

ORDINANCE NO. 799

An Ordinance of the City Council of the City of Lakewood, Washington, amending Title 15A of the Lakewood Municipal Code (LMC) to reflect the adoption of the 2021 Editions of the International Code Council (ICC), and other related codes as specified in Chapter 19.27 of the Revised Code of Washington (RCW).

WHEREAS, Title 15A LMC must be updated to reflect the new code adoption and amendments to the State Building Code established by RCW Chapter 19.27 and found in Title 51 of the WAC, and which become effective statewide on March 15, 2024; and

WHEREAS, An accurate, usable map defining Wildland Urban-Interface areas within the City of Lakewood is not currently available.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON DO ORDAIN as follows:

Section 1: Section 15.05.020 of the Lakewood Municipal Code, entitled, "Purpose," is amended to remove/delete 2018 International Code References, and replace them with the following.

The purpose of the codes and regulations adopted in this title is to provide minimum standards to safeguard life, health, property and public welfare by regulating and controlling the design, construction, quality of materials, use and occupancy, location and maintenance of all buildings and structures within the City of Lakewood. It is not the purpose or intent to create or designate any particular class or group of persons to be especially protected or benefited, nor is it intended to create any special relationship with any individual.

Section 2: Section 15.02.020 of the Lakewood Municipal Code, entitled, "Codes Adopted by Reference," amended as follows.

Pursuant to RCW 19.27.031, the following codes as amended by the Washington State Building Code Council herein adopted and further amended, shall be collectively known as the Lakewood Building Code:

A. The 2021 Edition of the International Building Code (IBC), including Appendix Chapters E, G, and J, published by the International Code Council and amended by the Washington State Building Code Council in Chapter 51-50 WAC, is hereby adopted by reference and as subsequently amended by this chapter. Chapter 11 and other International Building Code requirements for barrier-free access,

including ICC A117.1-2017 and Appendix E, are adopted pursuant to Chapters 19.27 and 70.92 RCW.

B. The 2021 Edition of the International Residential Code (IRC) excluding Sections R103, R104, R105, R106, R107, R108, R109, R110, R111, R112, R113, and R114, provided Chapters 11 and 25 through 43 are not adopted. Appendices F, Q, and U as published by the International Code Council and as adopted and amended by the Washington State Building Code Council in Chapter 51-51 WAC, are hereby adopted by reference and as subsequently amended by this chapter. Energy Code is regulated by chapter 51-11R WAC; Plumbing Code is regulated by chapter 51-56 WAC; Electrical Code is regulated by chapter 296-46B WAC.

C. The 2021 Edition of the International Mechanical Code (IMC) published by the International Code Council and amended by the Washington State Building Code Council in Chapter 51-52 WAC, including the 2018 International Fuel Gas Code for the installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems as amended by the Washington State Building Code Council, are hereby adopted.

The standards for liquefied petroleum gas installations shall be the 2014 Edition of NFPA 58 (Liquefied Petroleum Gas Code) and the 2015 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code).

D. The 2021 Edition of the International Fire Code (IFC), including Appendix Chapters B, C, D (Sections 105 and 106), E, F and G, published by the International Code Council and amended by the Washington State Building Code Council in Chapter 51-54A WAC, is hereby adopted by reference and as subsequently amended by this chapter.

E. The 2021 Edition of the Uniform Plumbing Code (UPC), including Appendices A, B and I, published by the International Association of Plumbing and Mechanical Officials and amended by the Washington State Building Code Council in Chapter 51-56 WAC, is hereby adopted by reference and as subsequently amended by this chapter.

F. The 2021 Edition of the Washington State Energy Code-Commercial Chapters 51-11C WAC and 51-11R WAC Washington State Energy Code-Residential is hereby adopted.

G. The 2021 Edition of the International Existing Buildings Code (IEBC), published by the International Code Council and amended by the

Washington State Building Code Council in Chapter 51-50 WAC, is hereby adopted. Appendix A, Guidelines for the Seismic Retrofit of Existing Buildings is hereby adopted as part of the code. Per the International Existing Buildings Code (IEBC) Section 302.3 Additional Codes, alterations, repairs, additions and changes of occupancy to, or relocation of, existing buildings and structures shall comply with the provisions for alterations, repairs, additions and changes of occupancy or relocation, respectively, in the IEBC and the International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Property Maintenance Code, International Private Sewage Disposal Code, International Residential Code and NFPA 70. Where provisions of the other codes conflict with provisions of the IEBC, the provisions of the IEBC shall take precedence.

H. The 2021 Edition of the International Property Maintenance Code (IPMC), published by the International Code Council, is hereby adopted.

