

ORDINANCE 115671

1
2 AN ORDINANCE amending Seattle Municipal Code Sections
22.200.020, 22.204.040, 22.204.050, 22.204.060, 22.204.090,
3 22.204.100, 22.204.190, 22.204.230, 22.206.020, 22.206.040,
22.206.050, 22.206.080, 22.206.090, 22.206.110, 22.206.130,
4 22.206.140, 22.206.160, 22.206.200, 22.206.220, 22.206.230,
22.206.250, 22.206.260, 22.206.270, 22.206.280 and 22.206.290
5 and adding a new section 22.206.215 to clarify and improve the
application, coverage and enforcement of the substantive
6 requirements of the Housing and Building Maintenance Code.

7 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

8 Section 1. Section 22.200.020 of the Seattle Municipal
Code is amended to read as follows:

9 **22.200.020 Declaration of Findings and Intent**

10 * * *

11 D. It is further found and declared that arbitrary
12 eviction of responsible tenants imposes upon such
13 tenants the hardship of locating replacement housing
14 and provides no corresponding benefit to property
15 owners.

16 E. It is further found and declared that tenants who do
17 not respect the rights of others impose unnecessary
18 hardship.

19 F. The express purpose of this Code is to provide for
20 and promote the health, safety and welfare of the
21 general public, and not to protect individuals or
22 create or otherwise establish or designate any
23 particular class or group of persons who will or
24 should be especially protected or benefitted by the
25 terms of this Code. The obligation of complying
26 with the requirements of this Code and the liability
27 for failing to do so is hereby placed upon the owner
28 and/or occupant or persons responsible for the
condition of the buildings or premises.

1 Section 2. Section 22.204.040 of the Seattle Municipal
2 Code is amended to read as follows:

3 **Section 22.204.040 "C"**

4 * * *

5 Closed. See "Building, closed to unauthorized entry."

6 Closed to unauthorized entry. See "Building, closed to
7 unauthorized entry."

8 * * *

9 Section 3. Section 22.204.050 of the Seattle Municipal
10 Code is amended to read as follows:

11 **Section 22.204.050 "D"**

12 * * *

13 Dwelling Unit. "Dwelling unit" means a building or
14 portion of a building intended to be occupied by one
15 family ((~~which~~)) and containing((s)) sleeping,
16 eating, cooking and sanitation facilities required
17 by this Code.

18 Section 4. Section 22.204.060 of the Seattle Municipal
19 Code is amended to read as follows:

20 **Section 22.204.060 "E"**

21 * * *

22 Exterior Stairs on Grade. "Exterior stairs on grade"

23 means any outside stairs that are no more than
24 eighteen (18) inches above finished grade.

25 Section 5. Section 22.204.090 of the Seattle Municipal
26 Code is amended to read as follows:

27 **Section 22.204.090 "H"**

28 Habitable Room. "Habitable Room" means space in a
building occupied, used, designed or intended to be
used for living, sleeping, eating or cooking.
Bathrooms, toilet compartments, closets, halls,

1 laundry rooms, storage or utility space, and similar
2 areas are not habitable rooms.

3 * * *

4 Historic. See "Building, historic."

5 * * *

6 Section 6. Section 22.204.100 of the Seattle Municipal
7 Code is amended to read as follows:

8 **Section 22.204.100 "I"**

9 Inaccessible Service Area. "Inaccessible Service Area"

10 means an area which is not a habitable room, is not
11 located within any housing unit and is not
12 accessible to tenants or their guests but which
13 contains electrical, mechanical or other service
14 facilities, access to which is limited to the owner
15 or maintenance staff. Examples of inaccessible
16 service areas would include boiler rooms, elevator
17 equipment rooms and similar areas.

18 * * *

19 Section 7. Section 22.204.190 of the Seattle Municipal
20 Code is amended to read as follows:

21 **Section 22.204.190 "R"**

22 Receptacle. "Receptacle" means an electrical contact

23 device installed at an outlet for the connection of
24 a single electrical attachment plug.

25 Receptacle outlet. "Receptacle outlet" means an

26 electrical outlet where one or more receptacles are
27 installed.

28 * * *

29 Section 8. Section 22.204.230 of the Seattle Municipal
30 Code is amended to read as follows:

1 **Section 22.204.230 "v"**

2 Vacant. See "Building, vacated."

3 Vacated. See "Building, vacated."

4 * * *

5 Section 9. Section 22.206.020 of the Seattle Municipal
6 Code is amended to read as follows:

7 **22.206.020 Floor Area.**

- 8 A. Every dwelling unit shall have at least one (1)
9 habitable room which shall have not less than one
10 hundred twenty (120) square feet of floor area
11 ((and)).
- 12 B. ~~((n))~~ No habitable room except a kitchen ~~((s shall))~~
13 may be less than seven (7) feet in any floor
14 dimension ((wide)).
- 15 C. Every room used for sleeping purposes, including an
16 SRO unit, shall have not less than seventy (70)
17 square feet of floor area. Every room, except an
18 SRO unit, which is used for both cooking and living
19 or both living and sleeping quarters shall have a
20 floor area of not less than one hundred thirty (130)
21 square feet if used or intended to be used by only
22 one (1) occupant, or of not less than one hundred
23 fifty (150) square feet if used or intended to be
24 used by ((more-than-one-({})) two (2) occupants.
25 ((Every-room-used-for-sleeping-purposes-shall-have
26 not-less-than-seventy-(70)-square-feet-of-floor
27 area-)) Where more than two (2) persons occupy a
28 room used for sleeping purposes, the required floor
area shall be increased at the rate of fifty (50)
square feet for each occupant in excess of two.

1 D. In a dormitory, minimum floor area shall be sixty
2 (60) square feet per single or double bunk, and
3 aisles not less than three (3) feet in width shall
4 be provided between the sides of bunks and from
5 every bunk to an exit. The requirements of this
6 subparagraph shall not apply to SRO units.

7 ((B))E. The required floor area square footage of all
8 dwelling units, dormitories, and SRO units shall not
9 include built-in equipment which extends from the
10 floor to thirty (30) inches above the floor,
11 including but not limited to wardrobes, cabinets,
12 and kitchen sinks or appliances.

13 Section 10. Section 22.206.040 of the Seattle Municipal
14 Code is amended to read as follows:

15 **22.206.040 Light and Ventilation.**

16 A. Every habitable room in a housing unit shall have a
17 window or windows with an area of not less than
18 ~~((one-tenth-(1/10)))~~ ten percent (10%) of the floor
19 area of the room, but in no event shall such area be
20 less than ten (10) square feet; provided, that an
21 approved system of artificial light may be used in
22 lieu of the window or windows required in kitchens
23 by this section ~~((in-kitchens-and-laundry-rooms))~~.

24 B. Every habitable room in a housing unit and every
25 laundry room shall have natural ventilation from an
26 exterior opening with an area not less than ~~((one~~
27 ~~fourth-(1/4)-of-the-required-window-area-for))~~ two
28 and one-half percent (2.5%) of the floor area of the
29 room but in no event less than two and one-half (2-
30 1/2) square feet. In lieu of required exterior
31 openings for natural ventilation in all habitable
32 rooms and in laundry rooms, a mechanical ventilating

1 system may be provided. Such system shall comply
2 with the requirements of the Seattle Energy Code in
3 effect on the date of installation and applicable
4 requirements of the Mechanical Code.

