



SEATTLE CITY COUNCIL

Legislative Summary

CB 118974

Record No.: CB 118974

Type: Ordinance (Ord)

Status: Passed

Version: 2

Ord. no: Ord 125343

In Control: City Clerk

File Created: 04/11/2017

Final Action: 07/14/2017

Title: AN ORDINANCE relating to housing and building maintenance, amending Seattle Municipal Code Sections 22.202.080, 22.206.020, 22.206.040, 22.206.050, 22.206.080, 22.206.090, 22.206.110, 22.206.130, 22.206.140, 22.206.160, 22.206.170, 22.214.050, and 22.214.086; and amending Ordinance 124011.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: Johnson

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: bonita.chinn@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	Mayor	05/02/2017	Mayor's leg transmitted to Council	City Clerk			
1	City Clerk	05/02/2017	sent for review	Council President's Office			
	Action Text: The Council Bill (CB) was sent for review. to the Council President's Office						
	Notes:						
1	Council President's Office	05/05/2017	sent for review	Planning, Land Use, and Zoning Committee			
	Action Text: The Council Bill (CB) was sent for review. to the Planning, Land Use, and Zoning Committee						
	Notes:						
1	Full Council	05/15/2017	referred	Planning, Land Use, and Zoning Committee			

Legislative Summary Continued (CB 118974)

- | | | | | |
|---|--|------------|---------------------------------|--|
| 1 | Planning, Land Use, and Zoning Committee | 06/06/2017 | discussed | |
| | Action Text: The Council Bill (CB) was discussed. | | | |
| 1 | Planning, Land Use, and Zoning Committee | 06/20/2017 | pass as amended | Pass |
| | Action Text: The Committee recommends that Full Council pass as amended the Council Bill (CB). | | | |
| | Notes: | | | |
| | | | In Favor: 2 | Chair Johnson, Member Herbold |
| | | | Opposed: 0 | |
| 2 | Full Council | 07/10/2017 | passed | Pass |
| | Action Text: The Council Bill (CB) was passed by the following vote, and the President signed the Bill: | | | |
| | | | In Favor: 9 | Councilmember Bagshaw, Councilmember Burgess, Councilmember González, Council President Harrell, Councilmember Herbold, Councilmember Johnson, Councilmember Juarez, Councilmember O'Brien, Councilmember Sawant |
| | | | Opposed: 0 | |
| 2 | City Clerk | 07/12/2017 | submitted for Mayor's signature | Mayor |
| 2 | Mayor | 07/14/2017 | Signed | |
| 2 | Mayor | 07/14/2017 | returned | City Clerk |
| 2 | City Clerk | 07/14/2017 | attested by City Clerk | |
| | Action Text: The Ordinance (Ord) was attested by City Clerk. | | | |
| | Notes: | | | |
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CITY OF SEATTLE

ORDINANCE 125343

COUNCIL BILL 118974

AN ORDINANCE relating to housing and building maintenance, amending Seattle Municipal Code Sections 22.202.080, 22.206.020, 22.206.040, 22.206.050, 22.206.080, 22.206.090, 22.206.110, 22.206.130, 22.206.140, 22.206.160, 22.206.170, 22.214.050, and 22.214.086; and amending Ordinance 124011.

WHEREAS, the safety and maintenance of rental housing are City priorities, as represented by the Housing and Building Maintenance Code and the Rental Registration and Inspection Ordinance; and

WHEREAS, the City Council directed the Seattle Department of Construction and Inspections to convene stakeholders to identify opportunities to improve the auditing of private qualified rental housing inspectors performing inspections under the Rental Registration and Inspection Ordinance; and

WHEREAS, rental property inspections by both City and private qualified rental housing inspectors should be conducted in a consistent manner to ensure that safety or maintenance conditions are not missed; and

WHEREAS, the Section 59.18.125 of the Revised Code of Washington (RCW) sets the framework for rental registration programs, which includes a requirement for private inspectors to submit inspection results to the local municipality; and

WHEREAS, three years of experience with the Rental Registration and Inspection Ordinance has shown a need for more conformity with the safety and maintenance requirements of the Housing and Building Maintenance Code; and

1 WHEREAS, the dangers of lead paint were not widely understood when the Housing and
2 Building Maintenance Code was drafted, and it contains no standards for remediation of
3 lead hazards; and

4 WHEREAS, the requirements for carbon monoxide alarms now exist in state law but are not
5 addressed in the Housing and Building Maintenance Code, and requirements for smoke
6 detectors have become more stringent; and

7 WHEREAS, many other provisions relating to housing safety and security have not been
8 significantly updated in the Housing and Building Maintenance Code since 1987, and
9 building and residential code standards have changed during that time period, making
10 many standards and references out of date; NOW, THEREFORE,

11 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

12 Section 1. Section 22.202.080 of the Seattle Municipal Code, last amended by Ordinance
13 125054, is amended as follows:

14 **22.202.080 Documentation of notices**

15 All written notices required by Chapters 22.200 through 22.208 to be provided to or
16 served on tenants by property owners, or on property owners by tenants, shall be documented in
17 such a manner as to confirm the date on which the notice was received. The use of email is
18 allowed for written notices required under ~~((Section))~~ subsections 22.206.180.J.1,
19 22.206.180.J.2, and 22.206.180.J.3.

1 Section 2. Section 22.206.020 of the Seattle Municipal Code, last amended by Ordinance
2 115671, is amended as follows:

3 **22.206.020 Floor area ((:))**

4 A. Every dwelling unit shall have at least one ~~((4))~~ habitable room, which shall
5 have not less than ~~((one hundred twenty (120)))~~ 120 square feet of floor area.

6 B. No habitable room except a kitchen may be less than ~~((seven feet (7')))~~ 7 feet in
7 any floor dimension.

8 C. Every room used for sleeping purposes, including an SRO unit, shall have not less
9 than ~~((seventy (70)))~~ 70 square feet of floor area. Every room, except an SRO unit, which is used
10 for both cooking and living or both living and sleeping quarters shall have a floor area of not less
11 than ~~((one hundred thirty (130)))~~ 130 square feet if used or intended to be used by only one
12 ~~((4))~~ occupant, or of not less than ~~((one hundred fifty (150)))~~ 150 square feet if used or
13 intended to be used by two ~~((2))~~ occupants. Where more than two ~~((2))~~ persons occupy a
14 room used for sleeping purposes, the required floor area shall be increased at the rate of ~~((fifty~~
15 ~~(50)))~~ 50 square feet for each occupant in excess of two ~~((2))~~ .

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

20 E. The required floor area square footage of all dwelling units, dormitories, and SRO
21 units shall not include built-in equipment which extends from the floor to ~~((thirty inches (30")))~~
22 30 inches above the floor, including but not limited to wardrobes, cabinets, and kitchen sinks or
23 appliances.

1 Section 3. Section 22.206.040 of the Seattle Municipal Code, last amended by Ordinance
2 123546, is amended as follows:

3 **22.206.040 Light and ventilation**

4 A. Every habitable room in a housing unit shall have a window or windows
5 providing natural light with an area of not less than 8 percent of the floor area of the room, but in
6 no event shall such area be less than 10 square feet; provided, that an approved system of
7 artificial light compliant with current Seattle Building Code standards may be used in lieu of the
8 window or windows required (~~(in kitchens)~~) by this section.

9 B. Every habitable room in a housing unit and every laundry room shall have natural
10 ventilation from an exterior opening with an area (~~((not less than two and one-half percent~~
11 ~~(2.5%))~~) measuring at least 4 percent of the floor area of the room (~~((but in no event less than two~~
12 ~~and one-half (2½) square feet))~~) . In lieu of required exterior openings for natural ventilation in all
13 habitable rooms and in laundry rooms, a mechanical ventilating system may be provided. Such
14 system shall comply with the requirements of the Seattle Energy Code in effect on the date of
15 installation and applicable requirements of the Mechanical Code.

