and the purchaser shall thereupon be entitled to the return of any deposits made on account of the agreement.
(Ord. 107707 § 4.6, 1978.)

22.902.210Delivery of notice and other documents.

A. Unless otherwise provided, all notices, contracts, disclosures, documents and other writings required by this chapter shall be delivered by registered or certified mail. The refusal of registered or certified mail by the addressee shall be considered adequate delivery. All documents shall be delivered to tenants at the address specified on the lease or rental agreement between the tenant and the developer or landlord. If there is no written lease or rental agreement then documents shall be delivered to the tenants' address at the converted building. In any sublet unit all documents shall be delivered to the tenant at his current address if known, and to the subtenant in possession. If the tenant's current address is unknown, then two (2) copies of all documents shall be delivered to the subtenant, one (1) addressed to the tenant and the other addressed to the subtenant.

B. The one-hundred-twenty (120) day notice of intention to sell required by Section 22.902.060, the developer's offer to sell, and all disclosure documents shall be delivered to the tenants in a converted building at a meeting between the developer and the tenants. The meeting shall be arranged by the developer at a time and place convenient to the tenants. At the meeting the developer shall discuss with the tenants the effect that the conversion will have upon the tenants. Should any tenant refuse to acknowledge acceptance of the notice, offer and disclosures the developer shall deliver the documents in the manner prescribed in subsection A of this section.
(Ord. 107707 § 4.7, 1978.)

22.902.220Acceptance of offers.

Acceptance by tenants or other beneficiaries of offers provided pursuant to this chapter, shall be in writing and delivered to the developer by registered or certified mail postmarked on or before the expiration date of the offer.

(Ord. 107707 § 4.8, 1978.)

22.902.230 Filing of complaint.

Any person subjected to any unlawful practice as set forth in this chapter may file a com plaint in writing with the Director of Construction and Land Use. The City Director of Construction and Land Use is authorized and directed to receive complaints and conduct such investigations as are deemed necessary. Whenever it is determined that there has been a violation of this chapter the City Director of Construction and Land Use is authorized, at the Director's discretion, to follow one (1) or more of the following procedures:

A. Attempt to conciliate the matter by conference or otherwise and secure a written conciliation agreement;

B. Refer the matter to the City Attorney for criminal prosecution.

(Ord. 109125 § 19(part), 1980: Ord. 107707 § 5.1, 1978.)

22.902.240 Penalties.

Any person who violates any provision of this chapter, fails to comply with the provisions of this chapter or who deliberately attempts to avoid the application of this chapter shall, upon conviction thereof, be fined a sum not to exceed Five Hundred Dollars ($500.00). Each day's violation or failure to comply shall constitute a separate offense.

(Ord. 109125 § 19(part), 1980: Ord. 107707 § 5.2, 1978.)

22.902.250 Authority to make rules.

The Director of Construction and Land Use is authorized and directed to adopt, promulgate, amend and rescind in accordance with the Administrative Code of the City,[1] administrative rules consistent with the provisions of this chapter and necessary to carry out the duties of the Director under this chapter.

(Ord. 109125 § 19(part), 1980: Ord. 107707 Part VII, 1978.)

1. Editor's Note: The Administrative Code is codified in Chapter 3.02 of this Code.

Chapter 22.903
CONDOMINIUM CONVERSION

Sections:

22.903.010 Short title.

This chapter may be cited as the "Condominium Conversion Ordinance."

(Ord. 115103 § 1(part), 1990.)

22.903.020 Definitions.

The following words and phrases used in this chapter shall have the meanings set forth in this section:

A. "Condominium" means real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners, and unless a declaration and a survey map and plans have been recorded pursuant to the Horizontal Property Regimes Act (RCW Chapter 64.32) or the Condominium Act (RCW Chapter 64.34).

B. "Condominium conversion notice" means the notice required by the Condominium Act (RCW Chapter 64.34, Section 64.34.440) to be given to residential tenants and subtenants in real property to be converted to condominium ownership.

C. "Conversion condominium" means a condominium (1) that, at any time before creation of the condominium, was lawfully occupied wholly or partially by a tenant or subtenant for residential purposes pursuant to a rental agreement, oral or written, express or implied, or (2) that, at any time before the conveyance of, or acceptance of an agreement to convey, any unit therein other than

to a declarant or any affiliate of a declarant, was lawfully occupied by a residential tenant of a declarant or an affiliate of a declarant and such tenant was not notified in writing, prior to lawfully occupying a unit or executing a rental agreement, whichever event first occurs, that the unit was part of a condominium and subject to sale. "Conversion condominium" shall not include a condominium in which, before the effective date of the ordinance codified herein,[1] any unit therein had been conveyed or been made subject to an agreement to convey to any transferee other than a declarant or an affiliate of a declarant.

D. "Declarant" means any person or group of persons acting in concert who:

1. Executes as declarant the document, however denominated, that creates a condominium by setting forth the information required by the Condominium Act (RCW 64.34); or

2. Reserves or succeeds to any special declarant rights under such a document.

E. "Developer" means any person, firm, partnership, association, joint venture or corporation or any other entity or combination of entities or successors thereto who undertake to convert, sell, or offer for sale units in a condominium. The term "developer" shall include the developer's agent and any other person acting on behalf of the developer.

F. "Director" means the Director of the Seattle Department of Construction and Land Use or the Director's designee.

G. "Housing and Building Maintenance Code" means the Seattle Housing and Building Maintenance Code,[2] as codified in Ordinance No. 113454 as amended.

H. "Owners' association" means the association formed by owners of units in a condominium for the purpose of managing the condominium.

I. "Person" means any individual, corporation, partnership, association, trustee or other legal entity.

J. "Tenant" means any person who occupies or has a leasehold interest in a rental unit under a lawful rental agreement, whether oral or written, express or implied.