I. The current edition of the National Electrical Code, published by the National Fire Protection Association, as adopted in Chapter 296-46B WAC and Chapter 19.28 RCW, except that “Department” shall mean either the State Department of Labor and Industries or Tacoma Public Utilities, depending on geographic service area located within Lakewood’s city limits.

J. The 2021 Edition of the International Swimming Pool and Spa Code (ISPSC), published by the International Code Council, is hereby adopted.

K. The Manufactured Home Standards established by the state of Washington governing the installation of manufactured homes (as set forth in Chapter 296-150M WAC) are hereby adopted.

L. The 2021 Edition of the International Wildland Urban-Interface published by International Code Council and amended by the Washington State Building Code Council in Chapter 51-55 WAC is hereby adopted. The effective date of implementation is deferred until such time as an accurate usable map defining Wildland Urban-Interface areas within the City of Lakewood is available and adopted by the Lakewood City Council.

Section 3: Section 15.05.060 of the Lakewood Municipal Code, entitled, “Amendments to the International Building Code,” is replaced with the following.

A. Section 105.2, Work exempt from permit, item 4, is amended to read as follows:

Retaining walls which are not over 4 feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, provided the wall is set back from any adjacent property lines or structures a distance at least equal to the height of the wall and the material retained by the wall slopes 1:2 (or less) up and away from the wall, unless supporting a surcharge or impounding Class I, II or II-A liquids.

B. Section 105.3.2 Time limitations on applications,

An application for a permit for any proposed work shall be deemed to have been abandoned 180 days after the date of filing, unless such application has been pursued in good faith or a permit has been issued. Building official may grant two extensions for period not to exceed 90 days each without administrative fees. Additional extension requests will be subject to administrative fees. The requests shall be requested in writing and justifiable cause demonstrated.

C. Section 105.5 Permit Expiration,

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work is commenced. Building Official may grant two extensions for period not to exceed 180 days each without administrative fees. Additional extensions requests will be subject to administrative fees. The extension requests shall be requested in writing and justifiable cause demonstrated.

D. Section 105.8, Ownership of permits, add a new section to read as follows:

The ownership of a City of Lakewood permit shall inure to the property owner. The permit applicant is an agent of the owner, if not the property owner. Where ownership of the property has changed, the new owner shall submit a request to the building department to change the owner's name, or owner's agent on the building permit application.

E. Section 107.3.4, Design professional in responsible charge, is amended by the addition of the following paragraphs (remainder unaffected):

Design professional is required for the preparation of plans for any building or structure containing five or more residential dwelling units, doing design work including preparing construction contract documents and administering the construction contract for construction, erection, enlargement to a building of any occupancy over 4,000 square feet in floor area.

Design professional shall provide design and construction documents for alteration, change of use, or repairs to, a project that is contained within a building of over 4,000 square feet in floor area and when the work contemplated affects life safety or structural systems. Life safety is affected if the work contemplated includes but is not limited to alteration of any fire rated construction; alteration of any means of egress including barrier free provisions defined by the building codes; alteration such that the number of occupants in the affected areas would be increased. The combined square footage of simultaneous projects shall not exceed 4,000 square feet.

F. Section 109.4, Work commencing before permit issuance, is amended to read as follows:

Any person who commences work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a fee equal to the permit fee.

G. Section 109.6, Refunds, is amended to read as follows:

The building official may authorize a refund of: one hundred percent (100%) of any fee paid erroneously; up to eighty percent (80%) of the permit fee for a permit that is withdrawn, if no work has been done under the permit; and up to eighty percent (80%) of the plan review fee paid when an application is withdrawn prior to any plan review having been done. No refund shall be authorized except on written application filed by the original applicant not later than one hundred eighty days after the date of the fee payment.

H. Section 110.3.10.1, Special Inspection, add a new section to read as follows:

Building official may require a special inspection for a particular item or system that when necessary to show conformance with the codes.

G. Section 110.3.12, Final Inspection, is amended to read as follows:

The final inspection is to be made after all conditions of SEPA, Hearings Examiner, Design Review, Development Engineering, Stormwater, Tree Ordinance, West Pierce Fire and Rescue district, outside agencies are complied with, in addition to finish grading; and the building is completed and ready for occupancy.

I. Section 111.1 Change of occupancy.

A building or structure shall not be used or occupied, and a change of occupancy of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy therefor as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

J. Section 111.2, Certificate issued, is amended to read:

After the building inspector inspects the building or structure and finds that it is in compliance with the applicable codes and regulations, the building official shall cause to be issued a Certificate of Occupancy on a form developed by the City to display the information pertinent to identify the facility and code requirements. Certificate of occupancy shall be posted at obvious place on the premises. Certificate of Occupancy may not be removed at any time except by Building Official.

