



City Council, Regular Meeting

AGENDA

**6:00 – 7:00 p.m. Dinner with King County Executive Dow Constantine
Executive Briefing Room**

7:00 pm – 10:30 pm

June 1, 2010

Council Chambers

Call to Order

Roll Call/Pledge of Allegiance

Note: This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.

Approval of Agenda

Student Liaison Reports

- Eastlake High School
- Skyline High School

Presentations/Proclamations

- Washington State YMCA Youth and Government Mock Trial Championship

Public Comment

Consent Agenda

- Payroll for pay period ending May 15, 2010 for pay date May 20, 2010 in the amount of \$255,948.95
- 1. Approval: Claims for period ending June 1, 2010 in the amount of \$1,815,750.27 for Check No.26542 through No.26634
- 2. Approval: Notes for April 13, 2010 Study Session
- 3. Approval: Notes for April 19, 2010 Study Session
- 4. Approval: Minutes for April 20, 2010 Regular Meeting
- 5. Approval: Notes for May 11, 2010 Study Session
- 6. Approval: Notes for May 17, 2010 Study Session
- 7. Approval: Minutes for May 18, 2010 Regular Meeting
- 8. Ordinance: Second Reading Superceding Ordinance O2000-61 And Modifying The City's Neighborhood Traffic Management Program
- 9. Resolution: A Resolution Appointing Members To The Ordinary High Water Mark Citizen Advisory Group (CAG)
- 10. Contract: Enterprise Agreement/Microsoft

City Council meetings are wheelchair accessible. American Sign Language (ASL) interpretation is available upon request. Please phone (425) 295-0500 at least 48 hours in advance.

Assisted Listening Devices are also available upon request.

Public Hearings

11. Ordinance: First Reading Replacing Title 19 (Subdivisions) Of The Sammamish Municipal Code With A Revised Title 19A (Land Division)

12. Ordinance: First Reading/ Adopting The Town Center Development Regulations As Title 21B Of The Sammamish Municipal Code; Adopting Zoning Map Amendments For The Town Center Subarea; And Adopting The Town Center Infrastructure Plan

Unfinished Business

New Business

13. Ordinance: Amending Title 16, Buildings And Construction, Of The Sammamish Municipal Code By Amending Chapter 16.05, Construction Codes; 16.20, Construction Administrative Code; And 16.25, Sammamish Building And Property Maintenance Code

14. Resolution: A Resolution Of The City Of Sammamish City Council Changing The Names Of Three Existing City Streets

15. Bid Award: 2010 Pavement Overlay

Council Reports

City Manager Report

Executive Session – If necessary

Adjournment

AGENDA CALENDAR

June 2010			
Tues 06/01	6:30 pm	Regular Council Meeting	Presentation: Mock Government Team Recognition Public Hearing: First Reading Town Center Development Regulation Public Hearing: Ordinance First Reading Amendments to SMC Title 19 Ordinance: Second Reading amending Neighborhood Traffic Management Program Phase II (NTMP)(consent) Ordinance: First Reading Building Code Cycle amendments Resolutions: Changing High School street names Resolution: Ordinary High Water Mark/Citizen Advisory Group Contract: 2010 Pavement Overlay
Tues 06/08	6:30 pm	Joint Meeting	Joint Meeting with Redmond City Council Light Standards Parks Survey Questions
Mon 06/14	6:30 pm	Study Session	Next Steps Connectivity 2011-2016 Six Year Transportation Improvement Plan (TIP) Stormwater Manual 101 Update: NMTP Phase II Project Petition Approvals Non-Motorized Transportation Plan Sustainability Strategy Briefing
Tues 06/15	6:30 pm	Regular Meeting	Proclamation: Mountains to Sound Greenway Days Public Hearing:Second Reading Town Center Development Regulations Public Hearing:Resolution 2011-2016 Six Year Transportation Improvement Plan Ordinance: Second Reading Amendments to SMC Title 19 Ordinance: Second Reading Building Code Cycle amendments (consent) Contract: Multi-Project Wetland Mitigation Monitoring and Inspection (244 th Avenue and ELSP) Contract: Wetland Mitigation Landscape Maintenance and Replanting Interlocal: Animal Control/King County(consent) Amendment: Joint Use Interlocal/Issaquah School District Finance Update Golf Tournament Traffic and Parking Restrictions
July 2010			
Tues 07/06	6:30 pm	Regular Council Meeting	Proclamation: Redhead Day Public Hearing: Second Reading Resolution 2011-2016 Six Year Transportation Improvement Plan Final Adoption: Town Center Development Regulations (if needed) Final Acceptance: ELSP Phase 1A Contract: 2010 Sidewalk Repairs Contract: 2010 Neighborhood Traffic Management Program Phase II Projects Resolution: ARCH Housing Trust Fund
Tues 07/13	6:30 pm	Study Session	
Mon 07/19	6:30 pm	Study Session	Discussion: Draft Basin Plans for Inglewood and Thompson Basins
Tues 07/20	6:30 pm	Regular Meeting	Proclamation: Camp Fire USA Adoption: Town Center Development Regulations (tentative) Contract 228 th /SE 24 th and 228 th /SE 8 th Southbound Left-turn Pocket extensions Contract: 236 th Avenue NE/NE 22 nd Street Intersection School Crossing Improvements
Sept. 2010			

Tues 09/07	6:30 pm	Regular Council Meeting	Approval: 244 th Non-Motorized Improvement Preliminary Design
Tues 09/14	6:30 pm	Study Session	Biennial Budget Next non-motorized project selection following 224 th Avenue NE
Mon 09/20	6:30 pm	Study Session	Biennial Budget Presentation: Stormwater Management Program
Tues 09/21	6:30 pm	Regular Meeting	
Oct. 2010			
Tues 10/5	6:30 pm	Regular Council Meeting	
Tues 10/12	6:30 pm	Joint Meeting/Planning Commission	Sustainability Strategy Briefing
Mon 10/18	6:30 pm	Study Session	Biennial Budget (if necessary) East Lake Sammamish Parkway pedestrian crossing plan Franchise: Cable TV
Tues 10/19	6:30 pm	Regular Meeting	Public Hearing: First Reading Adopting 2011/2012 Budget Public Hearing: First Reading Setting the Tax Levy Rate for 2011 Ordinance: First Reading Franchise- Cable TV Final Acceptance: 244 th Avenue Improvement Project Final Acceptance: SE 20 th Street Non-motorized Improvement Project
Nov. 2010			
Tues 11/2	6:30 pm	Regular Council Meeting	Ordinance: Second Reading Adopting 2011/2012 Budget Ordinance: Second Reading Setting Tax Levy Rate 2011 Ordinance: Second Reading Franchise- Cable TV Resolution: 2011 Salary Schedule Resolution: 2011 Fee Schedule (if necessary)
Tues 11/09	6:30 pm	Study Session	Parks Commission Applicant Interviews Update: Connectivity
Mon 11/15	6:30 pm	Study Session	Planning Commission Applicant Interviews Public Works Standards
Tues 11/16	6:30 pm	Regular Meeting	Final Acceptance: 2010 Neighborhood Traffic Management Program Project (NE 14 th and 19 th Streets) Final Acceptance: 228 th /SE 24 th & 228 th /SE 8 th Southbound Left-Turn Pocket Extension Project Final Acceptance: 236 th Avenue NE/NE 22 nd Street Intersection School Crossing Improvements
Dec. 2010			
Tues 12/07	6:30 pm	Regular Council Meeting	Parks/Planning Commission Appointments Award: 2011/2012 Humans Services Grants Contract: On-Call Development Review Services
Tues 12/14	6:30 pm	Study Session	Public Works Standards
Mon 12/20	6:30 pm	Study Session	
Tues 12/21	6:30 pm	Regular Meeting	
To Be Scheduled		To Be Scheduled	
		Parked Items	

<p>Code Enforcement Code Amendments Ordinance: Second Reading Puget Sound Energy Franchise Resolution: Adoption Thompson Basin Study Resolution: Adoption Inglewood Basin Study</p>	<p>Contract: 2010 Chip Seal Program Contract: 2010 On-Call Pavement Patching Resolution: Final Acceptance ELSP Phase 1a</p>	<p>BLA and non-conforming uses Underground of utility lines in existing developments Future use of existing M & O facility on 228th Ave SE @ SE 20th Street Council Meeting Rules of Conduct Ordinance: First Reading ROW Permitting</p>
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<< May

June 2010

July >>

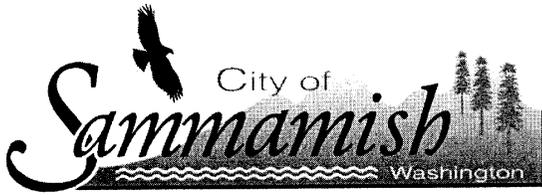
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 3:30 p.m. Finance Committee Meeting 6 p.m. City Council Meeting	2 4 p.m. Sammamish Farmers Market 5:30 p.m. City Council Office Hour	3 6:30 p.m. Planning Commission Meeting	4	5
6	7	8 6:30 p.m. Joint Meeting with Redmond City Council	9 4 p.m. Sammamish Farmers Market 6:30 p.m. Parks and Recreation Commission Meeting	10	11	12
13	14 6 p.m. The Stars and Stripes of the 20th Century 6:30 p.m. City Council Study Session	15 6:30 p.m. City Council Meeting	16 4 p.m. Sammamish Farmers Market 5:30 p.m. City Council Office Hour 6 p.m. Sammamish Youth Board Meeting	17 6:30 p.m. Planning Commission Meeting	18 1 p.m. Skate Competition and Dance	19 10 a.m. Sammamish Walks 12 p.m. Lifeguarding at Pine Lake Park begins
20	21 6:30 p.m. Arts Commission Meeting	22	23 4 p.m. Sammamish Farmers Market	24	25	26
27	28	29	30 4 p.m. Sammamish Farmers Market			

<< June

July 2010

August >>

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
				1 6:30 p.m. Planning Commission Meeting	2	3
4 5 p.m. 4th of July Fireworks Celebration!	5 8 a.m. Independence Day City offices closed	6 5 p.m. Finance Committee Meeting 6:30 p.m. City Council Meeting	7 4 p.m. Sammamish Farmers Market 5:30 p.m. City Council Office Hours	8 6:30 p.m. Summer Concert	9	10
11	12	13 6:30 p.m. City Council Study Session	14 4 p.m. Sammamish Farmers Market 6:30 p.m. Parks and Recreation Commission Meeting	15 6:30 p.m. Planning Commission Meeting 6:30 p.m. Summer Concert	16	17 10 a.m. Sammamish Walks 7 p.m. Wooden O Shakespeare Play
18	19 6:30 p.m. Arts Commission Meeting 6:30 p.m. City Council Study Session	20 6:30 p.m. City Council Meeting	21 4 p.m. Sammamish Farmers Market 5:30 p.m. City Council Office Hours	22 4 p.m. Public Safety Committee Meeting 6:30 p.m. Summer Concert	23	24 7 p.m. Wooden O Shakespeare Play
25	26	27 12 p.m. Kids First Noontime Performance	28 4 p.m. Sammamish Farmers Market	29 6:30 p.m. Planning Commission Meeting 6:30 p.m. Summer Concert	30	31



MEMORANDUM

TO: Melonie Anderson/City Clerk
FROM: Marlene/Finance Department
DATE: May 27, 2010
RE: Claims for June 1, 2010

				\$ 47,351.99
				1,587,360.18
				173,267.45
				7,770.65
0-00	*			
47,351.99	+			
1,587,360.18	+			
173,267.45	+			
7,770.65	+			
1,815,750.27	*			

TOTAL \$ 1,815,750.27

Check # 26542 through # 26634

Accounts Payable

Check Register Totals Only

User: mdunham
 Printed: 5/19/2010 - 10:50 AM



Check	Date	Vendor No	Vendor Name	Amount	Voucher
26542	05/20/2010	ANI	ANI Administrators NW Inc	1,967.66	0
26543	05/20/2010	ICMA401	ICMA 401	30,598.63	0
26544	05/20/2010	ICMA401x	ICMA401	4,848.27	0
26545	05/20/2010	ICMA457	ICMA457	9,937.43	0
				47,351.99	
Check Total:				47,351.99	

Accounts Payable

Check Register Totals Only

User: mdunham
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Check	Date	Vendor No	Vendor Name	Amount	Voucher
26546	06/01/2010	ACE	Ace Hardware, LLC	796.17	0
26547	06/01/2010	ANI	ANI Administrators NW Inc	495.00	0
26548	06/01/2010	AT&TMOBI	AT&T Mobility	275.33	0
26549	06/01/2010	ATTLONG	AT&T	64.47	0
26550	06/01/2010	AUDIOAM	Eddie Bishop	492.75	0
26551	06/01/2010	BRAVO	Bravo Environmental	839.05	0
26552	06/01/2010	BUTKUS	Pete Butkus	22.50	0
26553	06/01/2010	CADMAN	Cadman, Inc.	725.58	0
26554	06/01/2010	CDW	CDW Govt Inc	655.89	0
26555	06/01/2010	CHANEY	Rebecca Chaney	550.00	0
26556	06/01/2010	CLYDEWES	Clyde West	101.22	0
26557	06/01/2010	COMPLETE	The Complete Line	600.05	0
26558	06/01/2010	COMSOUND	Commerical Sound & Video	2,412.29	0
26559	06/01/2010	DAILY	Daily Journal of Commerce	206.00	0
26560	06/01/2010	DARIGOLD	Darigold	1,490.00	0
26561	06/01/2010	DAY	Day Wireless	81.91	0
26562	06/01/2010	DEERE	John Deere Landscapes	180.29	0
26563	06/01/2010	DESIGN	Design Guild Homes	225.00	0
26564	06/01/2010	EWING	Kathy Ewing	483.96	0
26565	06/01/2010	FASTENAL	Fastenal Industrial Supplies	534.12	0
26566	06/01/2010	FRANK	Murray Franklyn	2,642.92	0
26567	06/01/2010	GRAYOS	Gray & Osborne, Inc.	370.86	0
26568	06/01/2010	GUROL	Kamuron GuroL	75.00	0
26569	06/01/2010	HALUPTZO	Patrick Haluptzok	112.50	0
26570	06/01/2010	HDFOWL	H. D. Fowler Company	428.91	0
26571	06/01/2010	INTEGRA	Integra Telecom	3,238.19	0
26572	06/01/2010	IPS	Integrated Print Solutions, Inc	3,285.00	0
26573	06/01/2010	IRONMT	Iron Mountain	127.25	0
26574	06/01/2010	ISSAQ1	Issaquah Press, Inc.	1,477.50	0
26575	06/01/2010	KCRADIO	King Cty Radio Comm Svcs	206.49	0
26576	06/01/2010	KEENEY	Keeney's Office Plus	57.40	0
26577	06/01/2010	KENYON2	Kenyon Disend PLLC	24,496.38	0
26578	06/01/2010	KINGREC	King County Records & Election	1,000.00	0
26579	06/01/2010	KINGSH	King County Sheriff's Office	1,288,348.00	0
26580	06/01/2010	KINGWAT	King County Finance Water & Land E	16,065.61	0
26581	06/01/2010	KIRTLEY	Kirtley Cole	184,169.76	0
26582	06/01/2010	MINUTE	Minuteman Press	52.40	0
26583	06/01/2010	MORUP	Morup Signs Inc	136.88	0
26584	06/01/2010	NAPA	Genuine Parts Company	189.45	0
26585	06/01/2010	NWCASC	Northwest Cascade, Inc.	1,018.44	0
26586	06/01/2010	OBRIENCO	O'Brien & Company LLC	2,470.00	0
26587	06/01/2010	PACE	Pace Engineers, Inc.	3,937.20	0
26588	06/01/2010	PIEDMONT	Piedmont Directional Signs	525.00	0
26589	06/01/2010	PLATEAU	Plateau Motors	193.71	0
26590	06/01/2010	PLATT	Platt Electric	708.24	0
26591	06/01/2010	PSE	Puget Sound Energy	11,536.85	0
26592	06/01/2010	PUGETSOU	Puget Sound Bank	8,811.96	0
26593	06/01/2010	QUALITYP	Quality Plumbing	124.90	0
26594	06/01/2010	QUICK	Quick & Easy Concrete, Inc	753.36	0
26595	06/01/2010	QWEST	QWEST	213.84	0

Check	Date	Vendor No	Vendor Name	Amount	Voucher
26596	06/01/2010	SAM	Sammamish Plateau Water Sewer	1,024.01	0
26597	06/01/2010	SB&MAC	Stewart Beall & MacNichols	4,480.00	0
26598	06/01/2010	SEATIM	Seattle Times	455.30	0
26599	06/01/2010	SEQUOYAH	Sequoyah Electric, LLC	3,941.10	0
26600	06/01/2010	SERVICE	Service Paper Co	1,346.88	0
26601	06/01/2010	SHORELIN	City Of Shoreline	60.00	0
26602	06/01/2010	SPRINT	Sprint	50.00	0
26603	06/01/2010	TACOMASC	Tacoma Screw Products, Inc	36.58	0
26604	06/01/2010	UNITRENT	United Rentals NW, Inc	1,156.03	0
26605	06/01/2010	WAAUDIT	Wa State Auditor's Office	1,532.70	0
26606	06/01/2010	WADOT	Wa State Dept of Transp	200.00	0
26607	06/01/2010	WAPAT	Wa State Patrol	10.00	0
26608	06/01/2010	WAWORK	Washington Workwear Stores Inc	4,127.17	0
26609	06/01/2010	WERRE	Lisa Werre	294.10	0
26610	06/01/2010	WFOA	Wa Finance Officers Assoc	300.00	0
26611	06/01/2010	YAKIMA	Yakima County Department of Correc	340.73	0
				1,587,360.18	
Check Total:					

Accounts Payable

Check Register Totals Only

User: mdunham
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Check	Date	Vendor No	Vendor Name	Amount	Voucher
26612	06/01/2010	BMC	BMC Select	252.71	0
26613	06/01/2010	CADMAN	Cadman, Inc.	848.36	0
26614	06/01/2010	CONENG	Concept Engineering, Inc.	425.00	0
26615	06/01/2010	DEERE	John Deere Landscapes	78.70	0
26616	06/01/2010	EWINGIRR	Ewing Irrigation	118.19	0
26617	06/01/2010	FASTENAL	Fastenal Industrial Supplies	437.63	0
26618	06/01/2010	HDFOWL	H. D. Fowler Company	287.62	0
26619	06/01/2010	KCFLEET	King County Fleet Admin	1,052.41	0
26620	06/01/2010	KCSOLIDW	King County Solid Waste	25.00	0
26621	06/01/2010	KINGFI	King County Finance A/R	43,366.87	0
26622	06/01/2010	LAFRANCE	Eric LaFrance	71.50	0
26623	06/01/2010	MANNING	Joy Manning	434.93	0
26624	06/01/2010	NC MACH	NC Machinery Co	1,929.57	0
26625	06/01/2010	PLATEAU	Plateau Motors	577.37	0
26626	06/01/2010	PREMIUM	Premium Construction Group	111,337.55	0
26627	06/01/2010	RAINIER	Rainier Wood Recyclers Inc	806.00	0
26628	06/01/2010	TITAN	Titan Outdoor, LLC	1,986.80	0
26629	06/01/2010	TLC	Total Landscape Corp	7,679.64	0
26630	06/01/2010	UDS	Utility Detection Services LLC	200.00	0
26631	06/01/2010	UNITRENT	United Rentals NW, Inc	1,099.77	0
26632	06/01/2010	USHEALTH	U S Healthworks	104.00	0
26633	06/01/2010	WAWORK	Washington Workwear Stores Inc	147.83	0
				173,267.45	
Check Total:					

Accounts Payable

Check Register Totals Only

User: mdunham
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Check	Date	Vendor No	Vendor Name	Amount	Voucher
26634	05/27/2010	US BANK	U. S. Bank Corp Payment System	7,770.65	0
				Check Total:	
				7,770.65	



STUDY SESSION NOTES

Study Session April 13, 2010

Mayor Donald J. Gerend opened the Joint study session of the Sammamish City Council at 6:30 p.m.

Call to Order

Public Comment

This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.

Topics

- **Transfer of Development Rights** (60 minutes)
- **Town Center Development Regulations**
 - ✓ Town Center Infrastructure Plan (20 minutes)
 - ✓ Town Center Stormwater Master Plan (40 minutes)
 - ✓ 21B.35 – Landscaping and Irrigation (15 minutes)

Council Reports

City Manager Report

Adjournment

9:30 pm



STUDY SESSION NOTES

Study Session April 19, 2010

Mayor Donald J. Gerend opened the Joint study session of the Sammamish City Council at 6:30 p.m.

Public Comment

Topics

- Parks, Recreation and Open Space Plan
- Discussion: Partnership with Boys & Girls Club
- Discussion: Skate Park Lighting
- Informational Discussion: Wireless Communication Facility

Council Reports

City Manager Report

Close Study Session

9:25 pm

COUNCIL MINUTES

Regular Meeting April 20, 2010

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 7:00 pm.

Councilmembers present: Mayor Don Gerend, Deputy Mayor Nancy Whitten, Councilmembers Mark Cross, John Curley, John James, Tom Odell, and Michele Petitti.

Staff present: City Manager Ben Yazici, Deputy City Manager Pete Butkus, Public Works Director John Cunningham, Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge of Allegiance

Roll was called. Members of the McAuliffe Elementary School Student Council led the pledge.

Approval of Agenda

MOTION: The agenda was approved as presented.

Proclamations/Presentations

- ✓ **McAuliffe Elementary School Student Council Representatives**
Students gave an overview of what they have accomplished this year and offered some suggestions for improvements the city could make.
- ✓ **Presentation: A Regional Coalition for Housing (ARCH)**
Arthur Sullivan, Director of A Regional Coalition for Housing (ARCH). He gave some back ground on ARCH, their budget and work plan for 2010. The revised interlocal agreement makes the following changes: Once the projects have been approved by the City Council, all funds will be deposited into one account, which will be administered by Bellevue under one contract. Snoqualmie Valley cities will now be invited to join ARCH.

City Manager Ben Yazici suggested approval of the resolution and Interlocal immediately. Council agreed.

Resolution: Approving The 2010 Work Program And Budget For A Regional Coalition For Housing (R2010-412)

MOTION: Deputy Mayor Whitten moved to approve the ARCH 2010 Work Plan and Budget. Councilmember Petitti seconded. Motion carried unanimously 7-0.

**Interlocal: Amended and Restated Interlocal Agreement for ARCH
A Regional Coalition for Housing**

MOTION: Councilmember Petitti moved to authorize the City Manager to sign the interlocal. Deputy Mayor Whitten seconded. Motion carried unanimously 7-0.

✓ **Proclamation: Native Plant Month**

Mayor Gerend read the proclamation and presented it to Rena Brady representing the Sammamish Parks Commission.

Consent Calendar

Approval: Claims for period ending April 20, 2010 in the amount of \$1,088,548.64 for Check No.26213 through No.26347

Resolution: Declaring Five Vehicles as Surplus (R2010-408)

Resolution: Amending Purchasing Policies That Conform To State Law Requirements For Monies Budgeted And Spent In All City Operation (R2010-409)

Resolution: , Granting Final Plat Approval To The Plat Of Pine Meadows (FKA Segur) (R2010-410)

Resolution: Granting Final Plat Approval To The Plat Of Chestnut Estates, (AKA Chestnut Lane) (R2010-411)

Approval: April 6, 2010 Regular Meeting Minutes

Councilmember James requested removing Item 6 – Budget Carry Forwards from the Consent Agenda.

MOTION: Councilmember Curley moved to approve the consent agenda as amended. Councilmember Odell seconded. Motion carried unanimously 7-0.

2009/2010 Budget Carry Forwards

Assistant City Manager/Finance Director Lyman Howard gave a PowerPoint presentation explaining the carry forward requests (available on the city website at www.ci.sammamish.wa.us).

MOTION: Deputy Mayor Whitten moved to authorize the City Manager to approve the carry forward request. Councilmember James seconded. Motion carried unanimously 7-0.

Public Comment - None

Public Hearing

Ordinance: Public Hearing/Third Reading Relating To Siting Of Wireless Communication Facilities; Repealing And Re-Enacting Chapter 21A.55 SMC; Implementing Provisions Previously Enacted Pursuant To A Declaration Of Emergency; Amending And Adding New Definitions To Chapter 21A.15 SMC; Repealing Section 13.01.010 SMC Relating To Undergrounding Of Wireless Communication Facilities Equipment; Providing For Severability; And Establishing An Effective Date (O2010-281)

Assistant City Manager/Director of Community Development Kamuron Gurol gave the staff report.

Public Hearing opened at 8:04 pm. There was no public comment. Public Hearing closed at 8:05 pm.

MOTION: Councilmember Curley moved to approve the ordinance amending the Sammamish Municipal Code regarding wireless communication facilities. Councilmember Petitti seconded.

Mr. Gurol then explained the proposed changes to the ordinance since the first reading.

AMENDMENT: Deputy Mayor Whitten moved to amend the motion by removing the following language from Section 21A.55.070 (1) – “or attached to the antenna support structure and concealed or shielded from public.”. Councilmember Curley seconded. Motion carried unanimously 7-0.

AMENDMENT: Councilmember Cross moved to amend Section 21A.55.090 (1)(b) to read as follows – “Use colors such as brown grey, blue, or green that match the existing antenna support structure, structures in the local area and reduce visual impacts unless otherwise required by the City of Sammamish, the FAA, or the FCC. For example a utility pole that is brown should have conduits and antennas that are brown; and....”. Councilmember Odell seconded. Motion carried unanimously 7-0.

MAIN MOTION: Motion carried as amended unanimously 7-0 (O2010-281).

Unfinished Business - None

Council Reports

Mayor Gerend reported on the meeting with the state legislators held earlier in the evening.

City Manager Report

➤ **Update: Animal Control**

Director of Administrative Services gave a PowerPoint explaining the options for animal control (available at the City's website at www.ci.sammamish.wa.us). The Council authorized the City Manager to send a letter to King County in support of regional animal control.

Executive Session – Potential Litigation pursuant to RCW 42.30.110(1)(i)

Council retired to executive session at 8:52 pm and returned at 9:30 pm. No action was taken.

Meeting adjourned at 9:30 pm

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor



STUDY SESSION NOTES

Study Session May 11, 2010

Mayor Donald J. Gerend opened the Joint study session of the Sammamish City Council at 6:30 pm.

Public Comment

Topics

Sammamish City Council discussed the following topics:

- **USGA 2010 Senior Open (Golf Tournament)**
- **Community and Parks Survey/Hebert Research**
- **Evans Creek Park Design/LPD**
- **Sammamish Landing Revised Preferred Alternative**
- **Freed House**

Council Reports

City Manager Report

Close Study Session

10:30 pm



STUDY SESSION NOTES

Study Session May 17, 2010

Mayor Donald J. Gerend opened the Joint study session of the Sammamish City Council at 6:30 p.m.

Public Comment

Topics

Call to Order

Public Comment

This is an opportunity for the public to address the Council. Three-minutes limit per person or 5 minutes if representing the official position of a recognized community organization.

Topics

- **Amendments to Sammamish Municipal Code (SMC) Title 19**
- **Town Center Development Regulations**
 - **21B.35**
 - **21B.45**
 - **21B.95**
 - **21B.75**
- **Planning Commission Recommendations for Public Communications**

Council Reports

City Manager Report

Close Study Session

9:25 pm

COUNCIL MINUTES

Regular Meeting May 18, 2010

Mayor Don Gerend called the regular meeting of the Sammamish City Council to order at 6:30 pm.

Councilmembers present: Mayor Don Gerend, Deputy Mayor Nancy Whitten, Councilmembers Mark Cross, John Curley, John James, Tom Odell, and Michele Petitti.

Staff present: City Manager Ben Yazici, Deputy City Manager Pete Butkus, Public Works Director John Cunningham, Community Development Director Kamuron Gurol, Parks & Recreation Director Jessi Richardson, Administrative Services Director Mike Sauerwein, City Attorney Bruce Disend, and City Clerk Melonie Anderson.

Roll Call/Pledge of Allegiance

Roll was called. A redheaded member of the audience led the pledge.

Approval of Agenda

MOTION: Councilmember James moved to approve the agenda. Councilmember Petitti seconded. Motion carried unanimously 7-0.

Public Comment

Brooke Bachesta, 1207 212th Avenue SE, Spoke on behalf of changing the names of the streets that enter the three high schools, Eastlake, Skyline, and Eastside Catholic. City Engineer Laura Philpot explained that staff will be bringing a resolution to the next meeting renaming the streets.

Anne Lindsay, Pine Lake, She is working on a book called Redheads and More Redheads. On July 17, 2010 she is organizing an attempt to assemble the largest group of natural redheads in one spot to get into the Guinness Book of World Records. She invited Mayor Gerend to officiate the gathering. She would also like the City to proclaim July 17 as Redhead Day in the City.

Consent Calendar

Payroll for pay period ending April 30, 2010 for pay date May 5, 2010 in the amount of \$256,558.56

Approval: Claims for period ending May 18, 2010 in the amount of \$1,294,430.57 for Check No.26433 through No.26541

Contract: Parks Survey/Hebert

Contract: Evans Creek Preserve Phase 1 Design/LPD

Resolution: Appointing Members To The Sammamish Youth Board (R2010-415)

MOTION: Deputy Mayor Whitten moved to approve consent calendar. Councilmember Cross seconded. Motion carried unanimously 7-0.

Unfinished Business - None

New Business

Ordinance: First Reading Modifying The Neighborhood Traffic Management Program

City Engineer/Deputy Public Works Director Laura Philpot gave a PowerPoint presentation (available on the city's website at www.ci.sammamish.wa.us). The program is being modified to reduce the number of steps required to complete the program. This is the first reading of this ordinance. No action is recommended at this time.

Council Reports

Councilmember Petitti announced the Suburban Cities Association Dinner is tomorrow night and the guest speaker will be Seattle Mayor Mike McGinn.

Councilmember Odell reported on the meeting with Eastside Fire & Rescue (EF&R) last week. There was an animated discussion regarding the annexation of the Aldarra/Montaine neighborhood. He attended the EF & R Finance meeting tonight.

Councilmember Curley thanked all the volunteers who helped collect bikes for Africa last weekend.

Deputy Mayor Whitten reported on a meeting with Planning Commission Chair and Vice Chair.

Councilmember James toured the Newcastle YMCA facility with Councilmember Petitti. He also met with Chair and Vice Chair of the Parks and Recreation Commission. He encouraged Sammamish residents to apply for Urban Backyard Habitat designations (for more information, contact the Parks and Recreation Department).

Councilmember Cross brought attention to the fact that an invasive weed is growing in Sammamish. It is called Knotweed. He is asking for residents to notify the City if they see it growing anywhere (See <http://www.ecy.wa.gov/programs/wq/plants/weeds/aqua015.html> for more information)

Councilmember Cross wants to change the street light standard for the City from the 1890's version currently in use with something more modern. He does not want to go

through another building season requiring the old-fashioned lights. He explained the more modern lights are also less expensive.

MOTION: Councilmember Cross moved to have staff provide information regarding revising the city light standard to flat lens cobra head lights on a sign or double davit pole. This information should be brought back for Council consideration at the June 8 study session. Deputy Mayor Whitten seconded. Motion carried 7-0.

Public Works Director John Cunningham explained that Council has two decisions to make regarding these poles. First, which fixture to use and second, which type of pole to use.

The Mayor attended the Sahalee media day for the Golf Tournament. Mayor and Deputy Mayor met with representatives of Sammamish Plateau Water and Sewer. These meeting will continue. Most of the Councilmembers agreed to begin preliminary discussions on the pros and cons of assuming the district into the city.

City Manager Report

Executive Session – Property Acquisition pursuant to RCW 42.30.110(1)(b)

Executive session began at 8:10 pm. Council returned to open session at 8:35 pm and no action was taken.

Meeting adjourned at 8:35 pm

Melonie Anderson, City Clerk

Donald J. Gerend, Mayor



City Council Agenda Bill

Meeting Date: June 1, 2010

Date Submitted: May 24, 2010

Originating Department: Public Works

Clearances:

- | | | |
|---|--|--|
| <input type="checkbox"/> City Manager | <input type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Finance & IT | <input type="checkbox"/> Police |
| <input type="checkbox"/> Admin Services | <input type="checkbox"/> Fire | <input checked="" type="checkbox"/> Public Works |

Subject: Second Reading Amending Ordinance O2000-61: Neighborhood Traffic Management Program

Action Required: Approve attached Ordinance O2010-XXX revising the city's existing Neighborhood Traffic Management Program.

Exhibits:

1. Draft Ordinance with amended Neighborhood Traffic Management Program
2. Ordinance No. O2000-61: Neighborhood Traffic Management Program as currently adopted

Budget: This has no impact on the budget

Summary Statement:

The City has been administering the Neighborhood Traffic Management Program for ten years and has gained a great deal of experience with the existing program. Based on experience and seeing what works well, staff is recommending modifications to the program in order to more efficiently administer the City's Neighborhood Traffic Management Program (NTMP).

Background:

In 2000 the City Council adopted Ordinance No. O2000-61 which provided a program that detailed how the City would effectively work to reduce speed and other impacts of vehicular traffic on residential roads. The program outlined the steps and procedures required to move through the different steps in the program, how projects would be prioritized and listed the responsibilities of the residents involved.

The steps in the program as adopted are list below. Each item has a brief description of how we are proposing to modify the program and why.

1. Project Request and Preliminary Review:

Existing: The existing program requires staff to gather data and review the project and assign a point system to assess the eligibility of the neighborhood for participation in the program. It also provides the frame work for how a project that has previously been rejected by the City can be reevaluated for participation.



City Council Agenda Bill

Proposed: Staff is proposing to call Step 1, “Phase 1”. Each project will be assessed by gathering data and reviewing the results with the neighborhood. Staff will initially utilize a passive approach to address any problems that are found. Education, public awareness, enforcement, striping and signage are the focus in Phase 1.

2. Priority Ranking:

Existing: The existing program calls for all projects to be prioritized based on the point system used to assess the eligibility in Step 1.

Proposed: Staff is recommending that the point system only be utilized if there are more project requests than there are available resources to deal with all the problem areas.

3. Petition to Study:

Existing: The existing program requires that staff petition the neighborhood before we actually study it for potential physical devices. 51% approval is required by the neighborhood.

Proposed: Staff recommends eliminating this step. The effort of completing the petition can be as great as actually studying the neighborhood as part of Phase 2. Staff does recommend that before a Neighborhood can graduate from the Phase 1 portion of the program to Phase 2 that they must submit their request to do so in writing.

4. Plan Development:

Existing: Includes neighborhood meeting and traffic data collection.

Proposed: Same as existing, only we recommend this section be simplified leaving more discretion to city staff.

5. Test Installation:

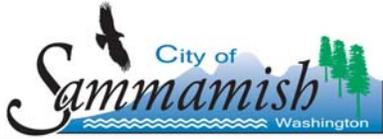
Existing: Requires that a test installation of devices be installed for 6 months before the City would consider permanent installation of physical traffic calming devices.

Proposed: Staff recommends eliminating this step. There are many examples around the city to direct residents to review as well as a significant amount of data available both from Sammamish and neighboring city’s that staff feels a test installation is unnecessary. Staff has also found that the effort to install the test devices is nearly as expensive as (and in some cases even more than) installing the permanent devices.

6. Project Evaluation:

Existing: The intent of this step is to evaluate the test installations.

Proposed: Staff recommends eliminating this step if the test installation step is eliminated.



City Council Agenda Bill

7. **Ballot:**

Existing: Before permanent physical devices are installed, 61% of the defined ballot area must vote in favor of the proposed construction. In the existing program the city is responsible for mailing and administering the ballot process.

Proposed: Staff is recommending that the method for the administering of the ballot be more flexible allowing staff to utilize active Home Owner's Associations to assist in the collection of signatures.

8. **Reporting:**

Existing: Staff prepares a report based on their findings and based on the ballot outcome and shares the report with residents.

Proposed: Staff prepares a report based on their findings and based on the ballot outcome and shares the report with residents. This should be completed after the NTMP design is completed and be combined with the design and construction step in the program. The report would include construction schedule and details. Staff recommends we distribute the report through active HOA's whenever applicable.

9. **Design and Construction:**

Existing: Dependent on available funding.

Proposed: Staff recommends this step be combined with the reporting step. Final construction is subject to city council budget approval.

10. **Landscaping:**

Existing: Requires neighborhoods to get a street use permit and take ownership of the landscaping and its maintenance.

Proposed: Staff recommends having flexibility to negotiate with the various neighborhoods/private property owners on landscape maintenance details.

11. **Monitoring/Maintenance:**

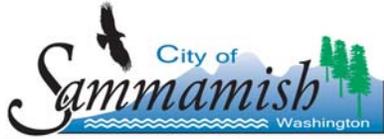
Existing: Requires public works department to monitor and maintain the improvements.

