



Legislation Details (With Text)

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On agenda: 7/10/2017
Final Action: 7/14/2017 **Ord. No.** Ord 125343

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.

Sponsors: Rob Johnson

Indexes:

Attachments: 1. Summary and Fiscal Note, 2. Director's Report, 3. Presentation (06/06/17), 4. Central Staff Memo (06/20/17), 5. Memo Att 5: RRIO Program Fees (revised; added 6/20/17), 6. Signed Ordinance 125343, 7. Affidavit of Publication

Date	Ver.	Action By	Action	Result
7/14/2017	2	City Clerk	attested by City Clerk	
7/14/2017	2	Mayor	returned	
7/14/2017	2	Mayor	Signed	
7/12/2017	2	City Clerk	submitted for Mayor's signature	
7/10/2017	2	City Council	passed	Pass
6/20/2017	1	Planning, Land Use, and Zoning Committee		
6/6/2017	1	Planning, Land Use, and Zoning Committee	discussed	
5/15/2017	1	City Council	referred	
5/5/2017	1	Council President's Office	sent for review	
5/2/2017	1	City Clerk	sent for review	
5/2/2017	1	Mayor	Mayor's leg transmitted to Council	

CITY OF SEATTLE

ORDINANCE _____

COUNCIL BILL _____

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

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

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

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and building and residential code standards have changed during that time period, making many standards and references out of date; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

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

22.202.080 Documentation of notices

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

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

22.206.020 Floor area ((-))

- A. Every dwelling unit shall have at least one ((+)) habitable room, which shall have not less than ((one hundred twenty (120))) 120 square feet of floor area.
- B. No habitable room except a kitchen may be less than ((seven feet (7')) 7 feet in any floor dimension.
- C. Every room used for sleeping purposes, including an SRO unit, shall have not less than ((seventy (70))) 70 square feet of floor area. Every room, except an SRO unit, which is used for both cooking and living or both living and sleeping quarters shall have a floor area of not less than ((one hundred thirty (130))) 130 square feet if used or intended to be used by only one ((+)) occupant, or of not less than ((one hundred fifty (150))) 150 square feet if used or intended to be used by two ((2)) occupants. Where more than two ((2)) persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of ((fifty (50))) 50 square feet for each occupant in excess of two ((2)) .
- D. In a dormitory, minimum floor area shall be ((sixty (60))) 60 square feet per single or double bunk, and aisles not less than ((three feet (3')) 3 feet in width shall be provided between the sides of bunks and from every bunk to an exit. The requirements of this subparagraph shall not apply to SRO units.
- E. The required floor area square footage of all dwelling units, dormitories, and SRO units shall not include built-in equipment which extends from the floor to ((thirty inches (30")) 30 inches above the floor,

including but not limited to wardrobes, cabinets, and kitchen sinks or appliances.

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

22.206.040 Light and ventilation

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

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

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

D. For the purpose of determining light and ventilation requirements, any room may be considered a portion of an adjoining room if ~~((one-half (½)))~~ 1/2 of the area of the common wall is open and unobstructed and provides an opening of not less than ~~((one-tenth (1/10)))~~ 1/10 of the floor area of the interior room or ((

~~twenty five (25))~~ 25 square feet, whichever is greater.

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

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

is open at both ends.

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

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

22.206.050 Sanitation

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

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

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

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

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

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

degrees Fahrenheit (~~((120° F.))~~) or the minimum setting on any water heater which cannot be set at (~~((one hundred twenty))~~) 120 degrees Fahrenheit (~~((120° F.))~~) ; provided, that buildings, other than one- and two-family dwellings, in which hot water is supplied by a central water-heater system need not comply with this requirement.

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

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

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

Subchapter II Minimum Structural and Maintenance Standards

* * *

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

22.206.080 Maintenance

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

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

C. Any repair or removal of asbestos materials shall comply with regulations of the Environmental

Protection Agency and the Puget Sound Clean Air (~~Pollution Control~~) Agency.

D. Painted interior surfaces must be maintained free from peeling and chipping and other deterioration. In any structure built before 1978, removal, repair, or other disturbance of painted surfaces must comply with the lead-based paint provisions of Revised Code of Washington, Chapter 70.103 RCW, and associated regulations in the Washington Administrative Code, Chapter 365-230 WAC, including appropriate management and disposal of dust and debris and use of a certified individual qualified to paint, renovate, and repair areas containing lead-based paint. In any structure built before 1978, if a damaged surface is more than 2 square feet in area per room or equivalent or more than 10 percent of the total surface area of a component such as a windowsill or window frame, the Director may require documentation that any work was done by a certified individual. Use of a certified individual for repairs to a surface with deteriorated paint is not required if a report from a laboratory accredited under the National Lead Laboratory Accreditation Program certifies that lead levels do not exceed maximum allowable levels under state and federal law. The report must specify the specific location or locations at the site that correlate to the test results.