16 C. Every bathroom and water closet compartment shall be provided with natural
17 ventilation by means of exterior openings with an area not less than five percent (~~((5%))~~) of the
18 floor area of the room, but in no event shall such area be less than (~~((one and one-half (1½))~~) 1.5
19 square feet; provided, that in lieu of required exterior openings for natural ventilation, a
20 mechanical ventilating system or vent shafts may be provided. Such system shall comply with
21 the requirements of the Seattle Energy Code in effect on the date of installation and applicable
22 requirements of the Seattle Mechanical Code. If a mechanical ventilation system is provided in
23 laundry rooms or similar rooms, it shall be connected to the outside.

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

5 E. Required exterior openings for natural light or natural ventilation shall open
6 directly onto a street or public alley, or a yard or court adjacent to the required exterior opening;
7 provided, that required exterior openings may open onto a roofed porch where the porch:

- 8 1. Abuts a street, yard, or court; and
- 9 2. Has a ceiling height of not less than (~~six feet, eight inches (6'8")~~) 6 feet,
10 8 inches; and
- 11 3. Is at least (~~sixty-five percent (65%)~~) 65 percent open and unobstructed
12 for its length, or is open at both ends.

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

15 Section 4. Section 22.206.050 of the Seattle Municipal Code, last amended by Ordinance
16 115671, is amended as follows:

17 **22.206.050 Sanitation**

18 A. Dwelling Units. Every dwelling unit shall contain a toilet, a (~~lavatory~~) bathroom
19 sink, and a bathtub or shower in a separate room or rooms which shall be accessible from inside
20 the dwelling unit. The only access from a bedroom to the only bathroom shall not be through
21 another bedroom. No toilet shall be located in any room or space used for the preparation of
22 food, nor shall a room containing a toilet open directly into any such room or space unless the
23 toilet room has a tight-fitting door.

1 B. Hotels. Every hotel that does not provide private toilets, (~~lavatories~~) bathroom
2 sinks, bathtubs, or showers shall have on each floor, accessible from a public hallway, at least
3 one (~~(1)~~) toilet, one (~~(1)~~) (~~lavatory~~) bathroom sink, and one (~~(1)~~) bathtub with shower or
4 one (~~(1)~~) separate shower for each ten (~~(10)~~) occupants or portion thereof. For each additional
5 ten (~~(10)~~) occupants, or portion thereof, an additional one (~~(1)~~) toilet, one (~~(1)~~ ~~lavatory~~)
6 bathroom sink, and one (~~(1)~~) bathtub with shower or separate shower accessible from a public
7 hallway shall be provided.

8 C. Other Buildings. Every building, other than a hotel, containing housing units that
9 do not have private toilets, (~~lavatories~~) bathroom sinks, and bathtubs or showers shall contain at
10 least one (~~(1)~~) toilet, one (~~(1)~~) (~~lavatory~~) bathroom sink, and one (~~(1)~~) bathtub or shower,
11 accessible from a public hallway, for each eight (~~(8)~~) occupants or portion thereof. On floors
12 with fewer than eight (~~(8)~~) housing units, the required sanitary facilities may be provided on an
13 adjacent floor if the floor on which facilities are provided is directly and readily accessible to
14 such occupants and if such use does not cause the facilities to be used by a total of more than
15 eight (~~(8)~~) persons.

16 D. Kitchens. Every dwelling unit shall have a kitchen. Every kitchen shall have an
17 approved kitchen sink with at least 30 inches of floor space in front, hot and cold running water,
18 counter work-space, and cabinets for storage of cooking utensils and dishes. A kitchen shall also
19 have approved cooking appliances and refrigeration facilities or adequate space and approved
20 gas or electric hookups for their installation. All cooking appliances and refrigeration facilities
21 shall be maintained in a safe and good working condition by the owner or furnisher of the
22 appliance. Unapproved cooking appliances shall be prohibited. Splash backs and countertops
23 shall have an impervious surface.

1 E. Fixtures. All plumbing fixtures shall be trapped and vented and connected to an
2 approved sanitary sewer or to an approved private sewage disposal system. All toilets shall be
3 flush type and in good working order. Every discharge opening of the spout of a water supply
4 outflow (faucet) shall be not less than (~~(one inch (one"))~~) 1 inch above the flood rim of the
5 fixture into which it discharges.

6 F. Water Supply. There shall be an approved system of water supply, providing both
7 hot and cold running water. Hot water for the required kitchen sink, (~~(lavatory)~~) bathroom sink,
8 and bathtub or shower shall be provided at a temperature of not less than (~~(one hundred)~~) 100
9 degrees Fahrenheit (~~((100° F.))~~) at all times at the fixture outlet, to be attained within
10 approximately two (~~((2))~~) minutes after opening the fixture outlet. Prior to a new tenant
11 occupying of a housing unit in which hot water is supplied from an accessible, individual water
12 heater, the water heater shall be set by the owner at a temperature not higher than (~~(one hundred~~
13 ~~twenty)~~) 120 degrees Fahrenheit (~~((120° F.))~~) or the minimum setting on any water heater which
14 cannot be set at (~~(one hundred twenty)~~) 120 degrees Fahrenheit (~~((120° F.))~~) ; provided, that
15 buildings, other than one- and two-family dwellings, in which hot water is supplied by a central
16 water-heater system need not comply with this requirement.

17 G. Maintenance. All sanitary facilities, fixtures, equipment, structures, and premises,
18 including gas piping and temperature pressure relief valves, shall be maintained in a safe and
19 sanitary condition, and in good working order.

20 H. Fuel Shutoff Valves. An approved accessible shutoff valve shall be installed in
21 the fuel-supply piping outside of each appliance and ahead of the union connection thereto, and
22 in addition to any valve on the appliance. Shutoff valves shall be within (~~((three feet (3'))~~) 3 feet
23 of the appliance. Shutoff valves may be located immediately adjacent to and inside or under an

1 appliance when placed in an accessible and protected location and when such appliance may be
2 removed without removal of the shutoff valve.

3 Section 5. Subchapter II of Chapter 22.206 of the Seattle Municipal Code is amended as
4 follows:

5 **Subchapter II Minimum Structural and Maintenance Standards**

6 * * *

7 Section 6. Section 22.206.080 of the Seattle Municipal Code, last amended by Ordinance
8 115671, is amended as follows:

9 **22.206.080 Maintenance**

10 A. Every foundation, roof, exterior wall, door, skylight, window, and all building
11 components shall be reasonably (~~weathertight~~) weather-tight, watertight, damp-free and
12 (~~rodentproof~~) rodent proof, and shall be kept in a safe, sound, and sanitary condition and in
13 good repair.

14 B. All appurtenant structures, floors, floor coverings, interior walls, and ceilings
15 shall be kept in a safe, sound, and sanitary condition and in good repair.

16 C. Any repair or removal of asbestos materials shall comply with regulations of the
17 Environmental Protection Agency and the Puget Sound Clean Air (~~Pollution Control~~) Agency.