Proposed: This should be combined with the follow-up evaluation step.

12. **Follow-Up Evaluation:**

Existing: Within 3 to 5 years after installation, staff will evaluate the effectiveness of the installation and share the results with the public.

Proposed: No change proposed.



City Council Agenda Bill

Financial Impact: None

Recommended Motion: Move to approve on second reading, Ordinance O2010-XXX modifying the city's Neighborhood Traffic Management Program.

**DRAFT
CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2010-XXX**

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, SUPERCEDING ORDINANCE O2000-61
AND MODIFYING THE CITY'S NEIGHBORHOOD
TRAFFIC MANAGEMENT PROGRAM**

WHEREAS, City policy seeks to improve neighborhood livability by reducing impacts of vehicular traffic on residential neighborhoods; and

WHEREAS, in April of 2000, the City adopted a Neighborhood Traffic Management Program (NTMP) to make efficient use of City resources by prioritizing traffic management requests; and

WHEREAS, the City seeks to revise its existing NTMP to reduce the number of steps required and improve the Program's efficiency; and

WHEREAS, the City seeks to grant the City Manager authority to make administrative procedural changes to the Program,

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH,
WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. Adoption of the Revised Program. The City hereby adopts the Neighborhood Traffic Management Program attached hereto as Attachment "A" and incorporated herein by reference.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance, or a summary thereof, shall be published in the official newspaper of the City, and shall take effect and be in full force five days after the date of publication.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE ____ DAY OF JUNE, 2010.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melanie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: May 13, 2010

First Reading: May 18, 2010

Passed by the City Council:

Ordinance No.: O2010-_____

Date of Publication:

Effective Date:

ATTACHMENT “A”

City of Sammamish, Washington Neighborhood Traffic Management Program (NTMP)

INTRODUCTION

The neighborhood Traffic Management Program (NTMP) for neighborhood streets represents the commitment of the City of Sammamish to the safety and livability of residential neighborhoods. It is a joint effort between neighborhood residents and the City of Sammamish to reduce the impact of traffic on neighborhoods. The NTMP provides a process for identifying and addressing traffic related concerns on neighborhood streets. Under the program, city staff work with residents within neighborhoods to evaluate the type and severity of traffic issues. Through active participation by citizens, we can identify the problem, plan the approach, implement solutions and evaluate their effectiveness.

The City of Sammamish places a high value of neighborhood livability. Although livability has no precise definition, it can be thought of as encompassing the following characteristics:

- The ability of residents to feel safe and secure in their neighborhood.
- The opportunity to interact socially with neighbors without distractions or threats.
- The ability to experience a sense of home and privacy.
- A sense of community and neighborhood identity.
- A balanced relationship between multiple uses and needs of a neighborhood.

Traffic management plays a vital role in promoting these characteristics. The NTMP recognizes that vehicular traffic is only one element of a neighborhood, and that other residential needs must be given careful consideration. Through the NTMP, residents can evaluate existing traffic conditions, the various requirements, benefits, and trade-offs of projects within their own neighborhood and can become actively involved in the decision-making process. This program provides information and guidelines to help them participate in that process.

GOALS

The overall goals of the Neighborhood Traffic Management Program are derived from existing City policy. They are:

1. Improve neighborhood livability by reducing the speed and impact of vehicular traffic on residential neighborhoods.
2. Promote safe and pleasant conditions for residents, pedestrians, bicyclists, and motorists on neighborhood streets.

Exhibit 1

3. Encourage and promote citizen involvement in all phases of neighborhood traffic management activities.
4. Make efficient use of City resources by prioritizing traffic management requests.
5. Support the policies that will be contained in the Transportation Element of the Comprehensive Plan.

POLICIES

The following policies are established as part of the Neighborhood Traffic Management Program for local access streets:

1. Commuter traffic should be encouraged to use arterials and collector streets as designated in the arterial streets classifications and policies.
2. Reasonable emergency vehicle access shall be preserved.
3. Reasonable automobile access should be maintained. NTMP projects should encourage and enhance pedestrian, bicycle, and transit access to neighborhood destinations.
4. Application of the Neighborhood Traffic Management Program shall be limited to neighborhood streets, as designated in the arterial streets classification goals and policies, except as arterial treatments contribute to improvement of conditions on neighborhood streets.
5. The Public Works Department shall employ traffic management devices to achieve the NTMP's objectives. Traffic management devices include traffic circles, diverters, medians, speed humps, chicanes, and curb extensions. Stop signs/multi-way stops may be used in conjunction with other devices and shall be planned and designed in keeping with sound engineering and planning practices and in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). The Public Works Director shall direct the installation of traffic control devices (signs, signals, and markings) as needed to accomplish the project, in compliance with the municipal code.
6. The most passive solutions must be implemented before any traffic management device construction. The passive solution can include Neighborhood Speed Watch Program, sign installation, pavement marking, targeted enforcement, traffic trailer, etc. The Neighborhood Speed Watch program is a public awareness program that solicits concerned City of Sammamish citizens as volunteers to participate in actively addressing and impacting the problem of numerous vehicles exceeding legal speed limits on neighborhood streets. The Police Department furnishes training and equipment for citizens to record speeds and vehicle license numbers of cars traveling in excess of the legal speed limit in their own neighborhood. Upon receipt of the data, the City obtains the names and addresses of registered owners of the recorded vehicles and sends notices encouraging the owners or driver of the vehicle to observe the speed limit.
7. To implement the NTMP, certain procedures shall be followed by Public Works Staff in processing traffic management requests in accordance with applicable codes and related policies and within the limits of available resources. At a minimum, the procedures shall provide for:
 - Submittal of project proposals by citizens;
 - Evaluation of proposals by Public Works staff;
 - Citizen participation in plan development and evaluation;
 - Communication of specific findings to area residents and affected neighborhood organizations before installation of permanent physical traffic management devices.

NEIGHBORHOOD STREET PROJECTS

The NTMP addresses two types of neighborhood streets:

1. Local access streets
2. Neighborhood collector streets

Local access street projects are intended to respond to traffic issues related to speeding and traffic and pedestrian safety on one or on a network of local streets in a neighborhood.

Neighborhood collector streets are streets which are predominantly residential. The goal is to develop education, enforcement, and engineering measures to decrease the unsafe impacts associated with speeding and excessive volumes on neighborhood collector streets. These measures offer opportunities for resolution unique to collector streets and different from those applied through local access projects.

OBJECTIVES

The Neighborhood Traffic Management Program was developed to give Sammamish neighborhoods a process in which Public Works staff assists the neighborhoods to resolve traffic concerns related to excessive speed and volume. Important objectives of the program include:

- Working with neighborhoods to develop an action plan that satisfies their needs and resolves the identified traffic concerns.
- Work with the neighborhood to develop an action plan to determine the effectiveness and the appropriateness of options before installing devices permanently.
- The reduction of traffic volumes is not a primary objective but arterial traffic should be discouraged from using local access streets.

PROCESS

The program is a two-phase, two-year process. Phase I focuses on passive, less-restrictive measures. This includes educational programs, enforcement, pavement markings, and signing. Should “Phase I” actions prove ineffective, more restrictive “Phase II” methods and physical devices may be considered, based on certain threshold criteria.

NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM: PHASE I Education, Public Awareness, Enforcement, and Passive Measures

The first step is for residents to identify their traffic concerns in their neighborhood and inform the City. Formal letters should be addressed to the City's Public Works Department at 801 – 228th Avenue SE, Sammamish, WA 98075. Residents may contact the City with questions at (425) 295-0565. However, until a formal request is submitted to the City in writing, neighborhoods will not be placed on the list to be scheduled for evaluation.

If there are more projects requested than the City has resources available for projects will be ranked based on the point scores outlined in attachment A. Typically the highest ranking projects are undertaken first. The number of projects initiated each year depends on available City resources.

Once the City receives the formal request from either a collective neighborhood or a group of residents, a site visit will be conducted to review current traffic control measures including pavement markings, signs, sight distance, and road conditions. Next, the City will collect pertinent data (historical traffic data, volume and speed counts, etc.) for further evaluation.

From this information Public Works staff and City Police will compose a Neighborhood Traffic Plan for the location and inform the residents of the findings and recommendations for Phase I solutions. This review takes approximately 8 to 10 weeks from the date the request is received.

Possible Phase I solutions may include one or more of the following:

- Neighborhood Speed Watch: This program is a public awareness program that solicits concerned City of Sammamish citizens as volunteers to participate in actively addressing and impacting the problem of numerous vehicles exceeding legal speed limits. The City Police Department furnishes training and equipment for citizens to record speeds and vehicle license numbers of cars traveling in excess of the legal speed limit. Two people are usually needed – one to clock the speeds and read out the license plate numbers and descriptions of the cars, and the other to record the information. (Additional information is available from the Police Department).

Upon receipt of the data, the City obtains the names and addresses of the registered owner of the recorded vehicles and sends notices encouraging the owners or drivers of the vehicle to observe the speed limit.

- Traffic Trailer: A portable trailer equipped with a radar unit detects and records the speed of passing vehicles and display their speed on a digital reader board. The trailer display actual speed compared to the posted speed limit and encourages compliance.
- Neighborhood Traffic Safety Campaign: This program involves a personalized newsletter mailed or distributed by the neighborhood HOA to your neighborhood. The newsletter explains volumes and speeds in your area, recommended traffic calming measures, traffic laws, pedestrian safety, and other relevant information. The City will work jointly with the HOA to develop the newsletter.

Exhibit 1

- Brush Trimming: The trimming and removal of brush by homeowners or City staff to facilitate better sight distance.
- Pavement Markings: The painting of legends and markings on the pavement. These may include centerlines, fog lines, pedestrian crossings, and speed limits.
- Signing: The posting of appropriate traffic control signs. These may include speed limit, parking, dead-end, no outlet, school signs, etc.
- Target Enforcement: Increased enforcement by Sammamish Police Department.

Once the Proposed Improvement Plan has been formulated, PW staff and City Police will work with concerned citizens to initiate recommended solutions. Approximate time line: 16 to 20 weeks.

NEIGHBORHOOD TRAFFIC MANAGEMENT PROGRAM: PHASE II

Traffic Calming Projects

A neighborhood is eligible for consideration in the Phase II portion of the program approximately 32 weeks from the implementation of Phase I. The first step is for residents to share with the City their desire to be moved from Phase I to Phase II. Formal letters should be addressed to the City's Public Works Department at 801 – 228th Avenue SE, Sammamish, WA 98075. Residents may contact the City with questions at (425) 295-0565. However, until a formal request is submitted to the City in writing, neighborhoods will not be placed on the list to be scheduled for evaluation.

The City again collects data and compares it to Phase I information. Should the traffic concerns still exist and there is sufficient data to support this, then the location will be reviewed for the construction of physical devices.

If there are more projects eligible for Phase II improvements in a given year than the City has resources available for, projects will be ranked based on the point scores outlined in attachment A. Typically the highest ranking projects are undertaken first. The number of projects initiated each year depends on available City resources.

Exhibit 1

Possible Phase II solutions may include, but are not limited to, the following physical devices:

- Choker and Curb extensions
- Raised crosswalks
- Entry treatments
- Speed humps
- Traffic circles
- Chicanes
- Raised intersections
- Medians

Step 1: Project Consideration and Preliminary Review

PW staff reviews and gathers additional data if necessary. The potential project is rated using “Point Assignment for NTMP Projects” (Attachment A). The numerical score helps determine placement on a priority list. Approximate time line is 4 to 8 weeks.

Step 2: Plan Development

A public meeting is held to inform residents of pending project and to gather further information. PW staff is responsible for public notification. Approximate time line is 4 to 6 weeks.

Step 3: Ballot for Design and Construction

The project plan is modified if necessary and placed on a funding priority list. The requestor is then responsible to circulate a ballot for permanent device construction. A 60% signature rate is needed to proceed. Final design and construction is contingent of funding. Approximate time line is 16 to 26 weeks (Target for construction is 100 weeks from original Phase I request date).

Step 4: Reporting of Design and Construction

PW staff generates report of final design and construction schedule and distributes it to study area, preferably through an active HOA or neighborhood point of contact. Approximate time line is 4 to 8 weeks.

Step5: Landscaping

Initial installation costs associated with landscaping will be covered by the city’s construction project. *If landscaping of NTMP devices is feasible and desired by the neighborhood maintenance will be negotiated with the neighborhood and/or adjacent property owners.* If the neighborhood fails to fulfill the assigned responsibility and the landscaping obstructs the view of traffic or becomes unsightly the city reserves the authority to remove the landscaping.

Step 6: Follow Up Evaluation

With in three to five years after construction of an NTMP project, the Public Works Department will conduct a follow-up evaluation to determine if the project’s goals and objectives continue to be met.

REAPPLICATION

A NTMP project that is rejected because it did not qualify for consideration pursuant to minimum point score or is not implemented because it failed the ballot for permanent installation pursuant to Step 3, shall not be reconsidered or resubmitted for a period of two years after rejection. An application for a particular traffic management device that was rejected because the requested device did not comply with engineering standards on the particular street shall not be reconsidered or resubmitted for the same device on the same street. **Exception:** A reapplication may be filed and considered prior to the expiration of the two year period or otherwise if the applicants submit evidence that demonstrates to the satisfaction of the City Engineer that a substantial change in circumstances has occurred since the previous consideration of the project that has had a material negative effect on the traffic volume, speed or safety on the street or segment of street for which the project was previously proposed, or that changes the engineering analysis of a particular device. Examples of such evidence include, but are not limited to:

- The expansion of a high traffic use;
- The construction or modification of a road improvement that has substantially rerouted traffic onto the street;
- The construction of a school or other major pedestrian oriented facility abutting the subject street or segment of street;
- An increase of two or more correctable traffic accidents on the subject street or segment of street since the original application; or
- A change in the street configuration or engineering standards that would change the engineering analysis regarding an application for a particular device.

If the preliminary review shows that a safety concern exists, Public Works staff may address the problem separately from the NTMP.

PROGRAM MODIFICATIONS

The City Manager has the authority to make procedural changes to this program that do not interfere with the intent or goals of the program.

ATTACHMENT A: POINT ASSIGNMENT FOR NTMP REQUESTS

The following information is used to develop a numerical score for each NTMP project request. Scores are used to rank requests on a Citywide basis. A high ranking, available budget, and other factors are used to determine which projects will proceed to the petition-to-study stage.

(a) Traffic Volume

Average daily volume (on the segment of the project street having the highest volume) divided by 100.

Thirty points maximum score

(b) Speed

Percent of vehicles over the speed limit (on the segment of the project street having the highest percentage over the limit) divided by 3.

Thirty points maximum score

(c) Accidents

Ten (10) points per correctable accident in the most recent three-year period.

Thirty points maximum score

(d) Schools

Five points for each private or public school in the affected neighborhood.

Ten points maximum score

(e) Other Pedestrian Areas

Five points for each individual pedestrian-oriented facility; such as churches, daycare facilities, elderly housing, or a park in the affected neighborhood.

Ten points maximum score

(f) Pathways

Five points for a subject street that is not bordered by a sidewalk or pathway.

Five points maximum score

(g) Designated Bicycle Routes

Five points for a subject street or cross street designated as a bicycle route in the City of Sammamish's arterial streets classifications and policies.

Ten points maximum score

TRAFFIC MANAGEMENT DEVICES

This section provides a brief description of some commonly used traffic management devices.

Traffic circles are raised islands placed in an intersection. The primary purpose of a traffic circle is to slow high-speed traffic. Traffic circles are most effective when constructed in a series on a local service street.

Chokers or curb extensions narrow the street by widening the sidewalk or the landscaped parking strip. These devices are employed to make pedestrian crossings easier and to narrow the roadway.

Chicanes are similar to chokers or curb extensions by narrowing the existing street with an alternating pattern. These devices require the driver to shift his line of travel from one side of the street to the other. Installed correctly, chicanes may make the street appear to have a restricted or limited access.

Semi-diverters limit access to a street from one direction by blocking half the street allowing only bicycle, pedestrian, and transit access. They may also be constructed to limit certain movements (left or right turns and through movements) at an intersection.

Diagonal diverters place a barrier diagonally across an intersection, disconnecting the legs of the intersection.

Intersection channelizations are designed to limit certain movements, narrow the intersection, or otherwise direct traffic. They are unique to each intersection and can take a variety of forms. An example is a median island that restricts through movement.

Narrow Points reduce the roadway width to one 12-foot travel lane. The one lane requires drivers to take turns driving through the device. Narrow Points make the street more visually restrictive.

Speed Bumps. Two types of speed bumps are approved for use on City streets. Local access 14-foot bump and the Neighborhood collector 22-foot bump. Both bumps are designed to slow traffic to 20 mph and 30 mph respectively.

TRAFFIC CONTROL DEVICES

Stop Signs are used to assign right-of-way at an intersection. They are installed at intersections where an accident problem is identified or where clear right of way may be in doubt.

Stop signs are generally not installed to divert traffic or reduce speeding. Stop signs or multi-way stop intersections can be used in conjunction with other traffic management devices.

Modern Roundabouts are traffic control devices approved by the City for controlling traffic and reducing accidents. They can be utilized in place of traffic signals or stop signs or in conjunction with same. Three principle design features distinguishing the Modern Roundabout from Traffic Circles are:

- Yield-at-entry
- Deflection
- Flare

GLOSSARY

1. **Street Classifications.** All of the streets in Sammamish are classified by the City's arterial streets classifications. Those classifications designate a hierarchy of streets to serve different kinds of trips, and different volumes of traffic, traveling at different speeds. They are intended to guide future development of Sammamish's transportation system. They do not mandate any specific projects or any changes in traffic movement or transit service. The arterial streets classifications and policies are not a strict guideline for current operation of Sammamish's street system; thus, some streets may not now be operating in accordance with their classification.
2. **Neighborhood Streets.** Neighborhood streets make up the great majority of Sammamish's street neighborhood collector streets. These streets serve local circulation needs for autos, bicycles, and pedestrians and provide access to land uses located on the street. Local access or neighborhood streets should not carry significant volumes of through traffic. Most reported neighborhood traffic problems are concerned with the interactions of autos and residential livability on neighborhood streets.

Neighborhood collectors are intended to be the links between the local access or neighborhood streets, collectors, and arterial streets. Shorter trips and access to commercial uses should also be emphasized in the design of neighborhood collectors.

Major collector streets are similar to neighborhood collectors, except they serve larger geographical areas and/or more concentrated development.

Arterial streets are designed to service trip movements between different sections of the City and to allow access to abutting properties without disrupting traffic flow.

3. **Speed** may be the most often noted and discussed of neighborhood traffic problems. Local access streets, where not posted, have speed limits of 25 miles per hour. As needed/requested, the Public Works Department will conduct a speed study to determine the appropriate speed limit on a given street. Factors considered by the Public Works Department include land use, accident history, type of roadway, and existing speeds driven by motorists.
4. **Volume** is another of the most commonly reported local traffic problems. Volume refers to the number of vehicles that cross a given section of roadway during a specified time period. In Sammamish, volumes are normally measured on weekdays for at least 24 hours.
5. **Accident history information** is used to determine safety problems at a given location. Accidents, particularly at low-volume residential intersections, are often random. An average of less than one reported accident per year usually does not indicate a safety hazard. An average of one or more reported accidents per year can be significant, particularly if there is a pattern of several similar accidents having occurred. When a pattern is apparent, the problem can be identified and appropriate solutions developed.

**CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2000-61**

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, ADOPTING A NEIGHBORHOOD
TRAFFIC MANAGEMENT PROGRAM**

WHEREAS, City policy seeks to improve neighborhood livability by reducing the speed and impact of vehicular traffic on residential neighborhoods; and

WHEREAS, the adoption of a Neighborhood Traffic Management Program will promote safe conditions for residents, pedestrians, bicyclists and motorists; and

WHEREAS, the adoption of such a program will allow the City to make efficient use of City resources by prioritizing traffic management requests

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption of Program. The City hereby adopts the Neighborhood Traffic Management Program attached hereto as Exhibit "A" and incorporated herein by reference.

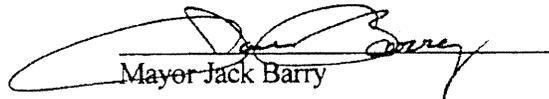
Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance, or a summary thereof, shall be published in the official newspaper of the City, and shall take effect and be in full force five days after

the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE 19th DAY OF April, 2000.

CITY OF SAMMAMISH


Mayor Jack Barry

ATTEST/AUTHENTICATED:


Ruth Müller, City Clerk

Approved as to form:


Bruce L. Disend, City Attorney

Filed with the City Clerk: *April 12, 2000*
Passed by the City Council: *April 19, 2000*
Ordinance No. *02000-61*
Date of Publication: *April 26, 2000*

City of Sammamish, Washington
Neighborhood Traffic Management Program (NTMP)

Adopted by Ordinance O2000 - 61

INTRODUCTION

The Neighborhood Traffic Management Program (NTMP) for neighborhood streets represents the commitment of the City of Sammamish to the safety and livability of residential neighborhoods. It is one component of the Public Works Department's joint effort with neighborhood residents, and other agency efforts to reduce the impact of traffic on neighborhoods. The NTMP provides a process for identifying and addressing problems related to speeding and safety on neighborhood streets. Under the program, Public Works staff works with residents within neighborhoods to evaluate the type and severity of traffic problems. If the required approval by residents is obtained, and the required funding is available, the City installs traffic management devices, such as traffic circles, diverters, and medians, etc., to manage the pattern and flow of neighborhood traffic.

As population and employment in the Sammamish region continue to grow, City streets are experiencing increased traffic pressure. City policy can accommodate growth in a way that can protect neighborhoods from unsafe impacts of traffic. Areas of the plan include:

- Develop standards to improve the function, safety, and appearance of the City street system.
- Develop facilities for pedestrians and bicyclists as alternative travel modes to the automobile.
- Protect the quality of life in residential neighborhoods by limiting vehicular traffic and monitoring traffic volumes on collector streets.
- Encourage improvements in vehicular and pedestrian traffic circulation within the City.
- Maintain a consistent level of service on the arterial system that mitigates impacts of new growth and is adequate to serve adjoining land uses.
- Maintain the public street system to promote safety, comfort of travel, and cost-effective use of public funds.

The City of Sammamish places a high value on neighborhood livability. Although livability has no precise definition, it can be thought of as encompassing the following characteristics:

- The ability of residents to feel safe and secure in their neighborhood.
- The opportunity to interact socially with neighbors without distractions or threats.
- The ability to experience a sense of home and privacy.
- A sense of community and neighborhood identity.
- A balanced relationship between multiple uses and needs of a neighborhood.

Traffic management plays a vital role in promoting these characteristics. The NTMP recognizes that vehicular traffic is only one element of a neighborhood, and that other residential needs must be given careful consideration. Through the NTMP, residents can evaluate the various requirements, benefits, and trade-offs of projects within their own neighborhood and can become actively involved in the decision-making process. This program provides information and guidelines to help them participate in that process.

GOALS

The overall goals of the Neighborhood Traffic Management Program are derived from existing City policy. They are:

1. Improve neighborhood livability by reducing the speed and impact of vehicular traffic on residential neighborhoods.
2. Promote safe and pleasant conditions for residents, pedestrians, bicyclists, and motorists on neighborhood streets.
3. Encourage and promote citizen involvement in all phases of neighborhood traffic management activities.
4. Make efficient use of City resources by prioritizing traffic management requests.
5. Support the policies that will be contained in the Transportation Element of the Comprehensive Plan to accommodate the safe and efficient movement of goods and people, acknowledging the importance of both functions to long term economic vitality and livability and contribute to the quality of life in the area.

POLICIES

The following policies are established as part of the Neighborhood Traffic Management Program for local access streets:

1. Commuter traffic should be encouraged to use arterials and collector streets as designated in the arterial streets classifications and policies.
2. Reasonable emergency vehicle access shall be preserved.
3. Reasonable automobile access should be maintained. NTMP projects should encourage and enhance pedestrian, bicycle, and transit access to neighborhood destinations.
4. Application of the Neighborhood Traffic Management Program shall be limited to neighborhood streets, as designated in the arterial streets classification goals and policies, except as arterial treatments contribute to improvement of conditions on neighborhood streets.
5. The Public Works Department shall employ traffic management devices to achieve the NTMP's objectives. Traffic management devices include traffic circles, diverters, medians, speed humps, chicanes, and curb extensions. Stop signs/multi-way stops may be used in conjunction with other devices and shall be planned and designed in keeping with sound engineering and planning practices and in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). The Public Works Director shall direct the installation of traffic control devices (signs, signals, and markings) as needed to accomplish the project, in compliance with the municipal code.
6. The most passive solutions must be implemented before any traffic management device construction. The passive solution can include Neighborhood Speed Watch Program, sign installation or notification from the City to various identified speed violators; trucking company, construction company, utility company etc. The Neighborhood Speed Watch program is a public awareness program that solicits concerned City of Sammamish citizens as volunteers to participate in actively addressing and impacting the problem of numerous vehicles exceeding legal speed limits on neighborhood streets. The City furnishes training and equipment for citizens to record speeds and vehicle license numbers of cars traveling in excess of the legal speed limit in their own neighborhood. Upon receipt of the data, the City obtains the names and addresses of registered owners of the recorded vehicles and sends notices encouraging the owners or driver of the vehicle to observe the speed limit.

NEIGHBORHOOD STREET PROJECTS

The NTMP addresses two types of neighborhood streets:

1. Local access streets
2. Neighborhood collector streets

Local access street projects are intended to respond to traffic issues related to speeding and safety on one or on a network of local streets in a neighborhood.

Neighborhood collector streets are streets which are predominantly residential. The goal is to develop education, enforcement, and engineering measures to decrease the unsafe impacts associated with speeding and excessive volumes on neighborhood collector streets. These measures offer opportunities for resolution unique to collector streets and different from those applied through local access street projects.

OBJECTIVES

The Neighborhood Traffic Management Program was developed to give Sammamish neighborhoods a process in which Public Works staff assists the neighborhoods to resolve traffic concerns related to excessive speed and volume. Important objectives of the program include:

- Working with neighborhoods to develop an action plan that satisfies their needs and resolves the identified traffic concerns.
- Installation of temporary devices identified in the neighborhood action plan to determine the effectiveness and the appropriateness before installing the devices permanently.
- The reduction of traffic volumes is not a primary objective but arterial traffic should be discouraged from using local access streets.

PROCEDURES

STEP 1: Project Request and Preliminary Review

NTMP projects can be requested by individual citizens or by neighborhood associations. An application may include a request to install new traffic control devices or remove or modify existing devices.

The Public Works Department gathers preliminary data about the traffic request, including volume, speed, and accident information. Public Works staff rates the project request using established rating criteria as detailed in the following section, "Point Assignment for NTMP Requests." A minimum of 30 points is required for a project to be eligible for the program.

Reapplication. An NTMP project that is rejected because it did not qualify for consideration pursuant to minimum point score or is not implemented because it failed the ballot for permanent installation pursuant to Step 7, shall not be reconsidered or resubmitted for a period of two years from the date of the original application. An application for a particular traffic management device that was rejected because the requested device did not comply with engineering standards on the particular street shall not be reconsidered or resubmitted for the same device on the same street.

Exception: A reapplication may be filed and considered prior to the expiration of the two year period or otherwise if the applicants submit evidence that demonstrates to the satisfaction of the City Engineer that a substantial change in circumstances has occurred since the previous consideration of the project that has had a material negative effect on the traffic volume, speed or

Exhibit 2

7. To implement the NTMP, certain procedures shall be followed by Public Works Staff in processing traffic management requests in accordance with applicable codes and related policies and within the limits of available resources. At a minimum, the procedures shall provide for:
 - Submittal of project proposals;
 - Evaluation of proposals by Public Works staff;
 - Citizen participation in plan development and evaluation;
 - Communication of any test results and specific findings to area residents and affected neighborhood organizations before installation of permanent traffic management devices.

safety on the street or segment of street for which the project was previously proposed, or that changes the engineering analysis of a particular device. Examples of such evidence include, but are not limited to:

- The expansion of a high traffic use;
- The construction or modification of a road improvement that has substantially rerouted traffic onto the street;
- The construction of a school or other major pedestrian oriented facility abutting the subject street or segment of street;
- An increase of two or more correctable traffic accidents on the subject street or segment of street since the original application; or
- A change in the street configuration or engineering standards that would change the engineering analysis regarding an application for a particular device.

If the preliminary review shows that a safety concern exists, Public Works staff may address the problem separately from the NTMP.

Public Works staff notifies all project requestors of the status of their request after Step 1.

STEP 2: Priority Ranking

Projects are ranked Citywide, based on the point score from Step 1. Typically the highest ranking projects are undertaken first. The number of projects initiated each year depends on City resources.

Public Works staff notifies all project requestors of the status of their request after Step 2.

Once in the process, a project is considered in the annual priority ranking step for up to three years. This time limitation ensures that the project request has not become obsolete because of changing traffic conditions and/or new residents in the area.

The project requestor is notified when the three-year limit expires. At that time, a new request may be made to re-enter the project in the program. Step 1 is then repeated to obtain current information.

STEP 3: Petition-to-Study

If a project is ranked high enough to proceed, a petition-to-study is circulated within a defined project area. The Public Works Department establishes the petition-to-study area, based on the information obtained during the preliminary review. This area is generally defined as those households and businesses fronting on the affected segments of the project street. In the case of a single intersection problem, the minimum area would be approximately one block in all directions.

The purpose of the petition-to-study is to determine the level of agreement among residents on the project street that there is a problem they want to address. Public Works staff prepares the petition, describing the problem and the procedures to be followed if a study is undertaken. The project requestor(s) is responsible for circulating the petition.

Signatures representing 51 percent of the households and businesses within the petition-to-study area are needed to move the project forward. Each household and business is entitled to one signature. Non-resident property owners are not included in the petition-to-study process. However, non-resident property owners are notified concerning the project request to allow them to give input on the project. Signatures shall be gathered within six months of the original application to keep the project eligible.

STEP 4: Plan Development

Public Works staff holds a public meeting with the affected area to inform residents of the pending project, to describe the NTMP process, and to gather additional information about the traffic problems and related neighborhood needs.

To assist in notifying the neighborhoods and residents, public meeting notices shall be mailed to residents in the study area. The notices shall include a message that states what the meeting is for along with the time, date, and location of the meeting. A contact telephone number will be available for additional information.

Public Works staff assists the affected neighborhood throughout the remainder of the project.

Plan development consists of the following steps:

- Gathering data (on traffic volumes, road conditions, speed and accidents)
- Assessment of problems and needs
- Identification of project goals and objectives
- Development of alternative plans/solutions
- Selection of a proposed plan

Public Works staff proposes solutions based on citizen input and sound engineering principles. Possible solutions and their impacts are evaluated by the affected neighborhood, City departments, other affected agencies (transit, school district, etc.).

Neighborhood area studies are conducted as needed by the Public Works Department and assisted by the affected neighborhood, as needed, to respond to speeding and safety concerns on multiple streets in one or more neighborhoods. These plans are completed as needed to respond to traffic problems that may suggest wider problems, such as congestion or lack of capacity on the arterial system. The problems may be similar to those addressed by local access street projects, but are more spread out, with high volumes on more than one adjacent street. Neighborhood area studies are developed primarily through the Public Works Department, with the involvement of other City departments. They typically include analysis of land use and traffic patterns both within and outside the study area, and include involvement of affected neighborhood associations, business groups, and individuals throughout the process. They are scheduled based on available resources, and given priority by factors that include but are not limited to:

- Previous efforts or requests in the area
- Intensity and extent of the problems
- Degree of conflict between traffic conditions and land uses
- Availability of data
- Arterial improvement projects scheduled or planned.

STEP 5: Test Installation

Once a plan is agreed on by the affected neighborhood and the City staff, the Public Works Department prepares a petition describing the proposed project and calling for a temporary test installation. Members of the affected neighborhood circulate the petition within a defined area. The petition-to-test area shall include the current names and addresses of residents located within the established affected area. Each resident shall be contacted, permitted to read and acknowledge

the petition, and allowed to indicate their preference. This assures all resident owners have the opportunity to read and sign the petition.

Signatures representing approval of 60 percent of the households and businesses within the petition-to-test area are required for the test to proceed. Each household and business is entitled to one signature. Non-resident property owners are not included in the petition-to-test process. However, they are notified of the proposed test and informed of the procedures to be followed in approving a permanent installation. Signatures shall be gathered within six months to keep the project eligible.

If the petition is successful, the test should be installed for three to four months. If the City's Public Works Department determines that an unforeseen safety concern exists, the test may be revised or removed.

When testing of traffic devices is not possible or necessary, Public Works staff can recommend permanent construction based on a positive ballot. (See step 7.)

STEP 6: Project Evaluation

Following the test period, Public Works staff evaluates how well the test has performed in terms of the previously defined problems and objectives. The evaluation includes the subject street and streets impacted by the project and is based on before and after speeds and volumes, impacts on emergency vehicles or commercial uses, and other evaluation criteria determined by the affected neighborhood during Step 4. If the evaluation criteria are not met to the satisfaction of the affected neighborhood and Public Works staff, the traffic plan may be modified and additional testing conducted.

The final test results are reviewed with the affected neighborhood, relevant City departments, other affected agencies. The information is then distributed during the balloting stage.

The Public Works Department will not forward a project to a ballot if the test results show it is unsafe or it violates NTMP or other City policies.

STEP 7: Ballot

To place the project in the funding priority, approval from households, businesses, and non-resident property owners within a defined ballot area must be obtained via a mail ballot administered by the City.

The ballot area includes all properties located in the established affected area. Sixty percent (60%) of eligible ballots returned must respond favorably within the time frame allowed for the project to proceed. For example, with 100 eligible ballots returned, 60 ballots must be affirmative for the project to proceed.

Each household and business, and non-resident property owner is entitled to one ballot.

STEP 8: Reporting

Based on the project evaluation and a positive ballot, Public Works staff prepares a report and recommendations. The report outlines the process followed, includes the project findings, and states the reasons for the recommendations.

If a project does not obtain the required ballot approval, the test will be terminated and the project will drop from consideration and is subject to the two (2) year time limitation mentioned in Step 1, Reapplication for resubmittal.

STEP 9: Design and Construction

Final design and construction is administered by the City and is contingent on funding.

STEP 10: Landscaping

If landscaping of NTMP devices is feasible and desired by the neighborhood, the City shall fund initial landscaping costs.

Where landscaping is used as part of the traffic control device, low growing evergreens and perennials will be used. Annuals or bulbous plants that require removal and replanting will not be installed by the City. Plants used in the landscaping should be drought tolerant.

Responsibility for maintaining landscaping in conformance with the Public Works Department criteria on the permanent devices rests with the benefited neighborhood. The resident who agrees to maintain the landscaping shall be required to obtain a Street-Use Permit. If the neighborhood fails to fulfill the responsibility and the landscaping obstructs the view of traffic (becomes unsightly or is otherwise potentially unsafe), the Public Works Department shall have the authority to remove the landscaping.

STEP 11: Monitoring/ Maintenance

The Public Works Department monitors the constructed devices and is responsible for the physical appearance of the project.

STEP 12: Follow Up Evaluation

Within three to five years after construction of an NTMP project, the Public Works Department conducts a follow-up evaluation to determine if the project's goals and objectives continue to be met. This evaluation may entail traffic studies of volumes, speeds, and accidents, as well as public opinion surveys.

POINT ASSIGNMENT FOR NTMP REQUESTS

The following information is used to develop a numerical score for each NTMP project request. Scores are used to rank requests on a Citywide basis. A high ranking, available budget, and other factors are used to determine which projects will proceed to the petition-to-study stage.

(a) **Traffic Volume**

Average daily volume (on the segment of the project street having the highest volume) divided by 100.

Thirty points maximum score

(b) **Speed**

Percent of vehicles over the speed limit (on the segment of the project street having the highest percentage over the limit) divided by 3.

Thirty points maximum score

(c) **Accidents**

Ten (10) points per correctable accident in the most recent three-year period.

Thirty points maximum score

(d) **Schools**

Five points for each private or public school in the affected neighborhood.

Ten points maximum score

(e) **Other Pedestrian Areas**

Five points for each individual pedestrian-oriented facility; such as churches, daycare facilities, elderly housing, or a park in the affected neighborhood.

Ten points maximum score

(f) **Pathways**

Five points for a subject street that is not bordered by a sidewalk or pathway.

Five points maximum score

(g) **Designated Bicycle Routes**

Five points for a subject street or cross street designated as a bicycle route in the City of Sammamish's arterial streets classifications and policies.

Ten points maximum score

TRAFFIC MANAGEMENT DEVICES

This section provides a brief description of some commonly used traffic management devices.