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

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

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

~~((G))~~ H. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the

elements and decay by paint or other approved protective covering or treatment.

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

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

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

22.206.090 Heating

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

B. (~~(Heating Devices)~~) heating devices. All heating devices and appliances, including but not limited to furnaces, fireplaces, electric baseboard heaters, and water heaters, shall be of an approved type, in good and safe working order, and shall meet all installation and safety codes. Approved, unvented portable oil-fueled heaters may be used as a supplemental heat source provided that such heaters shall not be located in any sleeping room or bathroom, as provided by (~~(SMC)~~) Chapter 22.400, Section (~~(807(a))~~) 303.3. Ventilation for rooms and areas containing fuel-burning appliances shall be adequate for proper combustion.

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

22.206.110 Electrical equipment ((-))

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

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

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

D. Every toilet room, bathroom, laundry room, furnace room, public hallway, porch, and flight of stairs between stories shall contain at least one ((1)) supplied electric light fixture. Where an interior stairway or public hallway changes direction, more than one ((1)) supplied electric light fixture may be required to provide sufficient lighting for safe exit. Such required light fixture or fixtures shall be located so as to provide sufficient lighting for safe exit. All receptacle outlets within 3 feet of any water source must be of a ground fault interrupter style of receptacle installed in accordance with manufacturer's standards. In buildings with more than two dwelling units, in the event of power supply failure, an emergency power system must illuminate the path of exit.

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

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

22.206.130 Requirements

A. Stairs and ((Stairway Construction-)) stairways

1. All stairs, except stairs to inaccessible service areas, exterior stairs on grade and winding, circular, or spiral stairs, shall have a minimum run of 10 inches and a maximum rise of ((7³/₄)) 7 3/4 inches and a minimum width of 36 inches from wall to wall. The rise and run may vary no more than 3/8 inch in any flight of stairs.

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

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

4. A landing having minimum horizontal dimension of ((30)) 36 inches shall be provided at each point of access to a stairway including the top and bottom of the stairway; provided, that stairs to an inaccessible service area need not have such a landing. A door that swings away from a stairway is considered to have created a landing in the area of its swing.

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

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

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

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

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

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

i. At ground level, or

ii. By way of an exterior stairway, or

iii. By way of an enclosed stairway with a fire-resistant rating of one (~~((1))~~) hour or more that serves only that housing unit and has no connection with any other floor below the floor of the housing unit being served or any other area not a part of the housing unit being served; or

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

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

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

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

repaired, shall meet the exit standards in effect when the floor was altered, rehabilitated, or repaired.

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

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

1. The standards for stairway enclosures are as follows:

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

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

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

b. Each opening onto a stairway enclosure shall be protected by a self-closing fire door and latching assembly providing fire-resistance equivalent to that provided by a solid wood door and assembly at least ~~((one and three-fourths (1¾)))~~ 1 3/4 inches thick.

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

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

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

c. The stairway enclosure is in a dwelling unit.

D. Fire Escapes. An existing fire escape that is structurally sound may be used as one ~~((1))~~ means

of egress, provided that the pitch does not exceed (~~(sixty (60))~~) 60 degrees, the width is not less than (~~(eighteen (18))~~) 18 inches, the run of the treads is not less than (~~(four (4))~~) 4 inches, and the fire escape extends to the ground or is provided with counterbalanced stairs reaching to the ground. Access to a fire escape shall be from an opening having a minimum dimension of (~~(twenty-nine (29))~~) 29 inches in all directions when open. The sill of a fire escape window shall be no more than (~~(thirty (30))~~) 30 inches above the floor and the exterior landing.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

I. Guardrails. A guardrail shall be provided whenever walking surfaces, including stairs, are ~~((thirty (30)))~~ 30 inches or more above adjacent surfaces, except in building service areas. Every guardrail shall be at least ~~((thirty-six (36)))~~ 36 inches in height unless it is an existing guardrail that was in compliance with

the standards in effect at the time the guardrail was constructed, is in good condition, and is between ~~((twenty-eight (28)))~~ 28 and ~~((forty-two (42)))~~ 42 inches in height. Open guardrails shall have intermediate rails placed so that a sphere 4 inches or less in diameter cannot pass through.