18 D. Painted interior surfaces must be maintained free from peeling and chipping and
19 other deterioration. In any structure built before 1978, removal, repair, or other disturbance of
20 painted surfaces must comply with the lead-based paint provisions of Revised Code of
21 Washington, Chapter 70.103 RCW, and associated regulations in the Washington Administrative
22 Code, Chapter 365-230 WAC, including appropriate management and disposal of dust and debris
23 and use of a certified individual qualified to paint, renovate, and repair areas containing lead-

1 based paint. In any structure built before 1978, if a damaged surface is more than 2 square feet in
2 area per room or equivalent or more than 10 percent of the total surface area of a component
3 such as a windowsill or window frame, the Director may require documentation that any work
4 was done by a certified individual. Use of a certified individual for repairs to a surface with
5 deteriorated paint is not required if a report from a laboratory accredited under the National Lead
6 Laboratory Accreditation Program certifies that lead levels do not exceed maximum allowable
7 levels under state and federal law. The report must specify the specific location or locations at
8 the site that correlate to the test results.

9 ((D)) E. Underfloor areas other than basements shall have adequate ventilation.
10 The ventilation opening shall be provided in exterior walls and shall be screened. The total
11 ventilation opening shall be at least equal to ~~((one-tenth (1/10)))~~ 1/10 of ~~((one (1)))~~ 1 percent of
12 the underfloor area. Ventilation openings shall be located so as to insure a cross-current of air.
13 These openings may be equipped with an approved, thermally operated damper device.

14 ((E)) F. An attic access opening shall be provided in the ceiling of the top floor of
15 buildings with combustible ceiling or roof construction. The opening shall be readily accessible,
16 and shall have dimensions of not less than ~~((twenty (20)))~~ 20 inches by ~~((twenty-four (24)))~~ 24
17 inches.

18 ((F)) G. Toxic paint and other toxic materials shall not be used in areas readily
19 accessible to children.

20 ((G)) H. All exterior wood surfaces, other than decay-resistant woods, shall be
21 protected from the elements and decay by paint or other approved protective covering or
22 treatment.

1 ((H)) I. All premises shall be graded and drained, and all premises and structures
2 shall be free of standing water and maintained in a safe condition.

3 ((F)) J. All additions, alterations, or repairs, including but not limited to additions,
4 alterations, or repairs made in response to a notice of violation, shall comply with the provisions
5 of the Seattle Building, Electrical, Plumbing, and Mechanical Codes in effect at the time of the
6 work unless a different standard is expressly permitted by this Code.

7 Section 7. Section 22.206.090 of the Seattle Municipal Code, last amended by Ordinance
8 123546, is amended as follows:

9 **22.206.090 Heating**

10 A. Minimum ~~((Heating Equipment))~~ heating equipment. Every housing unit shall
11 have permanently installed, functioning heating facilities and an approved power or fuel supply
12 system which are capable of maintaining a minimum room temperature of 68 degrees Fahrenheit
13 measured at a point 3 feet above the floor and 2 feet from exterior walls in all habitable rooms,
14 baths, and toilet rooms, when the outside temperature is 24 degrees Fahrenheit or higher. When
15 the outside temperature is less than 24 degrees Fahrenheit, the permanently installed, functioning
16 heating facility and approved power or fuel supply system must be capable of maintaining an
17 average room temperature of at least 58 degrees Fahrenheit, measured at a point 3 feet above the
18 floor and 2 feet from exterior walls, in all habitable rooms, baths, and toilet rooms.

19 B. ~~((Heating Devices))~~ heating devices. All heating devices and appliances,
20 including but not limited to furnaces, fireplaces, electric baseboard heaters, and water heaters,
21 shall be of an approved type, in good and safe working order, and shall meet all installation and
22 safety codes. Approved, unvented portable oil-fueled heaters may be used as a supplemental heat
23 source provided that such heaters shall not be located in any sleeping room or bathroom, as

1 provided by ~~((SMC))~~ Chapter 22.400, Section ~~((807(a)))~~ 303.3. Ventilation for rooms and areas
2 containing fuel-burning appliances shall be adequate for proper combustion.

3 Section 8. Section 22.206.110 of the Seattle Municipal Code, last amended by Ordinance
4 115671, is amended as follows:

5 **22.206.110 Electrical equipment ~~((r))~~**

6 A. All electrical equipment, wiring, and appliances shall be of an approved type,
7 installed in accordance with applicable provisions of the Seattle Electrical Code in effect at the
8 time of installation, unless otherwise specified in this Code,¹ and safely maintained. Every
9 dwelling unit must have access to its electrical panel.

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

13 C. Every kitchen shall be provided with not less than three ~~((3))~~ electrical
14 receptacle outlets and one ~~((1))~~ supplied light fixture. One ~~((1))~~ electrical appliance receptacle
15 outlet properly installed as a part of a lawfully installed electric or gas kitchen range shall be
16 accepted in lieu of one ~~((1))~~ of the required receptacle outlets in a kitchen. In all cases, at least
17 one ~~((1))~~ of the wall-mounted receptacle outlets shall not be obscured, either partially or
18 otherwise by floor-mounted appliances. All receptacle outlets within 3 feet of any water source
19 must be of a ground fault interrupter style of receptacle installed in accordance with
20 manufacturer's standards.

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

1 electric light fixture may be required to provide sufficient lighting for safe exit. Such required
2 light fixture or fixtures shall be located so as to provide sufficient lighting for safe exit. All
3 receptacle outlets within 3 feet of any water source must be of a ground fault interrupter style of
4 receptacle installed in accordance with manufacturer's standards. In buildings with more than
5 two dwelling units, in the event of power supply failure, an emergency power system must
6 illuminate the path of exit.

7 ¹ **Editor's note**—The Electrical Code is codified in Subtitle III of this Title.

8 Section 9. Section 22.206.130 of the Seattle Municipal Code, last amended by Ordinance
9 123546, is amended as follows:

10 **22.206.130 Requirements**

11 A. Stairs and ~~((Stairway Construction.))~~ stairways

12 1. All stairs, except stairs to inaccessible service areas, exterior stairs on
13 grade and winding, circular, or spiral stairs, shall have a minimum run of 10 inches and a
14 maximum rise of ~~((7¾))~~ 7 3/4 inches and a minimum width of 36 inches from wall to wall. The
15 rise and run may vary no more than 3/8 inch in any flight of stairs.

16 2. All stairs, including exterior stairs on grade and winding, circular, and
17 spiral stairs, shall be in good repair and shall be configured for safe use and travel.

18 3. Every stairway having more than three risers, except stairs to inaccessible
19 service areas, shall have at least one handrail of an easily grasped size and shape mounted not
20 less than 34 inches or more than 38 inches above the tread nose. The ends of the handrail must
21 either be returned or end in newel posts or safety terminals.

22 4. A landing having minimum horizontal dimension of ~~((30))~~ 36 inches shall
23 be provided at each point of access to a stairway including the top and bottom of the stairway;

1 provided, that stairs to an inaccessible service area need not have such a landing. A door that
2 swings away from a stairway is considered to have created a landing in the area of its swing.

3 5. Every required stairway shall have headroom clearance of not less than 6
4 feet 8 inches measured vertically from the nearest tread nose to the nearest soffit.

5 6. Stairs or ladders within an individual dwelling unit used to gain access to
6 intermediate floor areas of less than 400 square feet and not containing the primary bathroom or
7 kitchen are exempt from the requirements of this subsection 22.206.130.A.