K. Section 113, Board of Appeals, is renamed "Appeals" and reads as follows:

113.1 Authority and Limitations

The hearing examiner system established by LMC [1.36](#) shall be authorized to hear and decide appeals of orders, decisions or determinations made by the building official relative to the application and interpretation of this code. Any reference, in

the adopted codes, to a board of appeals shall be read as 'hearings examiner.'

### 113.2 Limitations on Authority

An application for appeal shall be based on a claim that the true intent of this code has not been correctly interpreted, or the provisions do not fully apply, or an equally good or better form of construction is proposed. The hearings examiner shall have no authority to waive requirements of this code. The examiner is not authorized to interpret or decide on administrative provisions contained in chapter [1](#).

### 113.3 Further Appeal to Superior Court

The decision by the Hearing Examiner under this Title shall be final and conclusive unless within twenty-one (21) days from the date of the decision, a party makes application to a court of competent jurisdiction for a writ of certiorari, a writ of petition or a writ of mandamus, or other applicable relief.

- L. Section 114.4, Violation penalties, is amended to read as follows:  
Any violation of a provision of the Lakewood Building Code is a misdemeanor, punishable by imprisonment for a term of up to ninety (90) days, by a fine of up to one thousand dollars (\$1,000); or by both.

- M. Section 115.1,

Where the building official finds any work regulated by this code being performed in a manner either contrary to the provisions of this code or dangerous or unsafe, the building official is authorized to issue a stop work order. Building owner may appeal the stop work order in accordance with section 113.

Section 115.4, Unlawful continuance,

Any person who shall continue any work after having been served a stop work order, except such work as that person is directed to perform to remove a violation or unsafe conditions, shall be subject to penalties as prescribed in section 114.4.

- N. *Section 202, Definitions.* Add definitions of "Design Professional" and "major improvement" that read:

Design Professional. A Washington State Licensed Architect governed by the Washington State Board of Registration for Architects, or a Washington State Licensed Engineer governed by the Washington State Board of Registration for Professional Engineers and Land Surveyors.

Major improvement. Means all improvements to a structure (excluding normal maintenance and repair and life/safety improvements) which within a 72-month period exceeds a cumulative value of 50 percent of the current county assessed value of the structure. The value of improvements shall be as determined by the building official.

O. Section 901.7, Fire areas, is revised to read as follows:

Where buildings, or portions thereof, are subject to the fire protection provisions of this chapter the use of fire walls, fire barriers or other means to divide fire area in order to not exceed the limits established for requiring a fire protection system in accordance with this chapter are prohibited.

P. Section 903.2, Where required, is amended to read as follows:

Approved automatic sprinkler systems shall be provided in all newly constructed buildings where the gross area including basements exceeds 5,000 square feet in fire area.

Approved automatic sprinkler systems shall be provided in existing buildings undergoing a Major Improvement, where the area exceeds 5,000 square feet in fire area.

Additionally, automatic sprinkler systems shall also be provided in any of the other situations described in 903.2., as required under WAC [51-50](#) and/or as follows:

Q. Section 903.2.7.2 Group M upholstered furniture or mattresses, is revised to read:

An automatic sprinkler system shall be provided throughout a Group M fire area where the area used for the display and sale of upholstered furniture or mattresses exceeds 2,500 square feet.

R. *Section 903.3.1.1.1, Exempt Locations.* Section 903.3.1.1.1 is amended by deletion of items 4, 5 and 6.

Section 4: Section 15.05.070 of the Lakewood Municipal Code, entitled, “Amendments to the International Residential Code,” is replaced with the following.

The following sections of the International Residential Code are amended as follows:

A. Table R302.2(1), Climatic and geographical design criteria, is amended to read as follows:

Roof snow load	25 lbs. per sq. ft.
Wind speed (Basic)	110 mph      Figure R301.2(5)A Exposure      Site specific basis per R301.2.1.4
Seismic Design Category	D2      Table R301.2.2.1.1
Subject to damage from weathering	Moderate
Frost line depth	12 inches
Termite	Slight to moderate
Decay	Slight to moderate
Winter design temperature	26 degrees Fahrenheit
Ice shield underlayment required	No
Flood hazards	Current FEMA map
Air freezing index	Not applicable

Mean annual temperature	50 degrees Fahrenheit
Manual J Design Criteria	
Elevation	322
Latitude	47
Winter Heating	24
Summer cooling	82
Indoor design temperature	65
Design temperature cooling	82

B. Appendix V is amended as follows:

An approved automatic fire sprinkler system shall be installed in new townhouses in accordance with Appendix U per state amendment.