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

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

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

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

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

1. Such devices are equipped with approved release mechanisms that are operable from the

inside without the use of a key or special knowledge or effort; and

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

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

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

22.206.140 Requirements ~~((=))~~

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

1. All building entrance doors, except building entrance doors which open directly into a single housing unit, shall be self-closing, self-locking, and equipped with a deadlatch with at least a ~~((one-half inch (1/2")))~~ 1-inch throw which penetrates the striker at least ~~((one-quarter inch (1/4")))~~ 1/2 inch; provided, that the main entrance door need not be self-locking if an attendant is present and on duty ~~((twenty-four (24)))~~ 24 hours per day.

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

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

exterior doors or garage-to-building doors are equipped for self-closing and self-locking, the other need not be so equipped.

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

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

6. Every entrance door to an individual housing unit, other than transparent doors, shall have a visitor-observation port, which port shall not impair the fire-resistance of the door. Observation ports shall be installed at a height of not less than ~~((fifty four inches (54")))~~ 54 inches and not more than ~~((sixty six inches (66")))~~ 66 inches above the floor.

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

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

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

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

11. Openable windows shall be equipped with operable inside latching devices, except that

this requirement shall not apply to any window whose sill is located ~~((ten (10)))~~ 10 or more feet above grade or above any deck, balcony, or porch that is not readily accessible from grade except through a single housing unit.

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

13. Windows may be located adjacent to and within the wall plane of a building entrance door, but if located within ~~((twelve inches (12")))~~ 12 inches of ~~((such))~~ the entrance door, as measured from a closed position, then such windows shall be made of either framed or unframed nonshattering glass, or glass with sufficient wire or grilles so as to make the glass visible and to prevent operation of the door latch from outside by either hand or instrument.

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

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

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

3. Garage-to-exterior doors may be equipped with a remote-control electrically operated

opening and closing device in lieu of a deadlatch. When garage-to-exterior doors are equipped with such remote-control devices, garage-to-building doors need not be locking.

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

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

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

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

22.206.160 Duties of owners

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

1. Remove all garbage, rubbish, and other debris from the premises;
2. Secure any building which became vacant against unauthorized entry as required by

Section 22.206.200 of this Code;

3. Exterminate insects, rodents, and other pests which are a menace to public health, safety, or welfare. Compliance with the Director's Rule governing the extermination of pests shall be deemed compliance with this subsection 22.206.160.A.3;

4. Remove from the building or the premises any article, substance, or material imminently hazardous to the health, safety, or general welfare of the occupants or the public, or which may substantially contribute to or cause deterioration of the building to such an extent that it may become a threat to the health, safety, or general welfare of the occupants or the public;
5. Remove vegetation and debris as required by Section 10.52.030;
6. Lock or remove all doors and/or lids on furniture used for storage, appliances, and furnaces which are located outside an enclosed, locked building or structure;
7. Maintain the building and equipment in compliance with the minimum standards specified in Sections 22.206.010 through 22.206.140 and in a safe condition, except for maintenance duties specifically imposed in ~~((this))~~ Section 22.206.170 on the tenant of the building; provided that this subsection 22.206.160.A.7 shall not apply to owner-occupied dwelling units in which no rooms are rented to others;
8. Affix and maintain the street number to the building in a conspicuous place over or near the principal street entrance or entrances or in some other conspicuous place. This provision shall not be construed to require numbers on either appurtenant buildings or other buildings or structures where the Director finds that the numbering is not appropriate. Numbers shall be easily legible, in contrast with the surface upon which they are placed. Figures shall be no less than 2 inches high;
9. Maintain the building in compliance with the requirements of Section ~~((3403.1))~~ 3401.2 of the Seattle Building Code;
10. Comply with any emergency order issued by the Department of Construction and Inspections; ~~((and))~~
11. Furnish tenants with keys for the required locks on their respective housing units and building entrance doors; ~~((:))~~ and
12. Maintain electricity, water, and gas (if provided) service equipment for each dwelling unit in good working order.