5 C. Every bathroom and water closet compartment shall be
6 provided with natural ventilation by means of
7 exterior openings with an area not less than five
8 percent (5%) (~~((one-twentieth-(1/20))~~) of the floor
9 area of the room, but in no event shall such area be
10 less than one and one-half (1-1/2) square feet;
11 provided, that in lieu of required exterior openings
12 for natural ventilation, a mechanical ventilating
13 system or vent shafts may be provided. Such system
14 shall comply with the requirements of the Seattle
15 Energy Code in effect on the date of installation
16 and applicable requirements of the Seattle
17 Mechanical Code. If a mechanical ventilation system
18 is provided in laundry rooms or similar rooms, it
19 shall be connected (~~((directly))~~) to the outside (~~((and~~
20 ~~be-capable-of-providing-five-(5)-air-changes-per~~
21 ~~hour))~~).

22 ~~((E))D.~~ For the purposes of determining light and
23 ventilation requirements, any room may be considered
24 a portion of an adjoining room if one-half (1/2) of
25 the area of the common wall is open and unobstructed
26 and provides an opening of not less than one-tenth
27 (1/10) of the floor area of the interior room or
28 twenty-five (25) square feet, whichever is greater.

29 ~~((D))E.~~ Required exterior openings for natural light or
30 natural ventilation shall open directly onto a
31 street or public alley or a yard or court adjacent
32 to the required exterior opening; provided, that

1 required exterior openings may open onto a roofed
2 porch where the porch:

- 3 1. Abuts a street, yard or court; and
- 4 2. Has a ceiling height of not less than six (6)
5 feet-eight (8) inches; and
- 6 3. Is at least sixty-five (65) percent open and
7 unobstructed for its length, or is open at both
8 ends.

9 ((E))F. Every yard, court, street, or alley having
10 required windows facing thereon shall be not less
11 than three feet (3') in width and unobstructed to
12 the sky.

13 Section 11. Section 22.206.050 of the Seattle Municipal
14 Code is amended to read as follows:

15 **Section 22.206.050 Sanitation.**

16 * * *

17 B. Hotels. Every hotel that does not provide private
18 toilets, lavatories, bathtubs, or showers shall have
19 on each floor, accessible from a public hallway, at
20 least one (1) toilet, one (1) lavatory, and one (1)
21 bathtub with shower((7)) or one (1) separate shower
22 for each ten (10) occupants or portion thereof. For
23 each additional ten (10) occupants, or portion
24 thereof, an additional one (1) toilet, one (1)
25 lavatory and ((one-{1}-bathtub-or-shower)) one (1)
26 bathtub with shower or separate shower accessible
27 from a public hallway shall be provided.

28 * * *

D. Kitchens. Every dwelling unit shall have a kitchen.
Every kitchen shall have an approved kitchen sink,
hot and cold running water, counter work space, and
cabinets for storage of cooking utensils and dishes.

1 A kitchen shall also have approved cooking
2 appliances and refrigeration facilities or adequate
3 space and approved gas or electric hook-ups for
4 their installation. All cooking appliances and
5 refrigeration facilities shall be maintained in a
6 safe and good working condition by the owner or
7 furnisher of the appliance. Unapproved cooking
8 appliances shall be prohibited. Splash backs and
countertops shall have an impervious surface.

9 E. Fixtures. All plumbing fixtures shall be trapped
10 and vented and connected to an approved sanitary
11 sewer or to an approved private sewage disposal
12 system. ~~((There shall be an approved system of
13 water supply, providing both hot and cold running
14 water-))~~ All toilets shall be flush type and in
15 good working order. Every discharge opening of the
16 spout of a water supply outflow (faucet) shall be
17 not less than one (1) inch above the flood rim of
the fixture into which it discharges.

18 F. Water Supply. There shall be an approved system of
19 water supply, providing both hot and cold running
20 water. Hot water for the required sink, lavatory,
21 and bathtub or shower shall be provided at a
22 temperature of not less than one hundred degrees
23 Fahrenheit (100 F.) at all times at the fixture
24 outlet, to be attained within approximately two (2)
25 minutes after opening the fixture outlet. Prior to
26 a new tenant ~~((s-taking-occupancy-of))~~ occupying a
27 housing unit in which hot water is supplied from an
28 accessible, individual water heater, the water
heater shall be set by the owner at a temperature
not higher than one hundred twenty (120) degrees

1 Fahrenheit or the minimum setting on any water
2 heater which cannot be set at one hundred twenty
3 (120) degrees Fahrenheit; provided, that buildings,
4 other than dwellings, in which hot water is supplied
5 by a central water heater system need not comply
6 with this requirement.

7 ((F))G. Maintenance. All sanitary facilities, fixtures,
8 equipment, structures, and premises, including gas
9 piping, shall be maintained in a safe and sanitary
10 condition, and in good working order.

11 H. Fuel Shutoff Valves. An approved accessible shutoff
12 valve shall be installed in the fuel-supply piping
13 outside of each appliance and ahead of the union
14 connection thereto, and in addition to any valve on
15 the appliance. Shutoff valves shall be within three
16 (3) feet of the appliance. Shutoff valves may be
17 located immediately adjacent to and inside or under
18 an appliance when placed in an accessible and
19 protected location and when such appliance may be
20 removed without removal of the shutoff valve.

21 Section 12. Section 22.206.080 of the Seattle Municipal
22 Code is amended to read as follows:

23 **Section 22.206.080 Maintenance.**

24 A. Every foundation, ((room)) roof, exterior wall,
25 door, skylight, window, and all building
26 components((7)) shall be reasonably weathertight,
27 watertight, damp-free and rodent-proof, and shall be
28 kept in a safe, sound, and sanitary condition and in
good repair.

* * *

I. All additions, alterations or repairs, including but
not limited to additions, alterations or repairs

1 made in response to a Notice of Violation, shall
2 comply with the provisions of the Seattle Building,
3 Electrical and Mechanical Codes in effect at the
4 time of the work unless a different standard is
5 expressly permitted by this Code.

6 Section 13. Section 22.206.090 of the Seattle Municipal
7 Code is amended to read as follows:

8 **Section 22.206.090 Heating.**

9 A. Minimum ((Temperatures)) Heating Equipment. Every
10 housing unit shall have permanently installed,
11 functioning heating facilities and an approved power
12 or fuel supply system which are capable of
13 maintaining an average room temperature of at least
14 sixty-five degrees Fahrenheit (65 F.) ((when-the
15 outside-temperature-is-twenty-four-degrees
16 Fahrenheit-(24-F.)-or-higher)), measured at a point
17 three (3) feet above the floor in all habitable
18 rooms, baths and toilet rooms, when the outside
19 temperature is twenty-four degrees Fahrenheit (24
20 F.) or higher. When the outside temperature is less
21 than twenty-four degrees Fahrenheit (24 F.), the
22 permanently installed, functioning heating facility
23 and approved power or fuel supply system must be
24 capable of maintaining an average room temperature
25 of at least fifty-eight degrees Fahrenheit (58 F.),
26 measured at a point three (3) feet above the floor,
27 in all habitable rooms, baths and toilet rooms.

28 B. Heating Devices. All heating devices and
appliances, including but not limited to furnaces,
fireplaces, electric baseboard heaters and water
heaters, shall be of an approved type, in good and
safe working order, and shall meet all installation

1 and safety codes. Approved, unvented portable oil-
2 fueled heaters may be used as a supplemental heat
3 source provided that such heaters shall not be
4 located in any sleeping room or bathroom, as
5 provided by SMC 22.400, Section 807(a). Ventilation
6 for rooms and areas containing fuel-burning
7 appliances shall be adequate for proper combustion.

8 Section 14. Section 22.206.110 of the Seattle Municipal
Code is amended to read as follows:

9 **Section 22.206.110 Electrical Equipment.**

10 * * *

11 B. Every habitable room, except kitchens, shall be
12 provided with not less than two (2) electrical
13 receptacle((s)) outlets, or one (1) receptacle
14 outlet and one (1) supplied electric light fixture.