Traffic circles are raised islands placed in an intersection. The primary purpose of a traffic circle is to slow high-speed traffic. Traffic circles are most effective when constructed in a series on a local service street.

Chokers or curb extensions narrow the street by widening the sidewalk or the landscaped parking strip. These devices are employed to make pedestrian crossings easier and to narrow the roadway.

Chicanes are similar to chokers or curb extensions by narrowing the existing street with an alternating pattern. These devices require the driver to shift his line of travel from one side of the street to the other. Installed correctly, chicanes may make the street appear to have a restricted or limited access.

Semi-diverters limit access to a street from one direction by blocking half the street allowing only bicycle, pedestrian, and transit access. They may also be constructed to limit certain movements (left or right turns and through movements) at an intersection.

Diagonal diverters place a barrier diagonally across an intersection, disconnecting the legs of the intersection.

Intersection channelizations are designed to limit certain movements, narrow the intersection, or otherwise direct traffic. They are unique to each intersection and can take a variety of forms. An example is a median island that restricts through movement.

Narrow Points reduce the roadway width to one 12-foot travel lane. The one lane requires drivers to take turns driving through the device. Narrow Points make the street more visually restrictive.

Speed Bumps. Two types of speed bumps are approved for use on City streets. Local access 14-foot bump and the Neighborhood collector 22-foot bump. Both bumps are designed to slow traffic to 20 mph and 30 mph respectively.

TRAFFIC CONTROL DEVICES

Stop Signs are used to assign right-of-way at an intersection. They are installed at intersections where an accident problem is identified or where clear right of way may be in doubt.

Stop signs are generally not installed to divert traffic or reduce speeding. Stop signs or multi-way stop intersections can be used in conjunction other traffic management devices.

Modern Roundabouts are traffic control devices approved by the City for controlling traffic and reducing accidents. They can be utilized in place of traffic signals or stop signs or in conjunction with same. Three principle design features distinguishing the Modern Roundabout from Traffic Circles are:

- Yield-at-entry
- Deflection
- Flare

GLOSSARY

1. Street Classifications. All of the streets in Sammamish are classified by the City's arterial streets classifications. Those classifications designate a hierarchy of streets to serve different kinds of trips, and different volumes of traffic, traveling at different speeds. They are intended to guide future development of Sammamish's transportation system. They do not mandate any specific projects or any changes in traffic movement or transit service. The arterial streets classifications and policies are not a strict guideline for current operation of Sammamish's street system; thus, some streets may not now be operating in accordance with their classification.

2. Neighborhood Streets.

Neighborhood streets make up the great majority of Sammamish's street neighborhood collector streets. These streets serve local circulation needs for autos, bicycles, and pedestrians and provide access to land uses located on the street. Local access or neighborhood streets should not carry significant volumes of through traffic. Most reported neighborhood traffic problems are concerned with the interactions of autos and residential livability on neighborhood streets.

Neighborhood collectors are intended to be the links between the local access or neighborhood streets, collectors, and arterial streets. Shorter trips and access to commercial uses should also be emphasized in the design of neighborhood collectors.

Major collector streets are similar to neighborhood collectors, except they serve larger geographical areas and/or more concentrated development.

Arterial streets are designed to serve trip movements between different sections of the City and to allow access to abutting properties without disrupting traffic flow.

3. Speed may be the most often noted and discussed of neighborhood traffic problems. Local access streets, where not posted, have speed limits of 25 miles per hour. As needed/requested, the Public Works Department will conduct a speed study to determine the appropriate speed limit on a given street. Factors considered by the Public Works Department include land use, accident history, type of roadway, and existing speeds driven by motorists.

4. Volume is another of the most commonly reported local traffic problems. Volume refers to the number of vehicles that cross a given section of roadway during a specified time period. In Sammamish, volumes are normally measured on weekdays for at least 24 hours.

5. Accident history information is used to determine safety problems at a given location. Accidents, particularly at low-volume residential intersections, are often random. An average of less than one reported accident per year usually does not indicate a safety hazard. An average of one or more reported accidents per year can be significant, particularly if there is a pattern of several similar accidents having occurred. When a pattern is apparent, the problem can be identified and appropriate solutions developed.



City Council Agenda Bill

Meeting Date: June 1, 2010

Date Submitted: May 27, 2010

Originating Department: Community Development

Clearances:

<input checked="" type="checkbox"/> City Manager	<input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Parks & Recreation
<input type="checkbox"/> Attorney	<input type="checkbox"/> Finance & IT	<input type="checkbox"/> Police
<input type="checkbox"/> Admin Services	<input type="checkbox"/> Fire	<input type="checkbox"/> Public Works

Subject: Ordinary High Water Mark Study (OHWM) Citizen Advisory Group (CAG)

Action Required: Approve Resolution Appointing Members to CAG

Exhibits: 1. Proposed Resolution with Attachment "A"

Budget: No cost for CAG; OHWM Study cost in process

Summary Statement:

In 2010, the city will conduct a study of the Ordinary High Water Mark (OHWM) for Lake Sammamish to generate a default OHWM elevation. Such a default number will help permit applicants and City staff efficiently and accurately administer relevant land use and building permits. An applicant wishing to conduct his own study will still be able to do so.

To ensure that the OHWM study is scientifically accurate and thorough, and that the study process is conducted in an open and transparent manner, a four-member Citizen Advisory Group (CAG) will be appointed. The purpose, membership, expectations and work tasks of the CAG are described in Attachment A to the proposed Resolution. The following four (4) individuals are qualified, available and willing to serve on the CAG: Planning Commission Vice-Chair Stan Bump, Parks Commissioner Judy Peterson, Property owner/Builder Dwight Martin, and Environmental/natural resources consultant Brent Jones.

Background:

The OHWM for Lake Sammamish was a subject of some controversy in the development of the Sammamish Shoreline Master Program (SMP) in 2008 and 2009. Given that the elevation of the OHWM affects the amount of usable land on a specific site and that other regulatory boundaries are determined using the OHWM, it is a subject of interest to property owners, environmental interest groups, the City and the state.

Financial Impact: N/A

Recommended Motion: Approve Resolution Appointing Members to CAG

**DRAFT
CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO.R2010-**

**A RESOLUTION APPOINTING MEMBERS TO THE
ORDINARY HIGH WATER MARK CITIZEN ADVISORY
GROUP (CAG)**

WHEREAS, the effective stewardship and management of the City's water resources, including Lake Sammamish, is an important priority of the City Council; and

WHEREAS, a study of the Ordinary High Water Mark (OHWM) for Lake Sammamish that leads to a default OHWM elevation would be helpful for permit applicants and for the City's efficient and accurate administration of relevant land use and building permits; and

WHEREAS, it is the desire of the City Council to ensure that the OHWM study is scientifically accurate and thorough, and utilizes the best available information; and

WHEREAS, the City Council finds that a Citizen Advisory Group (CAG) would help ensure that the OHWM study process is conducted in an open and transparent manner; and

WHEREAS, the Citizen Advisory Group should consist of four (4) members appointed by the City Council; and

WHEREAS, the purpose, membership, expectations and work tasks of the CAG are described in Attachment A; and

WHEREAS, the following four (4) individuals are qualified, available and willing to serve on the CAG and understand the expectations of service on the CAG:

- | | |
|------------------|--|
| 1. Stan Bump | Planning Commission Vice-Chair |
| 2. Judy Peterson | Parks Commissioner |
| 3. Dwight Martin | Property owner/Building experience |
| 4. Brent Jones | Environmental/natural resources experience |

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, RESOLVES AS FOLLOWS:

Section 1. Appointment of a Citizen Advisory Group: The City Council hereby appoints the above four members to the Ordinary High Water Mark Citizen Advisory Group (CAG). The purpose of the CAG will be to carry out the work tasks and objectives set forth in Attachment "A", attached hereto and incorporated herein, to complete the Ordinary High Water Mark Study and report the findings to the City Manager (or designee) and City Council. The City Manager is directed to undertake all work necessary and proper to facilitate the work of the CAG.

Section 2. Term of Service: It is intended that the CAG will attend 4-8 daytime or evening meetings beginning in early Summer 2010 and that the work will be completed by the end of 2010. The CAG will terminate and no longer exist after the report is completed.

Section 3. Severability: Should any section, paragraph, sentence, clause or phrase of this Resolution, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Resolution be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Resolution or its application to other persons or circumstances.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF
ON THE _____ DAY OF _____, 2010.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: May 26, 2010

Passed by the City Council:

Resolution No.:

PROPOSED Sammamish Ordinary High Water Mark (OHWM) Study

Citizen Advisory Group

OHWM Study purpose:

- Determine a scientifically-based 'default' elevation for the Lake Sammamish OHWM
- Provide data and analysis specific to City of Sammamish jurisdictional area
- Use methodology that will result in acceptance of results by the Department of Ecology (DOE)
- Default elevation would be administratively adopted by city staff for use by property owners and staff to prepare/approve plans for new development on lake parcels

Citizen Advisory Group (CAG) objectives and work tasks:

- Help ensure the study's transparency, objectivity and rationale
- Serve as a balanced advisory panel to the city staff and City Council
- Provide comment on scope of work and observe consultant selection process
- Review the inputs, analysis and results of the OHWM study

Expectations for CAG:

- Serve in an open, objective and thoughtful manner, and keep an open mind
- Communicate clearly and courteously
- Commit time to be educated on the subject matter
- Attend 4-8 day or evening meetings

CAG Membership: Four (4) members appointed by the City Council as follows:

- One (1) member of the Planning Commission (for ex., Vice-Chair)
- One (1) member of the Parks Commission (for ex., Vice-Chair)
- One (1) person with experience in home construction or property issues
- One (1) person with experience in environmental, natural resources or conservation issues

CAG comments:

- CAG to include even number of members ; no votes will be taken
- Meetings to be open to the public and held at City Hall
- CAG members are encouraged to comment individually or by group consensus
- If helpful, a written document will be produced to summarize CAG comments

Study management and timeframe:

- City Manager or designee will oversee preparation of the study
- Begin early Summer 2010, finish by end of 2010



City Council Agenda Bill

Meeting Date: June 1, 2010

Date Submitted: May 26, 2010

Originating Department: Finance IT

Clearances:

- | | | |
|---|--|---|
| <input type="checkbox"/> City Manager | <input type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Attorney | <input checked="" type="checkbox"/> Finance & IT | <input type="checkbox"/> Police |
| <input type="checkbox"/> Admin Services | <input type="checkbox"/> Fire | <input type="checkbox"/> Public Works |

Subject: Microsoft Enterprise Agreement - Washington State Contract

Action Required: Authorize the City Manager to enroll the City in the Microsoft Enterprise Agreement program.

Exhibits:

1. Microsoft Enterprise Agreement Enrollment Documents
2. Presentation Slide from Carry-forward Discussion

Budget: This will be paid out of account 502-000-518-81-35-00. \$47,000 for this purchase was moved from the 2009 budget as part of the \$121,500 carry-forward request authorized by Council on April 20th, 2010, the remaining \$1,895.14 will come out of money set aside for software in the 2010 budget.

Summary Statement: City Staff has had ongoing issues with software compatibility internally and externally. This solution remedies this problem. The Microsoft Enterprise Agreement simplifies license management and helps standardize on the latest Microsoft technology. An annual payment for the latest Microsoft software replaces individual software purchases and allows us to upgrade to the latest software without additional purchases. This agreement also takes advantage of the collective purchasing power of the State of Washington, letting us purchase Microsoft software licenses at the price tier usually reserved for organizations with over 15,000 computers.

Background: The computers at City Hall are currently using four different versions of Microsoft Office and three different versions of Microsoft Windows. This introduces problems when exchanging files and makes it hard for staff members to work on different computers because they need to be familiar with multiple user interfaces. Standardizing on the latest software will allow us to take advantage of the productivity enhancements made to the newer software and increase staff efficiency. This was part of IT's 2009 Information Technology Workplan that was moved forward into 2010 due to shifting priorities and a delay in hiring the IT Specialist Position in 2009.

Symptoms of the software incompatibilities experienced include PowerPoint Presentations developed on one computer not running for presentations, Outlook calendars not integrating



City Council Agenda Bill

as needed, inability to open spreadsheet and word files received, and general formatting and font related problems.

Financial Impact: \$48,895.14/yr

Recommended Motion: Move to authorize the City Manager to enroll the City in the Microsoft Enterprise Agreement program as budgeted.

Enterprise Enrollment

State and Local

Enterprise Enrollment number <i>(Microsoft to complete)</i>		Proposal ID	
Previous Enrollment number <i>(Reseller to complete)</i>		Earliest expiring previous Enrollment end date ¹	

¹ If consolidating from multiple previous Enrollments with Software Assurance, complete the multiple previous Enrollment form and attach it to this Enrollment. Enterprise Products can only be renewed from a Qualifying Enrollment. Additional Products can be renewed from any previous Enrollment with Software Assurance.

This Enrollment must be attached to a signature form to be valid.

This Microsoft Enterprise Enrollment is entered into between the entities as of the effective date identified in the signature form. Customer represents and warrants that it is the same Customer, or an Affiliate of the Customer, that entered into the Enterprise Agreement identified above.

This Enrollment consists of (1) this document, (2) the terms of the Enterprise Agreement identified on the signature form, and (3) any supplemental contact information form or multiple previous enrollment form that may be required. If Customer's Enterprise Agreement is a version 6.4 or earlier, the Desktop Terms and Conditions are incorporated by reference.

All terms used but not defined are located at <http://microsoft.com/licensing/contracts>. In the event of any conflict the terms of this agreement control.

Effective date. If Customer is renewing Software Assurance from one or more previous Qualifying Enrollments, then the effective date will be the day after the first Enrollment expires. Otherwise the effective date will be the date this Enrollment is accepted by Microsoft.

If renewing Software Assurance, the Reseller will need to insert the previous Enrollment number and end date in the respective boxes above.

Term. This Enrollment will expire 36 full calendar months from the effective date. It could be terminated earlier or renewed as provided in the Microsoft Enterprise Agreement. Microsoft will advise Customer of the renewal options before it expires.

Product order. The Reseller will provide Customer with Customer's Product pricing and order. Prices and billing terms for all Products ordered will be determined by agreement between Customer and the Reseller. The Reseller will provide Microsoft with the order separately from this Enrollment.

Qualifying systems Licenses. All desktop operating system Licenses provided under this program are upgrade Licenses. *No full operating system Licenses are available under this program.* If Customer selects the Desktop Platform or the Windows Desktop Operating System Upgrade & Software Assurance, all Qualified Desktops on which the Windows Desktop Operating System Upgrade must be licensed to run one of the qualifying operating systems identified in the Product List at <http://microsoft.com/licensing/contracts>. Note that the list of operating systems that qualify for the Windows Desktop Operating System Upgrade varies with the circumstances of the order. That list is more extensive at the time of the initial order than it is for some subsequent true-ups and system refreshes during the term of this Enrollment.

For example, Windows XP Home Edition or successor Products are not qualifying operating systems.

1. Contact information.

Each party will notify the other in writing if any of the information in the following contact information page(s) changes. The asterisks (*) indicate required fields. By providing contact information, Customer consents to its use for purposes of administering this Enrollment by Microsoft, its Affiliates, and other parties that help administer this Enrollment. The personal information provided in connection with this Enrollment will be used and protected in accordance with the privacy statement available at <http://licensing.microsoft.com>.

- a. Primary contact information:** The Customer of this Enrollment must identify an individual from inside its organization to serve as the primary contact. This contact is the default administrator for this Enrollment and receives all notices unless Microsoft is provided written notice of a change. The administrator may appoint other administrators and grant others access to online information.

Name of entity (must be legal entity name)* City of Sammamish
Contact name* First Last
Contact email address*
Street address*
City* State * Postal code*
Country*
Phone* Fax
Tax ID (if applicable) N/A

- b. Notices and online administrator:** This individual receives online administrator permissions and thus may grant online access to others. This contact also receives all notices.

Same as primary contact

Name of entity (must be legal entity name)*
Contact name* First Last
Contact email address*
Street address*
City* State * Postal code*
Country*
Phone* Fax

This contact is a third party (not the Customer). Warning: This contact receives personally identifiable information of the Customer.

- c. Language preference:** Select the language for notices. English

- d. Microsoft account manager:** Provide the Microsoft account manager contact for this Customer.

Microsoft account manager name:
Microsoft account manager email address:

- e.** If Customer requires a separate contact for any of the following, attach the Supplemental Contact Information form. Otherwise, the notices contact remains the default.

- Additional notices contact
- Software Assurance manager
- Subscription manager
- Online Services manager
- Customer Support Manager (CSM) contact

- f.** Is a purchase under this Enrollment being financed through MS Financing? Yes, No.

- g. Reseller information**
- Reseller company name***
- Street address (PO boxes will not be accepted)***
- City* State * Postal code***
- Country* USA**
- Contact name ***
- Phone***
- Fax**
- Contact email address***

The undersigned confirms that the information is correct.

<p>Name of Reseller*</p> <p>Signature* _____</p> <p>Printed name*</p> <p>Printed title*</p> <p>Date*</p>

Changing a Reseller. If Microsoft or the Reseller chooses to discontinue doing business with one another, Customer must choose a replacement. If Customer intends to change the Reseller, it must notify Microsoft and the former Reseller, in writing on a form provided at least 90 days prior to the date on which the change is to take effect. The change will take effect 90 days from the date of Customer's signature.

2. ***Defining your Enterprise.***

Use this section to identify which Affiliates are included in the Enterprise. Customer's Enterprise must consist of entire government agencies, departments or legal jurisdictions, not partial government agencies, departments, or legal jurisdictions. (Check only one box in this section.)

- Only you (and no other affiliates) will be participating
- Customer and all Affiliates are included (*excluding* new Affiliates with which you consolidate in the future)
- The following Affiliates are excluded

3. ***Establishing Customer price level.***

The price level indicated in this section will be the price level for the initial Enrollment term for all Enterprise Products ordered and for any Additional Products in the same pool(s). The price level for any other Additional Products will be level "D".

<p>Qualified Desktops: Customer represents that the total number of Qualified Desktops in its Enterprise is, or will be increased to, this number during the initial term of this Enrollment (This number must be equal to at least 250 desktops).</p>	<p>90</p>
---	------------------

Exhibit 1

Qualified Users: Customer represents that the total number of Qualified Users in its Enterprise is, or will be increased to, this number during the initial term of this Enrollment (This number must be equal to at least 250 users).

Number of desktops/ users	Price level
250 to 2,399	A
2,400 to 5,999	B
6,000 to 14,999	C
15,000 and above	D

Price level (for pools in which Customer orders an Enterprise Product):	Qualified Desktop	Qualified User
	D	D

Price level (for pools in which Customer does not order an Enterprise Product):	Price level "D"
--	------------------------

4. Enterprise Product orders.

Customer must select a desktop platform or any individual Enterprise Product before it can order Additional Products. The CAL selection must be the same across the Enterprise. The components of the current versions of any Enterprise Product are identified in the Product List.

Enterprise Product Selection

Please choose the Enrolled Affiliate's desktop option (Select 1):

Enterprise Desktop with MDOP Enterprise Desktop
 Professional Desktop with MDOP Professional Desktop
 Custom Desktop or Individual Enterprise Product Component(s):

Select at least 1 component. (For full platform, Windows Desktop, Office, and Client Access License components must all be selected.)

Windows Desktop (Includes Windows Desktop Operating System Upgrade and VECD): Windows Desktop with MDOP
 Office: Office Professional Plus
 Client Access License: Enterprise CAL

For any Client Access Licenses, please indicate whether licensing by Desktop or User: Desktop

Other Enterprise Products (optional):

Add VECD for Software Assurance as an Enterprise Product (must have selected option with "Windows Desktop OS Upgrade")

Unless stated/indicated otherwise, Microsoft will invoice Customer's Reseller in 3 equal annual installments. The first installment will be invoiced upon Microsoft's acceptance of this Enrollment and thereafter on the anniversary of the Enrollment. All subsequent new Additional Products and true-ups are billed in full.

Enterprise Enrollment – State and Local Amendment ID W16

Proposal ID

1. On the first page of the Enrollment, the following is added after the second paragraph:

By entering into this Enrollment, the Enrolled Affiliate agrees that (1) it also has 250 or more Qualified Desktops; or (2) as a condition of entering into this Enrollment with 25-249 Qualified Desktops, Enrolled Affiliate has elected not to receive CD ROMs as part of the Enrollment and therefore no CD ROMs will automatically be shipped. If Enrolled Affiliate is enrolling with 25-249 Qualified Desktops and it would like to receive CD ROM Kits and updates, Enrolled Affiliate may order these through its Reseller for a fee.

2. The section entitled “Establishing Customer price level,” is hereby amended and restated in its entirety with the following:

Establishing Customer price level.

The price level indicated in this section will be Customer’s price level for the initial Enrollment term for all Enterprise Products Enrolled Affiliate orders and for any Additional Products in the same pool(s). Customer’s price level for any other Additional Products will be level “D”.

Qualified Desktops: Enrolled Affiliate represents that the total number of Qualified Desktops in its Enterprise is, or will be increased to, this number during the initial term of this Enrollment (This number <i>may be less than 250 desktops, but must be at least 25 desktops</i>).	90
Qualified Users: Enrolled Affiliate represents that the total number of Qualified Users in its Enterprise is, or will be increased to, this number during the initial term of this Enrollment (This number <i>may be less than 250 users, but must be at least 25 users</i>).	

Number of desktops/users	Price level
250 to 2,399	A
2,400 to 5,999	B
6,000 to 14,999	C
15,000 and above	D

Price level (for pools in which Customer orders an Enterprise Product):	Qualified Desktop	Qualified User
	D	D

Price level (for pools in which Customer does not order an Enterprise Product):	Price level “D”
--	------------------------

3. *Software Assurance addition and migration.*

Renewing Software Assurance: If customer will be renewing Enterprise Products Software Assurance coverage from a separate agreement, check this box.	<input type="checkbox"/>
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By checking the above box, a new section is added to the Enrollment entitled “Software Assurance addition and migration.”:

Customer is permitted to and will include in its initial order under this Enrollment the Software Assurance quantities identified in the table below (the “New Software Assurance”), even though Customer is not otherwise eligible to order such Software Assurance without simultaneously ordering a License.

Exhibit 1

PartNumber	ItemName	Price	QTY
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First Annual Order

269-12445	OfficeProPlus All Lng Lic/SA Pack MVL Platform Annual	138.53 each	90
FQC-03030	WinPro All Lng Upgrade/SA pack MVL w/MDOP Platform Annual	45.62 each	90
76A-00010	EntCAL All Lng Lic/SA Pack MVL User CAL w/SVCS Platform Annual	108.66 each	90
312-02177	ExchgSvrStd All Lng Lic/SA Pack MVL Annual	268.76 each	2
KNA-00249	OfficeCommsSvrStd All Lng Lic/SA Pack MVL Annual	268.76 each	1
H04-00232	SharePointSvr All Lng Lic/SA Pack MVL Annual	1871.35 each	1
359-00765	SQLCAL All Lng Lic/SA Pack MVL Device CAL Annual	62.21 each	90
228-04437	SQLSvrStd All Lng Lic/SA Pack MVL Annual	340.92 each	5
J3A-00167	SysCtrCnfgMgrSvr All Lng Lic/SA Pack MVL Annual	220.65 each	1
P71-01031	WinSvrDtatCtr All Lng Lic/SA Pack 1 Processor MVL Annual	913.28 each	12
P73-00203	WinSvrStd All Lng Lic/SA Pack MVL Annual	276.22 each	5

Second Annual Order

269-12445	OfficeProPlus All Lng Lic/SA Pack MVL Platform Annual	138.53 each	90
FQC-03030	WinPro All Lng Upgrade/SA pack MVL w/MDOP Platform Annual	45.62 each	90
76A-00010	EntCAL All Lng Lic/SA Pack MVL User CAL w/SVCS Platform Annual	108.66 each	90
312-02177	ExchgSvrStd All Lng Lic/SA Pack MVL Annual	268.76 each	2
KNA-00249	OfficeCommsSvrStd All Lng Lic/SA Pack MVL Annual	268.76 each	1
H04-00232	SharePointSvr All Lng Lic/SA Pack MVL Annual	1871.35 each	1
359-00765	SQLCAL All Lng Lic/SA Pack MVL Device CAL Annual	62.21 each	90

Exhibit 1

228-04437	SQLSvrStd All Lng Lic/SA Pack MVL Annual	340.92	each	5
J3A-00167	SysCtrCnfgMgrSvr All Lng Lic/SA Pack MVL Annual	220.65	each	1
P71-01031	WinSvrDtatCtr All Lng Lic/SA Pack 1 Processor MVL Annual	913.28	each	12
P73-00203	WinSvrStd All Lng Lic/SA Pack MVL Annual	276.22	each	5

Third Annual Order

269-12445	OfficeProPlus All Lng Lic/SA Pack MVL Platform Annual	138.53	each	90
FQC-03030	WinPro All Lng Upgrade/SA pack MVL w/MDOP Platform Annual	45.62	each	90
76A-00010	EntCAL All Lng Lic/SA Pack MVL User CAL w/SVCS Platform Annual	108.66	each	90
312-02177	ExchgSvrStd All Lng Lic/SA Pack MVL Annual	268.76	each	2
KNA-00249	OfficeCommsSvrStd All Lng Lic/SA Pack MVL Annual	268.76	each	1
H04-00232	SharePointSvr All Lng Lic/SA Pack MVL Annual	1871.35	each	1
359-00765	SQLCAL All Lng Lic/SA Pack MVL Device CAL Annual	62.21	each	90
228-04437	SQLSvrStd All Lng Lic/SA Pack MVL Annual	340.92	each	5
J3A-00167	SysCtrCnfgMgrSvr All Lng Lic/SA Pack MVL Annual	220.65	each	1
P71-01031	WinSvrDtatCtr All Lng Lic/SA Pack 1 Processor MVL Annual	913.28	each	12
P73-00203	WinSvrStd All Lng Lic/SA Pack MVL Annual	276.22	each	5

True-Up Pricing

M7D-00010	EntDsktp w/MDOP All Ing Lic/SA Pack OfficeWin MVL True-Up Year 1	506.82	each
M7D-00010	EntDsktp w/MDOP All Ing Lic/SA Pack OfficeWin MVL True-Up Year 2	418.07	each
M7D-00010	EntDsktp w/MDOP All Ing Lic/SA Pack OfficeWin MVL True-Up Year 3	328.48	each

Exhibit 1

312-02177	ExchgSvrStd All Lng Lic/SA Pack MVL True-Up Year 1	749.04	each
312-02177	ExchgSvrStd All Lng Lic/SA Pack MVL True-Up Year 2	633.74	each
312-02177	ExchgSvrStd All Lng Lic/SA Pack MVL True-Up Year 3	518.44	each
KNA-00249	OfficeCommsSvrStd All Lng Lic/SA Pack MVL True-Up Year 1	749.04	each
KNA-00249	OfficeCommsSvrStd All Lng Lic/SA Pack MVL True-Up Year 2	633.74	each
KNA-00249	OfficeCommsSvrStd All Lng Lic/SA Pack MVL True-Up Year 3	518.44	each
H04-00232	SharePointSvr All Lng Lic/SA Pack MVL True-Up Year 1	5213.41	each
H04-00232	SharePointSvr All Lng Lic/SA Pack MVL True-Up Year 2	4411.28	each
H04-00232	SharePointSvr All Lng Lic/SA Pack MVL True-Up Year 3	3608.33	each
359-00765	SQLCAL All Lng Lic/SA Pack MVL Device CAL True-Up Year 1	174.20	each
359-00765	SQLCAL All Lng Lic/SA Pack MVL Device CAL True-Up Year 2	147.65	each
359-00765	SQLCAL All Lng Lic/SA Pack MVL Device CAL True-Up Year 3	120.28	each
228-04437	SQLSvrStd All Lng Lic/SA Pack MVL True-Up Year 1	950.61	each
228-04437	SQLSvrStd All Lng Lic/SA Pack MVL True-Up Year 2	804.62	each
228-04437	SQLSvrStd All Lng Lic/SA Pack MVL True-Up Year 3	657.79	each
J3A-00167	SysCtrCnfgMgrSvr All Lng Lic/SA Pack MVL True-Up Year 1	614.66	each
J3A-00167	SysCtrCnfgMgrSvr All Lng Lic/SA Pack MVL True-Up Year 2	519.27	each
J3A-00167	SysCtrCnfgMgrSvr All Lng Lic/SA Pack MVL True-Up Year 3	424.70	each
P71-01031	WinSvrDtatCtr All Lng Lic/SA Pack 1 Processor MVL True-Up Year 1	2545.74	each
P71-01031	WinSvrDtatCtr All Lng Lic/SA Pack 1 Processor MVL True-Up Year 2	2153.38	each
P71-01031	WinSvrDtatCtr All Lng Lic/SA Pack 1 Processor MVL True-Up Year 3	1761.86	each
P73-00203	WinSvrStd All Lng Lic/SA Pack MVL True-Up Year 1	768.95	each
P73-00203	WinSvrStd All Lng Lic/SA Pack MVL True-Up Year 2	650.33	each

Exhibit 1

P73-00203 WinSvrStd All Lng Lic/SA Pack MVL True-Up Year 3

531.71	each
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Prices are subject to change

Pricing does not include Washington State Sales Tax

Enterprise Signature Form

State and Local

Master Agreement number or Enrollment number*

SGN-

Proposal ID

Microsoft to complete if applicable

***Note:** Enter the applicable active numbers associated with the below documents. Microsoft requires the associated active number be indicated here, or listed below as new.

This signature form and all contract documents identified in the table below are entered into between the Customer and the Microsoft Affiliate signing, as of the effective date identified below.

Contract Document	Document Number or Code
Enterprise Enrollment	X20-00096
<Choose One>	
<Choose One>	
<Choose One>	
Amendment ID	W16

By signing below, Customer and the Microsoft Affiliate agree that both parties (1) have received, read and understand the above contract documents,, including any websites or documents incorporated by reference and any amendments and (2) agree to be bound by the terms of all such documents.

Customer	Microsoft Affiliate
Name of Entity * City of Sammamish	Microsoft Licensing, GP
Signature * _____	Signature
Printed Name *	Printed Name
Printed Title *	Printed Title
Signature Date *	Signature Date <small>(date Microsoft Affiliate countersigns)</small>
Tax ID N/A	Effective Date <small>(may be different than Microsoft's signature date)</small>

** indicates required field*

Optional 2nd Customer signature or Outsourcer Signature (if applicable)

Customer	Outsourcer
Name of Entity *	Name of Entity *
Signature * _____	Signature * _____
Printed Name *	Printed Name *
Printed Title *	Printed Title *
Signature Date *	Signature Date *

If Customer requires physical media, additional contacts, or is reporting multiple previous Enrollments, include the appropriate form(s) with this signature form. If no media form is included, no physical media will be sent.

After this signature form is signed by the Customer, send it and the Contract Documents to Customer's channel partner or Microsoft account manager who must submit them to the following address. When the signature form is fully executed by Microsoft, Customer will receive a confirmation copy.

Microsoft Licensing, GP
 Dept. 551, Volume Licensing
 6100 Neil Road, Suite 210
 Reno, Nevada 89511-1137
 USA

Prepared By:



Capital Funds (\$6.86 M) Continued....

- **SWM Capital Fund: \$327,100**
 - Projects moving to 2010
- **Equipment Replacements: \$195,000**
 - Vehicle replacements in 2010, partially offset by grant funding for hybrids
- **Parks Capital Fund: \$190,500**
 - Projects in planning design phase moving to 2010
- **Information Tech: \$121,500**
 - Software upgrades and electrician services moving into 2010.



City Council Agenda Bill

Meeting Date: June 1, 2010

Date Submitted: May 26, 2010

Originating Department: Community Development

Clearances:

<input checked="" type="checkbox"/> City Manager	<input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Parks & Recreation
<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Finance & IT	<input type="checkbox"/> Police
<input type="checkbox"/> Admin Services	<input type="checkbox"/> Fire	<input type="checkbox"/> Public Works

Subject: Title 19A SMC, Land Division

Action Required: First Reading, Open Public Hearing

Exhibits: 1. Proposed Ordinance and Attachment A (Title 19A)

Budget: N/A

Summary Statement:

One title of the Sammamish Municipal Code (Title 19, Subdivisions) is proposed to be replaced with a rewritten Title 19A, Land Division. This title deals mostly with the procedures used to process and approve a variety of permit applications for subdivisions, short-subdivisions, boundary line adjustments and similar applications. The revised version improves the clarity and completeness of the code. The Planning Commission held a public hearing, considered three major policy choices, and transmitted their recommendations for Title 19A on May 11, 2010. A few minor edits have been made subsequent to the planning commission's recommendation pursuant to the City attorney's review, and the term of approval of a preliminary subdivision set forth in proposed SMC 19A.12.020 has been revised to conform to new state law requirements.

Background:

The original Title 19, Subdivisions was adopted from King County Code upon incorporation in 1999. In working with that code, it became apparent that an improved version of the code was needed and would improve ease of use for both staff and applicants. A revised version was developed with early stakeholder input from builders, developers, consultants and relevant jurisdictions including the water and sewer districts. Subsequently the Planning Commission sought and considered additional stakeholder input, held their public hearing and made a recommendation to the City Council.

Financial Impact: N/A

Recommended Motion:

First Reading, open Public Hearing only. No action required.

**DRAFT
CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. _____**

**AN ORDINANCE OF THE CITY OF SAMMAMISH, REPLACING
TITLE 19 (SUBDIVISIONS) OF THE SAMMAMISH MUNICIPAL
CODE WITH A REVISED TITLE 19A (LAND DIVISION)**

WHEREAS, pursuant to the provisions of state law, Chapter 35A.63 of the Revised Code of Washington (RCW) and Chapter 36.70A RCW, the Sammamish City Council has adopted the Sammamish Municipal Code (SMC), including Title 19 which regulates land division; and

WHEREAS, the City Council finds it in the interest of the City of Sammamish to amend the City Code to replace the existing Title 19, adopted under Ordinance 2003-132, with a revised Title 19A, as set forth in Attachment “A” to this Ordinance, to improve clarity and completeness and make appropriate revisions to the provisions governing land division in the City; and

WHEREAS, the Planning Commission considered the proposed revisions to the Sammamish Municipal Code during their regular meetings on March 4, March 18 and April 8, 2010; and

WHEREAS, the Department of Community Development sent the Washington State Department of Commerce copies of the proposed amendments and was granted expedited review on April 14, 2010, and was informed that the City was in compliance with RCW 36.70A; and

WHEREAS, an Environmental Checklist for the proposed amendments, a non-project action, was prepared pursuant to Washington Administrative Code Chapter 197-11 and City of Sammamish Municipal Code Chapter 20.15, and a Determination of Non-Significance (DNS) was issued on April 1, 2010, with the comment period ending on April 15, 2010; and

WHEREAS, the Planning Commission held public hearings on March 18 and April 8, 2010, to consider the proposed amendments to the Sammamish Municipal Code; and

WHEREAS, the Planning Commission, after due consideration, recommended amendments to Title 19, to be re-named Title 19A, of the Sammamish Municipal Code to the City Council; and

WHEREAS, after providing public notice, the City Council held a public hearing on June 1, 2010, and continued to June 15, 2010, to consider amending the Sammamish Municipal Code in accordance with the proposed amendments; and

WHEREAS, the City Council finds the proposed amendments to the Sammamish Municipal Code to be consistent with, and necessary to implement the intent of the City’s Comprehensive Plan;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH WASHINGTON, DO ORDAIN AS FOLLOWS:

SECTION 1. Repeal of Existing Title 19. Title 19 of the Sammamish Municipal Code as adopted under Ordinance 2003-132 is hereby repealed.

SECTION 2. Adoption of Revised Title 19A. Title 19A, as set forth in Attachment "A" to this Ordinance, is hereby adopted.

SECTION 3. Effective Date. This ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

SECTION 4. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE ____ DAY OF JUNE, 2010.

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: May 27, 2010
Public Hearing: June 1, 2010
First Reading: June 1, 2010
Public Hearing:
Passed by the City Council:
Date of Publication:
Effective Date:

**Title 19A
LAND DIVISION**

Chapters:

19A.01 Purpose

19A.04 Definitions

19A.08 Administration

19A.12 Subdivisions and Short Subdivision

19A.16 Final Plat and Final Short Plat Maps for Preliminarily Approved Subdivisions and Short Subdivisions

19A.20 Binding Site Plans

19A.24 Boundary Line Adjustments

**Chapter 19A.01
PURPOSE**

19A.01.010 Purpose. The purpose of this title is to:

- A. Establish the authority and procedures for dividing land in the City of Sammamish.
- B. Define and regulate divisions of land that are exempt from the short subdivision or subdivision requirements.
- C. Ensure consistency with and implement the City of Sammamish Comprehensive Plan as amended in accordance with the Washington State Growth Management Act, RCW 36.70A.120.
- D. Ensure uniform monumenting of land subdivisions and conveyance by accurate legal description.
- E. Protect and preserve the public health, safety and general welfare in accordance with the standards established by City of Sammamish and the State of Washington.
- F. Ensure consistency with Chapter 58.17 RCW.