K. "Unit" means a physical portion of a condominium designated for separate ownership, the boundaries of which are described pursuant to RCW 64.34.216(1)(d).

(Ord. 115103 § 1(part), 1990.)

1.Editor's Note: Ordinance 115103 was passed by the Council on May 29, 1990 and became effective on July 1, 1990.

2.Editor's Note: The Housing and Building Maintenance Code is codified in Subtitle II of this title.

22.903.030Relocation assistance.

A. Relocation assistance of Five Hundred Dollars ($500.00) per unit shall be paid to tenants and subtenants of units who elect not to purchase a unit in a conversion condominium and who are in lawful occupancy for residential purposes of a unit on the date of the condominium conversion notice and whose monthly household income from all sources, on the date of the condominium conversion notice, was less than an amount equal to eighty percent (80%) of the monthly median income for comparably sized households in the Seattle-Everett Standard Metropolitan Statistical Area, as defined and established by the United States Department of Housing and Urban Development.

B. The household size of a unit shall be based on the number of persons actually in lawful occupancy of the unit on the date of the condominium conversion notice.

C. The tenant or subtenant actually in lawful occupancy of the unit shall be entitled to the relocation assistance.

D. Relocation assistance shall be paid on or before the date the tenant or subtenant vacates the unit and shall be in addition to any damage deposit or other compensation or refund to which the tenant is otherwise entitled. Unpaid rent or other amounts owed by the tenant or subtenant to the landlord may be offset against the relocation assistance.

(Ord. 115103 § 1(part), 1990.)

22.903.040Mandatory Code inspection and repair.

A. Prior to the delivery of any public offering statement or condominium conversion notice, a developer shall, at his or her expense, request a Housing and Building Maintenance Code[1] inspection of the entire premises subject to conversion by the Seattle Department of Construction and Land Use. The inspection shall be completed within forty-five (45) days of a developer's request, and the written report shall be issued within fourteen (14) days of the completion of the inspection.

B. All violations of the Housing and Building Maintentance Code[1] revealed by the inspection shall be corrected by the developer prior to the closing of the sale of the first condominium unit or by the compliance date on the inspection report, whichever is sooner. The inspection for compliance shall be completed within seven (7) days of a developer's request unless the developer fails to provide or refuses access to Department of Construction and Land Use personnel. The certification of repairs shall be issued only if the necessary corrections are made and shall be issued within seven (7) days of the reinspection confirming compliance.

C. The public offering statement and the condominium conversion notice shall contain a copy of the written inspection report of the Department of Construction and Land Use. A copy of the Department of Construction and Land Use inspection report shall be provided by the developer to each prospective purchaser before the signing of any earnest money agreement or other binding purchase commitment. Prior to closing any sale, the developer shall deliver a copy of the certification of repairs to the purchaser.
(Ord. 115103 § 1(part), 1990.)

1.Editor's Note: The Housing and Building Maintenance Code is codified in Subtitle II of this title.

22.903.050Certification of repairs.

For the protection of the general public, the Department of Construction and Land Use shall inspect the repairs of defective conditions identified in the inspection report and certify that the violations have been corrected. The certification shall state that only those defects discovered by the Housing and Building Maintenance Code inspection and listed on the inspection report have been corrected and that the certification does not guarantee that all Housing and Building Maintenance Code violations have been corrected. No developer shall use the Department of Construction and Land Use's certificate in any advertising or indicate to anyone, in any fashion, for the purpose of inducing a person to purchase a condominium unit, that the City or any of its departments has "approved" the premises or any unit for sale because the City has certified the premises or any unit to be in any particular condition.
(Ord. 115103 § 1(part), 1990.)

22.903.060Warranty of repairs—Escrow fund.

A. Each developer shall warrant for one (1) year from the date of completion all improvements and repairs required to be made pursuant to Section 22.903.040.

B. The developer shall establish within thirty (30) days after sale of the first unit, in a bank or other financial institution of his or her choosing, a separate escrow account, with terms and conditions approved by the Director, containing funds in an amount equal to ten percent (10%) of the actual cost of all repairs and improvements warranted. The location of the fund shall be made known to all condominium unit owners and to the owners' association and shall be available for making repairs to warranted improvements and repairs; provided, that no money shall be withdrawn from the fund unless the developer has been advised in writing of the need for the specific repair and has failed to complete the repair within a reasonable period of time.

C. Depletion of the escrow fund prior to expiration of the warranty period shall not relieve the developer of the obligation of making all repairs warranted.

D. Any money remaining in the fund at the end of the one (1) year period shall be returned to the developer. The owners' association's claim to any money in the escrow fund shall be prior to any creditor of the developer.
(Ord. 115103 § 1(part), 1990.)

22.903.070Violations.

It shall be a violation of this chapter for any person to fail or refuse to comply with the provisions of this chapter.
(Ord. 115103 § 1(part), 1990.)

22.903.080Filing of complaint.

A. Any person subjected to any violation of the provisions of this chapter may file a complaint with the Director. The Director is authorized and directed to receive complaints and conduct such investigations as are deemed necessary.

B. Whenever it is determined that there has been a violation of this chapter, the Director is

authorized, at the Director's discretion, to follow one (1) or more of the following procedures:

1. Attempt to mediate the matter by conference or otherwise and secure a written mediation agreement;

2. Refer the matter to the City Attorney for civil prosecution; or

3. Refer the matter to the City Attorney for criminal prosecution.

(Ord. 115103 § 1(part), 1990.)

22.903.090Civil penalty.

A. Any person who fails or refuses to comply with the provisions or requirements of this chapter shall be subject to a cumulative civil penalty in the amount of One Hundred Dollars ($100.00) per day from the date the violation begins until the person complies with the requirements of this chapter.

B. The Director shall notify the City Attorney in writing of the name of any person subject to the penalty. The City Attorney shall, with the assistance of the Director, take appropriate action to collect the penalty.