8 B. Number of ~~((Exits:))~~ exits

9 1. Occupied floors containing one ~~((1))~~ or more housing unit(s) above the
10 first floor or on any floor where the means of egress does not discharge within ~~((four (4)))~~ 4 feet,
11 measured vertically, of adjacent ground level shall have access to not less than two ~~((2))~~
12 unobstructed exits that meet the standards of ~~((SMC Section))~~ subsection 22.206.130.A;
13 provided, that:

14 a. Housing units may have a single exit if located on a second floor
15 that has an occupant load of not more than ten ~~((10))~~ persons or in a basement that has an
16 occupant load of not more than ten ~~((10))~~ persons; or

17 b. A housing unit may have a single exit if the exit leads directly to a
18 street, alley, other public right-of-way, or yard:

19 i. At ground level, or

20 ii. By way of an exterior stairway, or

21 iii. By way of an enclosed stairway with a fire-resistant rating
22 of one ~~((1))~~ hour or more that serves only that housing unit and has no connection with any

1 other floor below the floor of the housing unit being served or any other area not a part of the
2 housing unit being served; or

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

5 i. An approved automatic fire-sprinkler system is provided
6 for exit ways and common areas in the building, or

7 ii. Built to the single exit requirements ~~((of Code Alternate
8 1004.2b of the 1997 Seattle Building Code, adopted by Ordinance 119079, or the single exit
9 provisions))~~ of the building code in effect when the building was constructed, altered,
10 rehabilitated, or repaired. ~~((, whichever is least restrictive.))~~

11 2. Floors other than those containing housing units shall meet the exit
12 standards of the building code in effect when the building, structure, or premises was constructed
13 or, if altered, rehabilitated, or repaired, shall meet the exit standards in effect when the floor was
14 altered, rehabilitated, or repaired.

15 3. If two ~~((2))~~ exits are required, a fire escape that meets the standards of
16 subsection 22.206.130.D may be used as one ~~((1))~~ of the required exits.

17 C. Stairway ~~((Enclosures.))~~ enclosures

18 1. The standards for stairway enclosures are as follows:

19 a. The walls of all portions of a stairway enclosure shall be at least
20 one ~~((1))~~ hour fire-resistive construction. Materials fastened to walls or floors of stairway
21 enclosures shall comply with the ~~((1997 Seattle Building Code adopted by Ordinance 119079,
22 Section 804))~~ 2015 Seattle Building Code Section 806; provided, that:

1 i. Existing partitions forming part of a stairway enclosure
2 shall be permitted in lieu of ~~((one (1)))~~ one-hour fire-resistive construction if they are constructed
3 of lath and plaster that is not cracked, loose, or broken; or

4 ii. Existing wainscoting and other decorative woodwork that
5 was lawful at the time of installation is permitted if it is coated with an approved fire-retardant.

6 b. Each opening onto a stairway enclosure shall be protected by a
7 self-closing fire door and latching assembly providing fire-resistance equivalent to that provided
8 by a solid wood door and assembly at least ~~((one and three-fourths (1³/₄)))~~ 1 3/4 inches thick.

9 2. Stairway enclosures need not meet the above standards if:

10 a. A lawfully installed automatic fire-extinguishing system is
11 provided for all corridors, stairs, and common areas within the building;

12 b. The stairway enclosure connects to only two ~~((2))~~ floors and is
13 not connected to corridors or stairways serving other floors; or

14 c. The stairway enclosure is in a dwelling unit.

15 D. Fire Escapes. An existing fire escape that is structurally sound may be used as one
16 ~~((1))~~ means of egress, provided that the pitch does not exceed ~~((sixty (60)))~~ 60 degrees, the
17 width is not less than ~~((eighteen (18)))~~ 18 inches, the run of the treads is not less than ~~((four (4)))~~
18 4 inches, and the fire escape extends to the ground or is provided with counterbalanced stairs
19 reaching to the ground. Access to a fire escape shall be from an opening having a minimum
20 dimension of ~~((twenty-nine (29)))~~ 29 inches in all directions when open. The sill of a fire escape
21 window shall be no more than ~~((thirty (30)))~~ 30 inches above the floor and the exterior landing.

22 E. Corridors, ~~((Doors and Openings.))~~ doors, and openings

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

3 2. Existing dead-end corridors longer than ~~((thirty (30)))~~ 30 feet that serve
4 housing units shall be eliminated, unless an approved automatic sprinkler system is lawfully
5 installed throughout the affected corridor, or unless approved smoke detectors are lawfully
6 installed outside the door of each housing unit whose corridor exit door is located beyond the
7 ~~((thirty (30)))~~ 30-foot limitation. The detectors may be self-contained or installed as part of the
8 electrical system.

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

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

16 5. All doors opening into a corridor, and not included as part of a stairway
17 enclosure, shall be of solid wood at least ~~((one and three eighths (1 3/8)))~~ 1 3/8 inches thick, or
18 shall provide equivalent fire-resistance, except that doors opening directly to the outside, and
19 doors in buildings where a lawfully installed automatic fire-sprinkler system is provided
20 throughout all exit ways and other public rooms and areas within the building need not meet this
21 standard.

1 6. Transoms and openings other than doors, from corridors to rooms shall be
2 fixed closed and shall be covered with a minimum of ~~((five eighths (5/8) inch))~~ 5/8-inch gypsum
3 Type "X" wallboard on both sides.

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

6 8. All corridor walls, floors and ceilings shall be of one ~~((1))~~ hour fire-
7 resistive construction, or shall be repaired in accordance with codes and ordinances in effect at
8 the time the corridor was constructed.

9 F. Exit Signs. Every exit doorway or change of direction of a corridor shall be
10 marked with a well-lighted exit sign or placard having green, legible letters at least ~~((five (5)))~~ 5
11 inches high. In the event of power supply failure, an emergency power system must illuminate
12 the exit signs or placards.

13 G. Enclosure of ~~((Vertical Openings.))~~ vertical openings

14 1. Elevator shafts and other vertical openings shall be protected with
15 construction as required for stairway enclosures in subsection 22.206.130.C.1 or by fixed wire-
16 glass set in steel frames, or by assemblies that comply with Chapter 7 of the ~~((1997))~~ 2015
17 Seattle Building Code ~~((adopted by Ordinance 119079))~~.

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

20 H. Separation of ~~((Occupancies))~~ occupancies. Occupancy separations shall be
21 provided as specified in ~~((Section 302 and Table 3-B of the 1997 Seattle Building Code adopted~~
22 ~~by Ordinance 119709))~~ Section 508 and Table 508.4 of the 2015 Seattle Building Code.

1 I. Guardrails. A guardrail shall be provided whenever walking surfaces, including
2 stairs, are ~~((thirty (30)))~~ 30 inches or more above adjacent surfaces, except in building service
3 areas. Every guardrail shall be at least ~~((thirty-six (36)))~~ 36 inches in height unless it is an
4 existing guardrail that was in compliance with the standards in effect at the time the guardrail
5 was constructed, is in good condition, and is between ~~((twenty-eight (28)))~~ 28 and ~~((forty-two~~
6 ~~(42)))~~ 42 inches in height. Open guardrails shall have intermediate rails placed so that a sphere 4
7 inches or less in diameter cannot pass through.

8 J. Emergency ~~((Escape Windows and Doors.))~~ escape windows and doors

9 1. Every room below the fourth story that was constructed for, converted to,
10 or established for sleeping purposes after August 10, 1972, shall have at least ~~((one (1)))~~ one
11 operable window or exterior door approved for emergency escape or rescue.

12 2. Emergency escape windows and doors shall not open into an area without
13 a means of escape. The emergency escape window or door shall be operable from the inside to
14 provide a full clear opening without the use of separate tools. All emergency escape windows
15 shall have a minimum net clear opening of 5.7 square feet. The minimum net clear openable
16 height dimension shall be ~~((twenty-four inches (24")))~~ 24 inches. The minimum net clear
17 openable width dimension shall be ~~((twenty inches (20")))~~ 20 inches. When a window is
18 provided as a means of escape or rescue, it shall have a finished sill height not more than ~~((forty-~~
19 ~~four inches (44")))~~ 44 inches above the floor. Emergency escape windows with sill heights
20 greater than 44 inches above finished floor but 52 inches or less may have one step with a
21 maximum height of eight inches and permanently fixed to the wall the full length of the openable
22 portion of the window.