Section 5: Section 115.05.080 of the Lakewood Municipal Code, entitled,

“Amendments to the International Fire Code,” is replaced with the following.

The following sections of the International Fire Code are amended as follows:

Section 103.1 Creation of agency is amended to read as follows:

The Prevention Division of West Pierce Fire & Rescue was created and the official in charge thereof shall be known as the fire code official. The function of the agency shall be the implementation, administration and enforcement of the provisions of this code.

A. Section 104.1.1, Coordination with Other Departments. A new Section 104.1.1 is added to read as follows:

When requested and authorized to do so by the fire code official, the chief of police may assign such available police officers and the code compliance supervisor may assign such available code compliance officers as may be necessary to assist the Community and Economic Development Department and/or the fire department in enforcing provisions of this code.

B. Section 104.1.2, Inspection Authority. A new Section 104.1.2 is added to read as follows:

The fire code official and members of the fire prevention division have limited police powers for the purpose of enforcing the International Fire Code. Such powers shall include the ability to issue verbal and written notices of violation and determine appropriate timeframes within which violations shall be removed or repaired. City of Lakewood Code Enforcement or Law Enforcement will issue infractions and criminal citations if necessary.

C. Section 104.1.3, Special Limited Commission. A new Section 104.1.3 is added to read as follows:

The scope of the special limited commission herein shall not grant the fire code official or any member of the fire prevention bureau any power of arrest and this special limited commission shall not grant any member, of the fire prevention division, authority to carry firearms or other weapons while conducting activities related to enforcement of the International Fire Code.

Section 6: Section 15.05.070 of the Lakewood Municipal Code, entitled, Amendments to the International Residential Code," is replaced with the following.

D. Section 105.5.53, Special Operation Permit. A new Section 105.6.50 is added to read as follows:

The fire code official is authorized to require and issue a special operational permit for any operation listed in Section 105.5 of the IFC. The operational permit will provide the ability to track and monitor the situation.

E. Section 105.6.25, Underground supply piping for automatic sprinkler system, is amended to read as follows:

A construction permit is required for the installation of the portion of the underground water supply piping, public or private, supplying a water-based fire protection system. The permit shall apply to all underground piping and appurtenances downstream of the first control valve on the lateral piping or service line from the distribution main to one foot above finished floor of the facility with the fire protection system. Maintenance performed in accordance with this code is not considered to be a modification and does not require a permit.

Exception:

1. Underground piping serves a fire protection system installed in accordance with NFPA 13D.

F. Section 109.2, Testing and operation, is amended to read as follows:

Equipment requiring periodic testing or operation to ensure maintenance shall be tested or operated as specified in this code and references. To ensure all fire and life safety systems are free of deficiencies and current on testing the fire code official may utilize a third party confidence testing coordination and tracking method.

G. Section 114.8, Securing Property. A new Section 114.8 is added to read as follows:

The owner, occupant or other person having under his/her control any property or materials on a property damaged by fire, explosion or deemed unsafe shall, when ordered by the chief, immediately secure the property against entry or unauthorized access by the public, by boarding up all openings, fencing, barricading or utilizing other appropriate measures.

H. Section 106.3, Work commencing before permit issuance, is amended to read as follows:

A person who commences any work, activity or operation regulated by this code before obtaining the necessary permits shall be subject to double the fees identified for such work,

activity or operation as set forth in the adopted City fee schedule.

J. Section 106.7, Permit Re-Inspection Fee. A new Section 113.7 is added to read as follows:

All initial fees include two field inspections. Inspections required in excess of two may incur additional fees. Re-inspections fees must be paid prior to scheduling an inspection.

K. Section 202, General Definitions, is amended as follows:

Fire department means West Pierce Fire & Rescue which is a municipal corporation in contract to provide services to the City of Lakewood.

L. Section 322, False Alarms. Add a new section to read:

False alarms causing response by emergency response shall be managed in accordance with 320.1 and 320.2.

M. 322.1 False Alarm Complaints.

False alarm complaints shall be filed with the Fire Prevention Division by either the responding fire companies or by the Fire Communication Center.

N. 322.2 Notification and invoicing.

Upon receiving and verifying the validity of a false alarm complaint, the fire code official will notify the owner or manager of the premises to take corrective measures to eliminate problems causing the false alarms. The notice will state that more than four false alarms in a calendar year will result in an invoice for costs in accordance with the city's master fee schedule.