(Ord. 115103 § 1(part), 1990.)

22.903.100Criminal penalty.

Any person who violates any provision of this chapter, fails to comply with the provisions of this chapter or who deliberately attempts to avoid the application of this chapter and who has had a prior civil judgment entered against him or her pursuant to Section 22.903.090 shall, upon conviction of the violation, be fined a sum not to exceed Five Hundred Dollars ($500.00). Each day's violation or failure to comply shall constitute a separate offense.

(Ord. 115103 § 1(part), 1990.)

22.903.110Authority to make rules.

The Director is authorized to adopt, promulgate, amend and rescind in accordance with the Administrative Code of the City[1] administrative rules consistent with the provisions of this chapter and necessary to carry out the duties of the Director under this chapter.

(Ord. 115103 § 1(part), 1990.)

1.Editor's Note: The Adminstrative Code is set out at Chapter 3.02 of this Code.

Chapter 22.904
MOBILE HOMES AND MOBILE HOME PARKS

Sections:

Severability: Should any section, subsection, paragraph, sentence, clause or phrase of this chapter be declared unconstitutional or invalid for any reason, such decision shall not affect the validity of the remaining portions of this chapter.
(Ord. 89715 § 7.030, 1960.)

Section 3 of Ordinance 115183 reads as follows:

Severability. The provisions of this ordinance [Sections 22.904.400 through 22.904.470] are declared to be separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section or portion of this ordinance, or the invalidity of the application thereof to any person, owner or circumstance shall not affect the validity of the remainder of this ordinance, or the validity of its application to other persons, owners or circumstances.

22.904.010Definitions.

For the purpose of this chapter certain words, terms and phrases are defined and shall be construed as follows:

A. "Accessory building" means a building on a mobile home lot used in conjunction with a mobile home.

B. "Certificate of completion" means the Director of the Department of Construction and Land Use's written notice to the mobile home park owner that the owner has satisfactorily complied with the provisions of an approved relocation report and plan, has complied with eviction notice requirements of RCW 59.20.080 and 59.21.030, complied with relocation assistance requirements of RCW 59.21.020, and, in the case of a change of use, complied with any additional conditions of the master use permit. The certificate of completion certifies the effective date of such change of use or closure of a mobile home park.

C. "Eviction notice" means the minimum twelve (12) month notice by the owner of a mobile home park to the mobile home park tenants to vacate a mobile home park, conforming to state law and this chapter.

D. "Mobile home" means, for purposes of Sections 22.904.030 through 22.904.390, a vehicle equipped as a dwelling place. "Mobile home" or "manufactured home," for purposes of Sections 22.904.400 through 22.904.470, means a factory-assembled structure that requires a separate highway movement permit for highway travel, is built on a permanent chassis, and is designed for use as a dwelling unit, with or without a permanent foundation, when connected to the required utilities. "Mobile home" or "manufactured home," for purposes of Sections 22.904.400 through 22.904.470, includes recreational vehicles that, before December 22, 1988, have been used as permanent residences in the same location (one hundred eighty (180) days or longer), have been structurally modified so they are no longer mobile, and have been connected to the required utilities in a mobile home park.

E. "Mobile home, dependent" means a mobile home dependent upon toilet facilities provided in a service building.

F. "Mobile home, independent" means a mobile home independent of toilet facilities provided in a service building.

G. "Mobile home lot" means a plot of ground within a mobile home park designated to accommodate one (1) mobile home.

H. "Mobile home park" means, for purposes of Sections 22.904.030 through 22.904.390, a tract of land upon which two (2) or more mobile homes occupied as dwellings may be located. "Mobile home park" or "manufactured home park" means, for purposes of Sections 22.904.400 through 22.904.470, a residential use in which a tract of land is rented or held out for rent to others for the use of two (2) or more mobile homes occupied as a dwelling unit, except where such land is rented or held out for rent for seasonal recreational purposes only and is not intended for year-round occupancy.

I. "Mobile home park owner" or "manufactured home park owner" means any person, firm, partnership, association, joint venture, partnership, corporation or other legal entity or combination of entities who owns a mobile home park within The City of Seattle.

(Seattle 12-90)

J. "Mobile home park tenant" or "manufactured home tenant" means the head of a household who either rents a mobile home in a mobile home park or who owns a mobile home and rents a mobile home lot in a mobile home park for thirty (30) days or more and who uses the mobile home lot for the site of his or her permanent residence.

K. "Recreational vehicle" means a vehicular unit primarily designed as temporary living quarters for recreational, camping or travel use, with or without motive power, being of such size or weight as not to require a special highway movement permit. The term "recreational vehicle" includes, without limitation, camping trailers, travel trailers, motor homes and truck campers, and any other type of temporary easily movable vehicle/residence. The term "recreational vehicle" does not include any vehicle falling within this chapter's definition of "mobile home" or "manufactured home."

L. "Service building" means a building in a mobile home park housing community toilet, bathing or laundry facilities.

M. "Storage locker" means a minor structure on a mobile home lot used for storage purposes.

(Ord. 115183 § 1, 1990: Ord. 89715 § 1.010, 1960.)

22.904.020 Enforcement authority.

Unless otherwise provided in this chapter the Director of Public Health shall be responsible for the enforcement of this chapter and is authorized to adopt rules and regulations consistent with this chapter for the purpose of carrying out the provisions hereof.

(Ord. 89715 § 1.020, 1960.)

22.904.030 Existing mobile home parks.

Nothing in this chapter shall be construed to require physical alteration of any mobile home park now legally operating.[1]

(Ord. 89715 § 1.030, 1960.)

1.Editor's Note: Ord. 89715 was passed by the City Council on October 31, 1960, and became effective on December 1, 1960.