15 C. Every kitchen shall be provided with not less than
16 three (3) (~~convenience-and/or-appliance~~
17 ~~receptacles~~) electrical receptacle outlets and one
18 (1) supplied light fixture. One (1) electrical
19 appliance receptacle outlet properly installed as a
20 part of a lawfully installed electric or gas kitchen
21 range shall be acceptable in lieu of one (1) of the
22 required receptacle outlets in a kitchen. In all
23 cases, at least one (1) of the wall-mounted
24 receptacle outlets shall not be obscured, either
25 partially or otherwise by floor-mounted appliances.

26 D. Every toilet room, bathroom, laundry room, furnace
27 room, public hallway, porch, and flight of stairs
28 between stories shall contain at least one (1)
supplied electric light fixture. Where an interior
stairway or public hallway changes direction, more
than one (1) supplied electric light fixture may be

1 required to provide sufficient lighting for safe
2 exit. Such ((the)) required light fixture or
3 fixtures shall be located so as to provide
4 sufficient lighting for safe exit.

5 Section 15. Section 22.206.130 of the Seattle Municipal
6 Code is amended to read as follows:

7 **Section 22.206.130 Requirements.**

8 ~~((Dwellings shall be exempt from the requirements of~~
9 ~~subsections B through H; provided, that for purposes of this~~
10 ~~section, no building containing residential and commercial~~
11 ~~uses or other similar mixed uses shall be deemed a dwelling.))~~

12 A. Stair and stairway construction.

13 1. All stairs, except stairs to inaccessible
14 service areas, exterior stairs on grade, and
15 winding, circular or spiral stairs ((stairways))
16 shall have a minimum run of nine (9) inches and a
17 maximum rise of eight (8) inches and a minimum width
18 of thirty (30) inches from wall to wall. The rise
19 and run may vary no more than one-half (1/2) inch in
20 any flight of stairs.

21 2. All exterior stairs on grade and winding,
22 circular and spiral stairs shall be in good repair
23 and shall be configured for safe use and travel.

24 3. Every stairway, except stairs to inaccessible
25 service areas, having more than three (3) risers
26 shall have at least one (1) handrail mounted at
27 least twenty-eight (28) inches but no more than
28 forty-two (42) inches above the tread nose.

29 4. A landing having minimum horizontal dimension of
30 thirty (30) inches shall be provided at each point
31 of access to ~~((the))~~ a stairway; provided, that
32 stairs to an inaccessible service area need not have

1 such a landing. A door that swings away from a
2 stairway shall be deemed to have created a landing
3 in the area of its swing.

4 5. Every required stairway (~~(7-except-in~~
5 ~~dwellings~~) shall have headroom clearance of not
6 less than six (6) feet six (6) inches measured
7 vertically from the nearest tread nose to the
8 nearest soffit.

9 6. Stairs or ladders within an individual dwelling
10 unit used to gain access to intermediate floor areas
11 of less than 400 square feet and not containing the
12 primary bathroom or kitchen are exempt from the
13 requirements of this subsection A.

14 B. Number of Exits. Occupied floors containing one or
15 more ((Every)) housing units above the first floor
16 or in a basement shall have access to not less than
17 two (2) unobstructed exits which meet the standards
18 of this section 22.206.130 ((A-fire-escape-which
19 meets-the-standards-of-subparagraph-D-of-this
20 section-may-be-used-as-one-(1)-required-exit));
21 provided, that:

22 1. Housing units in a two-story building which has
23 an occupant load of not more than ten (10) persons
24 above the first floor or in a basement having an
25 occupant load of not more than ten (10) persons may
26 have one (1) exit.

27 2. A housing unit on the second floor may have one
28 (1) exit if the exit is a stairway or corridor
leading directly to the outside and contains no
openings in the stairway or corridor.

 3. Housing units above the first floor or in a
basement may have one (1) exit if:

1 a) an automatic fire sprinkler system is
2 provided for all exit ways and common areas in the
3 building; or

4 b) built to the single exit requirements of
5 Chapter 33 of the Seattle Building Code.

6 4. A fire escape which meets the standards of
7 subparagraph D of this section may be used as one
8 (1) required exit.

9 * * *

10 E. Corridors, Doors and Openings.

11 1. Corridors shall have a fire-resistance not less
12 than that of wood lath and plaster that is not
13 cracked, loose or broken.

14 2. Existing dead end corridors longer than thirty
15 (30) feet that serve housing units, shall be
16 eliminated, unless an approved automatic sprinkler
17 system is lawfully installed throughout the affected
18 corridor, or unless approved smoke detectors are
19 lawfully installed outside the door of each housing
20 unit whose corridor exit door is located beyond the
21 thirty (30) foot limitation. The detectors may be
22 self-contained or installed as part of the
23 electrical system.

24 3. Exit doors shall be self-closing, self-latching,
25 and when serving an occupant load of fifty (50) or
26 more shall swing in the direction of exit travel.
27 Exit doors from housing units which do not open
28 directly into a stairway enclosure shall be exempt
from these requirements if they were installed and
are maintained in accordance with safety codes and
ordinances in effect at the time of installation.

1 4. Exit doors shall be openable from the inside
2 without the use of a key or other special device,
3 knowledge or effort.

4 5. All doors opening into a corridor, except doors
5 opening directly to the outside, not included as
6 part of a stairway enclosure shall be of solid wood
7 at least one and three-eighths (1-3/8) inches thick,
8 or shall provide equivalent fire-resistance except
9 where a lawfully installed automatic fire sprinkler
10 system is provided throughout all exitways and other
11 public rooms and areas within the building.

12 6. Transoms and openings other than doors, from
13 corridors to rooms shall be fixed closed and shall
14 be covered with a minimum of five-eighths (5/8) inch
15 gypsum type "X" wallboard on both sides.

16 7. Gravity-closing metal overhead or pocket doors
17 in an exit path shall be removed or shall be
18 permanently secured in the open position.

19 8. All corridor walls, floors, and ceilings shall
20 be of (~~sealed-with~~) one (1) hour fire-resistive
21 construction (~~material~~) or shall be repaired in
22 accordance with codes and ordinances in effect at
23 the time the corridor was constructed.

24 * * *

25 G. Enclosure of Vertical Openings.

26 1. (~~Elevators, shafts, ducts~~) Elevator shafts
27 and other vertical openings shall be protected with
28 construction as required for stairways in subsection
C(1) or by fixed wire glass set in steel frames, or
by assemblies which comply with Chapter 43 of the
Seattle Building Code, Fire Resistive Standards.

1 2. Doors on vertical openings shall be of solid
2 wood at least one and three-eighths (1-3/8) inches
3 thick or shall provide equivalent fire resistance.

4 * * *

5 J. Emergency Escape Windows and Doors.

6 1. In buildings constructed after August 10, 1972,
7 every room used for sleeping purposes below the
8 fourth story shall have at least one operable window
9 or exterior door approved for emergency escape or
10 rescue.

11 2. Every room converted or established for sleeping
12 purposes below the fourth story after August 10,
13 1972 shall have at least one operable window or
14 exterior door approved for emergency escape or
15 rescue.

16 3. Emergency escape windows and doors shall not
17 open into space without a means of escape. The
18 window or door shall be operable from the inside to
19 provide a full clear opening without the use of
20 separate tools. All emergency escape windows shall
21 have a minimum net clear opening of 5.7 square feet.

22 4. Every room used for sleeping purposes below the
23 fourth story which had on January 1, 1990 an
24 operable window or door that meets the requirements
25 of Section 1204 of the Seattle Building Code for
26 emergency escape or rescue, regardless of the date
27 of construction of the building, shall maintain that
28 operable window or door as required by subsection
J(3) above.