**Chapter 19A.04
DEFINITIONS**

Sections:

19A.04.010 Acre

19A.04.020 Alteration

19A.04.030 Applicant

19A.04.040 Binding site plan

19A.04.050 Building envelope

19A.04.060 Building site

19A.04.070 Civil engineer

19A.04.075 City Engineer

19A.04.080 Condominium

19A.04.090 Dedication

19A.04.100 Department

19A.04.110 Development review engineer

19A.04.120 Director
19A.04.130 Easement
19A.04.140 Engineered preliminary drainage plan
19A.04.150 Financial Guarantee
19A.04.170 Homeowners' Association (HOA)
19A.04.180 Improvements
19A.04.19A0 Innocent Purchaser
19A.04.200 Land surveyor
19A.04.210 Lot area
19A.04.220 Non-building lot
19A.04.230 Ownership interest
19A.04.250 Plat, final
19A.04.260 Plat, preliminary
19A.04.270 Revisions
19A.04.280 Separate lot
19A.04.290 Short plat, final
19A.04.300 Short plat, preliminary
19A.04.310 Short subdivision
19A.04.320 Street
19A.04.330 Subdivision
19A.04.340 Tract
19A.04.350 Definitions not listed

19A.04.010 Acre: an area of land equal to forty-three thousand, five hundred sixty (43,560) square feet.

19A.04.020 Alteration: the modification of a previously recorded plat, short plat, binding site plan, or any portion thereof, that results in modifications to conditions of approval, the addition of new lots or more land, or the deletion of existing lots or the removal of plat or lot restrictions or dedications that are shown on the recorded plat, except as otherwise allowed by law.

19A.04.030 Applicant: a property owner, or a public agency or public or private utility that owns a right-of-way or other easement or has been adjudicated the right to such easement pursuant to RCW 8.12.090, or any person or entity designated or named in writing by the property or easement owner to be the applicant, in an application for a development proposal, permit or approval.

19A.04.040 Binding site plan: a plan drawn to scale which (a) Identifies and shows the areas and locations of all streets, roads, improvements, utilities, open spaces, critical areas, parking areas, landscaped areas, surveyed topography, water bodies, drainage features, and building envelopes; (b) contains inscriptions or attachments setting forth such appropriate limitations and conditions for the use of the land as are established by the Director or Hearing Examiner; and (c) contains provisions requiring any development be in conformity with the site plan; processed in accordance with SMC19AA.20.010 through 19AA.20.060 and chapter 58.17 RCW.

19A.04.050 Building envelope: the area of a lot that delineates the limits of where a building may be placed on a lot.

19A.04.060 Building site: an area of land, consisting of one or more lots or portions of lots, that is:

- A. Capable of being developed under current federal, state, and local statutes, including zoning and use provisions, dimensional standards, minimum lot width, shoreline master program provisions, critical area provisions and health and safety provisions; or
- B. Currently legally developed.

19A.04.070 Civil engineer: an individual registered and licensed as a professional civil engineer pursuant to chapter 18.43 RCW.

19A.04.075 City Engineer: the individual appointed as the City Engineer for the City of Sammamish or his or her designee.

19A.04.080 Condominium: real property, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions as defined in chapters 64.32 and 64.34 RCW. Real property is not a condominium unless the undivided interests in the common elements are vested in the unit owners and unless a declaration, survey map and plans have been recorded pursuant to chapter 64.32 or 64.34 RCW.

19A.04.090 Dedication: the deliberate conveyance of land by an owner for any general and public uses, reserving no rights other than those that are compatible with the full exercise and enjoyment of the public uses for which the property has been conveyed. The intention to dedicate shall be evidenced by the owner by the presentment for filing of a final plat, short plat or binding site plan showing the dedication thereon or deed. The acceptance by the public shall be evidenced by the approval of such plat, short plat, binding site plan or deed for filing.

19A.04.100 Department: the City of Sammamish Department of Community Development and/or the Department of Public Works as appropriate.

19A.04.110 Development review engineer: the Director of the Department of Public Works or his or her designee.

19A.04.120 Director: the Director of the City of Sammamish Department of Community Development or Department of Public Works, as appropriate, or his or her designee.

19A.04.130 Easement: a right granted by a property owner to specifically named parties or to the public for the use of certain land for specified purposes, that may include, but are not limited to, road access, pedestrian or bicycle pathways, minerals, utility easements, drainage and open space.

19A.04.140 Engineered preliminary drainage plan: a preliminary plan, consistent with the City's adopted drainage manual, that shows the locations, types and approximate sizes of the proposed drainage and conveyance facilities, including any required detention pond, bioswales, wetponds or other water quality facilities.

19A.04.150 Financial guarantee: a form of financial security posted to ensure timely and proper completion of improvements, compliance with the City of Sammamish Code or to warrant materials, workmanship of improvements and design. Financial guarantees include assignments of funds, surety bonds and other forms of financial security acceptable to the Director.

19A.04.170 Homeowners' Association (HOA): any combination or grouping of persons or any association, corporation or other entity that represents homeowners residing in a short subdivision, subdivision or binding site plan.

19A.04.180 Improvements: constructed appurtenances, including but not limited to road and drainage construction, utility installation, recreational features, lot grading prior to a building permit, street trees, landscaping, critical areas signage, sidewalks, plat monument signs, survey monuments.

19A.04.19A0 Innocent Purchaser: an individual who has purchased real property for value, has not received actual notice that the lot has not been legally created as a separate lot, and has not previously been granted innocent purchaser status by the City.

19A.04.200 Land surveyor: an individual licensed as a land surveyor pursuant to Chapter 18.43 RCW.

19A.04.210 Lot area: the total area contained within the boundaries of the lot, excluding submerged land.

19A.04.220 Non-building lot: a lot identified as a non-building lot on the face of the plat or short plat, for which improvements for the purpose of human habitation or occupancy are prohibited.

19A.04.230 Ownership interest: having property rights as a fee owner, contract purchaser, mortgagee, or deed of trust beneficiary or grantor.

19A.04.250 Plat, final: the final drawing of the subdivision and dedication prepared for filing with the county auditor and containing all elements and requirements set forth in this title and in Chapter 58.17 RCW and Chapter 332-130 WAC.

19A.04.260 Plat, preliminary: a true and approximate drawing of a proposed subdivision showing the general layout of streets, alleys, lots, tracts, and other elements of a subdivision required by this title and Chapter 58.17 RCW. The preliminary plat shall be the basis for the approval or disapproval of the general layout of a subdivision.

19A.04.270 Revisions: a change prior to recording of a previously approved preliminary plat, preliminary short plat or binding site plan that includes, but is not limited to, the addition of new lots, tracts or parcels.

19A.04.280 Separate lot: a physically separate and distinct parcel of property, which has been created through one of the following processes:

A. The lot was created in compliance with the subdivision or short subdivision laws in effect at the time of creation of the lot;

B. The lot has been recognized by the department as a lot pursuant to SMC 19A.08.070 (determining and maintaining legal lot status), SMC 19A.08.080 (removing limitations on non-building lots), SMC 19A.08.090 (lots created in violation of this title); or

C. The lot is a portion of a lot created through the processes cited in subsection (A) or (B) of this section that is separated from the remainder of the lot by one of the following:

1. A public road right-of-way; or

2. Shorelines as defined in SMC 25.10.450; or

3. Another separate lot, or a tract as defined in this title, including railroad or public utility owned rights-of-way, publicly owned property, or other parcels recognized by the department pursuant to SMC 19A.08.040.

19A.04.290 Short plat, final: the final drawing of the short subdivision and dedication prepared for filing with the county auditor and containing all elements and requirements set forth in this title and in Chapter 58.17 RCW and Chapter 332-130 WAC.

19A.04.300 Short plat, preliminary: a true and approximate drawing of a proposed short subdivision showing the general layout of streets, alleys, lots, and other elements of a short subdivision required by this title and chapter 58.17 RCW. The preliminary short plat shall be the basis for the approval or disapproval of the general layout of a short subdivision.

19A.04.310 Short subdivision: a division or redivision of land into nine or fewer lots, tracts, parcels or sites for the purpose of sale, lease or transfer of ownership.

19A.04.320 Street: a public or recorded private thoroughfare providing pedestrian and vehicular access through neighborhoods and communities and to abutting property.

19A.04.330 Subdivision: a division or redivision of land into two or more lots, tracts or parcels for the purpose of sale, lease or transfer of ownership, except as provided by the short subdivision of two to nine lots. A subdivision can also be known as a "long subdivision".

19A.04.340 Tract: land encompassed by a separate property boundary and reserved on the final plat, final short plat, or binding site plan for specified uses including, but not limited to, reserve tracts, recreation, open space, critical areas, storm water facilities, utility facilities and access. Tracts are not considered lots or building sites for purposes of residential dwelling or commercial/institutional construction.

19A.04.350 Definitions not listed: For words not defined in this chapter, the definitions of Chapter 21A SMC shall control. For words not defined in either Chapter 19A or 21A SMC, the usual and customary meaning shall apply.

**Chapter 19A.08
ADMINISTRATION**

Sections:

- 19A.08.010 Scope of chapter
- 19A.08.030 Transfer of land or granting of an easement to a public agency.
- 19A.08.040 Exemptions – subdivision and short subdivision
- 19A.08.050 Recording map and legal descriptions
- 19A.08.060 Review for conformity with other codes, plans and policies
- 19A.08.070 Determining and maintaining legal status of a lot
- 19A.08.080 Removing limitations on non-building lots
- 19A.08.090 Lots created in violation of this title
- 19A.08.100 Public street rights-of-way
- 19A.08.110 Limitations within future road corridors
- 19A.08.120 Public trail rights-of-way
- 19A.08.130 Adequacy of access
- 19A.08.140 Affidavit of correction
- 19A.08.150 Vertical and horizontal survey controls
- 19A.08.160 Financial guarantees
- 19A.08.170 Application requirements for preliminary plats, preliminary short plats and preliminary binding site plans
- 19A.08.180 Violations and enforcement
- 19A.08.19A0 Circumvention of zoning density prohibited
- 19A.08.200 Rules

19A.08.010 Scope of chapter. Any division of land is subject to the provisions of this title except as stated herein.

19A.08.030 Transfer of land or granting of an easement to a public agency. The transfer of land or granting of an easement to a public agency for road and utility purposes shall not be considered a division of land.

19A.08.040 Exemptions – subdivision and short subdivision. The subdivision and short subdivision provisions of this title shall not apply to:

- A. Divisions of lands for cemeteries and other burial plots while used for that purpose.
- B. Divisions of land into lots or tracts each one of which is twenty acres or larger.
- C. Divisions of land into lots or tracts that are one-one hundred twenty-eighth of a section, or five acres or larger only for the purpose of allowing fee simple purchase or deeding of such lots or tracts to public agencies.
- D. Divisions of land made by testamentary provisions or laws of descent.
- E. Divisions of land into lots or tracts consistent with RCW 58.17.040(7), for which a condominium binding site plan has been recorded in accordance with the binding site plan provisions set forth in this title.

- F. An adjustment of boundary lines in accordance with the provisions of this title.
- G. Divisions of land for the purpose of lease when no residential structures other than mobile homes are permitted to be placed upon the land and for which a binding site plan for the use of the land as a mobile home park has been approved by the Director.
- H. Divisions of land by binding site plan into lots or tracts classified for commercial use consistent with the binding site plan provisions of this title.
- I. A parcel that is a portion of a lot that is separated from the remainder of the lot by one of the following: a public road right-of-way; shorelines as defined in SMC 25.10.450; or another separate lot; or a tract as defined in SMC 19A.04.340, including railroad or public utility owned rights-of-way, publicly owned property, or other parcels recognized by the department pursuant to this title.
- J. A division meeting the provisions of RCW 58.17.040(8) for the purpose of leasing land for facilities providing personal wireless services while used for that purpose.
- K. A division of land meeting the provisions of RCW 58.17.040(9) into lots or tracts of less than three acres that is recorded in accordance with chapter 58.09 RCW and is used or to be used for the purpose of establishing a site for construction and operation of consumer-owned or investor-owned electric utility facilities.

19A.08.050 Recording map and legal descriptions. The final recording map and legal description of a plat, short plat, boundary line adjustment or binding site plan shall be prepared by a land surveyor in accordance with Chapter 58.09 RCW and Chapter 332-130 WAC, Surveys and Recording, and be recorded with the King County Office of Records and Elections as required by this title.

19A.08.060 Review for conformity with other codes, plans and policies. Applications for approvals pursuant to this title shall be reviewed in accordance with the set forth in this title and SMC Title 20. A preliminary subdivision, short subdivision or binding site plan may be approved, approved with conditions or denied based on findings in accordance with city, special district and state rules, regulations, plans and policies including, but not limited to:

- A. Chapter 43.21C RCW (SEPA)
- B. Chapter 58.17 RCW (Subdivisions), including sidewalks and other planning features that assure safe walking conditions for students who walk to and from school.
- C. Chapters 36.70A and 36.70B RCW (Growth Management and Project Review)
- D. SMC Titles 14 and 14A (Public Works and Transportation, Public Facilities)
- E. SMC Title 15 (Environment)
- F. SMC Title 16 (Buildings and Construction)
- G. SMC Title 20 (Administrative Procedures/Environmental Policy)
- H. SMC Title 21A (Development Code)
- I. SMC Title 21B (Town Center)
- J. SMC Title 23 (Code Enforcement)
- K. Applicable shoreline master program, including SMC Title 25
- L. City of Sammamish Public Works Standards
- M. Administrative rules adopted pursuant to SMC Chapter 2.55
- N. King County Board of Public Health rules and regulations
- O. Applicable water/sewer district requirements
- P. City of Sammamish Comprehensive Plan

- Q. City of Sammamish Stormwater Comprehensive Plan
- R. SMC Title 27A (Financial Guarantees)
- S. This title.

19A.08.070 Determining and maintaining legal lot status

A. A property owner may request that the department determine whether a lot was legally created. The property owner shall demonstrate to the satisfaction of the department that, a lot was created, in compliance with applicable state and local land use statutes or codes in effect at the time the lot was created.

B. In requesting a determination, the property owner shall submit evidence, deemed acceptable to the department, such as:

1. Recorded subdivisions, or division of land into four lots or less;
2. King County or City of Sammamish documents indicating approval of a short subdivision;
3. Recorded deeds or contracts describing the lot or lots either individually or as part of a conjunctive legal description (e.g. Lot 1 and Lot 2);
4. Tax records or other evidence, describing the lot as an individual parcel. The department shall give weight to the existence of historic tax records or tax parcels in making its determination.

C. Once the department has determined that the lot was legally created, the department shall continue to acknowledge the lot as such, unless the property owner aggregates or merges the lot with another lot or lots in order to:

1. Create a parcel of land that would qualify as a building site; or
2. Implement a deed restriction or condition, a covenant or court decision.

D. The department's determination shall not be construed as a guarantee that the lot constitutes a building site as defined in SMC 19A.04.060.

19A.08.080 Removing limitations on non-building lots. Limitations placed on a non-building lot may be removed and the lot recognized by the City of Sammamish as a building lot by approval of a subdivision, short subdivision, binding site plan or alteration of a plat, short plat or binding site plan.

19A.08.090 Lots created in violation of this title.

A. All contiguous lots created in violation of this title and that are under the same ownership at the time of application for innocent purchaser status shall be recognized only as a single lot.

B. A lot that has been determined to meet the requirements for innocent purchaser status by the City, including filing of a notarized affidavit of innocent purchase with the department on forms satisfactory to the Director, shall be treated as follows for purposes of determining zoning compliance and for establishing eligibility for building permits and future subdivisions:

1. A lot recognized pursuant to this innocent purchaser provision will be treated the same as a legally subdivided lot if the parcel meets current zoning requirements for access, lot area and lot width;
2. Innocent purchaser lots that do not meet current zoning requirements, but that did meet zoning requirements in effect at the time that they were created, will be treated the same as legally created substandard lots as provided in the City's development code;
3. Innocent purchaser lots that do not meet current zoning requirements and that did not meet the zoning requirements in effect at the time of their creation will be treated the same as legally created lots for purpose of conveyance, but will not be eligible for building permits; and

4. A determination by the department of innocent purchaser status of a lot shall not relieve a property owner or applicant from compliance with all other codes, requirements and restrictions applicable to the lot.

19A.08.100 Public street rights-of-way. The City Engineer shall have the authority to make determinations under this section whether dedication or deeding of right-of-way is required. Right-of-way widths shall comply with current Public Works Standards. Dedication or deeding to the city of right-of-way or a portion thereof for public streets shall be required within or along the boundaries of all binding site plans, subdivisions and short subdivisions or of any lot or lots within them, under the following circumstances, where facts support that such dedication is reasonably necessary as a result of the impact created by the proposed development:

A. Where the current six-year Transportation Improvement Program (TIP), or projects identified in the City's adopted comprehensive plan transportation element will require a new right-of-way or portion thereof for street purposes; or

B. Where necessary to extend or to complete the existing or future neighborhood street pattern, including connection to existing adjacent right-of-way stubs; or

C. Where necessary to provide additional or new right-of-way to existing city right-of-way network; or

D. Where necessary to comply with the city's current Public Works Standards; or

E. Where necessary to provide a public transportation system that supports future development of abutting property consistent with the City of Sammamish Comprehensive Plan or Title 21A SMC, provided that the right-of-way shall:

1. Provide for vehicular and pedestrian circulation within and between neighborhoods; or

2. Provide local traffic alternatives to the use of arterial streets.

19A.08.110 Limitations within future road corridors. In order to allow for the development of future road corridors that would complete the public circulation system or that would provide a sole source of access for an abutting property, the City may limit improvements within specific areas of a proposed binding site plan, subdivision or short subdivision. These limitations may preclude the construction of buildings, driveways, drainage facilities or other improvements within the specified areas.

19A.08.120 Public trail rights-of-way. In conformance with SMC 21A.30.200 (Trail corridors-Applicability), a dedication, deeding or easement to the City for public trail purposes shall be required where a binding site plan, subdivision, or short subdivision or portion thereof is located on properties that include trail corridors shown within an adopted City parks or trails plan. The trail corridor dedication, deeding, or easement shall be in an appropriate location and of sufficient width and dimension to meet the requirements of SMC 21A.30.210 (Trail corridors-Development standards) and the Trails, Bikeways and Paths Plan.

19A.08.130 Adequacy of access.

Each lot within the subdivision, short subdivision, or binding site plan shall have acceptable access conforming to the current Public Works Standards. In order to assure safe and adequate access, the City Engineer:

1. May limit direct access to certain streets and require on-site public streets in lieu of private streets, individual driveways or access panhandles, in accordance with the City street standards as set forth in the current Public Works Standards;
2. May require off-site improvements to public or private streets as necessary to provide access from the subdivision, short subdivision or binding site plan to a road acceptable to the City engineer;
3. May require off-site mitigation of identified significant impacts to neighborhood streets; and
4. May assure that the number of lots, units or commercial space to be served by the street system complies with the street standards as set forth in the current Public Works Standards.

19A.08.140 Affidavit of correction.

A. Any map page or document recorded with the King County Records and Elections division, or its successor agency, under the provisions of this title that contains an error in fact or omission may be amended by an affidavit of correction. The following types of errors may be corrected by affidavit:

1. Any courses, distances or elevations omitted from the recorded document;
2. An error in any courses, distances or elevations shown on the recorded document;
3. An error in the description of the real property shown on the recorded document;
4. An error in the field location of any shown easement; or
5. Any other error or omission where the error or omission is ascertainable from the data shown on the recorded document.

B. Nothing in this section shall be construed to permit changes in courses, distances or elevations for the purpose of redesigning lot or tract configurations.

C. The affidavit of correction shall contain the seal and signature of the land surveyor making the correction.

D. The affidavit of correction shall set forth in detail the corrections made and show the names of the present fee owners of the property materially affected by the correction. The notarized signatures of the owners shall be required, if deemed necessary by the department.

E. The affidavit of correction form, as provided by the department, shall be submitted to the department for review and approval. After department approval, the affidavit shall be recorded with the King County Records and Elections Division, or its successor agency.

19A.08.150 Vertical and horizontal survey controls.

A. Vertical requirements. The vertical datum on all engineering plans, plats, binding site plans and short plats shall be the North American Vertical Datum of 19A88 (NAVD 88) and shall be tied to at least one King County Survey Control Network benchmark. The benchmark will be shown on the plans.

B. Horizontal requirements. The horizontal component of all plats, binding site plans and short plats shall have the North American Datum of 19A83/91 (NAD 83/91) as its coordinate base and basis for bearings. All horizontal control for these projects shall be referenced to a minimum of two King County Survey horizontal control monuments. The basis of bearing shall be shown on the plans.

19A.08.160 Financial guarantees.

Notwithstanding any other provision of this title, the Director is authorized to require all applicants issued permits or approvals under the provisions of this title to post financial guarantees consistent with the provisions of SMC Title 27A.

19A.08.170 Application requirements for preliminary plats, preliminary short plats and preliminary binding site plans. The application requirements shall be set forth in an official application packet approved by the Director, and shall identify all items necessary for a complete application. The determination that an application is complete shall not preclude the department from requesting additional information in order to determine compliance with applicable standards and regulations.

19A.08.180 Violations and enforcement. Any person or entity violating any provision of this title shall, in addition to any remedies and sanctions provided for under state law, be subject to the enforcement provisions of SMC Title 23.

19A.08.19A0 Circumvention of zoning density prohibited. A legal lot, which has been created through a legally recognized process and is of sufficient land area to be subdivided at the density applicable to the lot, may be further subdivided. However, such further division of the lot shall not be permitted if the total number of lots contained within the external boundaries of the original short subdivision, subdivision or binding site plan exceeds the density allowed under current zoning.

19A.08.200 Rules. The Director is authorized to adopt rules to implement the provisions of this title pursuant to SMC Chapter 2.55.

Chapter 19A.12

SUBDIVISIONS AND SHORT SUBDIVISIONS

Sections:

19A.12.010 Purpose

19A.12.020 Preliminary approval of short subdivisions and subdivisions-filing of final plat or short plat

19A.12.030 Limitations for short subdivisions

19A.12.040 Revisions of preliminary short subdivisions and subdivisions

19A.12.010 Purpose. The purpose of this chapter is to specify the requirements for the division of land through short subdivisions and subdivisions, in accordance with applicable Washington State and City of Sammamish laws, rules and regulations, including permit processing procedures required by SMC Title 20.

19A.12.020 Preliminary approval of short subdivisions and subdivisions-Filing of final plat or final short plat.

A. Preliminary short subdivision approval shall be effective for a period of 60 months. Preliminary subdivision approval shall be effective for a period of 84 months for any plats receiving preliminary approval between January 1, 2004 and December 31, 2014 and for 60 months thereafter. If any condition is not satisfied and/or the final plat or short plat is not recorded within the approval period the subdivision or short subdivision shall be null and void. If all conditions have been satisfied and all required documents have been submitted within the approval period, the department may grant a single extension of up to 90 days to obtain additional information or for the processing and recording of the final documents.

B. Preliminary subdivision or short subdivision approval shall be considered the basis upon which the applicant may proceed toward development of the short subdivision or subdivision and preparation of the final short plat or plat subject to all the conditions of the preliminary approval.

C. If the final plat is being developed in divisions, and final plats for all of the divisions have not been recorded within the time limits provided in this section, preliminary subdivision approval for all unrecorded divisions shall become void. The preliminary subdivision for any unrecorded divisions must again be submitted to the department with a new application, subject to the fees and regulations applicable at the time of submittal.

19A.12.030 Limitations for short subdivisions.

A. A maximum of nine lots may be created by a single application.

B. An application for further division may not be submitted within five years after recording, except through the filing of a subdivision application or unless the short plat contains fewer than nine lots, in which case an alteration application may be submitted to create a cumulative total of up to nine lots within the original short plat boundary.

C. A maximum of nine lots may be created from two or more contiguous parcels with any common ownership interest.

19A.12.040 Revisions of preliminary short subdivisions and subdivisions.

Applications to revise short subdivisions or subdivisions that have received preliminary approval shall comply with the following:

A. Revisions that result in any substantial changes, as determined by the Department, shall be treated as a new application for purposes of vesting. Short subdivisions shall be reviewed as a Type 2 land use decision and subdivisions as a Type 3 land use decision pursuant to SMC 20.05.020. For the purpose of this section, substantial change includes the creation of additional lots, the elimination of open space, substantial change in access, or changes to conditions of approval on an approved preliminary short subdivision or subdivision.

B. Approval of the following modifications by the department shall not be considered revisions:

1. Engineering design, unless the proposed design alters or eliminates features required as a condition of preliminary approval.

2. Changes in lot or tract dimensions that are consistent with SMC Title 21A.

3. A decrease in the number of lots to be created so long as the decrease allows for future compliance with the minimum density provisions of SMC Title 21A, if applicable.

C. The department shall have the authority to administratively review and approve modifications described in B above through review procedures established by the department.

Chapter 19A.16
FINAL PLAT AND FINAL SHORT PLAT MAPS FOR
PRELIMINARILY APPROVED SUBDIVISIONS AND SHORT SUBDIVISIONS

Sections:

- 19A.16.010 Purpose
- 19A.16.020 Phased development
- 19A.16.030 Final plat and final short plat engineering plan review requirements
- 19A.16.040 Minimum subdivision and short subdivision improvements
- 19A.16.045 Final plat and final short plat review procedures
- 19A.16.050 Contents of final plat and final short plat
- 19A.16.060 Final forms
- 19A.16.070 Alterations of final plats
- 19A.16.080 Alterations of final short plats
- 19A.16.090 Vacations of a final plat or final short plat

19A.16.010 Purpose. The purpose of this chapter is to specify provisions that must be satisfied prior to the final approval and recording of final plat and final short plat maps, for preliminarily approved subdivisions and short subdivisions, also referred to herein as plats and short plats.

19A.16.020 Phased development. Portions of an approved preliminary subdivision may be processed separately by the department for the purpose of recording in phases. All phases shall be approved within the prescribed time limits for the preliminary subdivision, and all conditions of approval for each particular phase must be met. The department may require certain features, including but not limited to storm water facilities, open space or access, be included in the first phase or in subsequent phases as necessary to assure compliance with applicable standards and regulations.

19A.16.030 Construction plan review requirements.

- A. Construction plans for streets, drainage controls and other proposed or conditioned improvements shall be prepared, submitted and reviewed for approval prior to the issuance of a site development permit. No on-site clearing or construction activities shall occur prior to issuance of a site development permit.
- B. Construction plans shall conform to the requirements of the department as set forth in the adopted Surface Water Design Manual and current Public Works Standards. Plans and technical information reports shall be submitted to the City and prepared consistent with the requirements of the Sammamish Municipal Code, City of Sammamish current Public Works Standards, adopted Surface Water Design Manual, and conditions of preliminary approval. Each plan set or document shall be stamped, signed and dated by a civil engineer licensed in the State of Washington.
- C. Approval of the engineering details of the proposed sanitary sewer and water systems and other proposed public facilities by the applicable water/sewer district will be required prior to the approval of the construction plans. Approval of the King County department of public health will be required when applicable.
- D. Prior to approval of construction plans, and issuance of a site development permit, the applicant shall post a site restoration guarantee consistent with the provisions of SMC Title 27A,

and shall pay any mitigation and/or impact fee amounts due, and all applicable fees due as set forth in the City fee resolution.

19A.16.040 Minimum subdivision and short subdivision improvements.

A. Prior to final recording of a plat or short plat, the following minimum improvements shall be constructed consistent with the approved plans, and shall be approved by the City, or in the case of water and sewer facilities, by the applicable district, unless otherwise approved by the City Engineer.

1. Public drainage facilities and erosion control measures consistent with the adopted surface water design manual;
2. Water mains and hydrant(s) installed and fire flow available, if required by water and sewer district;
3. Sewer mains installed if served by public sewer;
4. Streets graded and paved, with the exception of the final lift of asphalt, to all lots within the subdivision or short subdivision and capable of providing access by passenger vehicle;
5. Specific site improvements required by the preliminary plat approval or preliminary short plat approval decision, if the decision requires completion prior to plat recording;
6. Delineation and required signage and fencing of critical areas;
7. Temporary control monuments set by a land surveyor, located in conformance with this title, and in place at final inspection. Permanent monuments and control points shall be set and verified by a land surveyor within ninety days of the final lift of asphalt; and
8. Improvements without which the Director determines a safety hazard would exist.

B. The City shall have right of entry onto any lot, tract, easement or parcel that is part of the final plat or short plat to ensure compliance with the minimum improvements required in subsection A of this section.

19A.16.045 Final plat and final short plat review procedures.

A. Upon substantial completion of the site improvements required by SMC 19A.16.040, a final plat or final short plat shall be surveyed by a land surveyor and submitted to the department for review and approval. Substantial completion of site improvements, for purposes of final plat or final short plat submittal, shall mean street and lot rough grading has been completed and water, sewer, stormwater, and natural gas utilities have been installed.

B. All final plats and final short plats shall demonstrate conformance to the conditions of preliminary approval in a compliance matrix, as well as Chapter 58.17 RCW and Chapter 332-130 WAC.

C. Plat certificates or owner's duplicate certificates for land registered pursuant to Chapter 65.12 RCW shall be provided to the department prior to recording. Supplemental plat certificates shall be provided to the department if the final plat or final short plat is not recorded within thirty days of the original certificate or supplemental certificate date.

D. All applicable processing fees specified by City fee resolution, applicable mitigation and impact fee amounts, and any civil penalty assessed pursuant to SMC Title 23 against a site being reviewed under this section shall be paid, and all required financial guarantees posted prior to recording.

E. Prior to recording, all required site improvements shall be complete and approved by the city. Applicable performance bonds and written final approval from the applicable water/sewer district and health department shall be obtained, if required.

F. A copy of protective deed covenants shall accompany the final plat or short plat, if applicable.
G. Upon approval by the department, the City Council shall consider the final plat at a public meeting to confirm the conformance of the final plat to the conditions of preliminary approval imposed by the hearing examiner. Upon approval, the final plat or short plat shall be recorded with the county records and elections division.

19A.16.050 Contents of final plat and final short plat. The final plat or short plat shall comply with the requirements of RCW Chapter 58.17 and be in a form prescribed by the department and shall include all information as described in an official application packet approved by the Director.

19A.16.060 Final forms.

A. A final plat or final short plat shall be prepared on forms eighteen inches by twenty-four inches in size, allowing for a two-inch border on one of the eighteen-inch sides, to allow for binding, and one-half-inch borders on the other three sides. The two-inch border will typically be on the top or left side depending on the configuration of the drawing.
B. Forms shall be printed with materials acceptable for filing as specified in WAC 332-130-050 and be formatted consistent with forms provided by the department.

19A.16.070 Alterations of final plats.

A. Alterations shall be processed in accordance with RCW 58.17.215 through 58.17.218 and shall comply with the regulations in effect at the time the alteration application is submitted. Alteration applications and recording documents shall contain the signatures of the majority of those persons having an ownership interest in lots, tracts, parcels or divisions in the subject subdivision to be altered or portion to be altered.
B. If the subdivision is subject to restrictive covenants that were filed at the time of the approval of the subdivision, and the application for alteration would result in the violation of a covenant, the applicant shall submit with the application an agreement, signed by all parties subject to the covenants, to terminate or alter the relevant covenants in order to accomplish the proposed alteration.
C. An application shall be processed as a Type 3 permit pursuant to SMC Chapter 20.05.020, except that a public hearing is not required unless requested by a person receiving notice within fourteen days of receipt of the notice. The application may be approved if the proposed alteration is consistent with the required findings of SMC 20.10.200 and SMC 20.10.220.
D. After approval of an alteration, the applicant shall submit a revised drawing of the approved alteration of the final plat, to be processed in the same manner as set forth for final plats in this title.

19A.16.080 Alterations of final short plats.

Alteration of a final short plat may be approved by the department when consistent with the following requirements:

A. Alterations shall be accomplished by following the same procedure and satisfying the same laws, rules and conditions as required for a new short plat application.

B. Alteration applications and recording documents shall contain the signatures of the majority of those persons having an ownership interest in lots, tracts, parcels or divisions in the subject short plat to be altered or portion to be altered.

C. If the short subdivision is subject to restrictive covenants that were filed at the time of the approval of the short subdivision, and the application for alteration would result in the violation of a covenant, the applicant shall submit with the application an agreement, signed by all parties subject to the covenants, to terminate or alter the relevant covenants in order to accomplish the proposed alteration.

D. An application shall be processed as a Type 2 permit pursuant to SMC Chapter 20.05.020.

E. An alteration may be allowed to remove non-building lot status on short subdivisions provided that no public dedications are required and original conditions of approval do not prohibit conversion of a non-building lot to a building lot. Approval of such alteration requires completion of the original conditions of approval, and the application of new conditions for the lot, consistent with current standards, preparation of a new map page prepared by a land surveyor for recording and payment of all fees required for such review.

19A.16.090 Vacations of a final plat or final short plat.

A. Plat and short plat vacations shall be processed as follows and in accordance with the provisions of RCW 58.17.212.

B. All plat and short plat vacation applications shall be referred to the hearing examiner for public hearing and consideration pursuant to SMC 20.10.240. Following the public hearing, the hearing examiner shall determine if the proposed vacation is consistent with the requirements of SMC 20.10.210. If the proposal is found to be consistent, the hearing examiner may recommend that the City Council approve the application.

C. Applications for vacations of City roads may be processed pursuant to this chapter only when such road vacations are proposed in conjunction with the vacation of a plat. Vacations limited to City roads shall be processed in accordance with Chapter 36.87 RCW and the current Public Works Standards.

Chapter 19A.20
BINDING SITE PLANS

Sections:

- 19A.20.010 Purpose
- 19A.20.020 Applicability
- 19A.20.030 Requirements and limitations
- 19A.20.040 Alterations
- 19A.20.050 Vacations
- 19A.20.060 Recording

19A.20.010 Purpose

The purposes of this chapter are:

- A. To provide an alternative method for division of land for commercial zoned property or condominiums;
- B. To allow the Director to modify interior lot-based or lot line requirements contained within the zoning, building, fire and other similar codes adopted by the City and allow use of the entire site for the purpose of satisfying these requirements;
- C. To allow the Director to authorize sharing of open space, parking, access and other improvements among contiguous properties subject to the binding site plan; and
- D. To specify administrative requirements for binding site plans in addition to the procedural requirements of SMC 20.05 and in accordance with applicable Washington State and City of Sammamish laws, rules and regulations.

19A.20.020 Applicability

- A. Any person seeking the use of a binding site plan process to divide property for the purpose of sale, lease or transfer of ownership of commercial zoned property, or creation of condominium units, is required to have an approved binding site plan prior to any property division, as provided for in Chapter 58.17, 64.32 or 64.34 RCW, and as required by this chapter. A binding site plan for a condominium shall be based on a building permit, an as-built site plan for developed sites, a site development permit issued for the entire site, or an approved site plan showing the anticipated development plan for the entire site, notwithstanding the provisions of SMC 21A.95.
- B. An application for a binding site plan approval shall be processed as a Type 2 permit pursuant to SMC 20.05.020.
- C. The site that is subject to the binding site plan shall consist of one or more contiguous lots.
- D. The site that is subject to the binding site plan may be reviewed independently for developed sites, concurrently with or subsequent to a site development permit application for undeveloped land or concurrently with or subsequent to a building permit application.
- E. The binding site plan process creates or alters lot lines and does not authorize substantial improvements or changes to the property or the uses thereon.

19A.20.030 Requirements and limitations

- A. The binding site plan shall ensure that the collective lots continue to function as one site with respect to, but not limited to, lot access, interior circulation, open space, landscaping, drainage facilities, facility maintenance and parking.

B. The binding site plan shall:

1. Identify the areas and locations of all streets, roads, improvements, utilities, water and sewer facilities, open spaces, critical areas, parking areas, landscaped areas, surveyed topography for preliminary map, water bodies and drainage features, and building envelopes;
2. Contain inscriptions or attachments setting forth such limitations and conditions for the use of the land as are established by the Director or the hearing examiner; and
3. Contain provisions requiring any development or division of land to be in conformance with the approved site plan.

C. Conditions of use, maintenance and restrictions on redevelopment of shared open space, parking, access and other improvements shall be identified and enforced by covenants, easements or other similar mechanisms.

19A.20.040 Alterations

A. Alteration of a binding site plan shall be accomplished by following the same process required for a new application as set forth in this chapter.