1 3. Every room below the fourth story used for sleeping purposes that had on
2 January 1, 1990, an operable window or door that met the requirements of Section 1204 of the
3 1985 Seattle Building Code adopted by Ordinances 113700 and 113701, ~~((as amended,))~~ for
4 emergency escape or rescue, regardless of the date of construction of the building, shall maintain
5 that operable window or door as required by subsection 22.206.130.J.2.

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

8 1. Such devices are equipped with approved release mechanisms that are
9 openable from the inside without the use of a key or special knowledge or effort; and

10 2. The building is equipped with smoke detectors and carbon monoxide
11 alarms as required by this Code.

12 L. ~~((Dwellings))~~ One- and two-family dwellings are exempt from the requirements
13 of subsections 22.206.130.B through 22.206.130.H ~~((of this section))~~ ; provided, that for
14 purposes of this subsection 22.206.130.L, no building containing residential and commercial
15 uses or other similar mixed uses is considered a dwelling.

16 Section 10. Section 22.206.140 of the Seattle Municipal Code, last amended by
17 Ordinance 115671, is amended as follows:

18 **22.206.140 Requirements ~~((=))~~**

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

22 1. All building entrance doors, except building entrance doors which open
23 directly into a single housing unit, shall be self-closing, self-locking, and equipped with a

1 deadlatch with at least a ~~((one-half inch (1/2")))~~ 1-inch throw which penetrates the striker at least
2 ~~((one-quarter inch (1/4")))~~ 1/2 inch; provided, that the main entrance door need not be self-locking
3 if an attendant is present and on duty ~~((twenty-four (24)))~~ 24 hours per day.

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

9 3. When garage-to-exterior doors are equipped with an electrically operated
10 remote control device for opening and closing, garage-to-building doors need not be self-locking.
11 When either the garage-to-exterior doors or garage-to-building doors are equipped for self-
12 closing and self-locking, the other need not be so equipped.

13 4. Entrance doors from interior corridors to individual housing units shall not
14 have glass openings and shall be capable of resisting forcible entry equal to a single-panel or
15 ~~((hollow))~~ solid-core door ~~((one and three eighths inches (1 3/8")))~~ 1 3/8 inches thick.

16 5. Every entrance door to an individual housing unit shall have a dead bolt or
17 deadlatch with at least a ~~((one-half inch (1/2")))~~ 1/2-inch throw which penetrates the striker not
18 less than ~~((one-quarter inch (1/4")))~~ 1/4 inch. The lock shall be so constructed that the dead bolt or
19 deadlatch may be opened from inside without use of a key. In hotels and other multi-unit
20 buildings that provide housing for rent on a daily or weekly basis, every entrance door to
21 individual units shall have a chain door guard or barrel bolt on the inside.

22 6. Every entrance door to an individual housing unit, other than transparent
23 doors, shall have a visitor-observation port, which port shall not impair the fire-resistance of the

1 door. Observation ports shall be installed at a height of not less than ~~((fifty-four inches (54")))~~ 54
2 inches and not more than ~~((sixty-six inches (66")))~~ 66 inches above the floor.

3 7. In all leased or rented housing units in buildings other than hotels and
4 other multi-unit buildings having transient occupancies, lock mechanisms and keys shall be
5 changed at owner's expense upon a change of tenancy, except that such change of locks and keys
6 will not be required where an approved proprietary key system is used.

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

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

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

14 11. Openable windows shall be equipped with operable inside latching
15 devices, except that this requirement shall not apply to any window whose sill is located ~~((ten~~
16 ~~(40))~~) 10 or more feet above grade or above any deck, balcony, or porch that is not readily
17 accessible from grade except through a single housing unit.

18 12. Where private baths and toilets are not provided in each housing unit,
19 doors to community toilets and bathrooms shall be self-closing, and in lieu of a self-locking
20 device, may be equipped with a dead bolt having a minimum one-inch ~~((1"))~~ throw. Tenants
21 shall be furnished with a key for this lock.

22 13. Windows may be located adjacent to and within the wall plane of a
23 building entrance door, but if located within ~~((twelve inches (12")))~~ 12 inches of ~~((such))~~ the

1 entrance door, as measured from a closed position, then such windows shall be made of either
2 framed or unframed nonshattering glass, or glass with sufficient wire or grilles so as to make the
3 glass visible and to prevent operation of the door latch from outside by either hand or instrument.

4 B. The following requirements shall apply to detached single-family dwellings to
5 provide reasonable security from criminal actions to the permanent and transient occupants
6 thereof and to their possessions.

7 1. Building entrance doors shall be capable of locking and shall be equipped
8 with a dead bolt or deadlatch with at least a (~~(one-half-inch (1/2"))~~) 1/2-inch throw which
9 penetrates the striker not less than (~~(one-quarter-inch (1/4"))~~) 1/4 inch. The lock shall be so
10 constructed that the dead bolt or deadlatch may be opened from the inside without use of a key.

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

17 3. Garage-to-exterior doors may be equipped with a remote-control
18 electrically operated opening and closing device in lieu of a deadlatch. When garage-to-exterior
19 doors are equipped with such remote-control devices, garage-to-building doors need not be
20 locking.

21 4. Every entrance door shall have a visitor-observation port of glass side
22 light. Observation ports shall be installed at a height of not less than (~~(fifty-four inches (54"))~~) 54
23 inches and not more than (~~(sixty-six inches (66"))~~) 66 inches from the floor.

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

6 C. Subject to approval by the Director, alternate security devices may be substituted
7 for those required herein if the devices are equally capable of resisting illegal entry, and
8 installation of the devices does not conflict with the requirements of this Code or the
9 requirements of other ordinances regulating safe exits.

10 Section 11. Section 22.206.160 of the Seattle Municipal Code, last amended by
11 Ordinance 124919, is amended as follows:

12 **22.206.160 Duties of owners**

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

- 16 1. Remove all garbage, rubbish, and other debris from the premises;
- 17 2. Secure any building which became vacant against unauthorized entry as
18 required by Section 22.206.200 of this Code;
- 19 3. Exterminate insects, rodents, and other pests which are a menace to public
20 health, safety, or welfare. Compliance with the Director's Rule governing the extermination of
21 pests shall be deemed compliance with this subsection 22.206.160.A.3;
- 22 4. Remove from the building or the premises any article, substance, or
23 material imminently hazardous to the health, safety, or general welfare of the occupants or the

1 public, or which may substantially contribute to or cause deterioration of the building to such an
2 extent that it may become a threat to the health, safety, or general welfare of the occupants or the
3 public;

4 5. Remove vegetation and debris as required by Section 10.52.030;

5 6. Lock or remove all doors and/or lids on furniture used for storage,
6 appliances, and furnaces which are located outside an enclosed, locked building or structure;

7 7. Maintain the building and equipment in compliance with the minimum
8 standards specified in Sections 22.206.010 through 22.206.140 and in a safe condition, except for
9 maintenance duties specifically imposed in ~~((this))~~ Section 22.206.170 on the tenant of the
10 building; provided that this subsection 22.206.160.A.7 shall not apply to owner-occupied
11 dwelling units in which no rooms are rented to others;

12 8. Affix and maintain the street number to the building in a conspicuous
13 place over or near the principal street entrance or entrances or in some other conspicuous place.

14 This provision shall not be construed to require numbers on either appurtenant buildings or other
15 buildings or structures where the Director finds that the numbering is not appropriate. Numbers
16 shall be easily legible, in contrast with the surface upon which they are placed. Figures shall be
17 no less than 2 inches high;

18 9. Maintain the building in compliance with the requirements of Section
19 ~~((3403.1))~~ 3401.2 of the Seattle Building Code;

20 10. Comply with any emergency order issued by the Department of
21 Construction and Inspections; ~~((and))~~

22 11. Furnish tenants with keys for the required locks on their respective
23 housing units and building entrance doors; ~~((and))~~ and

1 12. Maintain electricity, water, and gas (if provided) service equipment for
2 each dwelling unit in good working order.