K. Bars, grilles, grates or similar devices may be
installed on emergency escape windows or doors,
provided:

1 1. Such devices are equipped with approved release
2 mechanisms which are openable from the inside
3 without the use of a key or special knowledge or
4 effort; and

5 2. The building is equipped with smoke detectors as
6 required by this Code.

7 L. Dwellings shall be exempt from the requirements of
8 subsections B through H; provided, that for purposes
9 of this section, no building containing residential
10 and commercial uses or other similar mixed uses
11 shall be deemed a dwelling.

12 Section 16. Section 22.206.140 of the Seattle Municipal
13 Code is amended to read as follows:

14 **Section 22.206.140 Requirements.**

15 ~~((The requirements of this section shall apply to all~~
16 ~~buildings except detached, owner-occupied, single-family~~
17 ~~dwellings in which no rooms are rented or leased, in order to~~
18 ~~provide reasonable security from criminal activity.))~~

19 A. The following requirements shall apply to housing
20 units and buildings which contain housing units,
21 except detached single-family dwellings, to provide
22 reasonable security from criminal actions to the
23 permanent and transient occupants thereof and to
24 their possessions:

25 1. All ((B)) building entrance((s)) doors,
26 ~~((including main, rear, service, and garage to-~~
27 ~~building entrances))~~ except building entrance doors
28 which open directly into a single housing unit,
 shall be ~~((have doors which are))~~ self-closing,
 self-locking, and equipped with ~~((either a dead-bolt~~
 ~~or))~~ a deadlatch with at least a one-half (1/2) inch
 throw which penetrates the striker at least one-

1 quarter (1/4) inch; provided, that the main entrance
2 door need not be self-locking if an attendant is
3 present and on duty 24 hours per day.

4 2. All building entrance doors, other than a main
5 entrance door which opens into a common area, shall
6 be solid or, if provided with glazed openings, shall
7 have wire or grilles to prevent operation of the
8 door latch from outside by hand or instrument. Main
9 entrance doors which open into a common area may be
10 framed or unframed non-shattering glass or framed
11 one-quarter (1/4) inch plate glass.

12 3. When garage-to-exterior doors are equipped with
13 an electrically operated remote control device for
14 opening and closing, garage-to-building doors need
15 not be self-locking. When either the garage-to-
16 exterior doors or garage-to-building doors are
17 equipped for self-closing and self-locking, the
18 other need not be so equipped. ((Building-entrance
19 doors-which-open-directly-into-a-single-housing-unit
20 are-not-required-to-be-self-closing-or-self-
21 locking-))

22 4. Entrance doors from interior corridors to
23 individual housing units shall not have glass
24 openings and shall be capable of resisting forcible
25 entry equal to a single-panel or hollow-core door
26 one and three-eighths (1-3/8) inches thick.

27 5. Every entrance door to an individual housing
28 unit shall have a dead bolt or a dead latch with at
 least a one-half (1/2) inch throw which penetrates
 the striker not less than one-quarter (1/4) inch.
 The lock shall be so constructed that the dead bolt
 or dead latch may be opened from inside without use

1 of a key. In hotels and other multi-unit buildings
2 that provide housing for rent on a daily or weekly
3 basis, every entrance door to individual units shall
4 have a chain door guard or barrel bolt on the
5 inside.

6 6. Every entrance door to an individual housing
7 unit, other than transparent doors, shall have a
8 visitor-observation port which port shall not impair
9 the fire-resistance of the door. Observation ports
10 shall be installed at a height of not less than 54
11 inches and not more than 66 inches above the floor.

12 7. In all leased or rented housing units in
13 buildings other than hotels and other multi-unit
14 buildings having transient occupancies, lock
15 mechanisms and keys shall be changed upon a change
16 of tenancy, except that such change of locks and
17 keys will not be required where an approved
18 proprietary key system is used.

19 8. All building entrance doors shall be openable
20 from the interior without use of keys.

21 9. Doors to storage, maintenance and building
22 service rooms shall be self-closing and self-
23 locking.

24 10. Dead bolts or other approved locking devices
25 shall be provided on all sliding patio doors and
26 installed so that the mounting screws for the lock
27 cases are inaccessible from the outside.

28 11. Openable windows shall be equipped with operable
inside latching devices, except that this
requirement shall not apply to any window whose sill
is located ten (10) or more feet above grade or
above any deck, balcony or porch that is not readily

1 accessible from grade except through a single
2 housing unit.

3 12. Where private baths and toilets are not provided
4 in each housing unit, doors to community toilets and
5 bathrooms shall be self-closing, and in lieu of a
6 self-locking device, may be equipped with a deadbolt
7 having a minimum one (1) inch throw. Tenants shall
8 be furnished with a key for this lock.

9 13. Windows may be located adjacent to and within
10 the wall plane of a building entrance door, but if
11 located within twelve (12) inches of such door, as
12 measured from a closed position, then such windows
13 shall be made of either framed or unframed non-
14 shattering glass, framed one-quarter (1/4) inch
15 plate glass, or glass with sufficient wire or
16 grilles so as to make the glass visible and to
17 prevent operation of the door latch from outside by
18 either hand or instrument.

19 B. The following requirements shall apply to detached
20 single-family dwellings to provide reasonable
21 security from criminal actions to the permanent and
22 transient occupants thereof and to their
23 possessions:

24 1. Building ((E))entrance doors ((from-interior
25 corridors-to-individual-housing-units)) shall be
26 capable of locking and shall be equipped with a
27 deadbolt or dead latch with at least a one-half
28 (1/2) inch throw which penetrates the striker not
less than one-quarter (1/4) inch. The lock shall be
so constructed that the deadbolt or deadlatch may be
opened from inside without use of a key. ((not-have
glass-openings-and-shall-be-capable-of-resisting

1 forcible-entry-equal-to-a-single-panel-or-hollow-
2 core-door,-one-and-three-eighths-(1-3/8)-inches
3 thick. -There-shall-be-no-openings-on-building
4 entrance-doors-(other-than-the-main-entrance-door)
5 except-glazed-openings,-which-shall-have-wire-or
6 grilles-to-prevent-operation-of-the-door-latch-from
7 outside-by-hand-or-instrument.--Main-entrance-doors
8 may-be-framed-or-unframed-non-shattering-glass-or
9 framed-one-quarter-(1/4)-inch-plate-glass,-or-an
approved-equivalent-))

10 2. Windows may be located adjacent to and within
11 the wall plane of an entrance door, but if located
12 within twelve (12) inches of such door, as measured
13 from a closed position, then such windows shall be
14 made of either framed or unframed nonshattering
15 glass, framed one-quarter (1/4) inch plate glass, or
16 glass with sufficient wire or grilles so as to both
17 make the glass visible and prevent it from being
18 used to operate the door latch from outside by
either hand or instrument.

19 ((3.--Doors-shall-comply-with-the-fire-safety
20 requirements-listed-in-Section-22-206-130-C-and-E-))

21 3. Garage-to-exterior doors may be equipped with a
22 remote control electrically operated opening and
23 closing device in lieu of a dead latch. When
24 garage-to-exterior doors are equipped with such
25 remote control devices, garage-to-building doors
26 need not be locking.

27 4. Every entrance door shall have a visitor-
28 observation port or glass side light. Observation
ports shall be installed at a height of not less

1 than 54 inches and not more than 66 inches from the
2 floor.

3 5. Deadbolts or other approved locking devices
4 shall be provided on all sliding patio doors and
5 openable windows and shall be installed so that the
6 mounting screws for the lock cases are inaccessible
7 from the outside, except that locks shall not be
8 required on any window whose sill is located ten
9 (10) or more feet above grade or above any deck,
10 balcony or porch that is not readily accessible from
11 grade except through the building.