B. Changes to a building permit, subdivision, short subdivision, or site development permit within a binding site plan area shall also require alteration of the binding site plan unless the Director determines that such changes are consistent with the approved binding site plan.

19A.20.050 Vacations

A. Vacation of a binding site plan shall be accomplished by following the same procedure and satisfying the same laws, rules and conditions as required for a new binding site plan application, as set forth in this chapter. If a portion of a binding site plan is vacated, the property subject to the vacated portion shall constitute one lot unless the property is subsequently divided by an approved subdivision or short subdivision or another binding site plan.

B. If a building permit or commercial site development permit is revised or expires, then the binding site plan shall be vacated unless the Director determines that the revision or expiration is consistent with the approved binding site plan.

19A.20.060 Recording

A. Plat certificates or owner's duplicate certificates for registered land pursuant to chapter 65.12 RCW shall be provided to the department by the owner.

B. Prior to recording, the approved binding site plan shall be surveyed and the final recording forms shall be prepared by a land surveyor. A final binding site plan shall be prepared in a format prescribed by the department.

C. The binding site plan shall contain all information as set forth in an official submittal checklist signed by the Director.

D. Lots, parcels or tracts created through the binding site plan procedure shall be legal lots of record. All provisions, conditions and requirements of the binding site plan shall be legally enforceable on the purchaser or any other person acquiring a lease or other ownership interest of any lot, parcel, or tract created pursuant to the binding site plan.

E. No person shall sell, transfer or lease any lot, tract or parcel created pursuant to the binding site plan that does not conform to the requirements of the binding site plan.

F. The binding site plan shall set forth limitations and conditions, including irrevocable dedications of property and contain a provision that any development of the site shall be in conformity with the approved binding site plan.

Chapter 19A.24
BOUNDARY LINE ADJUSTMENTS

Sections:

- 19A.24.010 Purpose
- 19A.24.020 Procedures and limitations of the boundary line adjustment process
- 19A.24.030 Final approval and recording required
- 19A.24.040 Boundary line agreement

19A.24.010 Purpose.

The purpose of this chapter is to provide procedures and criteria for the review and approval of minor adjustments to boundary lines of legal lots or tracts in order to rectify defects in legal descriptions, to allow the enlargement or merging of lots to improve or qualify as a building site, to achieve increased setbacks from property lines or sensitive areas, to correct situations wherein an established use is located across a lot line, or for other similar purposes.

19A.24.020 Procedures and limitations of the boundary line adjustment process.

Adjustment of boundary lines between adjacent lots shall be consistent with the following review procedures and limitations:

- A. Applications for boundary line adjustments shall be reviewed as a Type 1 permit as provided in SMC chapter 20.05. The review shall include examination for consistency with SMC Title 21A, shoreline master program including SMC Title 25 and for developed lots building and fire codes and may include review by the applicable agency for department of health regulations and water and sewer district requirements;
- B. Any adjustment of boundary lines must be approved by the department prior to the transfer of property ownership between adjacent legal lots;
- C. May require modification or sharing of access from public works to be approved by the City Engineer;
- D. A boundary line adjustment proposal shall not:
 - 1. Result in the creation of an additional lot;
 - 2. Result in a lot that does not qualify as a building site pursuant to this title;
 - 3. Reduce conforming lot dimensions such as area or width to non-conforming dimensions;
 - 4. Reduce the overall area in a plat or short plat devoted to open space;
 - 5. Result in a lot that previously met sewer/water district standards for sewer/water service no longer meeting district standards;
 - 6. Be inconsistent with any restrictions or conditions of approval for a recorded plat or short plat;
 - 7. Involve lots which do not have a common boundary; or
 - 8. Circumvent the subdivision or short subdivision procedures set forth in this title. Factors which indicate that the boundary line adjustment process is being used in a manner inconsistent with statutory intent include: numerous and frequent adjustments to the existing lot boundary, a proposal to move a lot or building site to a different location, and a large number of lots being proposed for a boundary line adjustment;
- E. The elimination of lines between two or more lots for the purpose of creating a single lot that meets requirements as a building site shall be considered a minor adjustment of boundary lines and shall not be subject to the subdivision and short subdivision provisions of this title; and

F. Recognized lots in an approved site plan for a conditional use permit, special use permit or commercial site development permit shall be considered a single site and no lot lines on the site may be altered by a boundary line adjustment to transfer density or separate lots to another property not included in the original site plan of the subject development without additional conditional use permit, special use permit or commercial site development review and approval.

19A.24.030 Final approval and recording required.

A. A title insurance certificate updated not more than thirty days prior to recording of the adjustment, which includes all parcels within the adjustment, must be submitted to the department with boundary line adjustment final review documents. All persons having an ownership interest within the boundary line adjustment shall sign the final recording document in the presence of a notary public.

B. Final boundary line adjustment documents shall be in a form prescribed by the department and be reviewed and approved by the department prior to recording with the King County auditor. Lot lines within lots under the same ownership will be adjusted upon the recording of the boundary line adjustment and submittal to the city of the recorded boundary line adjustment documents. Lot lines within lots under different ownership shall be adjusted upon submittal to the city of the recorded boundary line adjustment and real estate conveyance documents transferring ownership of the adjusted land area. Approved boundary line adjustment approvals shall expire if the approved boundary line adjustment and real estate documents transferring property ownership are not recorded and a copy submitted to the city within one year from the date of approval.

C. Final record-of-survey document must be prepared by a land surveyor in accordance with Chapter 332-130 WAC and Chapter 58.09 RCW. The document must contain a land surveyor's certificate and a recording certificate.

D. The final map page shall contain the following approval blocks:

1. The King County Department of Assessments; and
2. The City of Sammamish Department of Community Development.

19A.24.040 Boundary line agreement. Whenever a point or line determining the boundary between two or more parcels of real property cannot be identified from the existing public record, monuments, and landmarks, or is in dispute, as evidenced by survey performed by a land surveyor as defined by SMC

19A.15.240 that demonstrates the following:

A. The current legal description incorrectly identifies a property line location that is inconsistent with a location recognized by property owners through established use; or

B. There is a defect in the recorded legal description that creates gaps or overlaps between existing lot lines, the landowners affected by the determination of the point or line may resolve any dispute and fix the boundary point or line by the procedure below, in conformance with RCW 58.04.007.

If all of the affected landowners agree to a description and marking of a point or line determining a boundary, they shall document the agreement in a written instrument, using appropriate legal descriptions and including a survey map, filed in accordance with Chapter 58.09 RCW. The written instrument shall be signed and acknowledged by each party in the manner required for a conveyance of real property. The agreement is binding upon the parties, their successors, assigns, heirs and devisees and runs with the land. The agreement shall be recorded with King County,

and a copy of the recorded boundary line correction and/or agreement shall be submitted to the city for the record.



City Council Agenda Bill

Meeting Date: June 1, 2010

Date Submitted: May 26, 2010

Originating Department: Community Development

Clearances:

<input type="checkbox"/> City Manager	<input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Parks & Recreation
<input checked="" type="checkbox"/> Attorney	<input type="checkbox"/> Finance & IT	<input type="checkbox"/> Police
<input type="checkbox"/> Admin Services	<input type="checkbox"/> Fire	<input type="checkbox"/> Public Works

Subject: Town Center Development Regulations, Zoning Map and Infrastructure Plan

Action Required: First Reading, Open and continue Public Hearing

Exhibits: 1. Proposed Ordinance with Attachments A, B and C *(available for viewing on the city website at <https://www.ci.sammamish.wa.us/departments/communitydevelopment/TownCenter>)*

Budget: N/A

Summary Statement:

To implement the adopted Town Center Subarea Plan, this ordinance would adopt Town Center Development Regulations, Zoning Map amendments, and the Town Center Infrastructure Plan to implement the adopted Town Center Subarea Plan. The Development Regulations would be codified in the Sammamish Municipal Code as Title 21B, specific to Town Center development.

Background:

The Town Center plan was unanimously adopted by City Council in June, 2008. The Town Center Plan was developed after City Council had decided upon a Preferred Alternative. The Preferred Alternative identified policies incorporated into the Town Center Plan. Throughout the process of plan and coded development, there were multiple opportunities for public comment, workshops, preference surveys, and extensive review by the Planning Commission leading to final adoption by the City Council.

The Planning Commission provided to the City Council their recommended Town Center Development Regulations in January, 2010. The Planning Commission focused on providing a balanced document that emphasized a balance between prescriptive requirements and flexible options. The Town Center Development Regulations are intended to complement existing Sammamish Municipal Code requirements, while including requirements specific to the Town Center. The Zoning Map implements the adopted Town Center Plan and is designed to be implemented with the regulations. The Infrastructure Plan incorporates development principles for implementing the regulations on specific sites.



City Council Agenda Bill

Financial Impact: N/A

Recommended Motion: Open Public Hearing, take testimony and continue to June 15, 2010.

**CITY OF SAMMAMISH
WASHINGTON**

ORDINANCE NO. O2010 - ____

**AN ORDINANCE OF THE CITY OF SAMMAMISH,
WASHINGTON, ADOPTING THE TOWN CENTER
DEVELOPMENT REGULATIONS AS TITLE 21B OF THE
SAMMAMISH MUNICIPAL CODE; ADOPTING ZONING MAP
AMENDMENTS FOR THE TOWN CENTER SUBAREA; AND
ADOPTING THE TOWN CENTER INFRASTRUCTURE PLAN**

WHEREAS, the City Council adopted the Sammamish Comprehensive Plan on September 16, 2003, consistent with the state Growth Management Act and applicable Countywide Planning Policies; and

WHEREAS, the City Council adopted the Sammamish Municipal Code on October 7, 2003, and subsequent revisions have been made since that time; and

WHEREAS, the City Council adopted the Town Center Subarea Plan on June 9, 2008, as an amendment to and element of the Sammamish Comprehensive Plan; and

WHEREAS, the Town Center Subarea Plan established the policy basis for the development of the Town Center Development Regulations, Zoning Map amendments, and the Town Center Infrastructure Plan; and

WHEREAS, the Town Center Development Regulations will authorize development consistent with the policy direction of the adopted Town Center Plan and specific regulatory provisions; and

WHEREAS, the Zoning Map amendments will designate zoning for properties within the Town Center Subarea to implement the Town Center Plan and the Town Center Development Regulations; and

WHEREAS, the Town Center Infrastructure Plan will assist in guiding infrastructure development within the Town Center Subarea Plan; and

WHEREAS, a State Environmental Policy Act (SEPA) Determination of Non-Significance for the proposed Town Center Regulations, Zoning Map amendments, and Town Center Infrastructure Plan was issued on May 12, 2010; and

WHEREAS, in accordance with RCW 36.70A, a request for expedited review was received by the State of Washington Department of Commerce on March 10, 2010 and was granted expedited review on March 25, 2010; and

WHEREAS, the public process for the proposed amendments has provided for extensive public participation opportunities at public meetings and hearings before the Planning Commission and City Council between June of 2008 and June of 2010; and

WHEREAS, the Planning Commission held public meetings and public hearings in 2008 and 2009 and forwarded recommended Town Center Development Regulations, Zoning Map, and Town Center Infrastructure Plan to the City Council on January 12, 2010; and

WHEREAS, the City Council received and considered public comment at City Council public hearings on June 1, 2010 and June 15, 2010;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Adoption of the Town Center Development Regulations. The Town Center Regulations, as set forth in Attachment “A” to this Ordinance, are hereby adopted.

Section 2. Adoption of the Zoning Map Amendments. The Zoning Map amendments, as set forth in Attachment “B” to this Ordinance, are hereby adopted.

Section 3. Adoption of the Town Center Infrastructure Plan. The Town Center Infrastructure plan, as set forth in Attachment “C” to this Ordinance, is hereby adopted.

Section 4. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 5. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force five (5) days after the date of publication.

ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON THE _____ DAY OF _____, 2010.

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: May 27, 2010
Public Hearing: June 1, 2010
First Reading: June 1, 2010
Public Hearing:
Second Reading:
Passed by the City Council:
Date of Publication:
Effective Date:



City Council Agenda Bill

Meeting Date: June 1, 2010

Date Submitted: May 25, 2010

Originating Department: Community Development

Clearances:

<input checked="" type="checkbox"/> City Manager	<input checked="" type="checkbox"/> Community Development	<input type="checkbox"/> Parks & Recreation
<input checked="" type="checkbox"/> Attorney	<input checked="" type="checkbox"/> Finance & IT	<input type="checkbox"/> Police
<input type="checkbox"/> Admin Services	<input type="checkbox"/> Fire	<input type="checkbox"/> Public Works

Subject: An Ordinance Of The City Of Sammamish, Washington, Amending Title 16 of The Sammamish Municipal Code, Buildings and Construction.

Action Required: First Reading of the ordinance. No action is recommended

Exhibits:

1. Proposed Ordinance
2. Attachment "A"

Budget: N/A

Summary Statement: The Washington State Building Code Act (RCW 19.27) requires that the City of Sammamish adopt and begin administering the new 2009 State Building Codes by July 1, 2010. These codes include the International Building Code, International Residential Code, International Existing Building Code and a variety of related code documents.

Because building codes are technical and engineering documents, the city may consider local amendments within certain parameters only. The amendments to the Sammamish Municipal Code Title 16 in this packet fall within those parameters and reflect the staff's recommendations and the consensus of building officials within the E-Gov Alliance. A summary of key amendments is provided below.

Background: Washington adopts and amends the building and construction codes every three years and requires all cities to adopt, administer and enforce those codes. Cities are allowed to further amend these codes provided the amendment does not result in a code less restrictive than that adopted by the State. Sammamish has historically made local amendments to the administrative portions only.

During this adoption cycle many of the E-Gov Alliance cities (Issaquah, Snoqualmie, Kirkland, Mercer Island, Bellevue, Kirkland, Bothell and Burien) worked together to update their administrative provisions and to craft a common set of amendments. A shared goal was to promote consistency within the E-Gov Alliance cities, while allowing for local differences where needed. The majority of Sammamish's changes are minor clarifications and necessary updates. Key amendments are discussed below:



City Council Agenda Bill

Key amendments:

1. **Fire Sprinklers:** Fire sprinklers would continue to be required only for new residential units of 5000 square feet and above. The state allows each jurisdiction to make the decision based on local conditions.
2. **Carbon Monoxide Detectors:** Detectors are required if there is an attached garage and/or fuel-fired equipment. To be located outside each sleeping area similar to smoke detectors.
3. **Duct Sealing:** Leak tests are now required for all new construction as well as space conditioning systems that are altered such as air handler replacement, furnace heat exchangers, cooling or heating coils and outdoor condensing units.
4. **Air leakage testing:** Blower door tests required. Inspectors do not have to witness test, affidavit is required though.
5. **Lighting Systems:** A minimum of 50 percent of the lamps in permanently installed lighting fixtures shall be compact florescent or high efficiency lamps.
6. **Live/work units** are allowed and are limited based on criteria in the International Building Code.
7. The amended **permit expiration** has been increased from one year to two years and renewals on expired permits (less than one year) may be renewed one time only.
8. Removed the **violations section** (16.25.110-140) from the property maintenance code to reference Title 23 code enforcement. In doing this it allows the city to allow more flexibility for enforcement such as VCA's, Notice and Orders, and waivers.

Customer Preparedness

To help prepare our staff and customers for these changes, classes were offered as followed:

- March 30: Energy Code
- March 31: Fire Code
- April 4: Plumbing Code
- May 10: Building Code Training
- May 11: Residential Code Training
- May 12: Mechanical Code Training
- May 13: Fuel Gas Code Training
- June 8th: Summary of Significant code changes for Development Customers.

Financial Impact: Costs for staff training, new code books and other technical resources are included in the adopted 2009-2010 budget

Recommended Motion: This is the first reading of the ordinance. No action is recommended at this time.

DRAFT
CITY OF SAMMAMISH
WASHINGTON
ORDINANCE NO. O2010_____

AN ORDINANCE OF THE CITY OF SAMMAMISH, WASHINGTON, AMENDING TITLE 16, BUILDINGS AND CONSTRUCTION, OF THE SAMMAMISH MUNICIPAL CODE BY AMENDING CHAPTER 16.05, CONSTRUCTION CODES; 16.20, CONSTRUCTION ADMINISTRATIVE CODE; AND 16.25, SAMMAMISH BUILDING AND PROPERTY MAINTENANCE CODE

WHEREAS, the City Council of the City of Sammamish has adopted by reference numerous building codes for the health, safety and welfare of the citizens as set forth in the Sammamish Municipal Code Title 16; and

WHEREAS, the State of Washington established the State Building Code as set forth in RCW 19.27.031; and

WHEREAS, a new version of the State Building Code will go into effect on July 1, 2010; and

WHEREAS, the City Council wishes to provide consistency in the administration of the construction codes; and

WHEREAS, the City Council wishes to provide standards for the maintenance of buildings and property within the City to protect the public health, safety and welfare,

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Chapters 16.05, 16.20, and 16.25 of the Sammamish Municipal Code are hereby amended to include the following changes indicated below in underline/strikeout and to read as indicated in Attachment "A", which is hereby incorporated by this reference.

Section 2. Severability. Should any section, paragraph, sentence, clause or phrase of this Ordinance, or its application to any person or circumstance, be declared unconstitutional or otherwise invalid for any reason, or should any portion of this Ordinance be pre-empted by state or federal law or regulation, such decision or pre-emption shall not affect the validity of the remaining portions of this Ordinance or its application to other persons or circumstances.

Section 3. Effective Date. This Ordinance shall be published in the official newspaper of the City, and shall take effect and be in full force July 1, 2010.

**ADOPTED BY THE CITY COUNCIL AT A REGULAR MEETING THEREOF ON
THE ____ DAY OF _____, 2010.**

CITY OF SAMMAMISH

Mayor Donald J. Gerend

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: May 25, 2010

First Reading: June 1, 2010

Passed by the City Council:

Date of Publication:

Effective Date:

Attachment A

**Chapter 16.05
Construction Codes**

Sections:

16.05.010	Short title.
16.05.020	Purpose.
16.05.030	Hours of construction.
16.05.040	Referenced codes.
16.05.050	Earthquake shutoff valve required.
16.05.060	Automatic sprinkler systems required.
16.05.070	International Building Code adopted.
16.05.080	International Residential Code adopted.
16.05.090	Mechanical code adopted.
16.05.100	National Fuel Gas Code (NFPA 54) adopted.
16.05.110	Liquefied Petroleum Gas Code (NFPA 58) adopted.
16.05.120	International Fuel Gas Code adopted.
16.05.130	International Fire Code adopted.
16.05.140	Uniform Plumbing Code adopted.
16.05.150	Washington State Energy Code adopted.
16.05.160	Ventilation and indoor air quality code adopted.
16.05.160 70	Documents to be filed and available for public inspection.
16.05.170 80	Violation.
16.05.180 90	Adoption of additional state codes.
16.05.190 200	Code conflicts resolution.
16.05.200 40	Liability.

16.05.010 Short title.

This chapter shall constitute the City building code and may be cited as such. (Ord. O2004-148 § 2)

16.05.020 Purpose.

The purpose of the codes and regulations adopted by this title is to regulate building and construction within the City and to protect the public health, safety, and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected by the terms of these codes and regulations. (Ord. O2004-148 § 2)

16.05.030 Hours of construction.

Except as approved by the City manager, or designee, to minimize overall public impact and/or inconvenience or otherwise provided in this chapter, the activities and construction noise regulated by this chapter shall be limited to the followings hours:

- (1) Monday through Friday: 7:00 a.m. to 8:00 p.m.
- (2) Saturdays and holidays: 9:00 a.m. to 6:00 p.m.
- (3) Sundays: No construction.

Exhibit 2

When an exception is granted by the City manager, or manager's designee, a notice that an exception has been granted shall be provided to affected property owners/residents and to the police department. Notice may be provided by one or more of the following methods: verbal; written; or by posted signage. The method or methods used shall depend upon the scope and duration of the exception. (Ord. O2008-247; Ord. O2004-148 § 2)

16.05.040 Referenced codes.

Specific codes referenced in the general codes adopted by this chapter shall be as follows:

(1) Any and all reference to the International Plumbing Code shall be replaced with the Uniform Plumbing Code as adopted in SMC 16.05.140.

(2) Any and all reference to the International Property Maintenance Code shall be replaced with the Sammamish Building and Property Maintenance Code as adopted in Chapter 16.25 SMC.

(3) Any and all reference to the International Electrical Code shall be replaced with the National Electrical Code. (Ord. O2007-214 § 1; Ord. O2004-148 § 2)

16.05.050 Earthquake shutoff valve required.

All new gas services and existing services that are expanded shall have an approved earthquake shutoff valve installed in the building supply line immediately after the gas meter. The valve shall be located outside of the structure and be readily accessible. (Ord. O2004-148 § 2)

16.05.060 Automatic sprinkler systems required.

(1) All newly constructed buildings with a gross square footage of 5,000 square feet, regardless of type or use, as well as zero lot line townhouses with an aggregate area of 5,000 square feet or greater must be sprinklered.

(2) Additions to existing buildings that are 50 percent or more of the assessed building valuation and would result in a gross floor area greater than 5,000 square feet must be retrofitted with an automatic sprinkler system. Subject to the approval of the fire chief, a phasing plan of up to five years is permitted.

(3) Floor Area, Gross. For the purpose of this section, "gross floor area" shall be defined as the floor area whether above or below grade within the inside perimeter of the exterior walls of the building under consideration, exclusive of vent shafts, attics, crawl spaces and courts, without deduction for corridors, stairways, closets, the thickness of the interior walls, columns or other features. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. The gross floor area shall not include shafts with no openings or interior courts.

(4) For the purposes of this section, fire barriers of any type do not constitute separate buildings. (Ord. O2004-148 § 2)

16.05.070 International Building Code adopted.

The 2009~~6~~ Edition of the International Building Code, as adopted by the State Building Code Council in Chapter 51-50 WAC, as published by the International Code Council, including Appendix Chapter E (Accessibility), ICC A117.1-2003 (Accessible Standards), Appendix Chapter H (Signs), and Appendix Chapter M (2006 International Existing Building Code),

Exhibit 2

excluding Chapter 1, Administration, is adopted, together with the following amendments and additions.

The 2009 International Existing Building Code (IEBC) is included in the adoption of the International Building Code as provided by IBC Section 3401.5 and amended in WAC 51-50 480000, excluding Chapter 1, Part 2- Administration. The Construction Administrative Code, as set forth in Chapter 16.20 SMC, shall be used in place of IEBC Chapter 1, Part 2 – Administration.

Exceptions. The provisions of this code shall not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables and fruits. “Temporary growing structure” means a structure that has the sides and roof covered with polyethylene, polyvinyl, or similar flexible synthetic material and is used to provide plants with frost protection or increased heat retention. A temporary growing structure is not considered a building for purposes of this code.

The provisions of this code shall not apply to the construction, alteration, or repair of temporary worker housing except as provided by rule adopted under chapter 70.114A RCW. “Temporary worker housing” means a place, area, or piece of land where sleeping places or housing sites are provided by an employer for his or her employees or by another person, including a temporary worker housing operator, who is providing such accommodations for employees, for temporary, seasonal occupancy, and includes “labor camps” as defined and regulated by state law (RCW) and Washington Administrative Code.

(1) Add new stand-alone section as follows:

Design Criteria shall be as follows:

GROUND AND ROOF SNOW LOAD: 25 PSF

SEISMIC DESIGN CATEGORY: D

WIND SPEED: 70 mph sustained with 85 mph gust

WIND EXPOSURE: Site Specific. See IBC Section 1609.4

SOIL BEARING: Site specific. See IBC Chapter 18

WEATHERING: Moderate

FROST LINE DEPTH: 12 inches

TERMITE: Slight to moderate

DECAY: Slight to moderate

WINTER DESIGN TEMPERATURE: 26 degrees Fahrenheit

ICE SHIELD UNDERLAYMENT REQUIRED: No

FLOOD HAZARDS: See SMC 15.10

AIR FREEZING INDEX: 145 MEAN

ANNUAL TEMPERATURE: 50 degrees Fahrenheit

(2) New section 107.2.5.1, Design Flood Elevations. Where design flood elevations are not specified, they shall be established in accordance with Section 1612.3.1.

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(32) ~~Amend~~ IBC Section 403.2.1.1 ~~3.3.1~~ No. 2 is amended as follows:

~~403.2.1.13.3.1~~ Type of construction. The following reductions in the minimum ~~construction type allowed~~ fire-resistance rating of the building elements in Table 601 shall be allowed as provided in Section 403.3:

(a) For buildings not greater than 420 feet (128 m) in height, the fire-resistance rating of the building elements in Type IA construction shall be allowed to be reduced to the minimum fire-resistance ratings for the building elements in Type IB.

Exception: The required fire-resistance rating of columns supporting floors shall not be ~~permitted-allowed~~ to be reduced.

(b) In other than Groups F-1, M and S-1 occupancies, the fire-resistance rating of the building elements in Type IB construction shall be permitted-allowed to be reduced to the fire-resistance ratings in Type IIA.

Exception: ~~The required fire-resistance rating of the structural frame shall not be less than 2 hours.~~

(c) The building height and building area limitations of a building containing building elements with reduced fire-resistance ratings shall be permitted to be the same as the building without such reductions. the reduced construction type shall be allowed to be the same as for the original construction type.

(43) ~~Amend~~ Section 403. ~~4.7.10~~, Standby power, is amended as follows: ~~Add the following sentence to the end of the first paragraph:~~

~~Fuel-fired emergency generators sets and associated fuel storage, including optional generator sets, located more than 75 feet above the lowest level of Fire Department vehicle access requires the approval of the Fire Code Official.~~

(4) ~~Amend~~ Section 403.10, Standby power loads, as follows: ~~Add a fourth item which reads as follows:-~~

~~4. Smoke control system.~~

A standby power system complying with Chapter 27 shall be provided for standby power loads specified in Section 403.4.7.2.

(5) New section: 403.4.7.1 Special requirements for standby power systems.

If the standby system is a generator set inside a building, the system shall be located in a separate room enclosed with 2-hour fire barriers constructed in accordance with Section 403.4.7.1.1 and Section 707 or horizontal assemblies constructed in accordance with Section 712, or both. System supervision with manual start and transfer features shall be provided at the fire command center.

(6) New section: 403.4.7.1.1 Penetrations.

Penetrations into and openings through a room containing a standby power system are prohibited except for required exit doors, equipment and ductwork necessary for heating, cooling or ventilation, sprinkler branch line piping, or electrical raceway serving the standby power system or being served by the standby power system. Such penetrations shall be protected in accordance with Section 713.

Exception allowed for: Metallic piping with no joints or openings where it passes through the standby power system room.

(76) ~~Add new~~ Amend Section 403.15, Smoke control, ~~and amend to read~~ as follows:
403.15 Smoke control. A smoke control system meeting the requirements of Section 909 shall be provided in buildings on occupied floors ~~having floors~~ more than 75 feet above the lowest level of fire department vehicle access.

(87) ~~Amend~~ Section 405.9 8, Underground Buildings, standby power, is amended as follows: ~~Standby power, as follows: Add the following sentence to the end of the paragraph:~~
Section 405.8 – Standby power system complying with Section 2702 shall be provided for standby power loads specified in Section 405.8. **Fuel-fired emergency generator sets and associated fuel storage, including** optional generator sets, located more than 30 feet below the lowest level of exit discharge requires the approval of the fire code official.

(98) ~~Amend~~ Table 508.3.3 4, Required Separation of Occupancies (Hours), is amended as follows:

~~Add footnote reference superscript “f” to R Occupancy Classification row and column headings. Add footnote f to read:~~

~~See Section 419 for Dwelling Unit separation requirements.~~
Add footnote reference superscript “fg” to R and group I-1 Occupancy Classification row and column headings. Add footnote fg. to read: See Section 419 for Live/Work Unit separations. See Section 419 420 for Dwelling Unit separation requirements.

(109) Amend Section 903.2, Where required, delete exception, to read as follows:

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Approved automatic sprinkler systems in new buildings and structures shall be provided in the locations described in this section.

~~(1149)~~ Amend Section [F] 903.2.2 ~~3~~, Group E, by deleting exception:

903.2.2 ~~3~~. Group E. An automatic sprinkler system shall be provided for Group E occupancies as follows:

(a) Throughout all group E fire areas greater than ~~20,000~~ 12,000 square feet in area.

(b) Throughout every portion of educational buildings below the lowest level of exit discharge servicing that portion of the building.

~~(1244)~~ Amend Section [F] 903.4.2, Alarms, to read as follows:

Approved audible and visible alarm notification devices to meet the American with Disabilities Act, shall be provided for every automatic sprinkler system in accordance with Section 907 and throughout areas designated by the Fire Code Official. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system.

Exceptions:

1 Approved domestically supplied local systems with 10 heads or less per building, or,

2 Approved residential sprinkler systems for 1 or 2 dwelling units if not otherwise specifically required

~~(1344)~~ Amend Section [F] 903.4.3, Floor control valves, to read as follows:

Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor. Exception: When approved by the Fire Code Official in NFPA 13D and NFPA13R systems.

~~(1342)~~ Add new Section [F] 905.3.8, High rise building standpipes, to read as follows:

[F] 905.3.8 High Rise Building Standpipes. Standpipe risers shall be combination standpipe/sprinkler risers using a minimum pipe size of 6 inches. Two 2-1/2 inch hose connections shall be provided on every intermediate floor level landing in every required stairway. Where pressure reduction valves (PRV) are required, each hose connection shall be provided with its own PRV. The system shall be designed to provide a minimum flow of 300

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gpm at a minimum pressure of 150 psi (maximum 200 psi) at each standpipe connection, in addition to the flow and pressure requirements contained in NFPA 14.

(1413) Add new Section [F] 907.14.1, Monitoring, to read as follows:

When required by the Fire Code Official, all fire detection systems shall be monitored and shall meet the following requirements:

1. Current NFPA Article 72, National Fire Alarm Code.
2. The current International Fire and Building Code.
3. The system shall be supervised.
4. All signals from the fire alarm control panel shall be transmitted to an approved central station conforming to UL Standard 827, listed by Underwriters Laboratories and approved by the Fire Code Official.
5. The building owner must provide the fire department with proof of monitoring service.
6. The installer shall provide written certification to the Fire Department that the system has been installed in accordance with approved plans and specifications.
7. The system must have a signed maintenance agreement prior to Certificate of Occupancy.

(1514) Amend Section 1608.1, General, to read as follows:

Design snow loads shall not be less than 25 PSF uniform roof snow load, nor less than that determined by IBC Section 1607.

(15) Amend Section 1704.12, Exterior insulation and finish systems (EIFS), to read as follows:

~~Special inspections shall be required for all EIFS applications. All exterior insulation finish systems (EIFS) shall be certified by the manufacturer as having been installed per the manufacturer's installation recommendations or other agency approved by the building official. The manufacturer's certification shall serve as the special inspection requirement when approved by the building official. Exceptions: Special inspections shall not be required for EIFS applications installed over a water resistive barrier with a means of~~

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~~draining moisture to the exterior. Special inspections shall not be required for IEFS application installed over masonry or concrete walls.~~

(16) Add new section 2702.1.1, Location, to read as follows:

2702.1.1 Location. Location of stationary generators, fuel piping and storage tanks are subject to the approval of the Building Official and/or Fire Code Official.

(17) Amend Section 2902.3.1 to add second exception as follows:

2902.3.1 Requirements

Separate toilet facilities shall be provided for each sex.

Exceptions:

(1) In occupancies serving 15 or fewer person, one toilet facility designed for use by no more than one person at a time shall be permitted for use by both sexes.

(2) In B and M occupancies with a total floor area of 1500 square feet or less, one toilet facility designed for use by no more than one person at a time shall be permitted for use by both sexes.

(18) Amend Section 3002.4 to read as follows:

3002.4 Elevator car to accommodate ambulance stretcher.

Where elevators are provided in buildings four or more stories above grade plane; or four or more stories below grade plane; or in any R or I occupancy building provided with an elevator regardless of the number of stories; at least one elevator shall be provided for fire department emergency access to all floors. The elevator car shall be of such a size and arrangement to accommodate an ambulance stretcher 24-inches by 84-inches (610 mm by 1930 mm) with not less than 5- inch radius corners in the horizontal, open position and shall be identified by the international symbol for emergency medical services (star of life). The symbol shall not be less than 3 inches (76 mm) high and shall be placed inside on both sides of the hoistway door frame.

(Ord. O2007-214 § 1; Ord. O2004-148 § 2)

16.05.080 International Residential Code adopted.

The 2009~~6~~ Edition of the International Residential Code, as adopted by the State Building Code Council in Chapter 51-51 WAC, as published by the International Code Council, including Appendix Chapter G, Swimming Pools, Spas and Hot Tubs, Appendix R- Dwelling Unit Fire

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Sprinkler Systems and excluding Chapters 1, 11, 25 through 42, is adopted, together with the following amendments:

Add design values for Table R-302.2(1) as follows:

GROUND AND ROOF SNOW LOAD: 25 psf

WIND SPEED: 70 mph sustained with 85 mph gust

SEISMIC DESIGN CATEGORY: D2

WEATHERING: Moderate

FROST LINE DEPTH: 12 inches

TERMITE: Slight to moderate

DECAY: Slight to moderate

WINTER DESIGN TEMPERATURE: 26 degrees Fahrenheit

ICE SHIELD UNDERLAYMENT REQUIRED: No

FLOOD HAZARDS: See SMC 15.10

AIR FREEZING INDEX: 145

MEAN ANNUAL TEMPERATURE: 50 degrees Fahrenheit

SOIL BEARING (Assumed): 1500 PSF

(Ord. O2007-214 § 1; Ord. O2004-148 § 2)

16.05.090 Mechanical code adopted.

The 2009~~6~~ Edition of the International Mechanical Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by the International Code Council, excluding Chapter 1, Administration, is adopted. (Ord. O2007-214 § 1; Ord. O2004-148 § 2)

16.05.100 National Fuel Gas Code (NFPA 54) adopted.

The 2009~~6~~ Edition of ANSI Z223.1/NFPA 54, National Fuel Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by NFPA, is adopted. (Ord. O2007-214 § 1; Ord. O2004-148 § 2)

16.05.110 Liquefied Petroleum Gas Code (NFPA 58) adopted.

The 2008~~4~~ Edition of NFPA 58, Liquefied Petroleum Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by NFPA, is adopted. (Ord. O2004-148 § 2)

16.05.120 International Fuel Gas Code adopted.

The 2009~~6~~ Edition of the International Fuel Gas Code, as adopted by the State Building Code Council in Chapter 51-52 WAC, as published by the International Code Council, excluding Chapter 1, Administration, is adopted. (Ord. O2007-214 § 1; Ord. O2004-148 § 2)

16.05.130 International Fire Code adopted.

The 2009~~6~~ Edition of the International Fire Code, as adopted by the State Building Code Council in Chapter 51-54 WAC, as published by the International Code Council, including Appendix Chapters B, Fire-flow requirements for buildings; C, Fire hydrant locations and distribution; and D, Section 106 as amended, is adopted, together with the following amendments:

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(1) Amend Section 102.6 to read as follows:

Section 102.6 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 45. Such codes and standards shall be considered part of the requirements of this code to the prescribed extent of each such reference as determined or modified by the fire code official.

(2) Amend Section 104.10.1 to read as follows:

Section 104.10.1 Assistance from other agencies. Police and other enforcement agencies shall have authority to render necessary assistance in the investigation of fires or the enforcement of this code as requested by the fire code official.

(3) Delete Section 105.2 and replace with the following:

Section 105.2 Application for Permit. Application for permits shall be made to the City of Sammamish in such form and detail as required by the fire department. Applications for permits shall be accompanied by such plans as required by the Bureau of Fire Prevention. All applications for fire department permits shall be forwarded to the Bureau of Fire Prevention for consideration of approval.

(4) Add new Section 105.2.5, Permit fees, to read as follows:

105.2.5 Permit Fees. Any fees for fire code permits, plan check or any other fire service shall be as listed in the City of Sammamish Fee resolution.

(5) Delete Section 108 and replace with the following:

Section 108.1 General. Appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this code shall be heard and decided by the Hearing Examiner following an open record hearing. Following review of the evidence, the Examiner shall issue final decisions, including findings and conclusions, based on the issues and evidence in the record.

The Hearing Examiner's final decision shall be the final decision of the City Council on the appeal and shall be conclusive unless proceedings for review of the decision are properly commenced in superior court within the time period specified by state law.

Section 108.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted there under have been incorrectly interpreted, the provisions of this code do not fully apply or an equally good or better form of construction is proposed. The hearing examiner shall have no authority relative to interpretation of the

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administrative provisions of this code nor shall the Hearing Examiner be empowered to waive requirements of either this code or the technical codes which are the codes, appendices and referenced code standards adopted by the City of Sammamish.