3 B. It shall be the duty of all owners of buildings that contain rented housing units,
4 regardless of any lease provision or other agreement that purports to transfer the owner's
5 responsibilities hereunder to an operator, manager, or tenant, to:

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

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

10 3. Maintain heat in all ~~((occupied))~~ habitable rooms, baths, and toilet rooms
11 at an inside temperature, as measured at a point 3 feet above the floor and 2 feet from exterior
12 walls, of at least 68 degrees Fahrenheit between the hours of 7 a.m. and 10:30 p.m. and 58
13 degrees Fahrenheit between the hours of 10:30 p.m. and 7 a.m. from September 1 until June 30,
14 ~~((when the owner))~~ unless the tenant is contractually obligated to provide heat;

15 4. Install smoke detectors on the ceiling or on the wall not less than 4 inches
16 nor more than 12 inches from the ceiling at a point or points centrally located in a corridor, ~~((or~~
17 ~~area in each housing unit))~~ inside each sleeping room, and immediately outside each sleeping
18 room, and test smoke detectors when each housing unit becomes vacant;

19 5. Install carbon monoxide alarms outside each sleeping room and on each
20 level of the dwelling unit, and inside any sleeping room that contains a fuel-burning appliance or
21 fireplace, and test carbon monoxide alarms when each housing unit becomes vacant;

22 ~~((5-))~~ 6. Make all needed repairs or replace smoke detectors and carbon
23 monoxide alarms with operating devices before a unit is reoccupied; and

1 ((6-)) 7. Instruct tenants as to the purpose, operation, and maintenance of
2 the detectors and alarms and have the tenant sign a statement of understanding.

3 C. Just cause eviction

4 1. Pursuant to provisions of the ((state)) Washington State Residential
5 Landlord-Tenant Act (RCW 59.18.290), owners may not evict residential tenants without a court
6 order, which can be issued by a court only after the tenant has an opportunity in a show cause
7 hearing to contest the eviction (RCW 59.18.380). Owners of housing units shall not evict or
8 attempt to evict any tenant, or otherwise terminate or attempt to terminate the tenancy of any
9 tenant unless the owner can prove in court that just cause exists. Owners may not evict
10 residential tenants from rental housing units if the units are not registered with the Seattle
11 Department of Construction and Inspections as required by Section 22.214.040, regardless of
12 whether just cause for eviction may exist. An owner is in compliance with this registration
13 requirement if the rental housing unit is registered with the Seattle Department of Construction
14 and Inspections before entry of a court order authorizing eviction or before a writ of restitution is
15 granted. A court may grant a continuance in an eviction action in order to give the owner time to
16 register the rental housing unit. The reasons for termination of tenancy listed below, and no
17 others, shall constitute just cause under this Section 22.206.160:

18 * * *

19 2. Any rental agreement provision which waives or purports to waive any
20 right, benefit or entitlement created by this subsection ((22.206.160.C.1.p)) 22.206.160.C shall
21 be deemed void and of no lawful force or effect.

22 * * *

1 Section 12. Section 22.206.170 of the Seattle Municipal Code, last amended by
2 Ordinance 113545, is amended as follows:

3 **22.206.170 Duties of tenants ((-))**

4 It shall be the duty of every tenant to:

5 A. Maintain in a clean and sanitary condition the part or parts of the building
6 and the premises occupied or controlled by the tenant;

7 B. Store and dispose of all garbage and rubbish in a clean, sanitary, and safe
8 manner in garbage cans or other approved containers provided by the owner;

9 C. Comply with reasonable requests of the owner for the prevention or
10 elimination of infestation, including granting reasonable access for extermination or preventive
11 measures by the owner;

12 D. Exercise reasonable care in the use and operation of electrical and
13 plumbing fixtures and maintain all sanitary facilities, fixtures, and equipment in a clean and
14 sanitary condition;

15 E. Within a reasonable time, repair or pay for the reasonable cost of repair of
16 all damage to the building caused by the negligent or intentional act of the tenant or the invitees
17 or licensees of the tenant;

18 F. Grant reasonable access to the owner of the building for the purpose of
19 inspection by the Director, or maintenance or repairs by the owner in the performance of any
20 duty imposed on the owner by this Code;

21 G. Refrain from placing or storing in the building or on the premises thereof
22 any article, substance, or material imminently dangerous to the health, safety, or general welfare

1 of any occupant thereof or of the public, or which may substantially contribute to or cause
2 deterioration of the building; and

3 H. Test according to the manufacturer's recommendations and keep in good
4 working condition, including replacing batteries if needed, all smoke detectors and carbon
5 monoxide alarms in the dwelling unit required by law.

6 Section 13. Section 22.214.050 of the Seattle Municipal Code, last amended by
7 Ordinance 124312, is amended as follows:

8 **22.214.050 Inspection and certificate of compliance required**

9 A. The Department shall periodically select, from registered properties containing
10 rental housing units, the properties that shall be inspected by a qualified rental housing inspector
11 for certification of compliance. The property selection process shall be based on a random
12 methodology adopted by rule, and shall include at least ten percent of all registered rental
13 properties per year. Newly ((-)) constructed or substantially ((-)) altered properties that receive
14 final inspections or a first certificate of occupancy and register after January 1, 2014, shall be
15 included in the random property selection process after the date the property registration is
16 required to be renewed for the first time. After a property is selected for inspection, the
17 Department shall provide at least 60 days' advance written notice to the owner or owner's agent
18 to notify them that an inspection of the property is required. If a rental property owner chooses to
19 hire a private qualified rental housing inspector, the property owner or owner's agent shall notify
20 the Department a minimum of five and a maximum of ten calendar days prior to the scheduled
21 inspection, at which time the Department shall inform the property owner or owner's agent of the
22 units selected for inspection. If the rental property owner chooses to hire a Department inspector,

1 the Department shall inform the property owner or owner's agent of the units selected for
2 inspection no earlier than ten calendar days prior to the inspection.

3 B. The Department shall ensure that all properties registered under this Chapter
4 22.214 shall be inspected at least once every ten years, or as otherwise allowed or required by
5 any federal, state, or city code. In addition, at least ten percent of properties whose prior
6 inspections are more than five years old shall be reinspected each year. The Director shall by rule
7 determine the method of selecting properties for reinspection.

8 C. If the Department receives a complaint regarding a rental housing unit regulated
9 under this program, the Department shall request that an interior inspection of the rental housing
10 unit identified in the complaint be conducted by a Department inspector using the general
11 authority, process, and standards of the full Housing and Building Maintenance Code, Chapters
12 22.200 through 22.208 of the Seattle Municipal Code. If, after inspecting the rental housing unit
13 the Department received the complaint on, the Department determines the rental housing unit
14 violates the standards in subsection 22.214.050.M and causes the rental housing unit to fail
15 inspection under this Chapter 22.214, the Director may require that any other rental housing units
16 covered under the same registration on the property be inspected following the procedures of this
17 ~~((section))~~ Section 22.214.050 for inspection timing, giving notice to tenants, and submitting a
18 certificate of compliance. The inspection of any other rental housing units may be conducted by
19 a private qualified rental housing inspector.