12 ~~((E--Locks-and-keys-shall-be-changed-on-change-of-tenants~~
13 ~~in-all-leased-or-rented-housing-units-in-buildings~~
14 ~~other-than-hotels-and-other-multi-unit-buildings~~
15 ~~having-transient-occupancies;-provided;-that-a~~
16 ~~change-of-locks-and-keys-shall-not-be-required-where~~
17 ~~an-approved-proprietary-key-system-is-used---Tenants~~
18 ~~shall-be-furnished-keys-for-the-required-locks-on~~
19 ~~their-respective-units-and-building-entrance~~
20 ~~doors-))~~

21 ~~((D----All-exit-doors-shall-be-openable-from-the-interior~~
22 ~~without-use-of-keys-))~~

23 ~~((E--Doors-to-storage,-maintenance,-and-building-service~~
24 ~~rooms-shall-be-self-closing-and-self-locking-))~~

25 ~~((Where-private-baths-and-toilets-are-not-provided~~
26 ~~in-each-housing-unit,-doors-to-community-toilets-and~~
27 ~~bathrooms-shall-be-self-closing,-and-in-lieu-of-a~~
28 ~~self-locking-device,-they-may-be-equipped-with-a~~
~~deadbolt-having-a-minimum-one-(1)-inch-throw-~~
~~Tenants-shall-be-furnished-with-a-key-for-this~~
~~lock-))~~

1 ((F.---1.---Every-entrance-door-to-an-individual-housing
2 unit-shall-have-a-deadbolt-or-a-deadlatch-with-at
3 least-a-one-half-(1/2)-inch-throw.---The-lock-shall
4 be-so-constructed-that-the-deadbolt-or-deadlatch-may
5 be-opened-from-inside-without-use-of-a-key.))

6 ((2.---In-hotels-and-other-multi-unit-buildings-that
7 provide-housing-for-rent-on-a-daily-or-weekly-basis,
8 every-entrance-door-to-individual-units-shall-have-a
9 chair-door-guard-or-barrel-bolt-on-the-inside.))

10 ((6.---Every-entrance-door, other-than-transparent-doors,
11 to-individual-housing-units, shall-have-a-visitor-
12 observation-port-(peephole)-which-shall-not-decrease
13 the-fire-resistance-of-the-door.---Observation-ports
14 shall-be-installed-at-a-minimum-height-of-fifty-four
15 (54)-inches-and-a-maximum-height-of-sixty-six-(66)
16 inches.))

17 ((H.---Deadbolts-or-other-approved-locking-devices-shall-be
18 provided-on-all-sliding-patio-doors-and-installed-so
19 that-the-mounting-screws-for-the-lock-cases-are
20 inaccessible-from-the-outside.))

21 ((I.---Openable-windows-shall-be-equipped-with-operable
22 inside-latching-devices.---This-requirement-shall-not
23 apply-to-any-window-whose-sill-is-located-ten-(10)
24 feet-or-more-above-grade, a-deck, balcony-or-porch.
25 This-requirement-shall-not-apply-to-any-window-on-a
26 deck, balcony-or-porch-that-is-not-readily
27 accessible-from-grade, except-through-a-single
28 housing-unit.))

29 ((F))C. Subject to approval by the Director, alternate
30 security devices may be substituted for those
31 required herein if the devices are equally capable
32 of resisting illegal entry and installation of the

1 devices does not conflict with the requirements of
2 this Code or the requirements of other ordinances
3 regulating safe exits.

4 Section 17. Section 22.206.160 of the Seattle Municipal
Code is amended to read as follows:

5 **Section 22.206.160 Duties of Owners.**

6 A. It shall be the duty of all owners, regardless of
7 any lease provision or other agreement that purports
8 to transfer the owner's responsibilities hereunder
9 to an operator, manager, or tenant, to:

10 1. Remove all garbage, rubbish and other debris
11 from the premises;

12 2. Secure any building which became vacant against
13 unauthorized entry as required by Section 22.206.200
of this Code(~~(-)~~);

14 3. Exterminate insects, rodents, and other pests
15 which are a menace to public health, safety or
16 welfare. Compliance with the Director's Rule
17 governing the extermination of pests shall be deemed
18 compliance with this subsection 3.

19 4. Remove from the building or the premises any
20 article, substance or material imminently hazardous
21 to the health, safety or general welfare of the
22 occupants or the public, or which may substantially
23 contribute to or cause deterioration of the building
24 to such an extent that it may become a threat to the
25 health, safety or general welfare of the occupants
or the public;

26 5. Remove vegetation and debris as required by SMC
27 (~~(10-52-010)~~) 10.52.030;

28 6. Lock or remove all doors and/or lids on
furniture used for storage, appliances, and furnaces

1 which are located outside an enclosed, locked
2 building or structure; ((and))

3 7. Maintain the building and equipment in
4 compliance with the minimum standards specified in
5 Sections 22.206.010 through 22.206.140 and in a safe
6 condition, except for maintenance duties
7 specifically imposed in Section 22.206.170 on the
8 tenant of the building; provided that this
9 subsection 7 shall not apply to owner occupied
10 dwelling units in which no rooms are rented to
11 others((?)); and

12 8. Affix and maintain the street number to the
13 building in a conspicuous place over or near the
14 principal street entrance or entrances or in some
15 other conspicuous place. This provision shall not
16 be construed to require numbers on either
17 appurtenant buildings or other buildings or
18 structures where the Director finds that the
19 numbering is not appropriate. Numbers shall be
20 easily legible, in contrast with the surface upon
21 which they are placed. Figures shall be no less
22 than two inches (2") high.

23 9. Maintain the building in compliance with the
24 requirements of section 104(d) of the Seattle
25 Building Code.

26 10. Comply with any Emergency Order issued by the
27 Department of Construction and Land Use.

28 11. Furnish tenants with keys for the required
locks on their respective housing units and building
entrance doors.

B. It shall be the duty of all owners of buildings that
contain rented housing units, regardless of any

1 lease provision or other agreement that purports to
2 transfer the owner's responsibilities hereunder to
3 an operator, manager or tenant, to:

4 1. Maintain in a clean and sanitary condition the
5 shared areas, including yards and courts, of any
6 building containing two (2) or more housing units;

7 2. Supply enough garbage cans or other approved
8 containers of sufficient size to contain all garbage
9 disposed of by such tenants;

10 3. Maintain heat in all occupied habitable rooms,
11 baths and toilet rooms at an inside temperature, as
12 measured at a point three (3) feet above the floor,
13 of at least sixty-five degrees Fahrenheit (65 F)
14 between the hours of 7 a.m. and 10:30 p.m. and
15 fifty-eight degrees Fahrenheit (58 F) between the
16 hours of 10:30 p.m. and 7 a.m. from September 1
17 until June 30, when the owner is contractually
18 obligated to provide heat;

19 4. Install smoke detectors on the ceiling or on the
20 wall not less than four inches (4") nor more than
21 twelve inches (12") from the ceiling at a point or
22 points centrally located in a corridor or area
23 giving access to each separate sleeping area in each
24 housing unit, and test smoke detectors when each
25 housing unit becomes vacant;

26 5. Make all needed repairs or replace smoke
27 detectors with operating detectors before a unit is
28 reoccupied; and

6. Instruct tenants as to the purpose, operation
and maintenance of the detectors.

1 C. Just Cause Eviction

2 1. Owners of housing units shall not evict or
3 attempt to evict any tenant or otherwise terminate
4 or attempt to terminate the tenancy of any tenant
5 except for good cause. The reasons for termination
6 of tenancy listed below, and no others, shall
7 constitute good cause under this section:

8 a. The tenant fails to comply with a notice to
9 pay or vacate pursuant to RCW 59.12.030(3); a ten-
10 day notice to comply or vacate pursuant to RCW
11 59.12.030(4); or a three-day notice for waste,
12 nuisance or maintenance of an unlawful business or
13 conduct pursuant to RCW 59.12.030(5);

14 b. The tenant habitually fails to pay rent
15 when due which causes the owner to notify the tenant
16 in writing of late rent four (4) or more times in a
17 twelve (12) month period;

18 c. The tenant fails to comply with a material
19 term of the rental agreement or fails to comply with
20 a material obligation under RCW 59.18 after service
21 of a ten-day notice to comply or vacate;

22 d. The tenant habitually fails to comply with
23 the terms of the rental agreement which causes the
24 owner to serve a ten-day notice to comply or vacate
25 three or more times in a twelve month period;

26 e. The owner seeks possession for the owner or
27 for a member of his or her immediate family and no
28 substantially equivalent unit is vacant and
available in the same building. Immediate family
shall include the spouse, parents, grandchildren,
children, brothers and sisters of the owner or
owner's spouse.

1 f. The tenant's occupancy is conditioned upon
2 employment on the property and the employment
3 relationship is terminated;

4 g. The owner seeks to do major reconstruction
5 or rehabilitation in the building which cannot be
6 done with tenants in occupancy. Any tenants
7 notified in writing by the landlord at the time of
8 vacating the unit that the tenant has a right of
9 first refusal for the rehabilitated unit. The
10 landlord shall notify the tenant in writing, mailed
11 by regular mail to the last address provided by the
12 tenant, when the unit is ready for reoccupancy, and
13 tenant shall exercise such right of first refusal
14 within 30 days of landlord's notice ((given-a-right
15 of-first-refusal-for-the-rehabilitated-units));

16 h. The owner elects to demolish the building,
17 convert it to a condominium or a cooperative, or
18 convert it to a nonresidential use; provided, that
19 the owner must obtain all permits which are
20 necessary to demolish or change the use before
21 terminating any tenancy;

22 i. The owner seeks to discontinue use of a
23 housing unit unauthorized by Chapter 23 or 24 of the
24 Seattle Municipal Code after receipt of a Notice of
25 Violation thereof, provided that relocation
26 assistance, at the rate of Two Thousand Dollars
27 (\$2,000.00) for tenant households with an income
28 during the past twelve months at or below 50% of the
County median income and two (2) months' rent for
tenant households with an income during the past
twelve months above 50% of the County median income

1 ((each-such-unit)), is paid to the tenant(s) of each
2 such unit at least two (2) weeks prior to the date
3 set for compliance in the notice of violation;

4 j. If a tenant is a resident of the owner's
5 own housing unit, the owner may evict the tenant at
6 any time in the manner provided by law;

7 k. If a tenant engages in unlawful activity or
8 conduct in the building or on the premises.

9 2. Any rental agreement provision which waives or
10 purports to waive any right, benefit or entitlement
11 created by this subsection C shall be deemed void
12 and of no lawful force or effect.

13 3. With any termination notices required by law,
14 owners terminating any tenancy protected by this
15 section shall advise the affected tenant or tenants
16 in writing of the reasons of the termination.

17 4. In any action commenced to evict or to otherwise
18 terminate the tenancy of any tenant, it shall be a
19 defense to the action that there was no good cause
20 for such eviction or termination as provided in this
21 section.

22 5. It shall be a violation of this section for any
23 owner to evict or attempt to evict any tenant or
24 otherwise terminate or attempt to terminate the
25 tenancy of any tenant using a notice which
26 references subparts (1)(e) or (1)(g) of this
27 subsection C as grounds for eviction or termination
28 without fulfilling or carrying out the stated reason
for or condition justifying the termination of said
tenancy.

Section 18. Section 22.206.200 of the Seattle Municipal
Code is amended to read as follows:

1 **Section 22.206.200 Minimum Standards for Vacant**
2 **Buildings.**

3 A. Maintenance Standards. Every vacant building shall
4 conform to the standards of sections 22.206.010
5 through 22.206.160 except when more stringent
6 standards are imposed by this section.

7 1. Sanitary facilities. a. All plumbing fixtures
8 connected to an approved water system, an approved
9 sewage system, or an approved natural gas utility
10 system shall be installed in accordance with
11 applicable codes and be maintained in sound
12 condition and good repair.

13 b. All plumbing fixtures connected to an
14 approved water system, sewage system, or approved
15 natural gas utility system, not installed or
16 maintained in compliance with this Code and other
17 applicable code and ordinances shall be removed and
18 the service terminated in the manner prescribed by
19 current codes and ordinances.

20 c. All plumbing fixtures not connected to an
21 approved water system, an approved sewage system, or
22 an approved natural gas utility system shall either
23 be connected to an approved system or the fixtures
24 shall be removed and the pipes capped in accordance
25 with this Code and other applicable City codes and
26 ordinances.

27 2. Electrical Systems. a. Every existing outlet
28 and fixture shall be properly connected, and wiring
 and service lines shall be installed and maintained
 in accordance with this Code and other applicable
 codes and ordinances;

1 b. Outlets and fixtures not installed or
2 maintained in accordance with applicable codes and
3 ordinances shall be removed and the services
4 terminated in the manner prescribed by law.

5 3. Safety from fire. a. No vacant building or
6 premises or portion thereof shall (~~contain-any~~
7 ~~space-to~~) be used for the storage of flammable
8 liquids.

9 b. No room in any vacant building nor any
10 premises shall be used for storage of materials
11 which would constitute a safety or fire hazard.

12 c. Heating facilities or heating equipment in
13 vacant buildings shall be removed or maintained in
14 accordance with applicable codes and ordinances and
15 any fuel supply shall be removed or terminated in
16 accordance with applicable codes and ordinances.

17 4. All vacant buildings shall be closed to
18 unauthorized entry according to the following
19 standards:

20 a. All windows (~~or-glazed-openings-shall-be~~
21 ~~protected-by-intact-glazing-~~), the sills of which
22 are located more than ten (10) feet above grade,
23 stairway, landing, ramp, porch, roof, or other
24 similarly accessible area, shall have either intact
25 glazing or some form of weather protection. All
26 windows (~~or-glazed-openings~~), the sills of which
27 are located ten (10) feet or less above grade,
28 stairway, landing ramp, porch, roof, or other
similarly accessible area, shall provide either
intact glazing or resistance to entry equivalent to
or greater than that of a solid sheet of one quarter
(1/4) inch plywood, painted to protect it from the

1 elements, cut to fit the opening, and securely
2 nailed using 6D galvanized nails spaced not more
3 than nine (9) inches on center.

4 b. Doors and service openings with thresholds
5 located ten (10) feet or less above grade, a
6 stairway, landing, ramp, porch, roof or similarly
7 accessible areas shall provide resistance to entry
8 equivalent to or greater than that of a closed
9 single panel or hollow core door one and three
10 eighths (1-3/8) inches thick equipped with a half
11 inch throw dead bolt. Exterior doors, if operable,
12 may be closed from the interior of the building by
13 toe nailing them to the door frame using 10D or 16D
14 galvanized nails.

15 c. There shall be one operable door into each
16 building and into each housing unit. If any
17 existing door is operable, it may be used and
18 secured with a suitable lock such as a hasp and
19 padlock or a one half (1/2) inch deadbolt or dead
20 latch. All locks shall be kept locked. When a door
21 cannot be made operable, a door shall be constructed
22 of three quarter (3/4) inch CDX plywood and shall be
23 equipped with a lock as described above.