(6) Amend Section 307.1 to read as follows:

Section 307.1 Open Burning and Recreational fires – General

Exception: Barbecue and other fires in accordance with the Puget Sound Clean Air Agency.

(7) Add new exception to Section 308.3.7 to read as follows:

Section 308.3.7 Group A Occupancies.

Exception 4: Where approved by the Fire Code Official (~~see also 308.3.1.2).~~

~~(8) Amend the first sentence of Section 314.4 to read as follows:~~

~~Section 314.4 Vehicles. Liquid or gas fueled vehicles, fueled equipment, boats or other motor craft shall not be located indoors except as follows:~~

~~(89) Adopt new Sections 503.1 through 503.4 to read as follows:~~

Sections 503.1 through 503.4 – Fire apparatus access roads. Fire apparatus access roads in the International Fire Code section 503.1 through 503.4 shall be retained by the City of Sammamish.

~~(949)~~ Amend Section 503.2.1 to read as follows:

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

Emergency Vehicle access roads shall be constructed in accordance with City of Sammamish Public works standards.

~~(1044)~~ Amend Section 503.2.7 to read as follows:

503.2.7 Grade. The grade of the fire apparatus access road shall be no more than 15% slope. Access roads may be permitted to exceed 15% with approval of the fire official, where all buildings are provided with an approved fire sprinkler system.

~~(1142)~~ Amend Section 503.3 to read as follows:

Section 503.3. Markings. When required by the Fire Chief, approved signs or other approved notices shall be provided and maintained for fire apparatus roads to identify such roads and prohibit the obstruction thereof or both.

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1. All designated fire lanes shall be clearly marked by the property owner in the following manner: Vertical curbs shall be painted six (6") inches in height and shall be painted red on the top and side, extending the length of the designated fire lane with four inch (4") white block lettering stenciled on the face "NO PARKING – FIRE LANE." The stenciling shall be spaced every fifty feet (50'). Rolled curbs or surfaces without curbs shall have a six inch (6") wide red stripe painted extending the length of the designated fire lane with four inch (4") white block lettering stenciled on the stripe "NO PARKING – FIRE LANE." The stenciling shall be spaced every fifty feet (50').
2. Signs may be substituted for curb painting when approved in writing by the fire marshal.
3. Signs shall be not less than eighteen inches (18") in height by twelve inches (12") in width, with block lettering of not less than three inches (3") high brush stroke, reading: "NO PARKING – FIRE LANE." Such signs shall be reflective in nature, with red lettering on a white background, and spaced at intervals of not less than fifty feet (50') apart. The top of such signs shall not be less than four feet (4'), or more than six feet (6') from the ground. Signs may be placed on buildings when approved in writing by the fire marshal. When posts are required, they shall be constructed of either two inch (2") or greater galvanized steel, or four inch by four inch (4" x 4") or greater pressure treated wood.
4. The fire marshal may approve deviations from any of the specifications in writing.
5. Existing signs may be allowed to remain until the fire marshal determines that a need for replacement exists based on the legibility or other deterioration of the existing signs. Such replacement shall occur within 30 days of receiving written notification of the deficiency.
6. Fire lanes shall be established and maintained as often as required by the fire marshal to clearly identify the designated area as a fire lane, at the sole expense of the property owner. The property owner shall have completed the required establishment or maintenance of fire lanes within 30 days of receiving written notification that such is necessary.
7. At the entrance to the property where fire lanes have been designated, signs shall be posted in a clearly conspicuous location, and shall clearly state that vehicles parked in fire lanes may be impounded, and the name, telephone number, and address of the towing firm where the vehicle may be redeemed.
8. The owner, manager, or person in charge of any property upon which any designated fire lane has been established shall be responsible to prevent the

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parking of vehicles in such fire lanes by informing the appropriate towing company of the violation. If the lane is blocked by any other obstructions, the owner, manager, or person in charge of the property shall attempt to remove the obstruction, and if unable, shall inform the fire department that the obstruction exists.

9. All criminal violations of the International Fire Code and obstruction of a fire apparatus road may be enforced by any regular or reserve police officer of the Police Department.

10. The Police Department, Fire Chief, Fire Marshal, and other such personnel of the Fire Department as designated by the Fire Chief and approved by the City Manager shall have the authority to issue infractions for violations of the International Fire Code on forms provided by the Chief of Police for such purposes.

11. Any violation of this Section shall be punishable in accordance with the provisions of SMC 17.05.010.

~~(1243)~~ Amend Section 506.1 as follows:

506.1 Where required. Where access to or within a structure or an area is restricted because of secured openings or where immediate access is necessary for life-saving or fire-fighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of an approved type and shall contain keys to gain necessary access as required by the fire code official.

All occupancies equipped with an automatic sprinkler system or fire alarm system shall have a key box mounted in a location approved by the fire code official.

Exception: One and two family dwelling.

~~(1344)~~ Add new definition in Section 602:

Section 602 Definitions: Power Tap. A listed device for indoor use consisting of an attachment plug on one end of a flexible cord and two or more receptacles on the opposite end, and has over-current protection.

~~(1445)~~ Amend the first sentence of Section 901.7, System out of service, to read as follows:

Section 901.7 System out of service. Where a fire protection system is out of service, the fire department and the fire code official shall be notified immediately and where required by the fire code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned.

~~(1546)~~ Amend Section 903.2, Where required, as follows:

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903.2 Where required. Delete the exception.

(~~1647~~) Amend Section 903.4.2, Alarms, to read as follows:

903.4.2 Alarms. Approved audible and visible alarm notification devices to meet the Americans with Disabilities Act, shall be provided for every automatic sprinkler system in accordance with Section 907 and throughout areas designated by the Fire Code Official. Such sprinkler water-flow alarm devices shall be activated by water flow equivalent to the flow of a single sprinkler of the smallest orifice size installed in the system. Alarm devices shall be provided on the exterior of the building in an approved location. Where a fire alarm system is installed, actuation of the automatic sprinkler system shall actuate the building fire alarm system. Exception: With approval of the Fire Code Official, audible and visible alarm notification appliances may be omitted for approved residential sprinkler systems in 1 or 2 family dwelling units if not otherwise specifically required.

(~~1748~~) Amend Section 903.4.3 to read as follows:

903.4.3 Floor control valves. Approved supervised indicating control valves shall be provided at the point of connection to the riser on each floor. Exception: When approved by the Fire Code Official in NFPA 13D and NFPA13R systems.

(~~1849~~) Add new section to read as follows:

905.3.8 High Rise Building Standpipes. Standpipe risers shall be combination standpipe/sprinkler risers using a minimum pipe size of 6 inches. Two 2-1/2 inch hose connections shall be provided on every intermediate floor level landing in every required stairway. Where pressure reduction valves (PRV) are required, each hose connection shall be provided with its own PRV. The system shall be designed to provide a minimum flow of 300 gpm at a minimum pressure of 150 psi (maximum 200 psi) at each standpipe connection, in addition to the flow and pressure requirements contained in NFPA 14.

(~~1920~~) Amend Section 905.8 to read as follows:

905.8 Dry Standpipes. Dry standpipes, may be installed in other than high rise building when approved by the fire code official.

(~~204~~) Amend Section 906.1, Where required, as follows:

906.1 Where required. Portable fire extinguishers shall be installed in all Group A, B, E, F, H, I, M, R1, R-s, R-4, and S occupancies.

(~~212~~) Amend Section 907.2 to read as follows:

907.2 Where required—new buildings and structures. An approved manual, automatic or manual and automatic fire alarm system installed in accordance with the provisions of this code and NFPA 72 shall be provided in new buildings and structures in accordance with Sections 907.2.1 through 907.2.23

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or where required by the Fire Code Official and provide occupant notification in accordance with Section 907. ~~610~~, unless other requirements are provided by another section of this code. Where automatic sprinkler protection installed in accordance with Section 903.3.1.1 or 903.3.1.2 is provided and connected to the building fire alarm system, automatic heat detection required by this section shall not be required. The automatic fire detectors shall be smoke detectors. Where ambient conditions prohibit installation of automatic smoke detection, other automatic fire detection shall be allowed.

(~~223~~) Add new Section 907. 7.5 ~~15.1~~. to read as follows:

907. 7.5.2.~~15.1~~ Monitoring. When required by the Fire Code Official, all fire detection systems shall be monitored and shall meet the following requirements:

- (a) Current NFPA Article 72, National Fire Alarm Code.
- (b) The current International Fire and Building Code.
- (c) The system shall be supervised.
- (d) All signals from the fire alarm control panel shall be transmitted to an approved central station conforming to UL Standard 827, listed by Underwriters Laboratories and approved by the Fire Code Official.
- (e) The building owner must provide the fire department with proof of monitoring service.
- (f) The installer shall provide written certification to the Fire Department that the system has been installed in accordance with approved plans and specifications.
- (g) The system must have a signed maintenance agreement prior to Certificate of Occupancy.

(~~234~~) Amend Section 1404.5 to read as follows:

1404.5 Fire watch. When required by the fire code official for building construction or demolition that is hazardous in nature, qualified personnel shall be provided to serve as an on-site fire watch. Fire watch personnel shall be provided with at least one approved means for notification of the fire department and their sole duty shall be to perform constant patrols and watch for the occurrence of fire.

(~~245~~) Amend Section 3304.1 to read as follows:

Section 3304.1 Explosive Materials Storage and Handling – General. The storage of explosive materials is prohibited within the City Limits.

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Exceptions:

1. Materials listed and stored in accordance with IFC 3301.1 “Exceptions 1-5, and 7-9”
2. Model rocket motors, as defined by NFPA 1122, stored in accordance with NFPA 1122 Sections 4.20.1 and 4.20.2. Quantities of more than one pound shall be stored in accordance with NFPA 1127 Sections 4.19.1 through 4.19.2.4.
3. When approved by the Fire Marshall, high power rocket motors as defined by NFPA 1127 and rocket motor reloading kits, stored in accordance with NFPA 1127 Sections 4.19.1 through 4.19.2.4, 4.19.4 and 4.19.5.
(256) Amend Section 3305.1 to read as follows:

Section 3305.1 Manufacturing, assembly and testing of explosives, explosive materials, ammunition, blasting agents, and fireworks – General. The manufacturing of explosives, explosive materials, ammunition, blasting agents, and fireworks is prohibited within the City limits.

(267) Amend Section 3404.2.9.5.1 to read as follows:

3404.2.9.5.1 Locations where above-ground tanks are prohibited.

Locations where Class I and Class II liquids are stored in above-ground tanks outside of buildings shall be regulated in accordance with 21A.50.280 SMC: “Critical aquifer recharge areas.”

(278) Amend Section 3404.2.11.2, Location, to add new item No. 4 as follows:

3404.2.11.2 Location. Flammable and combustible liquid storage tanks located underground, either outside or under buildings, shall be in accordance with all of the following:

1. Tanks shall be located with respect to existing foundations and supports such that the loads carried by the latter cannot be transmitted to the tank.
2. The distance from any part of a tank storing liquids to the nearest wall of a basement, pit, cellar, or lot line shall not be less than 3 feet (914 mm).
3. A minimum distance of 1 foot (305 mm), shell to shell, shall be maintained between underground tanks.
4. Tank location shall be in accordance with the limitations of 21A.50.280 SMC: “Critical aquifer recharge areas.”
(289) Amend Section 3406.2 as follows:

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3406.2 Storage and dispensing of flammable and combustible liquids. Permanent and temporary storage and dispensing of Class I and II liquids for private use on farms and at Public Maintenance facilities owned by the City of Sammamish or other Public agencies shall be in accordance with Sections 3406.2.1 through 3406.2.8.1.

Exception: Storage and use of fuel oil and containers connected with oil-burning equipment regulated by Section 603 and the International Mechanical Code.

(~~293~~) Amend Section 3406.2.4.4 to read as follows:

Section 3406.2.4.4 Locations where above-ground tanks are prohibited. Locations where Class I and II liquids are stored in above-ground tanks shall be regulated in accordance with 21A.50.280 SMC: “Critical Aquifer Recharge Areas.”

(~~304~~) Amend Section 3804.2 to read as follows:

Section 3804.2 Maximum capacity within established limits. The aggregate capacity for the storage of Liquid Petroleum Gas (LPG) of any one installation shall not exceed 2,000 gallons water capacity, except that in particular installations this capacity limit may be altered at the discretion of the chief after consideration of special features such as topographical conditions, nature of the occupancy and proximity to buildings, capacity of proposed tanks, degree of private fire protection to be provided, and facilities of the fire department.

(~~312~~) Amend Appendix D, Section D106, to read as follows:

SECTION D106 SINGLE FAMILY AND MULTIPLE-FAMILY RESIDENTIAL DEVELOPMENTS

D106.1 Projects having more than 100 dwelling units. Single family and Multiple-family residential projects having more than 100 dwelling units shall be equipped throughout with two separate and approved fire apparatus access roads.

Exception: Projects having more than 100 dwelling units may have a single approved fire apparatus access road when all buildings, including nonresidential occupancies, are equipped throughout with approved automatic sprinkler systems installed in accordance with Section 903.3.1.1, or 903.3.1.2, or 903.3.1.3 of the International Fire Code.

D106.2 Projects having more than 200 dwelling units. Multiple-family residential projects having more than 200 dwelling units shall be provided

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with two separate and approved fire apparatus access roads regardless of whether they are equipped with an approved automatic sprinkler system.

(Ord. O2007-214 § 1; Ord. O2004-165 § 1; Ord. O2004-148 § 2)

16.05.140 Uniform Plumbing Code adopted.

The 2009~~6~~ Edition of the Uniform Plumbing Code, as adopted by the State Building Code Council in Chapters 51-56 and 51-57 WAC, as published by the International Association of Plumbing and Mechanical Officials, excluding Chapter 1, Administration, is adopted, together with the following amendments:

(1) Amend UPC Section 312.0, Independent Systems, as follows:

312.0 Independent Systems.

The drainage system of each new building and of new work installed in any existing building shall be separate and independent from that of any other building, and, when available, every building shall have an independent connection with a public or private sewer.

Swimming pools shall be provided with a separate and independent drainage system, which shall connect with a public or private sewer. The drainage pipe for the pool, floor drain, and similar fixtures shall be connected either to the side sewer downstream of the main building or structure or to the building sewer downstream of the last plumbing fixture. The main building drain shall be equipped with an accessible backwater valve outside of the building or structure and upstream of the pool drain connection.

(2) Amend UPC Chapter 6, Table 6-5, deleting "Lawn Sprinkler, each head" from the table.

(3) Amend UPC Section 708.0, Grade of Horizontal Drainage Piping, as follows:

Horizontal drainage piping shall be run in practical alignment and a uniform slope of not less than one fourth (1/4) inch per foot (20.9 mm/m) or two (2) percent toward the point of disposal provided that, where it is impractical due to the depth of the street sewer or to the structural features or to the arrangement of any building or structure to obtain a slope of one-fourth (1/4) of an inch per foot (20.9 mm/m) or two (2) percent. Any such pipe or piping four (4) inches (100 mm) or larger in diameter may have a slope of not less than one-eighth (1/8) of an inch per foot (10.5 mm/m) or one (1) percent, only when first approved by the Code Official. Horizontal drainage piping connected to any dual flush gravity tank water closet shall slope a minimum of one-fourth (1/4) inch per foot.

(4) Adopt and amend UPC Section 713.1, Sewers Required, as follows:

713.1 Every building in which plumbing fixtures are installed and every premises having drainage piping thereon shall have a connection to a public or private sewer.

Exceptions:

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1. When no public sewer intended to serve any lot or premises is available in any thoroughfare or right of way abutting such lot or premises, or as otherwise approved under SMC 21A.60.030, drainage piping from any building or works shall be connected to an approved private sewage disposal system. The public sewer may be considered as not being available when such public sewer or any building or any exterior drainage facility connected thereto is located more than two hundred (200) feet (60.8 m) from any proposed building or exterior drainage facility on any lot or premises that abuts and is served by such public sewer.

2. No change shall be required in any portion of a plumbing drainage system in or on an existing building or lot when such work was installed and is maintained in accordance with law in effect prior to the effective date of this code, except when any such plumbing or drainage system or other work regulated by this code is determined by the Authority Having Jurisdiction to be in fact dangerous, unsafe, unsanitary, or a nuisance and a menace to life, health, or property.

(5) Adopt UPC Sections 713.3, 713.6, 714.2 and 722 pertaining to building sewers to read as follows:

Section 713.3, 713.6, 714.2 and 722 pertaining to building sewers shall be retained by the City of Sammamish.

(6) Amend UPC Section 713.3 as follows:

713.3 Within the limits prescribed by UPC Section 713.1 hereof, the rearrangement or subdivision into smaller parcels of a lot that abuts and is served by a public sewer shall not be deemed cause to permit the construction of a private sewage disposal system, and all plumbing or drainage systems on any such smaller parcel or parcels shall connect to the public sewer.

(7) Amend UPC Section 1101.11.2.2.2 to read as follows:

Combined System. The secondary roof drains shall connect to the vertical piping of the primary storm drainage conductor downstream of any horizontal offset below the roof, The primary storm drainage system shall connect to the building storm water that connects to an underground public storm sewer. The combined secondary and primary roof drain systems shall be sized in accordance with Section 1106.0 based on double the rainfall for the local area. A relief drain shall be connected to the vertical drain piping using a wye type fitting piped to daylight on the exterior of the building. The piping shall be sized as required for a secondary drain with a 4" minimum.

(8) Adopt Appendix Chapter A, "Recommended Rules for Sizing the Water Supply System."

(9) Adopt Appendix Chapter B, "Explanatory Notes on Combination Waste and Vent Systems."

(10) Adopt Appendix Chapter I, "Installation Standards."

(11) Adopt Appendix Chapter H, "Grease Interceptors."

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(12) Adopt Appendix Chapter L, "Alternate Plumbing Systems," excluding Sections L5 and L6. (Ord. O2007-214 § 1; Ord. O2004-148 § 2)

16.05.150 Washington State Energy Code adopted.

The 2009~~6~~ Washington State Energy Code, as adopted by the State Building Code Council in Chapter 51-11 WAC, is adopted. (Ord. O2007-214 § 1; Ord. O2004-148 § 2)

~~16.05.160 Ventilation and indoor air quality code adopted.~~

~~The 2006 Washington State Ventilation and Indoor Air Quality Code, as adopted by the State Building Code Council in Chapter 51-13 WAC, is adopted. (Ord. O2007-214 § 1; Ord. O2004-148 § 2)~~

16.05.160~~70~~ Documents to be filed and available for public inspection.

At least one copy of the codes, regulations, and standards adopted by reference in this chapter, in the form in which they were adopted, shall be filed in the office of the City clerk and shall be available for use and examination by the public pursuant to RCW 35A.12.140. The City clerk may elect to have these copies kept in the Permit Center office for use by the public. (Ord. O2004-148 § 2)

16.05.170~~80~~ Violation.

Any person, firm, corporation or organization violating any of the provisions of this chapter shall be subject to the provisions of SMC Title 23, Code Enforcement. (Ord. O2004-148 § 2)

16.05.180~~90~~ Adoption of additional state codes.

The following chapter of the Washington Administrative Code, as presently existing and as may be subsequently amended, is adopted by reference: Chapter 51-19 WAC, Washington State Historic Building Code. (Ord. O2004-148 § 2)

16.05.190~~200~~ Code conflicts resolution.

(1) In case of conflict among the building code, the mechanical code, the fire code and the plumbing code, the first named code shall govern over those following.

(2) In case of conflict between other codes and provisions adopted by this chapter, the code or provision that is the most restrictive, as determined by the building official, shall apply. (Ord. O2004-148 § 2)

16.05.200~~10~~ Liability.

This chapter shall not be construed to relieve or lessen the responsibility of any person, partnership, firm, association, or corporation owning, building, altering, constructing, or moving any building or structure as defined in the building code, nor shall the City or any officer, employee, or agent of the City assume such liability by reason of any inspection authorized in this chapter or certificate of inspection issued by the City or any of its officers, employees or agents. This chapter shall not create or otherwise establish or designate any particular class or group of persons who will or should be specially protected by the terms of this chapter. (Ord. O2004-148 § 2)

Chapter 16.20 Construction Administrative Code

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16.20.010 Short title.

This chapter shall constitute the construction administrative code of the City of Sammamish, hereinafter referred to as “this code.” (Ord. O2004-148 § 3)

16.20.015 Purpose.

The purpose of the codes and regulations adopted by this code is to provide a consistent method for administration of the construction codes adopted in Chapter 16.05 SMC. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.020 Scope.

The provisions of this construction administrative code shall apply to the administration of the following codes as adopted by the state of Washington and the City of Sammamish and as listed:

- (1) 2009~~6~~ International Building Code – Chapter 51-50 WAC;
 - (2) 2009~~6~~ International Residential Code – Chapter 51-51 WAC;
 - (3) 2009~~6~~ International Mechanical Code – Chapter 51-52 WAC;
 - (4) 2009~~6~~ National Fuel Gas Code (NFPA 54) – Chapter 51-52 WAC;
 - (5) 2008~~4~~ Liquefied Petroleum Gas Code (NFPA 58) – Chapter 51-52 WAC;
 - (6) 2009~~6~~ International Fuel Gas Code – Chapter 51-52 WAC;
 - (7) 2009~~6~~ Uniform Plumbing Code – Chapters 51-56 and 51-57 WAC;
 - (8) 2009~~6~~ Washington State Energy Code – Chapter 51-11 WAC;
 - (9) ~~2006 Washington State Ventilation and Indoor Air Quality Code – Chapter 51-13 WAC.~~
- (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

~~16.20.025 Exceptions.~~

~~The provisions of this code and Chapter 16.05 SMC shall not apply to work located in a public way, public utility towers and poles and hydraulic flood control structures. (Ord. O2004-148 § 3)~~

16.20.025~~30~~ Definitions.

For the purpose of this chapter, certain terms, phrases, words and their derivatives shall have the meanings set forth in this section. Where terms are not defined, they shall have their ordinary accepted meanings within the context with which they are used. “Webster’s Third International Dictionary of the English Language,” unabridged latest edition, shall be considered as providing ordinary accepted meanings. Words used in the singular include the plural, and the plural the singular. Words used in the masculine gender include the feminine, and the feminine the masculine.

“Action” means a specific response complying fully with a specific request by the City of Sammamish.

“Amended construction documents” means changes or revisions to the approved plans which do not alter the size, shape, height, location or orientation on property, major components of the structural load path, or exiting requirements.

“Building division” means the staff of the City of Sammamish community development department under the direction of the building official responsible for review of construction drawings and construction inspection for compliance with adopted building, plumbing, mechanical, fire, and other applicable construction codes.

“Building official” means the officer or other authority designated by the director of community development, charged with the administration and enforcement of the adopted construction codes.

“Building service equipment” means and refers to the plumbing, mechanical and electrical equipment including piping, wiring, fixtures, and other accessories which provide sanitation, lighting, heating, ventilation, cooling, refrigeration, firefighting, and transportation facilities essential to the occupancy of the building or structure for its designated use.

“Complete response” means an adequate response to all requests from City staff in sufficient detail to allow the application to be processed.

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“Energy code” means the Washington State Energy Code promulgated by the Washington State Building Code Council as adopted by the City of Sammamish.

“Existing building” means a building erected prior to the adoption of this code and Chapter 16.05 SMC, or one for which a legal building permit has been issued and approved.

“IBC” means the latest edition of the International Building Code promulgated by the International Code Council as adopted by the City of Sammamish.

“IEBC” means the latest edition of the International Existing Building Code promulgated by the International Code Council as adopted by this jurisdiction.

“IMC” means the latest edition of the International Mechanical Code promulgated by the International Code Council as adopted by the City of Sammamish.

“IRC” means the latest edition of the International Residential Code for one- and two-family dwellings promulgated by the International Code Council as adopted by the City of Sammamish.

“NEC” means the latest edition of the National Electrical Code promulgated by the National Fire Protection Association.

“Occupancy” means the purpose for which a building, or part thereof, is used or intended to be used.

“Permit Center” means the staff of the City of Sammamish community development department under the direction of the Permit Center manager responsible for intake and issuance of building, plumbing, mechanical, fire and other development permits.

“Public Service Agency” shall include those agencies providing non competitive services and rates to the public for the purpose of delivering electrical, water, sewer or gas utilities. The equipment installed by a public service agency shall be owned, operated and maintained by that agency.

“PUDs” means public utility districts such as water and sewer, etc.

“SEPA” means State Environmental Policy Act.

“Shall,” as used in this code, is mandatory.

“SMC” means the latest edition of the Sammamish Municipal Code.

“UPC” means the latest edition of the Uniform Plumbing Code promulgated by the International Association of Plumbing and Mechanical Officials as adopted by the City of Sammamish.

“Valuation” or “value,” as applied to a building or building service equipment, means and shall be the estimated cost to replace the building and its building service equipment in-kind, based on current material and labor replacement costs, and shall include contractor’s overhead and profit.

~~“VIAQ” means the Washington State Ventilation and Indoor Air Quality Code promulgated by the Washington State Building Code Council, as adopted by the City of Sammamish. (Ord. O2009 253 § 1 (Att. A); Ord. O2007 214 § 1; Ord. O2004 148 § 3)~~

16.20.03035 Appendices.

Provisions in the appendices of adopted codes shall not apply unless specifically adopted. (Ord. O2004-148 § 3)

16.20.03540 Intent.

The purpose of this code and Chapter 16.05 SMC is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and

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safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations. (Ord. O2004-148 § 3)

16.20.04045 Referenced codes.

The codes listed in SMC 16.20.050 through 16.20.075 and referenced elsewhere in this code and Chapter 16.05 SMC shall be considered part of the requirements of this code and Chapter 16.05 SMC to the prescribed extent of each such reference. (Ord. O2004-148 § 3)

16.20.04550 International Building Code.

Scope The provisions of the International Building Code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

(1) Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade in height with separate means of egress and their accessory structures shall comply with the International Residential Code. (Ord. O2004-148 § 3)

16.20.05055 International Residential Code.

Scope The provisions of the International Residential Code for one- and two-family dwellings shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories in height above grade plane with separate means of egress and their accessory structures. (Ord. O2004-148 § 3)

Exception: Live/work units complying with the requirements of Section 419 of the International Building Code shall be permitted to be built as one- and two-family dwellings or townhouses. Fire suppression required by Section 419.5 of the International Building Code when constructed under the International Residential Code for One- and Two-family Dwellings shall conform to Section 903.3.1.3 of the International Building Code.

16.20.05560 Mechanical Code.

Scope The provisions of the International Mechanical Code shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

Exceptions:

(1) The International Fuel Gas Code –For all installations utilizing natural gas except those regulated by the IRC and those utilizing LPG.

(2) International Residential Code –For all structures regulated by the IRC except LPG installations.

(3) NFPA 54 and 58 – For all LPG installations. (Ord. O2004-148 § 3)

16.20.06065 Liquid Propane Gas Code.

Scope The provisions of the National Fuel Gas Code and Liquefied Petroleum Gas Code (NFPA 54 and 58) shall apply to the installation of all materials and equipment utilizing liquid propane gas. (Ord. O2004-148 § 3)

16.20.06570 Natural Gas Code.

Scope The provisions of the International Fuel Gas Code shall apply to the installation of all materials and equipment utilizing natural gas including gas piping systems, fuel gas utilization equipment, gaseous hydrogen systems, and related accessories except those regulated by the International Residential Code. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.07075 Plumbing Code.

Scope The provisions of the Uniform Plumbing Code shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. (Ord. O2004-148 § 3)

16.20.075 Energy Code.

The provisions of the Washington State Energy Code shall apply to all matters governing the design and construction of buildings for energy efficiency.

16.20.080 General applicability.

Where, there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. Where in any specific case, different sections of this code and Chapter 16.05 SMC specify different materials, methods of construction or other requirements, the most restrictive shall govern, except that the hierarchy of the codes named in Chapter 19.27 RCW shall govern. ~~Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable. (Ord. O2004-148 § 3)~~

16.20.085 Other laws.

The provisions of this code and Chapter 16.05 SMC shall not be deemed to nullify any provisions of local, state or federal law. (Ord. O2004-148 § 3)

16.20.090 Application of references.

References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code or Chapter 16.05 SMC. (Ord. O2004-148 § 3)

16.20.095 Referenced codes and standards.

The codes and standards referenced in this code and Chapter 16.05 SMC shall be considered part of the requirements of this code and Chapter 16.05 SMC to the prescribed extent of each such reference. Where differences occur between provisions of this code and Chapter 16.05 SMC and referenced codes and standards, the provisions of this code and Chapter 16.05 SMC shall apply. (Ord. O2004-148 § 3)

16.20.100 Partial invalidity.

In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions. (Ord. O2004-148 § 3)

16.20.105 Existing structures.

The legal occupancy of any structure existing on the date of adoption of this code and Chapter 16.05 SMC shall be permitted to continue without change, except as is specifically covered in this code, the International Fire Code, the Sammamish Building and Property Maintenance Code, or as is deemed necessary by the building official or fire marshal for the general safety and welfare of the occupants and the public. Modifications to existing structures shall be permitted to be performed in accordance with WAC 51-50-480000 (International Existing Building code) ~~the Appendix M (International Existing Building Code) of the International Building Code.~~ (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.107 Moved buildings.

(1) Buildings or structures moved into or within a jurisdiction shall comply with the provisions of the International Residential Code, Chapter 51-51 WAC, the International Building Code (Chapter 51-50 WAC), the International Mechanical Code (Chapter 51-52 WAC), the International Fire Code (Chapter 51-54 WAC), the Uniform Plumbing Code and Standards (Chapters 51-56 and 51-57 WAC), the Washington State Energy Code (Chapter 51-11 WAC) and the Washington State Ventilation and Indoor Air Quality Code (Chapter 51-13 WAC) for new buildings or structures.

(a) Exception: Group R-3 buildings or structures are not required to comply if:

- (i) The original occupancy classification is not changed; and
- (ii) The original building is not substantially remodeled or rehabilitated.

For the purposes of this section a building shall be considered to be substantially remodeled when the costs of remodeling exceed 60 percent of the value of the building exclusive of the costs relating to preparation, construction, demolition or renovation of foundations.

(2) Prior to relocation, a feasibility inspection shall be performed on the building or structure by a registered design professional to document any known structural deficiencies, examine existing plumbing and mechanical systems, inspect insulated areas of the structure and check for life safety deficiencies. A copy of the inspection reports shall be submitted along with a building permit application for relocation.

(3) Structures which do not conform to minimum requirements at the time of initial construction, or current life safety regulations, or are found substantially deficient in structural integrity, shall be subject to correction. (Ord. O2007-214 § 1)

16.20.108 Requirements not covered by code

Requirements necessary for the strength, stability or proper operation of an existing or proposed structure or installation, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the building official.

16.20.109 Structures in Areas of Special Flood hazard

Buildings located in Areas of Special Flood Hazard shall be regulated under the International Building Code, the International Residential Code and the Sammamish Municipal Code.

16.20.110 Creation of enforcement agency.

The building division of the community development department is hereby created and the official in charge thereof shall be known as the building official. (Ord. O2004-148 § 3)

16.20.115 Appointment.

The building official shall be appointed by the chief appointing authority of the City of Sammamish. (Ord. O2004-148 § 3)

16.20.120 Deputies.

In accordance with the prescribed procedures of the City of Sammamish and with the concurrence of the appointing authority, the building official shall have the authority to appoint a deputy building official, the related technical officers, inspectors, plan examiners and other employees. Such employees shall have powers as delegated by the building official. (Ord. O2004-148 § 3)

16.20.125 Duties and power of building official.

The building official is hereby authorized and directed to enforce the provisions of this code and Chapter 16.05 SMC. The building official shall have the authority to render interpretations of this code and Chapter 16.05 SMC and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code and Chapter 16.05 SMC. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code and Chapter 16.05 SMC. (Ord. O2004-148 § 3)

16.20.130 Applications and permits.

The Permit Center shall receive and review applications for the erection, alteration, demolition and moving of buildings, structures and building service equipment, shall route to the appropriate divisions or departments of the City of Sammamish and/or other agencies for review and approval, and when approved by all appropriate divisions, departments, or agencies, issue the appropriate permit. The building division shall review construction documents for the erection, alteration, demolition and moving of buildings, structures and building service equipment, inspect the premises for which such permits have been issued and enforce compliance with the provisions of this code and Chapter 16.05 SMC. (Ord. O2004-148 § 3)

16.20.135 Notices and orders.

The building official shall have the authority to issue all necessary notices or orders to ensure compliance with this code and Chapter 16.05 SMC. Notices and orders shall be as prescribed in Chapter 23.25 SMC. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.138 Tagging of buildings

Following a City of Sammamish issued formal declaration of emergency, the building official shall be authorized to evaluate and provide building safety evaluations. Evaluations shall generally follow standards from the Applied Technology Council ATC 20, ATC 20-1 or ATC 45 manuals. The procedure shall allow for the tagging of buildings as “Inspected”, “Limited Entry” or “Unsafe” along with associated penalties per 16.20.545 of this code for removal of building tags. Notice and orders pertaining to dangerous buildings and appeal procedures established under adopted building codes shall not apply under official declarations of emergency. This section for “tagging of buildings” shall also apply for unsafe structures and equipment identified in 16.25.150.

16.20.140 Inspections.

The building division shall make all of the required inspections, or the building official shall have the authority to accept reports of inspection by approved agencies or individuals. Reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The building official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise at the applicant’s expense. (Ord. O2004-148 § 3)

16.20.145 Identification.

Building division personnel shall carry proper identification when inspecting structures or premises in the performance of duties under this code and Chapter 16.05 SMC. (Ord. O2004-148 § 3)

16.20.150 Right of entry.

Where it is necessary to make an inspection to enforce the provisions of this code and Chapter 16.05 SMC, or where the building official has reasonable cause to believe that there exists in a structure or upon a premises a condition which is contrary to or in violation of this code and Chapter 16.05 SMC which makes the structure or premises unsafe, dangerous or hazardous, the building official is authorized to enter the structure or premises at reasonable times to inspect or to perform the duties imposed by this code and Chapter 16.05 SMC; provided, that if such structure or premises be occupied that credentials be presented to the occupant and entry requested. If such structure or premises is unoccupied, the building official shall first make a reasonable effort to locate the owner or other person having charge or control of the structure or premises and request entry. If entry is refused, the building official shall have recourse to the remedies provided by law to secure entry. (Ord. O2004-148 § 3)

16.20.155 Department records.

The Permit Center shall keep official records of applications received, permits and certificates issued, and fees collected. The building official shall keep official records of reports of inspections, and notices and orders issued. Such records shall be retained in the official records for the period required for retention of public records. (Ord. O2004-148 § 3)

16.20.160 Liability.

The building official or employee charged with the enforcement of this code and Chapter 16.05 SMC, while acting for the City of Sammamish in good faith and without malice in the discharge of the duties required by this code and Chapter 16.05 SMC or other pertinent law or ordinance, shall not thereby be rendered liable personally and is hereby relieved from personal liability for any damage accruing to persons or property as a result of any act or by reason of an act or omission in the discharge of official duties. Any suit instituted against an officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code and Chapter 16.05 SMC shall be defended by legal representative of the City of Sammamish until the final termination of the proceedings. The building official or any subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code and Chapter 16.05 SMC. (Ord. O2004-148 § 3)

16.20.165 Approved materials and equipment.

Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval. (Ord. O2004-148 § 3)

16.20.170 Used materials and equipment.

The use of used materials and building service equipment which meet the requirements of this code for new materials is permitted. Used equipment and devices shall not be reused unless is permitted when approved by the building official. (Ord. O2004-148 § 3)

16.20.175 Modifications.

Wherever there are practical difficulties involved in carrying out the provisions of this code and Chapter 16.05 SMC, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code and Chapter 16.05 SMC impractical and the modification is in compliance with the intent and purpose of this code and Chapter 16.05 SMC and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department. The building official is authorized to charge an additional fee to evaluate any proposed modification under the provisions of this section. (Ord. O2004-148 § 3)

16.20.180 Alternative materials, design and methods of construction and equipment.

The provisions of this code and Chapter 16.05 SMC are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code and Chapter 16.05 SMC; provided, that any such alternative has been approved by the building official. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code and Chapter 16.05 SMC, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code and Chapter 16.05 SMC in quality, strength, effectiveness, fire resistance, durability and safety. The building official is authorized to charge an additional fee to evaluate

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any proposed alternate material, design and/or method of construction and equipment under the provisions of this section. (Ord. O2004-148 § 3)

16.20.185 Research reports.

Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code and Chapter 16.05 SMC, shall consist of valid research reports from approved sources. (Ord. O2004-148 § 3)

16.20.190 Tests.

Whenever there is insufficient evidence of compliance with the provisions of this code and Chapter 16.05 SMC, or evidence that a material or method does not conform to the requirements of this code and Chapter 16.05 SMC, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the City of Sammamish. Test methods shall be as specified in this code and Chapter 16.05 SMC or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records. (Ord. O2004-148 § 3)

16.20.195 Permits required.

Any owner or authorized agent who intends to construct, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any gas, mechanical or plumbing system, the installation of which is regulated by this code and Chapter 16.05 SMC, or to cause any such work to be done, shall first make application to the Permit Center and obtain the required permit. (Ord. O2004-148 § 3)

16.20.200 Work exempt from permit.

Exemptions from permit requirements of this code and Chapter 16.05 SMC shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of this code and Chapter 16.05 SMC or any other laws or ordinances of the City of Sammamish. Permit exemptions shall not apply to areas of Flood Hazard and city Land Use Critical Areas including but not limited to steep slopes, wetland buffers and shoreline designated areas. Permits shall not be required for the following:

(1) Public Service agencies or Work in the Public right of Way

(a) Installation, alteration or repair of generation, transmission, distribution or metering or other related equipment that is under the ownership and control of public service agencies.