22.904.040 Mobile home park license—Fee and expiration.

It is unlawful to operate a mobile home park without a valid and subsisting mobile home park license which shall be posted in a conspicuous place in the office thereof at all times. The fee for such license shall be Fifty-five Dollars ($55.00), plus Twelve Dollars and Fifty Cents ($12.50) per year for each mobile home lot therein in excess of ten (10). The fee for any such license issued during the last six (6) months of the license year shall be one-half (1/2) the annual fee. Mobile home park licenses shall expire at midnight July 31st of each year, and applications for renewal shall be made at least thirty (30) days prior to expiration.

(Ord. 118395 § 21, 1996: Ord. 116467 § 1, 1992: Ord. 113183 § 1, 1986: Ord. 110892 § 1, 1982: Ord. 106063 § 17, 1976: Ord. 99749 § 1, 1971: Ord. 89715 § 2.010, 1960.)

22.904.050 License—Late renewal fee.

A. Any person who has held a license in the previous license year for which an annual license period is prescribed and who continues to engage in the activity shall, upon failure to make timely application for renewal of the license, pay a late renewal fee as follows:

1. If the renewal application is received after the date of expiration of the previous license but before the end of thirty (30) days into the new license year: ten percent (10%) of the annual license fee or Ten Dollars ($10.00), whichever is greater;
2. If the renewal application is received after thirty (30) days into the new license year: twenty percent (20%) or Twenty-five Dollars ($25.00), whichever is greater.

B. No annual license shall be issued until any late renewal fee has been paid; provided, that payment of the late renewal fee may be waived whenever the Director finds that timely application was beyond the control of the licensee by reason of severe circumstances; for example, serious illness of the licensee, death or incapacity of an accountant or other person who retains possession of the licensee's license records, loss of business records due to theft, fire, flood or other similar acts.

(Ord. 106025 § 5, 1976: Ord. 89715 § 2.015, 1960.)

22.904.060 License applications.

Applications for mobile home park licenses and renewals thereof shall be made to the Finance Director upon forms provided by him/her and shall set forth the name and residence address of the applicant, the location of the mobile home park, and the number of mobile home lots to which such license applies. The Finance Director

thereupon shall request the Director of Public Health, the Director of Construction and Land Use and the Fire Chief to inspect the premises therein described and the fixtures and facilities to be used. If the Director of Public Health, Director of Construction and Land Use and Fire Chief find, upon inspection, that such premises, fixtures and facilities are constructed, installed, operated and maintained in compliance with this chapter and other applicable ordinances, they shall approve the application and so notify the Finance Director, who shall issue the license. If the Director of Public Health, Director of Construction and Land Use or Fire Chief shall find that the premises, fixtures or facilities are not constructed, installed, operated or maintained in compliance with this chapter or any other applicable ordinance, he/she shall forthwith disapprove the application and so notify the applicant and the Finance Director, citing the reason therefor. If, after thirty (30) days from date of application for a new license, or, in the case of renewal, upon expiration of an existing license, approval of the Director of Public Health, Director of Construction and Land Use and Fire Chief are not forthcoming, the Finance Director thereupon shall deny the license.
(Ord. 117169 § 136, 1994: Ord. 109125 § 2, 1980: Ord. 107158 § 8, 1978: Ord. 102629 § 1, 1973: Ord. 89715 § 2.020, 1960.)

22.904.070License revocation.

Any mobile home park license may be revoked by the Finance Director in the manner and subject to the procedure provided in the License Code[1] upon the filing with him by the Director of Public Health, the Director of Construction and Land Use or the Fire Chief of a written notice stating the premises licensed or any fixtures or facilities used therein have become or are unsafe or unsanitary, or that otherwise they are not being operated or maintained in compliance with the provisions of this chapter or any other applicable ordinance.
(Ord. 117169 § 137, 1994: Ord. 109125 § 3, 1980: Ord. 102629 § 2, 1973: Ord. 89715 § 2.030, 1960.)

1.Editor's Note: The License Code provisions regarding revocation of licenses are codified in Chapter 6.02 of this Code.

22.904.080Filing of site plan.

It is unlawful to construct a mobile home park without first placing on file with the Director of Construction and Land Use three (3) complete copies of a site plan therefor, approved as provided in this chapter. Such plan shall be drawn to scale and completely dimensioned, shall be prepared by a licensed professional architect or engi-

neer or by an owner capable of producing drawings equivalent to the conventional drawings of architects and engineers, and shall set forth the address and legal description of the mobile home park site, and the name and address of the applicant.
(Ord. 109125 § 4 (part), 1980: Ord. 89715 § 3.010, 1960.)

22.904.090Site plan requirements.
The site plan required in this chapter shall show:

A. The dimensions of the mobile home park site;

B. The location, dimensions and number of independent and dependent mobile home lots;

C. The location, dimensions and number of automobile parking accommodations other than mobile home lots;

D. The location and width of entrances, exits, driveways and walkways;

E. The location and dimensions of service buildings, accessory buildings, storage lockers and other structures;

F. The water system;

G. The drainage system;

H. The sewer system;

I. The electrical system.

(Ord. 89715 § 3.020, 1960.)

22.904.100Approval of site and building plans.
Site and building plans and specifications shall be examined by the Director of Construction and Land Use, and by the Fire Chief and the Director of Public Health, to whom the Director of Construction and Land Use shall supply copies. Upon approval of the Fire Chief and the Director of Public Health, and, upon being himself satisfied that the plans conform to the requirements of this chapter and other applicable ordinances, the Director of Construction and Land Use shall approve the same. One (1) copy of approved plans shall be retained in the office of the Director of Construction and Land Use, one (1) copy in the office of the Director of Public Health, and one (1) copy, which shall be maintained in the mobile home park office, shall be returned to the applicant.
(Ord. 109125 § 4 (part), 1980: Ord. 89715 § 3.030, 1960.)

22.904.110Issuance of building permit.
No building permit shall be issued for any construction in mobile home parks except for such structures at such locations as are provided

for in a site plan approved pursuant to this chapter.
(Ord. 89715 § 4.010, 1960.)