20 D. If a property subject to this Chapter 22.214 has within two years preceding the
21 adoption of this Chapter 22.214 been subject to two or more notices of violation or one or more
22 emergency orders of the Director for violating the standards in Chapters 22.200 through 22.208
23 of the Seattle Municipal Code where enforced compliance was achieved by the Department or

1 the violation upheld in a final court decision, the rental property shall be selected for inspection
2 during 2015 or within the first year of required inspections, consistent with the provisions of
3 subsections 22.214.050.E through 22.214.050.M.

4 E. A certificate of compliance shall be issued by a qualified rental housing inspector,
5 based upon the inspector's physical inspection of the interior and exterior of the rental housing
6 units, and the inspection shall be conducted not more than 60 days prior to the certificate of
7 compliance date.

8 F. The certificate of compliance, ~~((that))~~ which shall be submitted by the property
9 owner or owner's agent within 60 days of receiving notice of a required inspection under this
10 Section 22.214.050, shall:

11 1. Certify compliance with the standards as required by this Chapter 22.214
12 for each rental housing unit that was inspected;

13 2. State the date of the inspection and the name, address, and telephone
14 number of the qualified rental housing inspector who performed the inspection;

15 3. State the name, address, and telephone number of the property owner or
16 owner's agent; and

17 4. Contain a statement that the qualified rental housing inspector personally
18 inspected all rental housing units listed on the certificate of compliance.

19 G. Inspection of rental housing units for a certificate of compliance according to
20 subsections 22.214.050.A and 22.214.050.B shall be accomplished as follows:

21 1. In buildings that contain more than one rental housing unit, a property
22 owner may choose to ~~((have all of the rental housing units inspected by a qualified rental housing
23 inspector. If the building has not had Housing and Building Maintenance Code violations~~

1 ~~reported to and verified by the Department through enforced compliance or a final court decision~~
2 ~~that would have caused a unit to fail inspection under this Chapter 22.214 within any preceding~~
3 ~~12 months or since the last inspection required by this Chapter 22.214, whichever is the most~~
4 ~~recent, an applicant may choose to)) have only a sample of the rental housing units inspected. If~~
5 the applicant chooses to have a sample of the rental housing units inspected, ~~((the following~~
6 requirements shall apply:

7 a. ~~For buildings containing 20 or fewer rental housing units, a~~
8 ~~minimum of two units are required to be inspected; or~~

9 b. ~~For buildings containing more than 20 rental housing units, 15)) 20~~
10 percent of the rental housing units, rounded up to the nearest whole number, are required to be
11 inspected, up to a maximum of 50 rental housing units in each building.

12 2. The Department shall select the rental housing units to be inspected under
13 this Section 22.214.050 using a methodology adopted by rule.

14 3. If a rental housing unit selected by the Department fails the inspection, the
15 Department may require that up to 100 percent of the rental housing units in the building where
16 the unit that failed inspection is located be inspected for a certificate of compliance according to
17 this Section 22.214.050. The Department shall use the following criteria to determine when
18 additional units shall be inspected:

19 a. If two or more rental housing units selected for inspection, or
20 twenty percent or more of the inspected units, whichever is greater, fail the inspection due to not
21 meeting the same checklist item(s) required by subsection 22.214.050.L, an additional 20 percent
22 of the units on the property, rounded up to the nearest whole number, shall be inspected. If any

1 of the additional rental housing units selected for inspection fail the inspection due to the same
2 condition(s), 100 percent of the units in the building shall be inspected.

3 b. If any single rental housing unit selected for inspection has five or
4 more failures of different checklist items required by subsection 22.214.050.L, an additional 20
5 percent of units on the property, rounded up to the nearest whole number, shall be inspected. If
6 any of the additional rental housing units selected for inspection also contain five or more
7 failures, 100 percent of the units in the building shall be inspected.

8 c. If the Director determines that an inspection failure in any rental
9 housing unit selected for inspection indicates potential maintenance or safety issues in other units
10 in the building, the Director may require that up to 100 percent of units be inspected. The
11 Director may by rule determine additional criteria and methods for selecting additional units for
12 inspection.

13 H. Notice of inspection to tenants ((-))

14 1. After the Department selects the rental housing units to be inspected, and
15 the Department has provided written notice to the owner or owner's agent of the units to be
16 inspected, the owner or owner's agent shall, prior to any scheduled inspection, provide at least
17 two days' advance written notice to all tenants residing in all rental housing units on the property
18 advising the tenants that:

19 a. Some₂ or all₂ of the rental housing units will be inspected. If only a
20 sample of the units will be inspected, the notice shall identify the rental housing units to be
21 inspected;

22 b. A qualified rental housing inspector will enter the rental housing
23 unit for purposes of performing an inspection according to this Chapter 22.214;

1 c. The inspection will occur on a specifically ((-)) identified date and
2 at an approximate time, and the name of the company and person performing the inspection;

3 d. A tenant shall not unreasonably withhold consent for the owner or
4 owner's agent to enter the property as provided in RCW 59.18.150;

5 e. The tenant has the right to see the inspector's identification before
6 the inspector enters the rental housing unit;

7 f. At any time a tenant may request, in writing to the owner or
8 owner's agent, that repairs or maintenance actions be undertaken in his or her unit; and

9 g. If the owner or owner's agent fails to adequately respond to the
10 request for repairs or maintenance at any time, the tenant may contact the Department about the
11 rental housing unit's conditions without fear of retaliation or reprisal.

12 2. The contact information for the Department as well as the right of a tenant
13 to request repairs and maintenance shall be prominently displayed on the notice of inspections
14 provided under this subsection 22.214.050.H.

15 3. The owner or owner's agent shall provide a copy of the notice of
16 inspection to the qualified rental housing inspector on or before the day of the inspection.

17 I. A rental housing property shall not be selected for inspection under subsection
18 22.214.050.A within five years of completing the inspection requirement and obtaining a
19 certificate of compliance, ((shall be valid and used for purposes of complying with the inspection
20 provisions of this Chapter 22.214 for five years from the date the certificate is issued,)) unless
21 the Department determines that the certificate is no longer valid because one or more of the
22 rental units listed in the certificate of compliance no longer meets the standards as required in
23 this Chapter 22.214. When the Department determines a certificate of compliance is no longer

1 valid, the owner may be required to have all rental housing units on the property inspected by a
2 qualified rental housing inspector, obtain a new certificate of compliance, and pay a new
3 registration fee.

4 J. If a rental property owner chooses to hire a private qualified rental housing
5 inspector and a selected unit of the rental property fails the initial inspection, both the results of
6 the initial inspection and any certificate of compliance must be provided to the Department. The
7 Department shall audit inspection results and certificates of compliance prepared by private
8 qualified rental housing inspectors. ~~((by reviewing certificates of compliance to determine their~~
9 ~~completeness and accuracy.)) Based on audit results, the Department may select additional units
10 for inspection in accordance with subsection 22.214.050.G.3. If the Department determines that
11 a violation of this Chapter 22.214 exists, the owner and qualified rental housing inspector shall
12 be subject to all enforcement and remedial provisions provided for in this Chapter 22.214.~~

13 K. Nothing in this ~~((section))~~ Section 22.214.050 precludes additional inspections
14 conducted at the request or consent of a tenant, under the authority of a warrant, or as allowed
15 by a tenant remedy provided for in ~~((RCW))~~ chapter 59.18 RCW, as provided for under this
16 Title 22 of the Seattle Municipal Code, or as allowed by any other City code provision.

17 L. A ~~((weighted))~~ checklist based on the standards identified in subsection
18 22.214.050.M shall be adopted by rule and used to determine whether a rental housing unit will
19 pass or fail inspection.