24 d. All debris, combustible materials, litter
25 and garbage shall be removed from vacant buildings
26 that have been closed to unauthorized entry and from
27 adjoining yard areas. After being closed to
28 unauthorized entry, the building and premises shall
be maintained free from such items.

e. The Director may impose additional
requirements for the closure of a vacant building,
including but not limited to installation of three-

1 quarter inch (3/4") plywood, brick or metal
2 coverings over exterior openings, where the
3 standards specified in subparagraphs (4)(a) through
4 (4)(d) above are inadequate to secure the building
5 due to the design of the structure, or where the
6 structure has been subject to two (2) or more
7 unauthorized entries after closure pursuant to the
8 standards specified above, or where the Director
9 determines, in consultation with the Seattle Police
10 Department and the Seattle Fire Department, that the
11 structure presents a substantial risk to the health
12 or safety of the public, Police or Fire personnel if
13 closed to the standards of subparagraphs (4)(a)
14 through (4)(d) above.

* * *

14 F. Inspection of vacant buildings.

15 1. When the Director has reason to believe that a
16 building is vacant, the Director may inspect the
17 building and premises. If a violation is found, a
18 notice of violation shall be issued, and thereafter
19 the premises shall be inspected quarterly to
20 determine whether the building and appurtenant
21 structures are vacant and are closed to entry in
22 conformance with the standards of this Code. The
23 owner or person responsible for the building shall
24 be assessed a fee by the Director pursuant to
25 Section 22.202.020 of this Code for the cost of each
26 quarterly inspection. When valid building,
27 electrical or plumbing permits have been issued in
28 order to correct violations of this Code, the
 Director shall continue to make quarterly
 inspections but shall not charge for the inspections

1 during the life of the permits if the Director
2 determines that work is progressing at a
3 satisfactory rate.

4 2. Quarterly inspections shall cease when the
5 building is repaired pursuant to the requirements of
6 this Code and reoccupied ((and/)) or when the
7 building and/or appurtenant structures have been
8 ((repaired-or)) demolished ((pursuant-to-the
9 requirements-of-this-code)). Any occupancy of a
10 building by anyone other than the owner, prior to
11 issuance of a Certificate of Compliance, shall
12 constitute a violation of Section 22.206.200 B.

13 3. If the Director finds that the condition of a
14 building or premises or appurtenant structure has
15 deteriorated to an extent that it endangers or is
16 injurious to the health or safety of the occupants
17 of neighboring buildings or of the public, the
18 Director shall commence abatement proceedings in
19 accordance with Chapter 22.206 or Chapter 22.208.

20 4. Any building or appurtenant structure that
21 remains vacant and open to entry after the closure
22 date in a Director's Order or notice of violation is
23 found and declared to be a public nuisance which the
24 Director is hereby authorized to abate summarily.
25 The costs of abatement shall be collected from the
26 owner in the manner provided by law.

27 5. Quarterly inspection charges shall be assessed
28 as a fee under the Permit Fee Ordinance (SMC Chapter
22.900) and if not paid upon demand shall be
collected pursuant to the Permit Fee Ordinance (SMC
Chapter 22.900).

1 Section 19. A new Section 22.206.215 is added to the
2 Seattle Municipal Code to read as follows:

3 **Section 22.206.215 Alternate Materials and Design.**

- 4 A. The provisions of this Code are not intended to
5 prevent the use of any material not specifically
6 prescribed by this Code, provided any alternate has
7 been approved and its use authorized by the
8 Director. The Director may approve any such
9 alternate provided he or she finds that it complies
10 with the purpose and intent of this Code and is of
11 at least equivalent suitability, strength,
12 effectiveness, fire resistance, durability, safety
13 and sanitation as that prescribed by this Code.
- 14 B. Whenever there are practical difficulties involved
15 in carrying out the provisions of this Code, the
16 Director may grant modifications for individual
17 cases, provided he or she first finds that a special
18 individual reason makes compliance with the strict
19 letter of this Code impractical and that the
20 modification is in conformity with the intent and
21 purpose of this Code and that such modification does
22 not lessen any fire protection or safety
23 requirements or any degree of structural integrity.
24 The details of any action granting modifications
25 shall be recorded and entered in the files of the
26 Director.

27 Section 20. Section 22.206.220 of the Seattle Municipal
28 Code is amended to read as follows:

Section 22.206.220 Notice of Violation.

- A. The Director shall inspect any building or premises
 which the Director has reason to believe may not be
 in compliance with the standards and requirements of

1 Sections 22.206.010 through 22.206.170, and Section
2 22.206.200 of this Code. If those standards and
3 requirements have not been met, the Director shall
4 serve a notice of violation on the owner and/or
5 other person responsible for the violation pursuant
6 to this section. The notice of violation shall:

7 1. Identify (~~List-separately~~) each violation of
8 the standards and requirements of this Code(~~(?)~~)
9 (~~(27--State)~~) and the corrective action necessary to
10 bring the building and premises into compliance
11 (~~(with-the-standards-and-requirements-of-this~~
12 ~~code)~~); and

13 2. (~~(37)~~) Specify a time for compliance.

* * *

14 C. After a notice of violation or order has been filed
15 with the King County Department of Records and
16 Elections pursuant to Section 22.206.220(~~(H)~~)J, a
17 notice of violation or order for the same violation
18 (~~(shall)~~) need not be served upon a new owner. If a
19 new notice of violation is not issued and served
20 upon a new owner, (~~(F)~~)the Director shall grant the
21 new owner the same number of days to comply with the
22 Notice of Violation as was given the previous owner,
23 in the notice of violation. The compliance period
24 shall be the number of days between the date of
25 issuance of the notice of violation and the date for
26 compliance stated in the text of the notice. The
27 compliance period for the new owner shall begin on
28 the date that the (~~deed-or-other-document-conveying~~
~~the-property-to-the-new-owner-is-filed-with-the-King~~

1 County-Department-of-Records-and-Elections))

2 conveyance is completed.

3 * * *

4 Section 21. Section 22.206.230 of the Seattle Municipal
5 Code is amended to read as follows:

6 **Section 22.206.230 Review by the Director.**

7 * * *

8 B. The review will consist of an informal review
9 meeting held at the Department. A representative of
10 the Director (~~(shall-conduct-the-review)~~) who is
11 familiar with the case and the applicable ordinances
12 will attend. The Director's representative shall

13 explain the reasons for the issuance of the notice
14 of violation and will consider any information
15 presented by the persons attending. At or

16 ((A))after the review, the Director shall:

- 17 1. Sustain the notice of violation; or
- 18 2. Withdraw the notice of violation; or
- 19 3. Continue the review to a future date; or
- 20 4. Amend the notice of violation; or
- 21 5. Grant a variance from the standards and
22 requirements of Sections 22.206.010 through
23 22.206.200 if the Director determines that all of
24 the following conditions or circumstances exist:

25 a. Because of unusual conditions applicable to
26 the subject property, which were not created by the
27 owner or applicant, the strict application of this
28 Code would deprive the property owner of rights and
privileges enjoyed by other similar properties; and

b. The requested variance does not go beyond
the minimum necessary to afford relief, and does not

1 constitute a grant of special privilege inconsistent
2 with the limitations upon similar properties; and

3 c. The granting of the variance will not be
4 materially detrimental to the public welfare or
5 injurious to property or improvements in the
6 vicinity; and

7 d. The literal interpretation and strict
8 application of the applicable provisions or
9 requirements of this Code would cause undue and
10 unnecessary hardship; and

11 e. The requested variance would be consistent
12 with the spirit and purpose of this Code.