O. Section 503, Fire Apparatus Access Roads, as published in the IFC (unamended by WAC), is adopted and is renamed "Emergency Vehicle (EV) Access" and is amended as follows:

P. Section 503.2.1, Dimensions, is amended to read as follows:

EV access servicing not more than two dwelling units shall not be less than fifteen (15) feet wide. EV access for all other projects shall not be less than 24 feet with no parking, twenty-eight (28) feet with parking on one side and thirty-two (32)

feet with parking on both sides. Unobstructed vertical clearance of not less than 13 feet 6 inches shall be provided. With approval of the City and Fire Marshal a reduced vertical clearance may be approved provided such reduction does not impair EV Access and approved signs are installed and maintained.

- Q. Section 503.2.3, Surface, is amended to read as follows:  
EV access shall be designed and maintained to support the imposed loads of fire apparatus and shall be paved with asphalt or concrete so as to provide all-weather driving capabilities. Exception: access designated "Emergency Vehicles Only" may be designed by a licensed engineer and can be alternative surfacing, as approved by the City engineer.
- R. Section 503.2.4, Turning radius, is amended to read as follows:  
A minimum outside turning radius of forty-five (45) feet shall be provided for all EV Access.
- S. Section 503.2.5, Dead ends, is amended to read as follows:  
Dead-end emergency access roads in excess of 150 feet in length shall be provided with an approved area for turning around emergency vehicles. Dead end turn around specifications shall comply with added sections 503.2.5.1 through 503.2.5.5.
- T. 503.2.5.1 Commercial.  
Commercial/industrial projects may utilize a roundabout or hammerhead design.
- U. Reserved.
- V. Reserved.
- W. 503.2.5.4 Additions or alterations.  
  
Alterations or tenant improvements, on a dead end access road or interior dead end access drive aisle, that increase the number of uses to the site shall construct an EV turnaround.
- X. 503.2.5.5 Turn around design.

Hammerhead turnarounds and cul-de-sac design shall comply with the latest edition of the City of Lakewood Engineering Standards Manual.

Y. 503.2.7 Grade.

The maximum grade (vertical profile grade) of an EV access shall be fifteen (15) percent. All sections of EV accesses with grades over twelve (12) percent shall be paved with 0.17 feet compacted asphalt concrete or its cement concrete equivalent

Z. Section 503.3, Marking, is amended to read as follows:

Approved striping or signs shall be provided and maintained for fire apparatus roads to identify such roads and prohibit the obstruction thereof. Signs and striping shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility.

1. Striping. Painted lines of red traffic paint shall mark fire apparatus access six (6) inches in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" shall appear in four (4) inches of white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on the vertical face of the curb.
2. Signs. Signs shall read "NO PARKING FIRE LANE" and shall be twelve (12) inches wide and eighteen (18) inches high. The signs shall have letters and background of contrasting colors, readily legible from a fifty (50) foot distance. Signs shall be permanently affixed to a stationary post and bottom of the sign shall be six feet, six inches (6'6") above finished grade. Signs shall be spaced not more than fifty (50) feet apart. Signs may be installed on permanent buildings or walls or as approved by the code official.

AA. Section 503.6, Security gates, is amended to read as follows:

The installation of security gates across EV access ways shall be approved by the fire code official and meet the requirements in 503.6.1 through 503.6.3.

BB. 503.6.1 Residential development access.

Gates which serve ten (10) or more dwelling units shall have an Opticom activation system or an equivalent and compatible system that is approved by the fire chief.

CC. 503.6.2 Knox key access.  
Gates shall have rapid-entry key capabilities compatible with the local fire district per IFC, Section 506.

DD. 503.6.3 Automated gate.

All electrically-activated gates shall have default capabilities to the unlocked position.

EE. Section 503.7, Modifications. Add a new Section 503.7, Modifications, to read as follows:

Where site conditions do not allow full compliance, the fire code official may modify emergency vehicle access requirements as necessary to ensure adequate accessibility for emergency responders.

FF. Section 505.1, Address identification, is amended to read as follows:

Building address identification shall comply with added sections 505.1.1 and 505.1.2.

GG. 505.1.1 Commercial.

New and existing commercial buildings shall have approved address numbers, building numbers or approved building identification placed high on the building to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of twelve (12) inches high. Individual unit/suite or space numbers or letters shall be four (4) inches in size and contrasting with the background and visible from the approach side or angle.

HH. 505.1.2 Residential.

New and existing residential structures shall have approved address numbers placed in the position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers

shall be a minimum of four (4) inches high with a minimum stroke of one half (0.5) inch for buildings that are under fifty (50) feet of the street, six (6) inches high with a minimum stroke of one half (0.5) inch for buildings that are over fifty (50) feet of the street. Where access is by means of a private road or driveway and the building cannot be viewed from a public way, a monument, pole or other sign shall be used to identify the structure.

II. Section 507.3.1, Residential Fire Flow Limitations. A new section is added to read as follows:

Residential additions that add more than 50% of the original square footage, which fail to meet required fire flow and/or hydrant distances shall be required to install a fire sprinkler system complying with Section 903.3.1.3.