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

1. Maintain in a clean and sanitary condition the shared areas, including yards and courts, of any building containing two or more housing units;
2. Supply enough garbage cans or other approved containers of sufficient size to contain all garbage disposed of by such tenants;
3. Maintain heat in all ~~((occupied))~~ habitable rooms, baths, and toilet rooms at an inside temperature, as measured at a point 3 feet above the floor and 2 feet from exterior walls, of at least 68 degrees Fahrenheit between the hours of 7 a.m. and 10:30 p.m. and 58 degrees Fahrenheit between the hours of 10:30 p.m. and 7 a.m. from September 1 until June 30, ~~((when the owner))~~ unless the tenant is contractually obligated to provide heat;
4. Install smoke detectors on the ceiling or on the wall not less than 4 inches nor more than 12 inches from the ceiling at a point or points centrally located in a corridor, ~~((or area in each housing unit))~~ inside each sleeping room, and immediately outside each sleeping room, and test smoke detectors when each housing unit becomes vacant;
5. Install carbon monoxide alarms outside each sleeping room and on each level of the dwelling unit, and inside any sleeping room that contains a fuel-burning appliance or fireplace, and test carbon monoxide alarms when each housing unit becomes vacant;
- ~~((5-))~~ 6. Make all needed repairs or replace smoke detectors and carbon monoxide alarms with operating devices before a unit is reoccupied; and
- ~~((6-))~~ 7. Instruct tenants as to the purpose, operation, and maintenance of the detectors and alarms and have the tenant sign a statement of understanding.

C. Just cause eviction

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

* * *

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

* * *

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

22.206.170 Duties of tenants ((-))

It shall be the duty of every tenant to:

- A. Maintain in a clean and sanitary condition the part or parts of the building and the premises occupied or controlled by the tenant;
- B. Store and dispose of all garbage and rubbish in a clean, sanitary, and safe manner in

garbage cans or other approved containers provided by the owner;

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

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

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

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

G. Refrain from placing or storing in the building or on the premises thereof any article, substance, or material imminently dangerous to the health, safety, or general welfare of any occupant thereof or of the public, or which may substantially contribute to or cause deterioration of the building; and

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

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

22.214.050 Inspection and certificate of compliance required

A. The Department shall periodically select, from registered properties containing rental housing units, the properties that shall be inspected by a qualified rental housing inspector for certification of compliance. The property selection process shall be based on a random methodology adopted by rule, and shall include at least ten percent of all registered rental properties per year. Newly ((-)) constructed or substantially ((-)) altered properties that receive final inspections or a first certificate of occupancy and register after January 1,

2014, shall be included in the random property selection process after the date the property registration is required to be renewed for the first time. After a property is selected for inspection, the Department shall provide at least 60 days' advance written notice to the owner or owner's agent to notify them that an inspection of the property is required. If a rental property owner chooses to hire a private qualified rental housing inspector, the property owner or owner's agent shall notify the Department a minimum of five and a maximum of ten calendar days prior to the scheduled inspection, at which time the Department shall inform the property owner or owner's agent of the units selected for inspection. If the rental property owner chooses to hire a Department inspector, the Department shall inform the property owner or owner's agent of the units selected for inspection no earlier than ten calendar days prior to the inspection.

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

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

D. If a property subject to this Chapter 22.214 has within two years preceding the adoption of this Chapter 22.214 been subject to two or more notices of violation or one or more emergency orders of the Director for violating the standards in Chapters 22.200 through 22.208 of the Seattle Municipal Code where enforced compliance was achieved by the Department or the violation upheld in a final court decision, the rental property shall be selected for inspection during 2015 or within the first year of required inspections, consistent with the provisions of subsections 22.214.050.E through 22.214.050.M.

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

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

1. Certify compliance with the standards as required by this Chapter 22.214 for each rental housing unit that was inspected;
 2. State the date of the inspection and the name, address, and telephone number of the qualified rental housing inspector who performed the inspection;
 3. State the name, address, and telephone number of the property owner or owner's agent;
- and
4. Contain a statement that the qualified rental housing inspector personally inspected all rental housing units listed on the certificate of compliance.

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

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

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

- a. ~~For buildings containing 20 or fewer rental housing units, a minimum of two units are required to be inspected; or~~
- b. ~~For buildings containing more than 20 rental housing units, 15))~~ 20 percent of the rental housing units, rounded up to the nearest whole number, are required to be inspected, up to a maximum of 50 rental housing units in each building.

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

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

a. If two or more rental housing units selected for inspection, or twenty percent or more of the inspected units, whichever is greater, fail the inspection due to not meeting the same checklist item (s) required by subsection 22.214.050.L, an additional 20 percent of the units on the property, rounded up to the nearest whole number, shall be inspected. If any of the additional rental housing units selected for inspection fail the inspection due to the same condition(s), 100 percent of the units in the building shall be inspected.

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

units selected for inspection also contain five or more failures, 100 percent of the units in the building shall be inspected.