20 M. The following requirements of the Housing and Building Maintenance Code
21 shall be included in the ~~((weighted))~~ checklist required by subsection 22.214.050.L and used by
22 a qualified rental housing inspector to determine whether a rental housing unit will pass or fail
23 inspection:

1 1. The minimum floor area standards for a habitable room contained in
2 ~~((subsection 22.206.020.A))~~ Section 22.206.020. ~~((Section))~~ Subsection 22.206.020.A shall not
3 apply to single room occupancy units;

4 2. The minimum sanitation standards contained in the following sections:

5 a. Subsection 22.206.050.A. Subsection 22.206.050.A shall only
6 apply to a single room occupancy unit if the unit has a bathroom as part of the unit;

7 b. Subsection 22.206.050.D. Subsection 22.206.050.D shall only
8 apply to a single room occupancy unit if the unit has a kitchen;

9 c. Subsection 22.206.050.E;

10 d. Subsection 22.206.050.F;

11 e. Subsection 22.206.050.G; and

12 f. If a housing unit shares a kitchen or bathroom, the shared kitchen
13 or bathroom shall be inspected as part of the unit inspection.

14 3. The minimum structural standards contained in ~~((section))~~ Section
15 22.206.060;

16 4. The minimum sheltering standards contained in ~~((section))~~ Section
17 22.206.070;

18 5. The minimum maintenance standards contained in the following
19 subsections:

20 a. ~~((subsection))~~ Subsection 22.206.080.A;

21 b. Subsection 22.206.080.B;

22 c. Subsection 22.206.080.C;

23 d. Subsection 22.206.080.D.

- 1 6. The minimum heating standards contained in ~~((section))~~ Section
2 22.206.090;
- 3 7. The minimum ventilation standards contained in ~~((section))~~ Section
4 22.206.100;
- 5 8. The minimum electrical standards contained in ~~((subsection))~~ Section
6 22.206.110 ~~((A))~~ ;
- 7 9. The minimum standards for mechanical equipment contained in Section
8 22.206.120;
- 9 ~~((9))~~ 10. The minimum standards for ~~((Emergency Escape Window and~~
10 ~~Doors))~~ fire and safety contained in ~~((subsection))~~ Section 22.206.130 ~~((F))~~ ;
- 11 11. The minimum standards for security contained in Section 22.206.140;
- 12 ~~((10))~~ 12. The requirements for garbage, rubbish, and debris removal
13 contained in subsection 22.206.160.A.1;
- 14 ~~((11))~~ 13. The requirements for extermination contained in subsection
15 22.206.160.A.3;
- 16 ~~((12))~~ 14. The requirement to provide the required keys and locks contained
17 in subsection 22.206.160.A.11; ~~((and))~~
- 18 ~~((13))~~ 15. The requirement to provide and test smoke detectors contained in
19 subsection 22.206.160.B.4; and ~~((:))~~
- 20 16. The requirement to provide carbon monoxide alarms contained in
21 subsection 22.206.160.B.5.

22 Section 14. Section 22.214.086 of the Seattle Municipal Code, last amended by
23 Ordinance 124312, is amended as follows:

1 **22.214.086 Penalties**

2 A. In addition to the remedies available according to Sections 22.214.080 and
3 22.214.085, and any other remedy available at law or in equity, the following penalties shall
4 be imposed for violating this Chapter 22.214:

5 1. Any person or entity violating or failing to comply with any
6 requirement of this Chapter 22.214 or rule adopted under this Chapter 22.214 shall be
7 subject to a cumulative civil penalty of \$150 per day for the first ten days the violation or
8 failure to comply exists and \$500 per day for each day thereafter. A separate violation exists
9 for each day there is a violation of or failure to comply with any requirement of this Chapter
10 22.214 or rule adopted under this Chapter 22.214.

11 2. Any person or entity that knowingly submits or assists in submitting a
12 falsified certificate of compliance, or knowingly submits falsified information upon which a
13 certificate of compliance is issued, shall be subject to a penalty of \$5,000 in addition to the
14 penalties provided for in subsection ~~((22.214.086.B.1))~~ 22.214.086.A.1.

15 B. When the Director has issued a notice of violation according to Section
16 22.214.080, a property owner may ~~((, at any time prior to the initiation of a civil
17 enforcement action,))~~ appeal to the Director the notice of violation or the penalty imposed.
18 The appeal shall be made in writing within ten days after service of the notice of violation.
19 When the last day of the period so computed is a Saturday, Sunday, or federal or City
20 holiday, the period shall run until 5 p.m. of the next business day.

21 * * *

1 Section 15. Section 17 of Ordinance 124011 is amended as follows:

2 Section 17. Beginning in 2014, the Department of ~~((Planning and Development))~~
3 Construction and Inspections shall prepare a written report, to be presented to Council by
4 ~~((July 31, 2014, and by June 15 of))~~ March 31 of each ~~((subsequent))~~ year, to include an
5 evaluation of the following program elements:

6 A. The status of rental property registration ~~((, including the extent to~~
7 ~~which previously undisclosed rental housing units have been found and whether those~~
8 ~~units were then established as legal, registered rental housing units))~~ and rental property
9 registration renewals;

10 B. The ~~((extent to which properties that have been subject to~~
11 ~~inspection have not completed the inspection within 60 days of notification of selection))~~
12 status of rental property inspections including the number and type of inspection failures
13 and resulting property improvements;

14 C. The ~~((results of the inspection process when a property with~~
15 ~~previous code enforcement history has been required to be inspected as a condition of~~
16 ~~receiving a registration))~~ extent to which additional RRIO inspections have occurred as a
17 result of a code compliance violation or failure of a RRIO inspection;

18 D. Whether the fees associated with the ~~((registration))~~ program
19 actually ~~((reflects))~~ reflect program costs;

20 E. The ~~((extent to which inspections))~~ number and type of code
21 compliance complaints that have occurred on properties ~~((with a valid registration that~~
22 ~~have resulted from a complaint))~~ registered with the RRIO program;

23 F. The extent to which the civil warrant process has been used; and

1 G. The extent to which audits of private qualified rental housing inspectors
2 have occurred (~~(on inspections)~~) and any related findings.

3 Section 16. Section 18 of Ordinance 124011 is amended as follows:

4 Section 18. At least (~~(60)~~) 30 days prior to the Department adopting any rule
5 concerning the (~~(weighted values assigned to each)~~) inspection standards identified in
6 subsection 22.214.050.M, the Department shall present the rule to the City Council for
7 review and comment.


8 Section 17. The City Council requests that the Seattle Department of Construction and
9 Inspections (SDCI) prepare recommendations to adjust the RRIO registration and inspection fees
10 before the first RRIO registration renewals begin in 2019. When considering adjustments to the
11 program fees, SDCI shall evaluate if any imbalances in the current or proposed fee structure exist
12 for small landlords, and make adjustments to address any identified inequalities. Any
13 adjustments should ensure that the fees cover the cost of administering the RRIO program.

14 Section 18. Tenants shall receive (1) an RRIO inspection completion notice stating
15 whether their unit passed or failed the inspection; (2) contact information for SDCI's Code
16 Compliance Division if the tenant(s) have questions or concerns; and (3) a survey to tenants on
17 the RRIO inspection process.

18 Section 19. Severability. The provisions of this ordinance are declared to be separate and
19 severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of
20 this ordinance, or the invalidity of its application to any person or circumstance, does not affect
21 the validity of the remainder of this ordinance or the validity of its application to other persons or
22 circumstances.

1 Section 20. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 10th day of July, 2017,
5 and signed by me in open session in authentication of its passage this 10th day of
6 July, 2017.

7 

8 President _____ of the City Council

9 Approved by me this 14th day of July, 2017.

10 

11 Edward B. Murray, Mayor

12 Filed by me this 14th day of JULY, 2017.

13 

14 Monica Martinez Simmons, City Clerk

15 (Seal)