22.904.120Mobile home lot boundaries—Placement of mobile homes.

The boundaries of mobile home lots shall be plainly marked, and such lots shall have a minimum area of seven hundred fifty (750) square feet; provided, that mobile homes shall be placed on mobile home lots so as to provide a minimum of ten feet; provided, that mobile homes shall be placed on mobile home lots so as to provide a minimum of ten feet (10′) between adjacent mobile homes and between any mobile home and an adjacent building, and a minimum of three fet (3′) between a mobile home and a mobile home accessory building.
(Ord. 102926 § 1, 1973: Ord. 89715 § 4.020, 1960.)

22.904.130Areas for independent and dependent mobile homes—Driveways and walksways.

Mobile home parks shall have segregated areas for dependent and independent mobile homes, if both are to be accommodated; there shall be surfaced and lighted driveways to each mobile home lot, with a minimum width of twenty-five feet (25′); and there shall be surfaced and lighted walkways to all service buildings.
(Ord. 89715 § 4.030, 1960.)

22.904.140Service buildings.

Mobile home parks shall have one (1) or more service buildings located at least eight feet (8′) away from any mobile home lot, but within two hundred feet (200′) of any dependent mobile home lot, and within five hundred feet (500′) of any independent mobile home lot. Such service buldings shall be provided with heating equipment capable of maintaining a room temperature of seventy degrees Fahrenheit (70° F.) at an atmospheric temperature of twenty degrees Fahrenheit (20° F.) and shall be adequately ventilated; shall have smoothly finished, light colored water-resistant interior walls and ceilings,a dn floors shall be constructed of concrete or similar impervious material and sloped to floor drains.
(Ord. 89715 § 4.040, 1960.)

22.904.150Toilet facilities.

Mobile home parks shall have toilet facilities

located in service buildings and separate facilities, appropriate marked, shall be provided for males and females in accordance with the following:

A. For dependent mobile homes, toilet facilities shall be provided in the following minimum ratios:

Males

No. Mobile	Urinals	Water Closets	Lavatories	Showers
2—20	1	1	2	1
21—30	1	2	3	2
31—40	1	3	4	2
41—50	1	4	5	4
61—70	1	6	7	5
Over 70	Add one additional water closet and lavatory for each additional ten (10) mobile home lots or fraction thereof. (Urinals may be substituted for up to one-third 1/3) of the additional water closets required.)			
	Add one (1) additional shower for each additional twenty (20) mobile home lots or fraction thereof.			

Females

No. Mobile Home Lots	Water Closets	Lavatories	Showers
2—20	2	2	1
21—30	3	3	2
31—40	4	4	2
41—50	5	5	4
51—60	6	6	4
61—70	7	7	5
Over 70	Add one additional water closet and lavatory for each additional ten (10) mobile home lots or fraction thereof.		
	Add one (1) additional shower for each additional twenty (20) mobile home lots or fraction thereof.		

B. For independent mobile homes, a minimum of one (1) water closet, one (1) lavatory and one (1) shower, for males and females respectively, shall be provided.

C. Water closets, lavatories and showers required for independent mobile homes may be housed in service buildings for dependent mobile homes.

D. Water closets shall be located in separated stalls at least three feet (3′) wide in the smallest dimension. Water closets and urinals shall be flush-type fixtures.

E. Showers shall be located in separated stalls, at least three (3′) feet wide in the smallest dimension, nd equipped with a waterproof draw curtain or door. Suitable dressing areas shall be provided.
(Ord. 89715 § 4.050, 1960.)

22.904.160Laundry facilities.

Mobile home parks shall have laundry facilities, together with laundry drying facilities and no less than one (1) double laundry tray or automatic washing machine shall be provided for each twenty 820) mobile home lots. Such laundry facilities may be in separate service buildings, or in service buildings in rooms separate from toilet facilities, but such separate rooms shall have an exterior door.
(Ord. 89715 § 4.060, 1960.)

22.904.170Accessory buildings.

One (1) accessory building, the floor area of which shall not exceed three hundrd (300) square feet, may be located on a mobile home lot, provided that the spaces on the mobile home lot and on adjoining mobile home lots, reserved exclusively for the occupancy of mobile homes, are clearly shown on the site plan, or an amendment thereto; and provided that the accessory building shall be no less than eight fee (8′) from any space reserved for a mobile home on an adjacent mobile home lot, or another accessory building shall be no less than eight feet (8′) from any space reserved for a mobile home on an adjacent mobile home lot, or another accessory building on an adjacent mobile home lot, and no less than five feet (5′) from any external boundary of a mobile home lot which does not abut on another mobile home lot.
(Ord. 89715 § 4.070, 1960.)

22.904.180Storage lockers.

One (1) storage locker, the capacity of which shall not exceed one hundred fifty (150) cubic feet, may be located on a mobile home lot.
(Ord. 89715 § 4.080, 1960.)

22.904.190Water supply.

A supply of safe and potable water, meeting the standards of the State Board of Health for quality, and sufficient in quantity, shall be provided to all plumbing fixtures in mobile home parks and to individual water connections which shall be provided at each mobile home lot.
(Ord. 89715 § 4.090, 1960.)

22.904.200Water connections.

Water connections, located on the same side as the sewer lateral, shall be provided at each mobile home lot, and shall consist of a riser terminating at least four inches (4") above the ground with two (2) three-quarter-inch (3 /4″) valved outlets threaded for scre-on connections. If water connections are equipped with a shutoff valve, it shall not be a stop and waste cock. Water connections shall be protected from freezing and from damage from mobile home wheels and shall have the ground surface around the riser pipe graded to divert surface drainage away from the connections.
(Ord. 89715 § 4.100, 1960.)

22.904.210Surface water drainage.

Each mobile home park shall have a system for surface water drainage.
(Ord. 89715 § 4.110, 1960.)