(b) Work located primarily in a public right of way, on public utility towers and poles (but no exemption for wireless communications facilities that are not located in a public way) and hydraulic flood control structures.

(2+) Building.

(a) One-story detached accessory structures accessory to residential buildings constructed under the provisions of the IRC used as tool and storage sheds, tree-supported play structures,

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playhouses and similar uses, provided the floor area does not exceed 200 square feet (18.58 m²) and the structure is located in accordance with all land use regulations.

(b) Fences not over six feet (1,829 mm) high.

(c) Oil derricks.

(d) Retaining walls which are not over four feet (1,219 mm) in height measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids, ~~and are not located in critical areas including steep slopes, wetland buffers, shorelines, etc.~~

(e) Rockery walls which are not over four feet (1,219 mm) in height measured from finished grade to the top of the wall, unless supporting a surcharge or impounding Class I, II or III-A liquids, ~~and are not located in critical areas including steep slopes, wetland buffers, shorelines, etc.~~

(f) Water tanks supported directly on grade if the capacity does not exceed 5,000 gallons (18,925 L) and the ratio of height to diameter or width does not exceed two to one.

(g) Sidewalks and driveways ~~associated with residential buildings constructed under the provisions of the IRC.~~ that are not part of an accessible path of travel.

(h) Decks and associated platforms and steps accessory to ~~residential buildings constructed under the provisions of the IRC~~ which are not more than 30 inches (762 mm) above adjacent grade, are not over any basement or story below and are not part of an accessible path of travel.

(i) Painting, papering, tiling, carpeting, cabinets, countertops, nonstructural wood or vinyl siding, and similar finish work; provided that existing accessible features are not altered.

(j) In kind re-roofing of one and two family dwellings, provided the new roofing material is not removed or replaced.

(k) Window replacement in IRC structures where no alteration of structural members is required, however this does not include windows which require safety glass or provide egress under the IRC.

(l) Replacement of non-structural siding on IRC structures except for Exterior Insulation Finish systems (EIFS) or stucco finish.

~~(k m)~~ Temporary motion picture, television and theater stage sets and scenery.

~~(l n)~~ Prefabricated portable swimming pools and hot tubs accessory to a one- and two-family dwelling or Group R-3 occupancy, which are less than 36 inches (915 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.

~~(o m)~~ Shade cloth structures constructed for garden, nursery or agricultural purposes and not including service systems.

~~(p n)~~ Swings, slides and other similar playground equipment.

~~(q o)~~ Window awnings supported by an exterior wall of a one- and two-family dwelling or Group R-3 and Group U occupancies, which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support.

~~(r p)~~ Nonfixed and movable fixtures cases, racks, counters and partitions not over five feet nine inches (1,753 mm) in height.

~~(s q)~~ Satellite earth station antennas six and one-half feet (two m) or less in diameter or diagonal in zones other than residential zones.

~~(t r)~~ Satellite earth station antennas three and one-quarter feet (one m) or less in diameter in residential zones.

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(u-s) Video programming service antennas three and one-quarter feet (one m) or less in diameter or diagonal dimension, regardless of zone.

(v) Job shacks that are placed at the job site during construction, for which a permit has been issued may be allowed on a temporary basis and shall be removed upon final approval of construction. A “job shack” means a portable or temporary structure for which the primary purpose is to house equipment or supplies and which may serve as a temporary office during construction activity. Sales offices are not considered construction related.

(t w) Work as noted in SMC 16.20.025, Exceptions.

(32) Mechanical.

(a) Portable heating, cooking, or clothes-drying appliances.

(b) Portable ventilation equipment.

(c) Portable cooling unit.

(d) Steam, hot or chilled water piping within any heating or cooling equipment regulated by this code and Chapter 16.05 SMC.

(e) Replacement of any part which does not alter its approval or make it unsafe.

(f) Portable evaporative cooler.

(g) Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of one horsepower (746 W) or less.

(h) Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected.

(43) Plumbing.

(a) The stopping and/or repairing of leaks in drains, water, soil, waste or vent pipe; provided, however, that should any concealed trap, drain pipe, water, soil, waste or vent pipe become defective and it becomes necessary to remove and replace the same with new material, the same shall be considered as new work and a permit shall be procured and inspection made as provided in this code.

(b) The clearing of stoppages.

(c) Reinstallation or replacement of prefabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes. (Ord. O2009-249 § 1; Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.205 Emergency repairs.

Where equipment replacements and equipment repairs must be performed in an emergency situation, the permit application shall be submitted within the next working business day to the Permit Center. (Ord. O2004-148 § 3)

16.20.210 Ordinary repairs.

Application or notice to the Permit Center is not required for ordinary repairs to structures. Such repairs shall not include the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or load-bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the egress requirements; nor shall ordinary repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety. (Ord. O2004-148 § 3)

16.20.215 Application for permit.

To obtain a permit, the applicant shall first file a complete application as defined by the jurisdiction therefor in writing on a form furnished by the Permit Center for that purpose. Such application shall:

- (1) Identify and describe the work to be covered by the permit for which application is made.
- (2) The legal description, or the tax parcel number and the street address if available, that will readily identify and definitely locate the proposed building or work.
- (3) The property owner's name, address, and phone number.
- (4) The prime contractor's business name, address, phone number, and current state contractor registration number.
- (5) Either:
 - (a) The name, address, and phone number of the office of the lender administering the interim construction financing, if any; or
 - (b) The name and address of the firm that has issued a payment bond, if any, on behalf of the prime contractor for the protection of the owner, if the bond is for an amount not less than fifty percent of the total amount of the construction project.
- (6) Indicate the use or occupancy for which the proposed work is intended.
- (7) Be accompanied by plans, diagrams, computations and specifications and other information as required in SMC 16.20.255 through 16.20.275.
- (8) State the valuation of the proposed work.
- (9) Be signed by the applicant, or the applicant's authorized agent.
- (10) Give such other data and information as required by the City of Sammamish.

The information required on the building permit application by subsections (2) through (5) of this section shall be set forth on the building permit document which is issued to the owner, and on the inspection record card which shall be posted at the construction site.

If the information required by subsection (5) of this section is not available at the time the application is submitted, the applicant shall so state and the application shall be processed forthwith and the permit issued as if the information had been supplied, and the lack of the information shall not cause the application to be deemed incomplete for the purposes of vesting. However, the applicant shall provide the remaining information as soon as the applicant can reasonably obtain such information. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.220 Action on application.

City staff shall examine or cause to be examined applications for permits and amendments thereto prior to acceptance of the building, plumbing, mechanical or related permit application. If the application or the construction documents are incomplete or lack sufficient information to demonstrate compliance with applicable codes and standards, the application shall be returned to the applicant stating the reasons therefor. If the City staff is satisfied that the application or construction documents are complete and provide sufficient information to proceed with review, the Permit Center shall accept the permit application and collect the appropriate submittal fees.

Notwithstanding the language of this or any other provision of this code, no building permit shall be issued until all other project permits related to the project action for which the building permit is sought have been approved and issued, and all related fees, bonds, and approval conditions have been paid and/or satisfied, including but not limited to: SEPA approvals, subdivisions, PUDs, building site plans, conditional use permits, variances, shoreline substantial development permits, critical area alterations permits and frontage improvements.

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When a reasonable use exception is required to determine placement of the proposed structure and all appurtenances, the reasonable use exception shall be obtained prior to application for a building permit. If, after the application is submitted, it is determined that the proposed structure must be altered or redesigned in order to comply with land use, fire, or other regulations, the building official is authorized to require the applicant to withdraw said application. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.225 Time limitation of application.

(1) Applications for which no permit is issued within ~~one year~~ 18 months following the date of application shall expire by limitation and plans and other data submitted for review may thereafter be returned to the applicant or destroyed in accordance with state law by the building official. Permit applications that will expire shall be extended to June 30, 2013, by the building official upon written request by the applicant, subject to the following:

(a) A counter service fee as established by the current fee schedule.

(2) Applications may be canceled for inactivity if an applicant fails to respond to the building official's written request for revisions, corrections, actions or additional information within ~~60~~ 90 days of the date of request. The building official may extend the response period beyond ~~60~~ 90 days if within the original ~~60~~ 90-day time period the applicant provides and subsequently adheres to an approved schedule with specific target dates for submitting the full revisions, corrections or other information needed by the building official.

(3) The building official may extend the life of an application ~~for an additional 180 days~~ beyond the expiration period established in subsection (1) of this section, if any of the following conditions exist:

(a) Compliance with the State Environmental Policy Act is in progress; or

(b) Any other city review is in progress, provided the applicant has submitted a complete response to City requests for information or corrections; or

(c) The building official determines that unique or unusual circumstances exist that warrant additional time for such response, and the building official determines that the review is proceeding in a timely manner toward the final City decision; or

(d) Litigation against the City or applicant is in progress, the outcome of which may affect the validity or the provisions of any permit issued pursuant to such application.

~~(4) The building official may place a permit application on hold for up to one year if requested to do so in writing by a permit applicant.~~ (Ord. O2009-253 § 1 (Att. A); Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.230 Validity of permit.

The issuance or granting of a permit shall not be construed to be a permit for, or an approval of, any violation of any of the provisions of this code and Chapter 16.05 SMC or of any other ordinance of the City of Sammamish. Permits presuming to give authority to violate or cancel the provisions of this code and Chapter 16.05 SMC or other ordinances of the City of Sammamish shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building division from requiring the correction of errors in the construction documents and other data. The building official is also authorized to prevent occupancy or use of a structure wherein violation of this code and Chapter 16.05 SMC or of any other ordinances of the City of Sammamish exist. (Ord. O2004-148 § 3)

16.20.235 Expiration of issued permits.

~~(1) Every permit issued shall expire 2 years ~~one year~~ from the date of issuance ~~or by December 31, 2010, whichever date is later~~. The building official ~~may~~ is authorized to approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved by the building official prior to permit issuance. ~~The building official is authorized to approve a request for renewing expired permits and re-establishing expired permits. Expired permits may be extended or renewed by the building official provided:~~~~

(2) Every permit that has been expired for one year or less may be renewed for a period of one year for an additional fee as long as no changes have been made to the originally approved plans. For permits that have been expired for longer than one year, a new permit must be obtained and new fees paid. No permit shall be renewed more than once.

~~Expired Permit Extensions. A permit expiration date may be extended as follows:~~

- ~~(a) A written request for extension is received prior to the date of permit expiration;~~
- ~~(b) Permits issued for applications submitted prior to July 1, 2004, shall be valid for one year from the date of adoption of this code unless a written request for extension is approved by the building official prior to permit expiration or the permit is renewed in accordance with subsection (2) of this section;~~
- ~~(c) Upon written request from the owner, the building official or authorized representative is authorized to extend the expiration date up to 90 days with no additional fee when all inspections except final inspection have been performed and approved. If all work is not completed within the 90 day extension period, the permit shall expire unless renewed under the provisions of subsection (2) of this section.~~

(3) Mechanical and plumbing permits shall expire at the same time as the associated building permit except that if no associated building permit is issued, the mechanical and or plumbing permit shall expire 1 year from the date of issuance.

~~(2) Permit Renewals. A permit may be renewed for a period of no more than 18 months one year from the date of original expiration as follows:~~

- ~~(a) Requests for renewals shall be received prior to the date of permit expiration.~~
- ~~(b) A permit may be renewed one time subject to approval by the building official.~~
- ~~(c) A renewed permit that expires on or before December 31, 2010, may be renewed a second time subject to approval by the building official.~~
- ~~(d) The applicant shall pay an additional fee equal to a counter service fee as long as no unauthorized changes have been made to the originally approved plans and the applicant continues to make regular requests for inspections.~~

(4) The City may authorize a 30 day extension to an expired permit for the purpose of performing a final inspection and closing out the permit as long as not more than 180 days has passed since the permit expired. The 30 day extension, if granted, shall commence on the date of written approval. If the work required under a final inspection is not completed within the 30 day extension period, the permit shall expire. The building official may authorize an additional 30 day extension if conditions outside of the contractors control delay completion and the contractor can demonstrate that a good faith effort to complete the permitted work in a timely manner is being made.

~~(3) Expired Permit Re-Establishment. A permit that has expired may be re-established once provided:~~

- ~~(a) A written request for re-establishment is received by the building official within 18 months of the date of permit expiration.~~
- ~~(b) The applicant shall pay an additional fee equal to a counter service fee.~~

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~~(e) The re-established permit shall expire 18 months from the date of re-establishment and may not be further renewed or extended. (Ord. O2009-253 § 1 (Att. A); Ord. O2007-214 § 1; Ord. O2004-148 § 3)~~

16.20.240 Suspension or revocation.

The building official is authorized to suspend or revoke a permit issued under the provisions of this code and Chapter 16.05 SMC wherever the permit is issued in error, or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation of the City of Sammamish or any of the provisions of this code and Chapter 16.05 SMC, or if the permitted structure is being constructed in violation of the permit or in violation of any ordinance or regulation of the City of Sammamish or any of the provisions of this code and Chapter 16.05 SMC. (Ord. O2004-148 § 3)

16.20.245 Placement of permit.

The building permit or copy shall be kept on the site of the work until the completion of the project. For access to permit for inspections, see SMC 16.20.475. (Ord. O2004-148 § 3)

16.20.248 Floor and Roof Design Loads

(1) Live Loads Posted. Where the live load for which each floor or portion thereof of a commercial or industrial building is or has been designed to exceed 50 pounds per square foot (2.40kN/m²), such design live load shall be conspicuously posted by the owner in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notice signs.

(2) Issuance of certificate of occupancy. A certificate of occupancy required by Section 16.20.490 shall not be issued until the floor load signs, required by Section 16.20.248(1) have been installed.

(3) Restrictions on loading. It shall be unlawful to place, cause or permit to be placed, on any floor or room of a building, structure or portion thereof, a load greater than is permitted by this code.

16.20.250 Construction documents – Submittal.

Construction documents, statements of special inspections, geotechnical reports, structural observation programs, and other data required to be submitted shall be submitted in one or more sets, as determined by the building official, with each application for a permit. The construction documents shall be prepared by a registered design professional where required by the state of Washington. ~~When~~ special conditions exist, the building official is authorized to require additional construction documents to be prepared by a registered design professional.

Exception: The building official is authorized to waive the submission of construction documents and other data not required to be prepared by a registered design professional if it is found that the nature of the work applied for is such that review of construction documents is not necessary to obtain compliance with this code and Chapter 16.05 SMC. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.255 Information on construction documents.

Construction documents shall be dimensioned and drawn upon suitable material. Electronic media documents are permitted to be submitted when approved by the building official. Construction documents shall be of sufficient clarity to indicate the location, nature and extent of the work proposed in the proper orientation and layout as it is to be constructed and show in

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detail that it will conform to the provisions of this code and Chapter 16.05 SMC and relevant laws, ordinances, rules and regulations, as determined by the building official. Construction documents shall not be altered once submitted except as required by notice of the City reviewer to achieve compliance with applicable codes. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.260 Fire protection system shop drawings.

Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with this code and Chapter 16.05 SMC and the construction documents and shall be approved prior to the start of system installation. Shop drawings shall contain all information as required by the referenced installation standards in Chapter 9 IBC. Shop drawings shall be prepared by a certified individual as required by the state of Washington. (Ord. O2004-148 § 3)

16.20.265 Means of egress.

The construction documents shall show in sufficient detail the location, construction, size and character of all portions of the means of egress in compliance with the provisions of this code and Chapter 16.05 SMC. In other than one- and two- family dwellings and occupancies in Groups R-2 and R-3, the construction documents shall designate the number of occupants to be accommodated on every floor, and in all rooms and spaces. (Ord. O2004-148 § 3)

16.20.270 Exterior wall envelope.

Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with this code and Chapter 16.05 SMC. The construction documents shall provide details of the exterior wall envelope as required, including flashing, intersections with dissimilar materials, corners, end details, control joints, intersections at roof, eaves or parapets, means of drainage, water-resistive membrane and details around openings. The construction documents shall include manufacturer's installation instructions that provide supporting documentation that the proposed penetration and opening details described in the construction documents maintain the weather resistance of the exterior wall envelope. The supporting documentation shall fully describe the exterior wall system which was tested, where applicable, as well as the test procedure used.

Exception: Subject to the approval of the building official, R-3 one- and two-family dwellings and U occupancies may be exempt from the detailing requirements of this section. (Ord. O2004-148 § 3)

16.20.273 Building enclosure design requirements of RCW 64.55.

Building enclosure design documents of new or rehabilitated multifamily buildings that are subject to these regulations shall be submitted at the time of permit application. This section includes buildings containing more than two attached dwelling units and buildings containing nonresidential units if the building also contains more than two attached dwelling units. This section does not apply to hotels, motels, dormitories, care facilities, or floating homes or buildings that contain attached dwelling units that are each located on a single platted lot.

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All applications for building construction or rehabilitation shall include design documents prepared and stamped by a WA State licensed architect or engineer and shall identify the building enclosure (building enclosure documents) including but not limited to, waterproofing, weather proofing and/or other protection from water or moisture intrusion, unless a recorded irrevocable sale prohibition covenant is submitted to and approved by the City.

The City will not issue a permit for construction or rehabilitative construction unless the building enclosure documents contain a stamped statement in substantially the following form, “The undersigned has provided building enclosure documents that in my professional judgment are appropriate to satisfy the requirements of sections RCW 64.55.005 through 64.55.090”. I acknowledge: (a) that the city building department is not charged with determining whether the building enclosure design documents are adequate or appropriate to satisfy the requirements of RCW 64.55.005 through 64.55.090; and (b) that nothing in RCW 64.55.005 through 64.55.090 requires a building department to review, approve, or disapprove enclosure design documents.

16.20.275 Site plan.

The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size, location, orientation and layout of new construction and existing structures on the site including all roof overhangs, projections, cantilevers and building footprint, distances from lot lines, the established street grades and the proposed finished grades and average grades as required, calculations for building height, and as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. Site plans shall also be provided which show width, slope, distance, and surface requirements for emergency vehicle access roads and/or driveways and depict all lots which contain structures served by the access road. In the case of demolition, the site plan shall show construction to be demolished and the location and size of existing structures and construction that are to remain on the site or plot. The building official is authorized to waive or modify the requirement for a site plan when the application for permit is for alteration or repair or when otherwise warranted. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.280 Examination of documents.

The building official shall examine or cause to be examined the accompanying submittal ~~construction~~ documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of this code and Chapter 16.05 SMC and other pertinent laws or ordinances. (Ord. O2004-148 § 3)

16.20.285 Use of consultants.

Whenever review of a building permit application requires retention by the City of Sammamish for professional consulting services, the applicant shall reimburse the City of Sammamish the full cost of such professional consulting services. This fee shall be in addition to

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the normal plan review and building permit fees. The City of Sammamish may require the applicant to deposit an amount with the City of Sammamish estimated in the discretion of the building official to be sufficient to cover anticipated costs for retaining professional consultant services and to ensure reimbursement for such costs. (Ord. O2004-148 § 3)

16.20.290 Approval of construction documents.

When the Permit Center issues a permit, the construction documents shall be approved by the building division, in writing or by stamp, as ~~“Approved, Subject To Field Inspection.”~~ One set of construction documents so reviewed shall be retained by the City of Sammamish. The other set shall be returned to the applicant, shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative. (Ord. O2004-148 § 3)

16.20.295 Phased approval.

The building official is authorized to issue a permit for the construction of foundations or any other part of a building or structure before the construction documents for the whole building or structure have been submitted; provided, that adequate information and detailed statements have been filed complying with pertinent requirements of this code and Chapter 16.05 SMC. The holder of such permit for the foundation or other parts of a building or structure shall proceed at the holder's own risk with the building operation and without assurance that a permit for the entire structure will be granted. The Permit Center is authorized to require that a performance bond be posted with the city in an amount equal to 150 percent of the cost of demolition and removal of the work authorized under a phased approval. The bond shall be refundable upon issuance of a building permit for the complete building or structure and a request in writing for the refund. It shall be the duty of the applicant to request the refund. (Ord. O2004-148 § 3)

16.20.300 Design professional in responsible charge.

When it is required that documents be prepared by a qualified, registered design professional, the building official shall be authorized to require the owner to engage and designate on the building permit application a registered design professional who shall act as the registered design professional in responsible charge. If the circumstances require, the owner shall designate a substitute registered design professional in responsible charge who shall perform the duties required of the original registered design professional in responsible charge. The building official shall be notified in writing by the owner if the registered design professional in responsible charge is changed or is unable to continue to perform the duties. The registered design professional in responsible charge shall be responsible for reviewing and coordinating submittal documents prepared by others, including phased and deferred submittal items, for compatibility with the design of the building. Where structural observation is required by Section 1709 IBC, the statement of special inspections shall name the individual or firms who are to perform structural observation and describe the stages of construction at which structural observation is to occur (see also duties specified in Section 1704 IBC).

At least one set of documents prepared by a registered design professional shall bear the seal or stamp of the design professional and shall contain the original signature of the design professional.

Exceptions:

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(1) Supporting documents such as engineering calculations, geotechnical reports, and specifications need only bear an original stamp and signature on the cover sheet of the supporting documents.

(2) With permission of the building division, a copy of the original stamp and original signature may be accepted on the documents. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.305 Deferred submittals.

For the purposes of this section, “deferred submittals” are defined as those portions of the design that are not submitted at the time of the application and that are to be submitted to the Permit Center within a specified period. Deferral of any submittal items shall have the prior approval of the building division. The registered design professional in responsible charge shall list the deferred submittals on the construction documents for review by the building division. Documents for deferred submittal items shall be submitted to the registered design professional in responsible charge who shall review them and forward them to the Permit Center with a notation indicating that the deferred submittal documents have been reviewed and been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the design and submittal documents have been approved by the building division. The Permit Center is authorized to charge an additional plan review fee to evaluate deferred submittals under the provisions of this section. (Ord. O2004-148 § 3)

16.20.310 Amended construction documents.

Work shall be installed in accordance with the approved construction documents, and any changes made during construction that are not in compliance with the approved construction documents shall be submitted for approval as an amended set of construction documents along with an application for permit revision. Where changes to the approved plan alter the size, shape, height, location or orientation on the property, major components of the structural load path, or exiting requirements, a new permit application shall be submitted and applicable fee paid. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.315 Retention of construction documents.

One set of approved construction documents shall be retained by the City of Sammamish for a period of not less than 180 days from date of completion of the permitted work, or as required by state or local laws. (Ord. O2004-148 § 3)

16.20.320 Temporary structure – General.

The building official is authorized to approve a permit for temporary structures and temporary uses. Such permits shall be limited as to time of service, but shall not be permitted for more than 180 days. The building official is authorized to grant extensions for demonstrated cause.

Exception: The building official may authorize unheated tents and yurts under 500 square feet accommodating an R-1 occupancy for recreational use as a temporary structure and allow them to be used indefinitely. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.325 Temporary structure – Conformance.

Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of this code and Chapter 16.05 SMC as necessary to ensure the public health, safety and general welfare. (Ord. O2004-148 § 3)

16.20.330 Temporary structure – Termination of approval.

The building official is authorized to terminate such permit for a temporary structure or use issued under the provisions of this code and Chapter 16.05 SMC wherever the permit is issued in error, or on the basis of incorrect, inaccurate or incomplete information, or in violation of any ordinance or regulation of the City of Sammamish or any of the provisions of this code and Chapter 16.05 SMC, or if the permitted structure is being constructed in violation of the permit or in violation of any ordinance or regulation of the City of Sammamish or any of the provisions of this code and Chapter 16.05 SMC and to order the temporary structure or use to be discontinued. (Ord. O2004-148 § 3)

16.20.335 Payment of fees.

A permit shall not be valid until the fees prescribed by law have been paid, nor shall an amendment to a permit be released until the additional fee, if any, has been paid. (Ord. O2004-148 § 3)

16.20.340 Schedule of permit fees.

On buildings, structures, gas, mechanical, and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with this code and the fee schedule as established in the City of Sammamish fee resolution. In no case shall the building permit fee be less than the City's hourly inspection fee multiplied by the number of inspections expected to be performed for work authorized by the permit. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.345 Plan review fees.

When submittal documents are required by SMC 16.20.250 through 16.20.310 and Chapter 16.05 SMC, a plan review fee shall be paid at the time of submitting the submittal documents for plan review. The Permit Center may have the option to charge a deposit, in lieu of the full plan review fee, if the full amount is not known at the time. Any plan review deposit shall be applied toward the total plan review fee owed. The actual permit fees and related plan review fee shall be determined upon completion of the plan review and the balance owing shall be paid at the time of permit issuance. The plan review fee shall be a separate fee from the permit fees specified in this section and are in addition to the permit fees. When submittal documents are incomplete or changed so as to require additional plan review or when the project involves deferred submittal items as defined in SMC 16.20.250 through 16.20.310, an additional plan review fee shall be charged at the rate shown in the fee resolution established by the City of Sammamish. (Ord. O2004-148 § 3)

16.20.350 Building permit valuations.

The applicant for a permit shall provide an estimated building valuation at the time of application. The final determination of value or valuation under any of the provisions of this code and Chapter 16.05 SMC shall be made by the Permit Center. The April 2002 "Building

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Standards Magazine” published by the International Council of Building Officials shall be used to determine building valuations for the various building types and occupancies noted in that table, with a regional modifier reflective of construction costs within the City of Sammamish. When a specific building type or occupancy is not noted in the valuation table, the Permit Center is authorized to use the classification type noted in the table that most closely resembles the proposed type of building or determine a valuation type independently. (Ord. O2004-148 § 3)

16.20.353 Registered plan program.

An applicant who intends to apply for permits to build a number of single-family structures using the same plans may elect to participate in the “Registered Plan Program.” This program is intended to improve customer service by simplifying the application process and reducing plan review times. This program is also intended to encourage variations in building design to produce aesthetically pleasing, yet diversified neighborhoods that add to the quality of Sammamish as a unique community.

Options are allowed to be submitted with the initial registering of the basic plan to accommodate a variation of building styles using the basic plan. When plans are submitted under the jurisdiction’s “Registered Plan Program,” a plan review fee shall be paid at the time of application for a registered plan.

The building official may have the option to charge a partial deposit, in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review prior to final approval of the registered plan.

Valuations used to compute the permit fees shall include all options submitted with a registered plan. When a registered plan consists of a number of plan options that can produce any number of similar but different buildings, the building official may charge plan review fees based on each different building configuration.

Plan review fees shall be paid for at the time of application for a building permit. The building official may have the option to charge a partial deposit, in lieu of the full plan review fee. All portions of fees paid as a deposit amount shall be applied to the total plan review fees owed. The applicant shall be required to pay the balance of amount owed for the plan review. The plan review fees specified in this subsection are separate fees from the permit fees and are in addition to the permit fees.

Plan orientation: Building construction shall follow the direction, layout and orientation of the plan as approved. Applications to reverse or flip a plan shall only be allowed as an approved option to a registered plan where all drawing floor plans, site plans, sections, elevations and structural drawings reflect the layout of the building to be constructed.

Revisions: Once a plan and associated options are reviewed, approved and registered, changes or revisions to that plan are not permitted without requiring the plan to be resubmitted as a new registered plan and pay full new fees.

Field revision: Once a permit is issued for a registered plan, no revisions will be permitted except for minor field changes. Changes other than minor field changes will be considered major changes and require the permit holder to resubmit those changes as a new submittal and pay the appropriate fee. (Ord. O2007-214 § 1)

16.20.355 Work commencing before permit issuance.

Any person who commences any work on a building, structure, gas, mechanical or plumbing system before obtaining the necessary permits shall be subject to a stop work order and special investigation fee established by the City of Sammamish that shall be in addition to the required permit fees.

When it is determined that construction has taken place that required a permit and construction is at such a stage that structural conformance cannot be visually assured by the City of Sammamish building division, the following will be required:

(1) The building official may require that the owner hire a licensed registered design professional to submit a certified report as to the structural integrity of the structure erected, and the compliance of the structure with applicable construction codes and regulations along with the building permit application. This document (certification) must state any deficiencies and the acceptable (code) corrective action accompany the building permit application and include any deficiencies.

(2) The owner must show proof of inspection and permit for cover of electrical wiring from the Department of Labor and Industries Electrical Inspection Division.

(3) The owner must secure plumbing and/or mechanical permits as appropriate. Inspection of these items may require removal of construction materials in order to validate the systems have been installed correctly.

(4) The owner must be able to substantiate and/or show proof if necessary that he/she is in compliance with all other local, state and federal laws pertaining to land use.

(5) A site inspection and life safety inspection must be performed prior to temporary occupancy or use of the building or structure prior to permit issuance and final inspection. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.360 Related fees.

The payment of the fee for the construction, alteration, removal or demolition for work done in connection to or concurrently with the work authorized by a building permit shall not relieve the applicant or holder of the permit from the payment of other fees that are prescribed by law. (Ord. O2004-148 § 3)

16.20.365 Performance bonds.

Prior to the issuance of a demolition permit, the applicant or agent shall post a \$500.00 cash deposit or surety bond to ensure cleanup of the site, which shall be refundable upon final inspection, approval and written request to the Permit Center from the permit holder.

Exception: Where the demolition permit is issued in conjunction with a building permit for a new structure to be placed in a similar location as building or structure to be demolished. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.370 Refunds.

The Permit Center may authorize refunding of not more than 80 percent of the permit fee paid when no work has been done under a permit issued in accordance with this code and Chapter 16.05 SMC. The Permit Center may authorize refunding of not more than 80 percent of the plan review fee paid when an application for a permit for which a plan review fee has been paid is withdrawn or canceled before any plan review is done. No refund shall be made for application or plan review fees where a plan review has been performed and the application is

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rejected in accordance with SMC 16.20.220. The Permit Center shall not authorize refunding of any fee paid except on written application filed by the original permittee not later than 180 days after the date of application. (Ord. O2004-148 § 3)

16.20.375 Inspections – General.

Construction or work for which a permit is required shall be subject to inspection by the building division and other agencies as designated on the inspection card. Such construction or work shall remain accessible and exposed for inspection purposes until approved. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of this code and Chapter 16.05 SMC or of other ordinances of the City of Sammamish. Inspections presuming to give authority to violate or cancel the provisions of this code and Chapter 16.05 SMC or of other ordinances of the City of Sammamish shall not be valid. It shall be the duty of the person(s) who perform the work to make request for inspections and cause the work to remain accessible and exposed for inspection purposes. Neither the building division nor the City of Sammamish shall be liable for expense entailed in the removal or replacement of any material required to allow inspection. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.380 Preliminary inspections.

Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures and sites for which an application has been filed. (Ord. O2004-148 § 3)

16.20.385 Manufacturer's installation instructions.

Manufacturer's installation instructions, as required by this code and Chapter 16.05 SMC, shall be available on the job site at the time of inspection. (Ord. O2004-148 § 3)

16.20.390 Required inspections.

The building division, upon notification, shall make the inspections set forth in SMC 16.20.395 through 16.20.465. (Ord. O2004-148 § 3)

16.20.393 Temporary erosion and sediment control inspection.

Temporary erosion and sediment control inspections shall be made after all required silt fencing, construction fencing, straw bales, storm drain catch basin inserts (socks), entrance rocking, and other required elements are in place and prior to commencement of construction and/or clearing the site. (Ord. O2009-249 § 1)

16.20.395 Footing and foundation inspection.

Footing and foundation inspections shall be made after poles or piers are set, trenches or basement areas are excavated, or excavations for footings are complete, any forms erected, and all required hold-down anchor bolts, hold-down straps, and any required reinforcing steel is in place and supported. The foundation inspection shall include excavations for thickened slabs intended for the support of bearing walls, partitions, structural supports, or equipment. Foundation inspections shall also include special requirements for wood foundations, and for any setbacks required from property lines; building setback lines; critical area buffers; and/or the ordinary high water mark on lake properties. For concrete foundations, any required forms shall be in place prior to inspection. Materials for the foundation shall be on the job; except where

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concrete is ready-mixed in accordance with ASTM C 94, the concrete need not be on the job. (Ord. O2009-249 § 1; Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.400 Concrete slab and under-floor inspection.

Concrete slab and under-floor inspections shall be made after in-slab or under-floor reinforcing steel and building service equipment, conduit, slab insulation, piping accessories and other ancillary equipment items are in place, but before any concrete is placed or floor sheathing installed, including the subfloor. (Ord. O2004-148 § 3)

16.20.405 Lowest floor elevation certification.

In flood hazard areas, upon placement of the lowest floor, including the basement, and prior to further vertical construction, the elevation certification required in IBC Section 1612.5 or IRC Section R324 shall be submitted to the building division. FEMA flood elevation certificates shall contain an original stamp and signature of the surveyor, licensed by the state of Washington, and shall document the elevation of the lowest floor, including basement, and other information required by the flood elevation certificate. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.410 Exterior wall sheathing inspection.

Exterior wall sheathing shall be inspected after all wall framing is complete, strapping and nailing is properly installed but prior to being covered. (Ord. O2004-148 § 3)

16.20.415 Roof sheathing inspection.

The roof sheathing shall be inspected after all roof framing is complete. No roof coverings shall be installed until inspections are made and approved, and confirmation that the height of the structure is in conformance with the requirements of the development code, SMC Title 21A, and/or shoreline master program. (Ord. O2009-249 § 1; Ord. O2004-148 § 3)

16.20.420 IMC/IPC/Gas/NEC/IFC rough in inspection.

Rough in mechanical, gas piping, plumbing, electrical, and fire suppression systems shall be inspected when the rough in work is complete and if required, under test. No connections to primary utilities shall be made until the rough in work is inspected and approved. (Ord. O2004-148 § 3)

16.20.425 Frame inspection.

Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking and bracing are in place and pipes, chimneys and vents to be concealed are complete and the rough electrical, plumbing, fire suppression piping, heating wires, pipes and ducts are approved. (Ord. O2004-148 § 3)

16.20.430 Flashing and exterior weather barrier inspection.

Flashing and exterior weather barrier inspections shall be made after flashing and weather barrier materials have been installed, but prior to any of the work being covered. Subject to approval of the building official, an approved special inspection agency may be utilized for these inspections during the course of construction. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.435 Lath inspection and gypsum board inspection.

Lath and gypsum board inspections shall be made after lathing and gypsum board, interior and exterior, are in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished.

Subject to approval of the building official, an approved special inspection agency may be utilized for these inspections during the course of construction.

Exception: Gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly does not require inspection. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.440 Fire-resistant penetrations.

Protection of joints and penetrations in fire-resistance-rated assemblies shall not be concealed from view until inspected and approved. (Ord. O2004-148 § 3)

16.20.445 Energy efficiency inspection.

(1) Envelope.

(a) Wall Insulation Inspection. To be made after exterior wall weather protection and all wall insulation and air vapor retarder, sheet or film materials are in place, but before any wall covering is placed.

(b) Glazing Inspection. To be made after glazing materials are installed in the building.

(c) Exterior Roofing and Vaulted Ceiling Insulation Inspection. To be made after the installation of the roofing and roof insulation, but before concealment.

(d) Slab/Floor Insulation Inspection. To be made after the installation of the slab/floor insulation, but before concealment.

(e) Attic Insulation Inspection. To be made after the installation of the attic insulation and prior to final inspection approval.

(2) Mechanical.

(a) Mechanical Equipment Efficiency and Economizer Inspection. To be made after all equipment and controls required by this code and Chapter 16.05 SMC are installed and prior to the concealment of such equipment or controls.

(b) Mechanical Pipe and Duct Insulation Inspection. To be made after all pipe, fire suppression piping and duct insulation is in place, but before concealment.

(3) Lighting and Motors.

(a) Lighting Equipment and Controls Inspection. To be made after the installation of all lighting equipment and controls required by this code and Chapter 16.05 SMC, but before concealment of the lighting equipment.