JJ. Section 507.5.1, Where required, is amended to read as follows:

Any facility or building hereafter constructed or moved into or within the jurisdiction shall be required to provide a hydrant(s), where required by the fire code official, in accordance with appendix C.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirements shall be 350 feet.
2. For Group R-1 and R-2 occupancies, no point of the building shall exceed a 500-foot hose lay distance using a fire department access route between the hydrant and building.
3. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 500 feet.

KK. Section 507.5.1.2 is added to read as follows:

507.5.1.2 Hydrant for fire department connection.

A fire hydrant shall be installed no more than 100 feet from any fire department connection.

LL. Section 507.5.7 is added to read as follows:

Section 507.5.7 Hydrant setback.

All fire hydrants shall be installed at least two (2) feet, but not more than nine (9) feet, from the curb face of a paved street or edge of a designated approved fire access roadway.

All fire hydrants placed on private property shall be adequately protected by either curb stops or concrete post or other approved methods. Such stops shall be the responsibility of the landowner on which the fire hydrant is installed.

MM. Section 507.5.9 is added to read as follows:

Section 507.5.9 Hydrant marking.

An approved blue, two (2) sided reflector shall be utilized to identify each hydrant location. The reflector shall be affixed to the centerline of each roadway or fire access lane.

NN. Section 901.7.7, "Fire watch required" is added to read as follows:

The Fire Chief or their designee, shall determine when Fire Department personnel must conduct a fire watch due to code requirements, excessive occupant load, the unusual nature of the event, the use of pyrotechnics or fireworks, the existence of a hazardous condition, the inoperability of the fire protection system, or other conditions affecting the safety at the event or property. The person responsible for the facility shall pay per the fee schedule for associated costs. If more than one person is required for the fire watch, the person responsible for the facility shall pay a fee per the fee schedule. The Fire Chief or designee will notify the responsible person of the period of the fire watch and the resulting fee prior to the event.

OO. Section 907.2 Where required – add following to section.

All new fire alarm installations shall have full occupant notification.

PP. Section 1103.8.1, Where required, is amended with the addition of the following sentence:

The use of listed exceptions shall not apply to Group R-2 occupancies.

QQ. Section 5307.3.1 Ventilation – Not adopted

Section 7: Section 15.05.090 of the Lakewood Municipal Code, entitled, “Amendments to International Property Maintenance Code,” is replaced with the following.

The International Property Maintenance Code is amended as follows:

A. All references in the IPMC to “code official” are amended to read as “public officer.”

B. Section 101.2, Scope, is amended to read as follows:

101.2 Scope and Purpose

Pursuant to chapter [35.80](#) of the Revised Code of Washington (RCW), the City Council finds that there are within the City of Lakewood, dwellings which are unfit for human habitation and buildings, structures, and premises or portions thereof which are unfit for other uses due to dilapidation, disrepair, structural defects, unpermitted and substandard construction or modification, filth and other conditions attracting insects or vermin or likely to spread disease, defects increasing the hazards of fire, accidents, or other calamities, or other similar conditions and violations of various building, health, and safety regulations, and/or which are vacant, unsecured, and abandoned or apparently abandoned.

Such dwellings, buildings, structures, and premises are dangerous to occupants, threaten the public health, safety, and welfare, attract and harbor vagrants and criminals, offend public values, lower the value of neighboring properties, contribute to neighborhood or community deterioration, and hamper community and economic development.

When the owners or other persons in possession or control of such properties are unwilling or unable to correct such conditions in a proper and timely manner, it is in the interest of the community for the City to intervene and correct, repair, or remove such buildings, structures, and conditions and to pursue all legal means to recover from such persons and/or properties the costs of doing so, including the costs of staff salaries and benefits, materials, contractors, and all other legally recoverable costs and expenses.

C. Section 105, General, is amended to read as follows:

## 105.1 Authority of Public Officer

The Public Officer is hereby authorized to exercise such powers as may be necessary or convenient to carry out and effectuate the purposes and provisions of this Chapter. These powers shall include the following in addition to others granted in this Chapter: (a)(i) To determine which dwellings are unfit for human habitation; (ii) to determine which buildings, structures, or premises are unfit for other use; (b) to administer oaths and affirmations, examine witnesses, and receive evidence; and (c) to investigate the dwelling and other property conditions and to enter upon premises for the purpose of making examinations when the Public Officer has reasonable ground for believing they are unfit for human habitation, or for other use, PROVIDED, that such entries shall be made in such manner as to cause the least possible inconvenience to the persons in possession, and to obtain an order for this purpose after submitting evidence in support of an application which is adequate to justify such an order from a court of competent jurisdiction in the event entry is denied or resisted; PROVIDED FURTHER that the Public Officer may recognize and give appropriate effect to special and extenuating circumstances which, in order to do substantial justice, warrant the exercise of discretion to adjust the timeframes, standards and other provisions of this chapter. Examples of circumstances which may warrant such exercise of discretion include, without limitation, medical illness or disability affecting a property owner's ability to respond to orders or appear at hearings and bona fide insurance coverage disputes which create a definite risk that enforcement of this chapter would unfairly result in a substantial economic loss to the property owner.