22.904.220Sewage and waste water disposal.

All sewage and waste water from toilets, urinals, slop sinks, bathtubs, showers, lavatories, laundries, and all other sanitary fixtures in a mobile home park, shall be drained to a sewage collection system and discharged to a public sewer, or where no public sewer is available, to a lawful private sewage disposal system.
(Ord. 89715 § 4.120, 1960.)

22.904.230Sewer laterals.

Sewer laterals shall be provided to each mobile home lot. Such laterals shall be trapped and vented, terminate above grade on the same side of the lot as the water connection, be at least four inches (4″) in diameter and be equipped with adequate leak- and fly-proof devices for coupling to mobile home drainage systems. Each connection to such a lateral shall be protected at its terminal with a concrete collar at least three inches (3″) thick and extending from the connection in all directions.
(Ord. 89715 § 4.130, 1960.)

22.904.240Sewer line venting.

Sewer lines in mobile home parks shall be vented in such a manner that odor nuisances will not result.
(Ord. 89715 § 4.140. 1960.)

22.904.250Outside lighting.

An electrical system for outside lighting and including service outlets to each mobile home lot shall be provided.
(Ord. 89715 § 4.150, 1960.)

22.904.260Sanitation.

Mobile home parks shall be maintained in a safe and sanitary condition, free from rodents, vermin, trash and litter.
(Ord. 89715 § 5.010, 1960.)

22.904.270Lighting.

Mobile home parks and service buildings shall be well lighted.
(Ord. 89715 § 5.020, 1960.)

22.904.280Heating equipment in service buildings.

Heating equipment in service building shall be maintained in safe and good working condition.
(Ord. 89715 § 5.030, 1960.)

22.904.290Hot water supply.

Hot water in adequate quantities shall be supplied to all service building bathing fixtures, lavatories and clothes-washing equipment.
(Ord. 89715 § 5.040, 1960.)

22.904.300Sanitation of toilet facilities.

In mobile home parks individual toilet facilities shall be maintained in sanitary and good working condition, shower stalls and dressing areas shall be kept clean and all floors in toilet, shower and lavatory rooms which are in daily use shall be cleaned and disinfected daily, or oftener if necessary to maintain in a sanitary condition.
(Ord. 89715 § 5.050, 1960.)

22.904.310Garbage containers.

All garbage and other refuse from mobile home parks shall be deposited in tightly covered refuse containers of not less than twenty (20), nor more than thirty (30) gallons capacity, or equivalent approved by the Director of Public Health, which shall be in sufficient number to provide at least one (1) container for each two (2) mobile home lots. Such containers shall be located not more than two hundred feet (200′) from any mobile home lot, and installed so as to prevent tipping, minimize spillage and container deterioration, facilitate cleaning and prevent rodent harborage.
(Ord. 89715 § 5.060, 1960.)

22.904.320Capping of sewer connections.

Sewer connections at mobile home lots, when not in use, shall be capped or plugged with a gastight device.
(Ord. 89715 § 5.070, 1960.)

22.904.330Mobile home maintenance.

Mobile homes shall be maintained in a safe and sanitary condition.
(Ord. 89715 § 6.010, 1960.)

22.904.340Mobile home dwellings to be in mobile home park.

Mobile homes shall not be occupied as dwellings except when in a mobile home park.
(Ord. 89715 § 6.020, 1960.)

22.904.350Location of mobile home on lot.

Mobile homes occupied as dwellings in mobile home parks shall be parked only on mobile home lots, no less than eight feet (8′) from any service building, or mobile home or accessory building on an adjacent mobile home lot, and no less than five feet (5′) from any exterior boundary of the mobile home park.
(Ord. 89715 § 6.030, 1960.)

22.904.360Permanent attachment—Awnings.

Mobile homes shall not be permanently attached to any building, or to the ground, nor shall they be made stationary by removal of the wheels or otherwise. Mobile home awnings shall be noncombustible, and shall be open on at least two (2) sides.
(Ord. 89715 § 6.040, 1960.)

22.904.370Plumbing maintenance.

Plumbing in mobile homes shall be maintained in sanitary and good working condition, free from defects, leaks, and obstructions.
(Ord. 89715 § 6.050, 1960.)

22.904.380Insanitary or unsafe mobile homes.

Mobile homes designated as insanitary by the Director of Public Health or as unsafe by the Fire Chief shall not be permitted to remain in a mobile home park.
(Ord. 89715 § 6.060, 1960.)

22.904.390Violation—Penalty.

Anyone violating or failing to comply with any of the provisions of this chapter shall, upon conviction thereof, be punished by a fine in a sum not exceeding Three Hundred Dollars ($300.00), or by imprisonment in the City Jail for a term not exceeding ninety (90) days, or by both such fine and imprisonment, and each day that anyone shall continue to so violate or fail to comply shall be considered a separate offense.
(Ord. 89715 § 7.020, 1960.)

22.904.400Reservation of mobile home lots.

All mobile home park lots shall be reserved for use by mobile homes. No recreational vehicle may displace or replace a mobile home in any mobile home lot; provided, that nothing in this chapter shall be construed to require displacement of any recreational vehicle occupying a mobile home lot on the effective date of the ordinance codified herein;[1] and further provided, that when a mobile home lot becomes vacant for any reason, it may not be occupied by a recreational vehicle unless the vacant mobile home lot, because of its size, irregular configuration, or inadequate utilities or facilities, cannot accommodate a mobile home.
(Ord. 115183 § 2(part), 1990.)

1.Editor's Note: Ordinance 115183 was passed by the City Council on July 9, 1990.

22.904.410Eviction notices for change of use or closure of a mobile home park.