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

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

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

- a. Some, or all, of the rental housing units will be inspected. If only a sample of the units will be inspected, the notice shall identify the rental housing units to be inspected;
- b. A qualified rental housing inspector will enter the rental housing unit for purposes of performing an inspection according to this Chapter 22.214;
- c. The inspection will occur on a specifically ((-)) identified date and at an approximate time, and the name of the company and person performing the inspection;
- d. A tenant shall not unreasonably withhold consent for the owner or owner's agent to enter the property as provided in RCW 59.18.150;
- e. The tenant has the right to see the inspector's identification before the inspector enters the rental housing unit;
- f. At any time a tenant may request, in writing to the owner or owner's agent, that repairs or maintenance actions be undertaken in his or her unit; and
- g. If the owner or owner's agent fails to adequately respond to the request for

repairs or maintenance at any time, the tenant may contact the Department about the rental housing unit's conditions without fear of retaliation or reprisal.

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

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

I. A rental housing property shall not be selected for inspection under subsection 22.214.050.A within five years of completing the inspection requirement and obtaining a certificate of compliance, ((shall be valid and used for purposes of complying with the inspection provisions of this Chapter 22.214 for five years from the date the certificate is issued,)) unless the Department determines that the certificate is no longer valid because one or more of the rental units listed in the certificate of compliance no longer meets the standards as required in this Chapter 22.214. When the Department determines a certificate of compliance is no longer valid, the owner may be required to have all rental housing units on the property inspected by a qualified rental housing inspector, obtain a new certificate of compliance, and pay a new registration fee.

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

K. Nothing in this ~~((section))~~ Section 22.214.050 precludes additional inspections conducted at the

request or consent of a tenant, under the authority of a warrant, or as allowed by a tenant remedy provided for in ~~((RCW))~~ chapter 59.18 RCW, as provided for under this Title 22 of the Seattle Municipal Code, or as allowed by any other City code provision.

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

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

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

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

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

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

c. Subsection 22.206.050.E;

d. Subsection 22.206.050.F;

e. Subsection 22.206.050.G; and

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

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

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

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

- a. ~~((subsection))~~ Subsection 22.206.080.A;
 - b. Subsection 22.206.080.B;
 - c. Subsection 22.206.080.C;
 - d. Subsection 22.206.080.D.
6. The minimum heating standards contained in ~~((section))~~ Section 22.206.090;
 7. The minimum ventilation standards contained in ~~((section))~~ Section 22.206.100;
 8. The minimum electrical standards contained in ~~((subsection))~~ Section 22.206.110 ~~((A))~~ ;
 9. The minimum standards for mechanical equipment contained in Section 22.206.120;
 - ~~((9))~~ 10. The minimum standards for ~~((Emergency Escape Window and Doors))~~ fire and safety contained in ~~((subsection))~~ Section 22.206.130 ~~((J))~~ ;
 11. The minimum standards for security contained in Section 22.206.140;
 - ~~((10))~~ 12. The requirements for garbage, rubbish, and debris removal contained in subsection 22.206.160.A.1;
 - ~~((11))~~ 13. The requirements for extermination contained in subsection 22.206.160.A.3;
 - ~~((12))~~ 14. The requirement to provide the required keys and locks contained in subsection 22.206.160.A.11; ~~((and))~~
 - ~~((13))~~ 15. The requirement to provide and test smoke detectors contained in subsection 22.206.160.B.4; ~~and~~ ~~((-))~~
 16. The requirement to provide carbon monoxide alarms contained in subsection 22.206.160.B.5.

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

22.214.086 Penalties

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

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

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

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

* * *

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

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

A. The status of rental property registration ((~~, including the extent to which~~

~~previously undisclosed rental housing units have been found and whether those units were then established as legal, registered rental housing units))~~ and rental property registration renewals;

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

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

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

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

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

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

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

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

Section 17. The City Council requests that the Seattle Department of Construction and Inspections (SDCI) prepare recommendations to adjust the RRIO registration and inspection fees before the first RRIO registration renewals begin in 2019. When considering adjustments to the program fees, SDCI shall evaluate if

any imbalances in the current or proposed fee structure exist for small landlords, and make adjustments to address any identified inequalities. Any adjustments should ensure that the fees cover the cost of administering the RRIO program.

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

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

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

Passed by the City Council the _____ day of _____, 2017, and signed by me in open session in authentication of its passage this _____ day of _____, 2017.

President _____ of the City Council

Approved by me this _____ day of _____, 2017.

Edward B. Murray, Mayor

Filed by me this _____ day of _____, 2017.

Monica Martinez Simmons, City Clerk

(Seal)