## 105.2 Inspection and Complaint

If, after a preliminary investigation of any dwelling, building, structure, or premises, the Public Officer finds that it is dangerous or unfit for human habitation or other use, he shall cause to be served either personally or by certified mail, with return receipt requested, upon all persons having any interest therein, as shown upon the records of the Pierce County Auditor, and shall post in a conspicuous place on such property, a complaint stating in what respects such dwelling, building, structure, or premises is unfit for human habitation or other use. If the whereabouts of any of such

persons is unknown and the same cannot be ascertained by the Public Officer in the exercise of reasonable diligence, and the Public Officer makes an affidavit to that effect, then the serving of such complaint or order upon such persons may be made either by personal service or by mailing a copy of the complaint and order by certified mail, postage prepaid, return receipt requested, to each such person at the address of the building involved in the proceedings, and mailing a copy of the complaint and order by first class mail to any address of each such person in the records of the Pierce County Treasurer-Assessor or Auditor. Such complaint shall contain a notice that a hearing will be held before the Public Officer, at a place therein fixed, not less than ten days nor more than thirty days after the serving of the complaint; and that all parties in interest shall be given the right to file an answer to the complaint, to appear in person, or otherwise, and to give testimony at the time and place in the complaint. The rules of evidence prevailing in courts of law or equity shall not be controlling in hearings before the Public Officer. A copy of such complaint shall also be filed with the Pierce County Auditor and such filing of the complaint or order shall have the same force and effect as other lis pendens notices provided by law.

D. Section 107, Means of Appeal, is deleted and replaced as follows:

#### Section 107.1

Within thirty days from the date of service upon the owner and posting of the decision issued by the Public Officer, the owner or any party in interest may file an appeal with the City Clerk for a hearing before the Hearing Examiner. The rules for hearings before the Hearing Examiner shall be those specified in Chapter [1.36](#) LMC. In addition to the provisions of Chapter [1.36](#) LMC, all matters under this Chapter shall be resolved by the Hearing Examiner within sixty days from the date of filing therewith and a transcript of the findings of fact of the Examiner shall be made available to the owner or other party in interest upon demand. The findings and orders of the Hearing Examiner shall be reported in the same manner and shall bear the same legal consequences as if issued by the Public Officer. Absent an injunction issued by a court of competent jurisdiction, the decision of the Hearing Examiner shall be final thirty days after issuance.

Section 107.2, Limitations of authority is deleted.

Section 107.3, Qualifications is deleted.

Section 107.4, Administration is deleted,

E. Section 108, Board of Appeals, is deleted.

F. Section 110.4, Failure to comply, is deleted and replaced as follows:

Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of five hundred dollars (\$500.00).

G. Section 111, Unsafe structures replaced as follows:

111.4 Notice, replaced to read as Findings and Order.

A. If, after the required hearing, the Public Officer determines that the dwelling is dangerous or unfit for human habitation, or building or structure or premises is unfit for other appropriate use, he/she shall state in writing his/her findings of fact in support of such determination, and shall issue and cause to be served upon the owners and parties in interest thereof, as provided in this section, and shall post in a conspicuous place on the property, an order that (i) requires the owners and parties in interest, within the time specified in the order, to repair, alter, or improve such dwelling, building, structure, or premises to render it fit for human habitation, or for other appropriate use, or to vacate and close the dwelling, building, structure, or premises, if such course of action is deemed proper on the basis of the standards set forth in this section; or (ii) requires the owners and parties in interest, within the time specified in the order, to remove or demolish such dwelling, building, structure, or premises, if this course of action is deemed proper on the basis of those standards. If no appeal is filed, a copy of such order shall be filed with the Pierce County Auditor.

B. In ordering the required course of action to be taken by the owner to abate the unfit or dangerous structure, the Public Officer may order the structure or a portion thereof demolished and not repaired under the following circumstances:

i. The structure is patently illegal with regard to building, zoning, or other regulations.

ii. The estimated cost to repair the structure or portion thereof is more than 50% of the value of the structure or portion thereof; or,

iii. The estimated cost to repair the structure or portion thereof is less than 50% of the value and repairing and/or securing the structure from entry would, nevertheless, cause or allow the structure to remain a hazard or public nuisance.