A. Before a mobile home park owner may issue eviction notices pursuant to a closure or change of use under RCW Chapter 59.21, the mobile home park owner must first submit to the Department of Construction and Land Use a relocation report and plan that meets the requirements of Section 22.904.420. If applying for a change of use, the mobile home park owner shall submit the relocation report and plan together with the master use permit application. Once the Director of Construction and Land Use determines that the relocation report and plan meets the requirements of Section 22.904.420, the Director shall stamp his or her approval on the relocation report and plan and return a copy of the approved plan to the mobile home park owner. If the

Director of Construction and Land Use determines that the relocation report and plan does not meet the requirements of Section 22.904.420, the Director may require the mobile home park owner to amend or supplement the relocation report and plan as necessary to comply with this chapter before approving it.

B. No sooner than upon approval of the relocation report and plan, the owner of the mobile home park may issue the twelve (12) month eviction notice to the mobile home park tenants. The eviction notice shall comply with RCW 59.20.080 and RCW 59.21.030. No mobile home park tenant who rents the mobile home in which he or she resides may be evicted until the twelve (12) month notice period expires, except for good cause as defined in SMC Section 22.206.160. No mobile home owner who rents a mobile home lot may be evicted until the twelve (12) month notice period expires, except pursuant to the State Mobile Home Landlord-Tenant Act, RCW Chapter 59.20. (Ord. 115183 § 2(part), 1990.)

22.904.420Relocation report and plan.

A. The relocation report and plan shall describe how the mobile home park owner intends to comply with RCW Chapters 59.20 and 59.21, relating to mobile home relocation assistance, and with Sections 22.904.400 through 22.904.480 of this chapter. The relocation report and plan must provide that the mobile home park owner will assist each mobile home park tenant household to relocate; in addition to making State-required relocation payments, such assistance must include providing tenants an inventory of relocation resources, referring tenants to alternative public and private subsidized housing resources, helping tenants obtain and complete the necessary application forms for State-required relocation assistance; and helping tenants to move the mobile homes from the mobile home park. Further, the relocation report and plan shall contain the following information:

1. The name, address, and family composition for each mobile home park tenant household;

2. The condition, size, ownership status and probable mobility of each mobile home occupying a mobile home lot;

3. Copies of all lease or rental agreement forms the mobile home park owner used both before and during the change of use or closure process;

4. To the extent mobile home park tenants voluntarily make such information available, a confidential listing of current monthly housing costs, including rent or mortgage payments and utilities, for each mobile home park tenant household;

5. To the extent mobile home park tenants voluntarily make such information available, a confidential listing of net annual income for each mobile home park tenant household;

6. Specific actions the mobile home park owner will take to assist each mobile home park tenant household to relocate, in addition to making State-required relocation payments to mobile home owners;

7. An inventory of relocation resources, including available mobile home spaces in King, Snohomish, Kitsap and Pierce Counties;

8. Actions the mobile home park owner will take to refer mobile home park tenants to alternative public and private subsidized housing resources;

9. Actions the mobile home park owner will take to assist mobile home park tenants to move the mobile homes from the mobile home park; and

10. Other actions the owner will take to minimize the hardship mobile home park tenant households suffer as a result of the closure or conversion of the mobile home park.

B. The Director of Construction and Land Use may require the mobile home park owner to designate a Relocation Coordinator to administer the provisions of the relocation report and plan and work with the mobile home park tenants and the Department of Construction and Land Use and other City and State offices to ensure compliance with the relocation report and plan and with state laws governing mobile home park relocation assistance, eviction notification, and landlord/tenant responsibilities.

C. The owner shall make available to any mobile home park tenant residing in the mobile home park copies of the proposed relocation report and plan, with confidential information deleted. Once the Director of Construction and Land Use approves the relocation report and plan, a copy of

the approved relocation report and plan shall be delivered to each mobile home park tenant with the required twelve (12) month eviction notice.

D. The mobile home park owner shall update the information required under this section to include any change of circumstances occurring after submission of the relocation report and plan that affects the relocation report and plan's implementation.

(Ord. 115183 § 2(part), 1990.)

22.904.430Certificate of completion of the relocation report and plan.

No mobile home park owner may close a mobile home park or establish a change of use of a mobile home park until the mobile home park owner obtains a certificate of completion from the Department of Construction and Land Use. The Director of Construction and Land Use shall issue a certificate of compliance only if satisfied that the owner has complied with the provisions of an approved relocation report and plan, with eviction notice requirements of RCW 59.20.080 and 59.21.030, with relocation assistance requirements of RCW 59.21.020, and any additional requirements imposed in connection with a master use permit application.

(Ord. 115183 § 2(part), 1990.)

22.904.440Notice of provisions.

It is unlawful to sell, lease or rent any mobile home or mobile home park rental space without advising the prospective purchaser, lessee, or renter, in writing, of the provisions of Sections 22.904.400 through 22.904.460 of this chapter.

(Ord. 115183 § 2(part), 1990.)

22.904.450Administration.

The Director of Construction and Land Use shall administer and enforce Sections 22.904.400 through 22.904.460 of this chapter and is authorized to adopt rules and regulations consistent with and necessary to carry out these sections. Whenever an owner or an owner's agent fails to comply with the provisions of Sections 22.904.400 through 22.904.470, the Director of Construction and Land Use may deny or revoke a master use permit and/or other permits or approvals, or may, in his or her discretion, condition any permit upon the owner's successful completion of remedial actions that the Director of Construction and Land Use deems necessary to carry out the purposes of Sections 22.904.400 through 22.904.460.

(Ord. 115183 § 2(part), 1990.)

22.904.460Penalties—Sections 22.904.400 through 22.904.470.

In addition to any other sanction or remedial measure imposed under this chapter, any person who fails to comply with any provision of Sections 22.904.400 through 22.904.470 or any notice, decision or order issued by the Director of Construction and Land Use pursuant to Sections 22.904.400 through 22.904.470, shall be subject to a cumulative civil penalty in the amount of Five Hundred Dollars ($500.00) per day for each day of noncompliance, measured from the date set for compliance until the person complies with the notice, decision or order, as determined by the Director of Construction and Land Use. The Director of Construction and Land Use shall notify the City Attorney in writing of the name of any person subject to the penalty, and shall assist the City Attorney to collect the penalty.