13 * * *

14 Section 22. Section 22.206.250 of the Seattle Municipal
15 Code is amended to read as follows:

16 **Section 22.206.250 Compliance.**

17 A. Compliance with a notice, order or decision shall be
18 the responsibility of each person cited in the
19 notice, order or decision. Whether cited or not,
20 the owner of rental housing units shall always be
21 responsible for compliance with the requirements of
22 Sections 22.206.010 through 22.206.160 and with
23 Sections 22.206.200 and 22.206.260 of this Code.

24 * * *

25 Section 23. Section 22.206.260 of the Seattle Municipal
26 Code is amended to read as follows:

27 **Section 22.206.260 Emergency Order.**

28 A. Whenever the Director finds that any building,
housing unit or premises is an imminent threat to
the health or safety of the occupants or the public,
an emergency order may be issued directing that the
building, housing unit and/or premises be restored

1 to a condition of safety((7)) and specifying the
2 time for compliance. In the alternative, the order
3 may require that the building, housing unit or
4 premises be immediately vacated and closed to entry.

5 B. The emergency order shall be posted on the building,
6 housing unit or premises, and shall be mailed by
7 regular, first class mail to the last known address
8 of the owners and, if applicable, to the occupants.
9 All owners and occupants of said building, housing
10 unit or premises are deemed to have notice of any
11 emergency order so posted and mailed.

12 C. It shall be unlawful for any person to fail to
13 comply with an emergency order issued by the
14 Director requiring that the building, housing unit
15 and/or premises be restored to a condition of safety
16 by a specified time.

17 D. It shall be unlawful for any person to use or
18 occupy, or to cause or permit any person to use or
19 occupy the building, housing unit and/or premises
20 after the date provided in an emergency order
21 requiring the building, housing unit and/or premises
22 to be vacated and closed until the Director
23 certifies that the conditions described in the
24 emergency order have been corrected and the
25 building, housing unit and/or premises have been
26 restored to a safe condition.

27 ((B)) E. Any building, housing unit or premises subject
28 to an emergency order which is not repaired within
the time specified in the order is found and
declared to be a public nuisance which the Director
is hereby authorized to abate summarily by such
means and with such assistance as may be available

1 to the Director, and the costs thereof shall be
2 recovered by the Director in the manner provided by
3 law.

4 F. Any tenant who is required to vacate and actually
5 vacates a housing unit as a result of an emergency
6 order shall be paid relocation assistance by the
7 owner at the rate of Two Thousand Dollars
8 (\$2,000.00) for each tenant household with income
9 during the past twelve months at or below 50% of the
10 County median income and two months' rent for each
11 tenant household with income during the past twelve
12 months above 50% of the County median income,
13 provided all of the following conditions are met:
14 1. The emergency order requires the housing unit
15 occupied by the tenant to be vacated and closed;
16 2. The conditions which create the emergency arise
17 from circumstances within the control of the owner,
18 including but not limited to conditions arising from
19 failure to perform maintenance on the premises,
20 affirmative acts of the owner, or termination of
21 water or utility services provided by the owner;
22 3. The conditions which create the emergency do not
23 arise from an act of God or from the affirmative
24 actions of a person or persons beyond the control of
25 the owner; and
26 4. The conditions which create the emergency are
27 not caused solely by the actions of the tenant.
28 G. The owner is required to pay relocation assistance
provided in subsection F no later than the deadline
specified in the emergency order to vacate and close
the building, housing unit or premises.

1 Section 24. Section 22.206.270 of the Seattle Municipal
2 Code is amended to read as follows:

3 **Section 22.206.270 Violations.**

- 4 A. Any failure to comply with a notice of violation,
5 decision or ((emergency)) order shall be a violation
6 of this Code.
- 7 B. It shall be a violation of this Code for any person
8 to obstruct, impede, or interfere with any attempt
9 to correct a violation or comply with any notice,
10 decision, emergency order, or stop work order.
- 11 C. Any person who does not comply with an emergency
12 order issued by the Director shall be in violation
13 of this Code, regardless of intent, knowledge or
14 mental state.
- 15 D. Any person who fails to pay relocation assistance
16 required by section 22.206.260F shall be in
17 violation of this Code.

18 Section 25. Section 22.206.280 of the Seattle Municipal
19 Code is amended to read as follows:

20 **Section 22.206.280 Civil Penalty.**

- 21 A. ~~((Any-person-who-does-not-comply-with-a-notice,~~
22 ~~decision-or-order-issued-by-the-Director-pursuant-to~~
23 ~~this-Chapter-SME-22-206))~~ In addition to any other
24 sanction or remedial procedure which may be
25 available, any person violating or failing to comply
26 with any requirement of this Code shall be subject
27 to a cumulative civil penalty in the amount of
28 Fifteen Dollars (\$15) per day for each housing unit
in violation, and Fifteen Dollars (\$15) per day for
violations in the common area or on the premises
surrounding the building or structure, from the date
set for compliance until the person complies with

1 the ((notice,-decision-or-order)) requirements of
2 this Code.

3 B. Any person who does not comply with an emergency
4 order issued by the Director pursuant to this
5 Chapter SMC 22.206 shall be subject to a cumulative
6 civil penalty in the amount of One Hundred Dollars
7 (\$100) per day from the date set for compliance
8 until the Director certifies that the requirements
9 of the emergency order are fully complied with.

10 C. Any owner who fails to pay relocation assistance as
11 required by section 22.206.260F shall be subject to
12 a cumulative civil penalty in the amount of One
13 Hundred Dollars (\$100) per day for each tenant who
14 is entitled to receive but who does not receive the
15 required relocation assistance from the day such
16 payment is required by this Code until the required
17 payments are made.

18 D. In addition to any other sanction or remedial
19 procedure which may be available, any owner of
20 housing units who violates section 22.206.160(C)(5)
21 shall be subject to a civil penalty of not more than
22 Two Thousand Five Hundred Dollars (\$2,500.00).

23 ((B)) E. The Director shall notify the City Attorney in
24 writing of the name of any person subject to the
25 penalty. The City Attorney shall, with the
26 assistance of the Director, take appropriate action
27 to collect the penalty.

28 ((e)) F. The violator may show, in mitigation of
liability, that correction of the violation was
commenced promptly upon receipt of notice, but that
compliance within the time specified was prevented
by an inability to obtain necessary materials or

1 labor, inability to gain access to the subject
2 building, or other condition or circumstance beyond
3 the control of the violator, and upon a showing of
4 the above described conditions, the court may enter
5 judgment for less than the maximum penalty.

6 Section 26. Section 22.206.290 of the Seattle Municipal
Code is amended to read as follows:

7 * * *

8 B. A fine not to exceed one thousand dollars (\$1,000)
9 per violation and/or a term of imprisonment not
10 exceeding thirty (30) days may be imposed:

11 1. For violations of Section 22.206.210;

12 2. For violations of Section 22.206.260, where the
13 person charged has had a civil judgment under
14 Section 22.206.280 or any of its predecessors
15 rendered against him or her during the past five (5)
years;

16 3. For any pattern of willful, intentional, or bad
17 faith failure or refusal to comply with the
18 standards or requirements of this Code.

19 Each day that anyone shall continue to violate or
20 fail to comply with any of the foregoing provisions
21 shall be considered a separate offense.

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Section..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 3rd day of June, 19 91
and signed by me in open session in authentication of its passage this 3rd day of June, 1991
Leo Benson
President Pro Tem of the City Council.

Approved by me this 9th day of June, 1991
Norman Bruce
Mayor.

Filed by me this 10th day of June, 1991.

Howard J. Brooks
Attest: _____
City Comptroller and City Clerk.

(SEAL)

Published.....

By Margaret Carter
Deputy Clerk.