The value of the structure shall be as determined by the Pierce County Assessor-Treasurer. In estimating the cost of repairing the structure, the Public Officer may rely upon such cost estimating publication or method the Building Official deems appropriate.

H. Section 111.10, General, is amended by the addition of the following paragraph:

In enforcement of this section, the Public Officer may have the structure demolished, even if the order does not require demolition, if the estimated cost to repair the structure or portion thereof is less than 50% of the value and the structure is abandoned or the owner is unresponsive, and repairing and/or securing the structure from entry would, nevertheless, cause or allow the structure to remain a hazard or public nuisance, continue a non-conforming use, or otherwise be an unreasonable use of public funds.

I. A new section titled 114 Enforcement of Order, is added.

Section 114.1, Enforcement of order, is added and reads as follows: If the owners or parties in interest, following exhaustion of his or her rights to appeal, fails to comply with the final order to repair, alter, improve, vacate, close, remove, or demolish the dwelling, building, structure, or premises, the Public Officer may direct or cause such dwelling, building, structure, or premises to be repaired, altered, improved, vacated and closed, removed, or demolished.

In the enforcement of this section, the Public Officer is authorized to enter the structure and/or premises for inspection, testing, sampling, or other purposes preparatory to and in the conduct of the repairs, demolition, or other actions, to hire contractors as necessary to perform the work, and to spend public funds to complete the work.

Section 114.2, Sale or disposal of materials, is added and reads as follows:

Prior to removing or demolishing the dwelling, building, structure, or premises, the Public Officer shall, if reasonably possible, attempt to sell the materials and/or contents of the dwelling, building, structure, or premises, and shall credit the proceeds of such sale against the cost of the removal or demolition and, if there be any balance remaining, it shall be paid to the parties entitled thereto, as determined by the Public Officer, after deducting the costs incident thereto.

Section 114.3, Recovery of expenses, is added and reads as follows: The amount of the cost of such repairs, alterations or improvements; or vacating and closing; or removal or demolition by the Public Officer, shall be assessed against the real property upon which such cost was incurred unless such amount is previously paid. Pursuant to RCW [35.80.030\(1\)\(h\)](#), the amount of such costs shall constitute a lien against the property of equal rank with state, county, and municipal taxes.

For purposes of this section, the cost of vacating and closing shall include (i) the amount of relocation assistance payments that a property owner has not repaid to the City of Lakewood or other local government entity that has advanced relocation assistance payments to tenants under RCW [59.18.085](#); (ii) all penalties and interest that accrue as a result of the failure of the property owner to timely repay the amount of these relocation assistance payments under RCW [59.18.085](#); and (iii) all other reasonable expenses, including but not limited to, the costs of staff time, materials, incidentals, mailing, publishing, and recording notices. Upon certification to him, by the Public Officer, of the assessment amount being due and owing, the County Assessor/Treasurer shall enter the amount of such assessment upon the tax rolls against the property for the current year and the same shall become a part of the general taxes for that year to be collected at the same time and with interest at such rates and in such manner as provided for in RCW [84.56.020](#) for delinquent taxes, and when collected to be deposited to the credit of the general fund of the City.

#### J. Section 202, General definitions

"Public Officer" shall mean any officer who is in charge of any department or branch of the government of the municipality or county relating to health, fire, building regulation, or other

activities concerning dwellings, buildings, structures, or premises in the municipality or county.

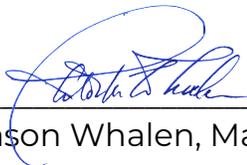
Section 8 Savings Clause: No offense committed and no penalty or forfeiture incurred prior to the effective date of this Ordinance nor any proceeding undertaken to enforce the provisions so repealed shall be affected by such a repeal and the same shall proceed in all respects, as if such provision had not been repealed. Furthermore, any act undertaken pursuant to any provision so repealed is not intended to be lost, impaired or affected by this Ordinance.

Section 9 Severability: If any sections, sentence, clause or phrase of this Ordinance shall be held to be invalid or unconstitutional by a court of component jurisdiction, or its application held inapplicable to any person, property or circumstance, such invalidity or unconstitutionality or inapplicability shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance or its application to any other person, property or circumstance.

Section 10 Effective Date: This Ordinance shall be in full force and effect thirty (30) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 4th day of March, 2024.

CITY OF LAKEWOOD

  
\_\_\_\_\_  
Jason Whalen, Mayor

Attest:

  
\_\_\_\_\_  
Briana Schumacher, City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Heidi Ann Wachter, City Attorney