(Ord. 115183 § 2(part), 1990.)

22.904.470Construction of language.

For purposes of this chapter, the singular shall include the plural and vice versa, "or" shall include "and" and vice versa, and the masculine gender shall include the feminine and neutral genders.

(Ord. 115183 § 2(part), 1990.)

Chapter 22.910
MAINTENANCE OF HEALTHFUL TEMPERATURES

Sections:

Severability: If any part, provision or section of this chapter shall be held to be void or unconstitutional, all other parts, provisions and sections of this chapter not expressly so held to be void or unconstitutional, shall continue in full force and effect.
(Ord. 39104 § 4, 1919.)

22.910.010Exercise of police power.

This entire chapter shall be an exercise of the police power of the state and of the City for the protection of the public health and all its provisions shall be liberally construed for the accomplishment of that purpose.
(Ord. 39104 § 1, 1919.)

22.910.020Definitions.

The word "person" wherever used in this chapter means and includes natural persons, firms, copartnerships and corporations, and other associations of natural persons, whether acting by themselves or by servants, agents or employees. Words in the present tense shall include the future tense, and in the masculine shall include the feminine and neuter genders, and in the singular shall include the plural. "Healthful temperature" means a temperature of not more than sixty-eight (68°) degrees, nor less than fifty-eight degrees Fahrenheit (58° F.).
(Ord. 102919 § 1, 1973: Ord. 47936 § 1(part), 1924: Ord. 39104 § 2, 1919.)

22.910.030Aiding or abetting violation.

Every person concerned in the commission of a misdemeanor in violation of this chapter, whether he directly commits the act or omits to do the thing constituting the offense, or aids or abets the same, and whether present or absent; and every person who directly or indirectly counsels, encourages, hires, commands, induces or otherwise procures another to commit such misdemeanor, is and shall be a principal under the terms of this chapter and shall be proceeded against and prosecuted as such.
(Ord. 39104 § 3, 1919.)

22.910.040Landlord to install and maintain sufficient heating system.

Every person in charge or control of any tenement, apartment house, inn, hotel or lodging house who undertakes to furnish artificial heat to another within such place, shall for such purpose install and maintain a good and sufficient heating system which will uniformly heat, and be capable of so heating, all parts thereof to a temperature of sixty-eight degrees Fahrenheit (68° F.) in zero weather, with due regard to all laws and ordinances pertaining to and regulating ventilation and humidity, and it shall be unlawful for such person to fail, neglect or refuse to install or maintain the same.
(Ord. 47936 § 1(part), 1924: Ord. 39104 § 5, 1919.)

22.910.050Certain temperatures to be maintained.

Every person in charge or control of the artificial heating of any tenement, apartment house, inn, hotel or lodging house, in case artificial heating is done for or on behalf of another therein, and every person who undertakes to furnish artificial heating to another within such place, shall at all times (except during the months of June, July, August and September), between the hours of ten-thirty (10:30) p.m. and seven (7:00) a.m. keep and maintain therein a temperature of not less than fifty-eight degrees Fahrenheit (58° F.); between the hours of seven (7:00) a.m. and eight (8:00) a.m., a temperature of not less than sixty (60°) degrees; between the hours of eight (8:00) a.m. and nine (9:00) a.m. a temperature of not less than sixty-five (65°) degrees, and between the hours of nine (9:00) a.m. and ten-thirty (10:30) p.m. a temperature of not less than sixty-eight (68°) degrees, when such building or place is occupied by the one to whom such heat is undertaken to be furnished, at all times complying with all laws and ordinances pertaining to and regulating humidity and ventilation, and it is unlawful for such persons to fail, neglect or refuse to keep and maintain such healthful temperature therein. In all tenements, apartment houses, inns, hotels and lodging houses the owners and proprietors shall be presumed to have undertaken to furnish artificial heat for and on behalf of all tenants and guests therein unless a specific agreement to the contrary is expressly shown, but this provision shall not be deemed to excuse or relieve from prosecution any other person undertaking to furnish artificial heat for or on behalf of the owners or proprietors. No person shall be subject to prosecution under this

provision where the failure to maintain the minimum temperatures is occasioned by a bona fide inability to obtain fuel due to the application of federal or state regulations limiting the allocation of fuel to the person undertaking to furnish such artificial heat.
(Ord. 102919 § 2, 1973: Ord. 47936 § 1(part), 1924: Ord. 39104 § 6, 1919.)

22.910.060Right of entry.

The Commissioner of Health and his duly authorized agents shall have the right at all reasonable hours to enter any building or place coming under the provisions of this chapter and to place and maintain therein recording thermometers or other instruments for the gauging and measuring of heat, and it shall be unlawful to interfere or obstruct the officers in so doing.
(Ord. 39104 § 7, 1919.)

22.910.070Exceptions.

The provisions of this chapter shall not be deemed or held to apply to a maximum temperature of more than sixty-eight degrees Fahrenheit (68° F.) in any of the above mentioned places during such times as the natural temperature may be above sixty-eight (68°) degrees, nor shall the provisions of this chapter be deemed or held to apply to any building occupied by one family only and used exclusively as a private dwelling.
(Ord. 47936 § 1(part), 1924: Ord. 39104 § 8, 1919.)

22.910.080Violation—Penalty.

Any person violating any of the provisions of this chapter or failing to comply with the terms and requirements thereof, shall be guilty of a misdemeanor, and on conviction thereof shall be fined in any sum not exceeding One Hundred Dollars ($100.00), or imprisoned in the City Jail for a term not exceeding thirty (30) days, or may be both fined and imprisoned.
(Ord. 39104 § 9, 1919.)