(b) Motor Inspections. To be made after installation of all equipment covered by this code and Chapter 16.05 SMC, but before concealment. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.450 Re-inspection.

The building official may require a structure or portions of work to be re-inspected. A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which the inspection was requested is not complete; or when previous corrections called for are not made; or when there are reoccurring missed items that have previously been identified to the same builder on multiple lots; or when the approved plans and permit are not on site in a conspicuous or pre-approved location; or when the building is not accessible. In instances where

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re-inspection fees have been assessed, no additional inspection of the work shall be provided by the city until the required fees are paid. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.455 Other inspections.

In addition to the inspections specified above, the building official is authorized to make or require other inspections of any construction work to ascertain compliance with the provisions of this code and Chapter 16.05 SMC and other laws that are enforced by the building department ~~department of building safety~~. (Ord. O2004-148 § 3)

16.20.460 Special inspections.

In addition to the inspections specified above, the building official is authorized to make or require special inspections for any type of work related to the technical codes by an approved agency at no cost to the City of Sammamish. (Ord. O2004-148 § 3)

(1) In accordance with the building enclosure special inspection requirements of RCW 64.55, the owner(s) of affected multiunit residential buildings shall provide the city with a building enclosure inspection reports prepared by a third party, independent, and qualified inspector during the course of initial construction and during rehabilitative construction. Note: the city does not verify the qualifications of the inspector or determine whether the building enclosure inspection is adequate or appropriate. The City is prohibited from issuing a certificate of occupancy for the building until the inspector submits the report to the building department and a signed letter certifying that the building enclosure has been inspected during the course of construction or rehabilitative construction and that the construction is in substantial compliance with the building enclosure design documents.

See Section 16.20.273 Building enclosure design requirements of RCW 64.55 for additional requirements.

16.20.465 Final inspection.

The final inspection shall be made after all work required by the building permit is completed. (Ord. O2004-148 § 3)

16.20.470 Inspection agencies.

The building official is authorized to accept reports of approved inspection agencies, provided such agencies satisfy the requirements as to qualifications and reliability. (Ord. O2004-148 § 3)

16.20.475 Inspection requests.

It shall be the duty of the holder of the building permit or their duly authorized agent to notify the City of Sammamish when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this code and Chapter 16.05 SMC. (Ord. O2004-148 § 3)

16.20.480 Approval required.

Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building division. The building division, upon notification, shall

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make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this code and Chapter 16.05 SMC. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized by the building division. (Ord. O2004-148 § 3)

16.20.485 Certificate of occupancy – Use and occupancy.

No building or structure shall be used or occupied and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the City has issued a certificate of occupancy therefor as provided herein.

Exceptions:

- (1) Residential accessory buildings or structures.
- (2) Work exempt from permits per SMC 16.20.200.

Structures approved under the provisions of the International Residential Code may be issued a certificate of occupancy in the form of a signed-off permit inspection card.

Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of this code and Chapter 16.05 SMC or of other ordinances of the City of Sammamish. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.490 Certificate of occupancy issued.

After the building division inspects the building or structure and finds no violations of the provisions of this code and Chapter 16.05 SMC or other laws that are enforced by the department of building safety, the City of Sammamish shall issue a certificate of occupancy.

Structures approved under the International Residential Code may be issued a certificate of occupancy in the form of a “final inspection” approval signature on the permit inspection card.

For all other structures requiring a certificate of occupancy, the certificate of occupancy shall contain the following information:

- (1) The building permit number.
- (2) The address of the structure.
- (3) The name and address of the owner.
- (4) A description of that portion of the structure for which the certificate is issued.
- (5) A statement that the described portion of the structure has been inspected for compliance with the requirements of this code and Chapter 16.05 SMC for the occupancy and division of occupancy and the use for which the proposed occupancy is classified.
- (6) The name of the building official.
- (7) The edition of the code under which the permit was issued.
- (8) The use and occupancy, in accordance with the provisions of Chapter 3 of the International Building Code or International Residential Code as applicable.
- (9) The type of construction as defined in Chapter 6 of the International Building Code or International Residential Code as applicable.
- (10) The design occupant load.
- (11) If an automatic sprinkler system is provided, and whether the sprinkler system is required.
- (12) Any special stipulations and conditions of the building permit. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.495 Temporary or phased occupancy.

The building official is authorized to issue a temporary or phased certificate of occupancy before the completion of the entire work covered by the permit; provided, that such portion or portions shall be occupied safely. The building official is authorized to require, in addition to the completion of life safety building components, completion of any or all accessibility components prior to issuance of a temporary or phased certificate of occupancy. The building official shall set a time period during which the temporary or phased certificate of occupancy is valid. The building official is authorized to require that a performance bond be posted with the City in an amount equal to 150 percent of the incomplete work as determined by the design professional. The bond shall be refundable upon inspection, final approval and a request in writing for the refund. It shall be the duty of the applicant to request the refund. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.500 Revocation of certificate of occupancy.

The building official is authorized to, in writing, suspend or revoke a certificate of occupancy or completion issued under the provisions of this code and Chapter 16.05 SMC wherever the certificate is issued in error, or on the basis of incorrect information provided by the owner or owner's representatives, or where it is determined that the building or structure or portion thereof is in violation of any ordinance or regulation or any of the provisions of this code and Chapter 16.05 SMC. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.505 Connection of service utilities.

No person shall make connections from a utility, source of energy, fuel or power to any building or system that is regulated by this code and Chapter 16.05 SMC for which a permit is required, until released by the building official. (Ord. O2004-148 § 3)

16.20.510 Temporary connection of service utilities.

The building official shall have the authority to authorize the temporary connection of the building or system to the utility source of energy, fuel or power. (Ord. O2004-148 § 3)

16.20.515 Authority to disconnect service utilities.

The building official shall have the authority to authorize disconnection of utility service to the building, structure or system regulated by this code and Chapter 16.05 SMC and the codes referenced in case of emergency where necessary to eliminate an immediate hazard to life or property, or when such utility connection has been made without the required approval. The building official shall notify the serving utility, and wherever possible the owner and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnecting, the owner or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter. (Ord. O2004-148 § 3)

16.20.520 Appeals – General.

(1) Appeals of orders, decisions or determinations made by the building official relative to the application and interpretations of this code and Chapter 16.05 SMC shall be heard and decided by the hearing examiner following an open record hearing. Following review of the evidence, the examiner shall issue final decisions, including findings and conclusions, based on the issues and evidence in the record.

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(2) The hearing examiner's final decision shall be the final decision of the City council on the appeal and shall be conclusive unless proceedings for review of the decision are properly commenced in superior court within the time period specified by state law. (Ord. O2004-148 § 3)

16.20.525 Appeals – Limitations on authority.

An application for appeal shall be based on a claim that the true intent of this code and Chapter 16.05 SMC or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code and Chapter 16.05 SMC do not fully apply or an equally good or better form of construction is proposed. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code and Chapter 16.05 SMC nor shall the hearing examiner be empowered to waive requirements of either this code and Chapter 16.05 SMC or the technical codes which are the codes, appendices and referenced code standards adopted by the City of Sammamish. (Ord. O2004-148 § 3)

16.20.530 Unlawful acts.

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, move, remove, demolish or occupy any building, structure or equipment regulated by this code, ~~and~~ Chapter 16.05 and 16.25 SMC, or cause same to be done, in conflict with or in violation of any of the provisions of this code, ~~and~~ Chapter 16.05 and 16.25 SMC. Unlawful acts shall be considered a "civil code violation" as defined in SMC 23.05.030(2). (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.535 Notice of violation.

The building official is authorized to serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition or occupancy of a building or structure in violation of the provisions of this code and Chapter 16.05 SMC, or in violation of a permit or certificate issued under the provisions of this code and Chapter 16.05 SMC. Such order shall direct the discontinuance of the illegal action or condition and the abatement of the violation. (Ord. O2004-148 § 3)

16.20.540 Prosecution of violation.

If the notice of violation is not complied with in the time prescribed by such notice, the building official is authorized to request the legal counsel of the City of Sammamish to institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the building or structure in violation of the provisions of this code and Chapter 16.05 SMC or of the order or direction made pursuant thereto. (Ord. O2004-148 § 3)

16.20.545 Violation penalties.

Any person who violates a provision of this code Chapter 16.05 SMC or fails to comply with any of the requirements thereof or who erects, constructs, alters or repairs a building or structure in violation of the approved construction documents or directive of the building official, or of a permit or certificate issued under the provisions of this code and Chapter 16.05 SMC, shall be subject to penalties as prescribed in SMC Title 23, Code Enforcement. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.550 Stop work order – Authority.

Whenever the building official finds any work being performed in a manner either contrary to the provisions of this code and Chapter 16.05 SMC or other pertinent laws or ordinances implemented through the enforcement of this code and Chapter 16.05 SMC, the building official is authorized to issue a stop work order. Issuance of a notice of violation, infraction or notice and order is not a condition precedent to the issuance of the stop work order. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.555 Stop work order – Issuance.

The stop work order shall be in writing and shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order, and the conditions under which the cited work will be permitted to resume. Service of the stop work order shall be in accordance with SMC 23.30.040. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.560 Stop work order – Effect.

(1) The building official is authorized to assess a special investigation fee for the issuance of a stop work order when work has started without the issuance of a permit.

(2) A stop work order represents a determination that a civil code violation has occurred and that any work or activity that is causing or contributing to the violation on the property where the violation has occurred or is occurring must cease.

(3) A stop work order requires the immediate cessation of the specified work or activity on the named property. Work or activity may not resume unless specifically authorized by the building official or designee.

(4) A stop work order may be appealed to the City of Sammamish hearings examiner according to the procedures prescribed by Chapter 23.35 SMC.

(5) Failure to appeal the stop work order within the applicable time limits renders the stop work order a final determination that the civil code violation occurred and that work was properly ordered to cease.

(6) Failure to comply with the terms of a stop work order subjects the person responsible for code compliance to civil penalties and costs. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.565 Stop work order – Remedy – Civil penalties.

Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties as prescribed by law.

(1) In addition to any other judicial or administrative remedy, the building official or designee may assess civil penalties for the violation of any stop work order as set forth in the civil penalty schedule contained in Chapter 23.40 SMC.

(2) Civil penalties for the violation of any stop work order shall begin to accrue on the first day the stop work order is violated and shall cease on the day the work is actually stopped.

(3) Violation of a stop work order shall be a separate violation from any other civil code violation. Civil penalties assessed create a joint and several personal obligation in all persons responsible for code violation. The City of Sammamish may collect the civil penalties assessed by any appropriate legal means.

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(4) In addition to all other remedies, a lien for the value of the civil penalties imposed may be filed against the real property that is subject to compliance with the City of Sammamish building code. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

16.20.570 Unsafe structures and equipment.

Structures or existing equipment that are or hereafter become unsafe, unsanitary or deficient because of inadequate means of egress facilities, inadequate light and ventilation, or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or that involve illegal or improper occupancy or inadequate maintenance, shall be deemed an unsafe condition. A vacant structure that is not secured against entry or that has been abandoned for more than one year, or the applicant or owner fails to request the appropriate inspections shall be deemed unsafe.

Where a structure has been deemed unsafe, the building official or designee shall first issue a notice of violation as prescribed in SMC 16.20.535. The notice of violation shall include a statement requiring the unsafe structure or equipment be taken down and removed or made safe, as the building official deems necessary and as provided for in Chapter 16.25 SMC, Sammamish Building and Property Maintenance Code. (Ord. O2007-214 § 1; Ord. O2004-148 § 3)

Chapter 16.25

SAMMAMISH BUILDING AND PROPERTY MAINTENANCE CODE

Sections:

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16.25.010 Short Title.

These regulations shall be known as the City of Sammamish Building and Property Maintenance Code, hereinafter referred to as “this code.” (Ord. O2004-148 § 4)

16.25.015 Scope.

The provisions of this code shall apply to all existing residential and nonresidential structures, and all existing premises and shall constitute minimum requirements and standards for premises, structures, equipment and facilities for light, ventilation, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of owners, operators and occupants; the occupancy of existing structures and premises; and for administration, enforcement and penalties. (Ord. O2004-148 § 4)

16.25.020 Intent.

This code ~~is intended shall be construed to secure its expressed intent, which is~~ to ensure public health, safety and welfare regarding insofar as they are affected by the continued occupancy and maintenance of structures and premises. Existing structures and premises that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein. Repairs, alterations, additions to and change of occupancy in existing buildings shall comply with SMC Titles 16 and 17, 21A and 21B . (Ord. O2004-148 § 4)

16.25.025 Severability.

If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code. (Ord. O2004-148 § 4)

16.25.030 Applicability.

The provisions of this code shall apply to all matters affecting or relating to structures and premises, as set forth in this chapter. Where, in a specific case, different sections of this code specify different requirements, the most restrictive shall govern. (Ord. O2004-148 § 4)

16.25.035 Maintenance.

Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or premises was constructed, altered or repaired shall be maintained in good working order. No owner, operator or occupant shall cause any service, facility, equipment or utility which is required under this section to be removed from, shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the owner or the owner's designated agent shall be responsible for the maintenance of buildings, structures and premises. (Ord. O2004-148 § 4)

16.25.040 Application Of Other Codes.

Repairs, additions or alterations to a structure, or changes of occupancy, shall be done in accordance with the procedures and provisions of the Sammamish Municipal Code. Nothing in this code shall be construed to cancel, modify or set aside any other provisions of the Sammamish Municipal Code. (Ord. O2004-148 § 4)

16.25.045 Existing Remedies.

The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and unsanitary. (Ord. O2004-148 § 4)

16.25.050 Workmanship.

Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a workmanlike manner and installed in accordance with the manufacturer's installation instructions. (Ord. O2004-148 § 4)

16.25.055 Historic Buildings.

The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings ~~in accordance with Chapter 51-19 WAC~~ as defined in the International Existing Building Code when such buildings or structures are judged by the code official to be safe and in the public interest of health, safety and welfare. (Ord. O2004-148 § 4)

16.25.060 Referenced Codes And Standards.

The codes and standards referenced in this code shall be considered part of the requirements of this code when specifically adopted by the City of Sammamish. Where differences occur between provisions of this code and the referenced standards, the provisions of the referenced codes and standards shall apply. (Ord. O2004-148 § 4)

16.25.065 Requirements Not Covered By Code.

Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the code official. (Ord. O2004-148 § 4)

16.25.070 Duties And Powers Of The Code Official.

- (1) The code official shall enforce the provisions of this code.
- (2) The code official shall be appointed by the chief appointing authority of the jurisdiction, and the code official shall not be removed from office except for cause and after full opportunity to be heard on specific and relevant charges by and before the appointing authority.
- (3) In accordance with the prescribed procedures of this jurisdiction and with the concurrence of the appointing authority, the code official shall have the authority to appoint a deputy code official, other related technical officers, inspectors and other employees.
- (4) The code official, officer or employee charged with the enforcement of this code, while acting for the jurisdiction, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act required or permitted in the discharge of official duties.

Any suit instituted against any officer or employee because of an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The code official or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code; and any officer of the department of property maintenance inspection, acting in good faith and without malice, shall be free from liability for acts performed under any of its provisions or by reason of any act or omission in the performance of official duties in connection therewith.

(5) The code official shall have authority as necessary in the interest of public health, safety and general welfare to adopt and promulgate rules and procedures; to interpret and implement the provisions of this code; to secure the intent thereof; and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering methods involving public safety.

(6) The code official ~~shall~~ is authorized to make all of the required inspections, or shall accept reports of inspection by approved agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such approved agency or by the responsible individual. The code official is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

(7) An initial enforcement determination shall be undertaken regarding buildings or properties whenever the code official has reason to believe that a violation of this code exists; or a complaint is filed with the department by any person, provided that where complaints have been filed by tenants, the tenant shall first exhaust all remedies provided through the Washington State Landlord Tenant Act, unless circumstances exist that give evidence of an immediate life safety or health condition that warrants an immediate response by the department.

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(87) The code official shall carry proper identification when inspecting structures or premises in the performance of duties under this code.

(98) The code official shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records as required by state law. (Ord. O2004-148 § 4)

16.25.075 Fees.

The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as ~~indicated in Chapter 23.40 SMC~~ and per City of Sammamish fee resolution. (Ord. O2004-148 § 4)

16.25.080 Modifications.

Whenever there are practical difficulties involved in carrying out the provisions of this code, the code official shall have the authority to grant modifications for individual cases, provided the code official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files. (Ord. O2004-148 § 4)

16.25.085 Alternative Materials, Methods And Equipment.

The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code; provided, that any such alternative has been approved and complies with all other codes adopted by the City of Sammamish. An alternative material or method of construction shall be approved where the code official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety. (Ord. O2004-148 § 4)

16.25.090 Required Testing.

Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the code official shall have the authority to require tests to be made as evidence of compliance at no expense to the city jurisdiction. (Ord. O2004-148 § 4)

16.25.095 Test Methods.

Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the code official shall be permitted to approve appropriate testing procedures performed by an approved agency. (Ord. O2004-148 § 4)

16.25.100 Test Reports.

Reports of tests shall be retained by the code official for the period required for retention of public records. (Ord. O2004-148 § 4)

16.25.105 Material And Equipment Reuse.

Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and approved. (Ord. O2004-148 § 4)

16.25.110 Violations.

~~Any person, firm, corporation or organization violating any of the provisions of this chapter shall be subject to the provisions of SMC Title 23, Code Enforcement. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code. (Ord. O2004-148 § 4)~~

16.25.115 Notice Of Violation.

~~The code official shall serve a notice of violation or order in accordance with SMC 16.25.140. (Ord. O2004-148 § 4)~~

16.25.120 Prosecution Of Violation.

~~Any person failing to comply with a notice of violation or order served in accordance with SMC 16.25.140 shall be deemed guilty of a misdemeanor, and the violation shall be deemed a strict liability offense. If the notice of violation is not complied with, the code official shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful occupancy of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate. (Ord. O2004-148 § 4)~~

16.25.125 Violation Penalties.

~~Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. (Ord. O2004-148 § 4)~~

16.25.130 Declaration Of Public Nuisance—Misdemeanor.

~~(1) All civil code violations are hereby determined to be detrimental to the public health, safety, and environment and are hereby declared public nuisances. All conditions determined to be civil code violations shall be subject to and enforced pursuant to the provisions of this title except where specifically excluded by law or regulation.~~

~~(2) Any person who willfully or knowingly causes, aids or abets a civil code violation pursuant to this title by any act of commission or omission is guilty of a misdemeanor. Upon conviction, the person shall be punished by a fine not to exceed \$1,000 and/or imprisonment in jail for a term not to exceed 90 days. Each week (seven days) such violation continues shall be considered a separate misdemeanor offense. As an alternative, or in addition to any other judicial or administrative remedy provided in this title or by law or other regulation, the director may request that the City attorney consider filing a misdemeanor complaint against the persons responsible for the code violation when the director has documentation or evidence that the violation was willful and knowing.~~

~~(3) Interference. Any person who knowingly obstructs, impedes, or interferes with the City or its agents, or with the person responsible for the code violation in the performance of duties~~

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imposed by this title, shall be guilty of a misdemeanor punishable by imprisonment not exceeding 90 days and a fine not to exceed \$1,000. (Ord. O2004 148 § 4)

16.25.135 Abatement Of Violation.

~~The imposition of the penalties herein prescribed shall not preclude the legal officer of the jurisdiction from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal occupancy of a building, structure or premises, or to stop an illegal act, conduct, business or utilization of the building, structure or premises. (Ord. O2004 148 § 4)~~

16.25.140 Enforcement.

~~(1) General. Enforcement of this code shall be in accordance with SMC Title 23, Code Enforcement.~~

~~(2) General Provisions. General provisions shall be in accordance with Chapter 23.05 SMC.~~

~~(3) Enforcement and Administration. Enforcement and administration shall be in accordance with Chapter 23.10 SMC.~~

~~(4) Voluntary Compliance Agreements. Voluntary compliance agreements shall be in accordance with Chapter 23.15 SMC.~~

~~(5) Notice of Infraction. Notice of infraction shall be in accordance with Chapter 23.20 SMC.~~

~~(6) Notice and Orders. Notice and orders shall be in accordance with Chapter 23.25 SMC.~~

~~(7) Stop Work Orders. Stop work orders shall be in accordance with Chapter 23.30 SMC.~~

~~(8) Appeals and Judicial Enforcement of a Notice and Order or Stop Work Order. Appeals and judicial enforcement of a notice and order or stop work order shall be in accordance with Chapter 23.35 SMC.~~

~~(9) Civil Fines and Civil Penalties. Civil fines and civil penalties shall be in accordance with Chapter 23.40 SMC.~~

~~(10) Abatement. Abatement shall be in accordance with Chapter 23.45 SMC.~~

~~(11) Liens. Liens shall be in accordance with Chapter 23.50 SMC. (Ord. O2004 148 § 4)~~

16.25.145 Transfer Of Ownership.

It shall be unlawful for the owner of any dwelling unit or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such dwelling unit or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such owner shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the code official and shall furnish to the code official a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation. (Ord. O2004-148 § 4)

16.25.150 Unsafe Structures And Equipment.

(1) General. When a structure or equipment is found by the code official to be unsafe, or when a structure is found unfit for human occupancy, or is found unlawful, or is found to be a dangerous building, ~~such structure shall be condemned~~ the code official is authorized to condemn the structure pursuant to the provisions of this code.

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(2) **Unsafe Structures.** An unsafe structure is one that is found to be dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.

(3) **Unsafe Equipment.** Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or occupants of the premises or structure.

(4) **Structure Unfit for Human Occupancy.** A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or to the public, or is declared a dangerous building.

(5) **Unlawful Structure.** An unlawful structure is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

(6) **Dangerous Building.** For the purpose of this code, any building or structure which has any or all of the conditions or defects hereinafter described shall be deemed to be a dangerous building; provided, that such conditions or defects exist to the extent that the life, health, property or safety of the public or occupants are endangered.

- (a) Whenever any door, aisle, passageway, stairway or other means of exit is not of sufficient width or size or is not so arranged to provide safe and adequate means of exit in case of fire and panic.
- (b) Whenever the walking surface of any aisle, passageway, stairway or other means of exit is so warped, worn, loose, or torn or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.
- (c) Whenever the stress in any materials, member or portion thereof, due to all dead and live loads, is more than one and one-half times the working stress or stress allowed in the adopted construction codes for new buildings of similar structure, purpose or location.
- (d) Whenever any portion thereof has been damaged by fire, earthquake, wind, flood or by any other cause, to such an extent that the structural strength or stability thereof is materially less than it was before such catastrophe and is less than the

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minimum requirements of the adopted construction codes for new buildings of similar structure, purpose or location.

- (e) Whenever any portion or member or appurtenance thereof is likely to fail, or to become detached or dislodged, or to collapse and thereby injure persons or damage property.
- (f) Whenever any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the adopted construction codes for new building of similar structure, purpose or location without exceeding the working stresses permitted in the adopted construction codes for such buildings.
- (g) Whenever any portion thereof has wracked, warped, buckled or settled to such an extent that walls or other structural portions have materially less resistance to winds or earthquakes than is required in the case of similar new construction.
- (h) Whenever the building or structure, or any portion thereof, because of dilapidation, deterioration or decay; faulty construction; the removal, movement or instability of any portion of the ground necessary for the purpose of supporting such building; the deterioration, decay or inadequacy of its foundation; or any other cause, is likely to partially or completely collapse.
- (i) Whenever, for any reason, the building or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is being used.
- (j) Whenever the exterior walls or other vertical structural members list, lean or buckle to such an extent that a plumb line passing through the center of gravity does not fall within one-third of the base.
- (k) Whenever the building or structure, exclusive of the foundation, shows 33 percent or more damage or deterioration of its supporting member or members, or 50 percent damage or deterioration of its nonsupporting members, enclosing or outside walls or coverings.
- (l) Whenever the building or structure has been so damaged by fire, wind, earthquake or flood, or has become so dilapidated or deteriorated as to become an attractive nuisance to children; a harbor for vagrants, criminals or immoral persons; or as to enable persons to resort thereto for the purpose of committing unlawful or immoral acts.
- (m) Whenever any building or structure has been constructed, exists, or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the regulations of this jurisdiction as specified in the

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Sammamish Municipal Code relating to the condition and/or location of structures and buildings.

- (n) Whenever any portion of a building or structure remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned for a period in excess of six months so as to constitute such building or portion thereof an attractive nuisance or hazard to the public.
- (o) Whenever any building or structure, because of obsolescence, dilapidated condition, deterioration, damage, inadequate exits, lack of sufficient fire-resistive construction, faulty electric wiring, gas connections or heating apparatus, or other cause, is determined by the fire marshal to be a fire hazard. (Ord. O2004-148 § 4)

16.25.155 Closing Of Vacant Structures.

(1) If the structure is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the code official is authorized to post a placard on the premises and order the structure closed up so as not to be an attractive nuisance. Upon failure of the owner to close up the premises within the time specified in the order, the code official shall be authorized to cause the premises to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource. (Ord. O2007-214 § 1; Ord. O2004-148 § 4)

(2) To secure a building all doors, window openings or other openings on floors accessible from grade shall be closed and locked, or shuttered to prevent casual entry. If openings are damaged so they cannot be secured using normal building amenities, they shall be secured by covering with 7/16 inch minimum thickness structural panel sheathing cut to fit over the building opening and secured with #10 wood screws with fender washers. The screws shall penetrate the wood framing by a minimum of 1-1/4 inches and the screws shall be spaced around the perimeter of the opening at no more than 12 inches on center. The exterior structural panel sheathing shall be painted to match the house.

(3) The code official is authorized to require additional securing measures as deemed necessary.

16.25.160 Notice.

Whenever the code official has determined that a structure or equipment is unsafe under the provisions of this chapter, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the owner or the person or persons responsible for the structure or equipment in accordance with SMC ~~16.25.140~~ and 16.25.165. If the notice pertains to equipment, it shall also be placed on the unsafe equipment. (Ord. O2007-214 § 1; Ord. O2004-148 § 4)

16.25.165 Placarding.

Upon failure of the owner or person responsible to comply with the notice provisions within the time given, the code official ~~shall~~ is authorized to post on the premises or on defective equipment a placard bearing the words “UNSAFE – DO NOT ENTER OR OCCUPY” and a statement of the penalties provided for occupying the premises, operating the equipment or removing the placard. (Ord. O2007-214 § 1; Ord. O2004-148 § 4)

16.25.170 Placard Removal.

The code official ~~shall~~ is authorized to remove the “UNSAFE – DO NOT ENTER OR OCCUPY” placard whenever the defect or defects upon which the placarding actions were based have been eliminated. Any person who defaces or removes a placard without the approval of the code official shall be subject to the penalties provided by this code. (Ord. O2007-214 § 1; Ord. O2004-148 § 4)

16.25.175 Prohibited Occupancy.

Any occupied structure placarded by the code official ~~shall~~ is authorized to be vacated as ordered by the code official. Any person who shall occupy a placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code. (Ord. O2007-214 § 1; Ord. O2004-148 § 4)

16.25.180 Emergency Measures.

(1) Imminent Danger. When, in the opinion of the code official, there is imminent danger of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building occupants or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the code official is hereby authorized and empowered to order and require the occupants to vacate the premises forthwith. The code official ~~shall~~ is authorized to cause to be posted at each entrance to such structure a notice reading as follows: “This Structure Is Unsafe and Its Occupancy Has Been Prohibited by the Code Official.” It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

(2) Temporary Safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official ~~shall~~ is authorized to order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and ~~shall~~ is authorized to cause such other action to be taken as the code official deems necessary to meet such emergency.

(3) Closing Streets. When necessary for public safety, the code official ~~shall~~ is authorized to temporarily close structures and close, or order the authority having jurisdiction to close,

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sidewalks, streets, public ways and places adjacent to unsafe structures, and prohibit the same from being utilized.

(4) Emergency Repairs. For the purposes of this section, the code official ~~shall~~ is authorized to employ the necessary labor and materials to perform the required work as expeditiously as possible.

(5) Costs of Emergency Repairs. Costs incurred in the performance of emergency work ~~may shall~~ be paid by the jurisdiction. The legal counsel of the jurisdiction ~~shall~~ is authorized to institute appropriate action against the owner of the premises where the unsafe structure is or was located for the recovery of such costs.

(6) Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon petition directed to the appeals board, be afforded a hearing as described in this code. For provisions related to appeals, see Chapters 20.10 and 23.35 SMC. (Ord. O2004-148 § 4)

16.25.185 Demolition.

(1) General. The code official shall have the authority to order the owner of any premises upon which is located any structure, which in the code official's judgment is so old, dilapidated or has become so out of repair as to be dangerous, unsafe, unsanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary or to demolish and remove at the owner's option; or where there has been a cessation of normal construction of any structure for a period of more than two years, to demolish and remove such structure.

(2) Notices and Orders. All notices and orders shall comply with SMC Title 23 code enforcement. 16.25.140.

(3) Failure to Comply. If the owner of a premises fails to comply with a demolition order within the time prescribed, the code official shall have the authority to cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

(4) Salvage Materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state. (Ord. O2004-148 § 4)

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16.25.190 Definitions.

Unless otherwise expressly stated, the following terms shall, for the purposes of this code, have the meanings shown in this chapter.

Words stated in the present tense include the future; words stated in the masculine gender include the feminine gender and the feminine the masculine; the singular number includes the plural and the plural, the singular.

Where terms are not defined in this code and are defined in the Sammamish Municipal Code and those codes adopted under the Sammamish Municipal Code, such terms shall have the meanings ascribed to them as in those codes.

Where terms are not defined through the methods authorized by this section, such terms shall have ordinarily accepted meanings such as the context implies.

Whenever the words “dwelling unit,” “dwelling,” “premises,” “building,” “rooming house,” “rooming unit,” “housekeeping unit” or “story” are stated in this code, they shall be construed as though they were followed by the words “or any part thereof.”

“Approved” means approved by the code official.

“Basement” means that portion of a building which is partly or completely below grade.

“Bathroom” means a room containing plumbing fixtures including a bathtub or shower.

“Bedroom” means any room or space used or intended to be used for sleeping purposes.

“Code official” means the official who is charged with the administration and enforcement of this code, or any duly authorized representative.

“Dwelling unit” means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

“Easement” means that portion of land or property reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement shall be permitted to be for use under, on or above said lot or lots.

“Exterior property” means the open space on the premises and on adjoining property under the control of owners or operators of such premises.

“Extermination” means the control and elimination of insects, rats or other pests by eliminating their harborage places; by removing or making inaccessible materials that serve as their food; by poison spraying, fumigating, trapping or by any other approved pest elimination methods.

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“Garbage” means the animal or vegetable waste resulting from the handling, preparation, cooking and consumption of food.

“Guard” means a building component or a system of building components located at or near the open sides of elevated walking surfaces that minimizes the possibility of a fall from the walking surface to a lower level.

“Habitable space” means a space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

“Housekeeping unit” means a room or group of rooms forming a single habitable space equipped and intended to be used for living, sleeping, cooking and eating which does not contain, within such a unit, a toilet, lavatory and bathtub or shower.

“Imminent danger” means a condition which could cause serious or life-threatening injury or death at any time.

“Infestation” means the presence, within or contiguous to a structure or premises, of insects, rats, vermin or other pests.

“Inoperable motor vehicle” means a vehicle which cannot be driven upon the public streets for reasons including but not limited to being unlicensed, wrecked, abandoned, in a state of disrepair, or incapable of being moved under its own power.

“Labeled” means devices, equipment, appliances, or materials to which has been affixed a label, seal, symbol or other identifying mark of a nationally recognized testing laboratory, inspection agency or other organization concerned with product evaluation that maintains periodic inspection of the production of the above-labeled items and by whose label the manufacturer attests to compliance with applicable nationally recognized standards.

“Let for occupancy” or “let” means to permit, provide or offer possession or occupancy of a dwelling, dwelling unit, rooming unit, building, premises or structure by a person who is or is not the legal owner of record thereof, pursuant to a written or unwritten lease, agreement or license, or pursuant to a recorded or unrecorded agreement of contract for the sale of land.

“Occupancy” means the purpose for which a building or portion thereof is utilized or occupied.

“Occupant” means any individual living or sleeping in a building, or having possession of a space within a building.

“Openable area” means that part of a window, skylight or door which is available for unobstructed ventilation and which opens directly to the outdoors.

“Operator” means any person who has charge, care or control of a structure or premises which is let or offered for occupancy.

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“Owner” means any person, agent, operator, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the state, county or municipality as holding title to the property; or otherwise having control of the property, including the guardian of the estate of any such person, and the executor or administrator of the estate of such person if ordered to take possession of real property by a court.

“Person” means an individual, corporation, partnership or any other group acting as a unit.

“Premises” means a lot, plot or parcel of land, easement or public way, including any structures thereon.

“Public way” means any street, alley or similar parcel of land essentially unobstructed from the ground to the sky, which is deeded, dedicated or otherwise permanently appropriated to the public for public use.

“Rooming house” means a building arranged or occupied for lodging, with or without meals, for compensation and not occupied as a one- or two-family dwelling.

“Rooming unit” means any room or group of rooms forming a single habitable unit occupied or intended to be occupied for sleeping or living, but not for cooking purposes.

“Rubbish” means combustible and noncombustible waste materials, except garbage; the term shall include the residue from the burning of wood, coal, coke and other combustible materials, paper, rags, cartons, boxes, wood, excelsior, rubber, leather, tree branches, yard trimmings, tin cans, metals, mineral matter, glass, crockery, dust and other similar materials.

“Strict liability offense” means an offense in which the prosecution in a legal proceeding is not required to prove criminal intent as a part of its case. It is enough to prove that the defendant either did an act which was prohibited, or failed to do an act which the defendant was legally required to do.

“Structure” means that which is built or constructed or a portion thereof.

“Tenant” means a person, corporation, partnership or group, whether or not the legal owner of record, occupying a building or portion thereof as a unit.

“Toilet room” means a room containing a water closet or urinal but not a bathtub or shower.

“Ventilation” means the natural or mechanical process of supplying conditioned or unconditioned air to, or removing such air from, any space.

“Workmanlike” means executed in a skilled manner; e.g., generally plumb, level, square, in line, undamaged and without marring adjacent work.

“Yard” means an open space on the same lot with a structure. (Ord. O2007-214 § 1; Ord. O2004-148 § 4)

16.25.195 General Requirements.

(1) Scope. The provisions of this chapter and SMC Title 8 shall govern the minimum conditions and the responsibilities of persons for maintenance of structures, equipment and exterior property.

(2) Responsibility. The owner of the premises shall maintain the structures and exterior property in compliance with these requirements, except as otherwise provided for in this code. A person shall not occupy as owner-occupant or permit another person to occupy premises which are not in a sanitary and safe condition and which do not comply with the requirements of this chapter. Occupants of a dwelling unit, rooming unit or housekeeping unit are responsible for keeping in a clean, sanitary and safe condition that part of the dwelling unit, rooming unit, housekeeping unit or premises which they occupy and control.

(3) Vacant Structures and Land. All vacant structures and premises thereof or vacant land shall be maintained in a clean, safe, secure and sanitary condition as provided herein so as not to cause a blighting problem or adversely affect the public health or safety. (Ord. O2004-148 § 4)

16.25.200 Exterior Property Areas.

(1) Sanitation. All exterior property and premises shall be maintained in a clean, safe and sanitary condition in accordance with this code and the provisions of Chapter 8.05 SMC. The occupant shall keep that part of the exterior property which such occupant occupies or controls in a clean and sanitary condition.

(2) Grading and Drainage. All premises shall be graded and maintained to prevent the erosion of soil and to prevent the accumulation of stagnant water thereon, or within any structure located thereon.

Exception: Approved retention areas and reservoirs.

(3) Sidewalks and Driveways. All sidewalks, walkways, stairs, driveways, parking spaces and similar areas shall be kept in a proper state of repair, and maintained free from hazardous conditions.

(4) Rodent Harborage. All structures and exterior property shall be kept free from rodent harborage and infestation. Where rodents are found, they shall be promptly exterminated by approved processes which will not be injurious to human health. After extermination, proper precautions shall be taken to eliminate rodent harborage and prevent re-infestation.

(5) Exhaust Vents. Clearances to property lines and openings into a building prescribed in the codes applicable to the installation of pipes, ducts, conductors, fans or blowers shall be maintained.

(6) Accessory Structures. All accessory structures, including detached garages, fences and walls, shall be maintained structurally sound and in good repair.

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(7) Defacement of Property. No person shall willfully or wantonly damage, mutilate or deface any exterior surface of any structure or building on any private or public property by placing thereon any marking, carving or graffiti. It shall be the responsibility of the owner to restore said surface to an approved state of maintenance and repair. (Ord. O2004-148 § 4)

16.25.205 Swimming Pools, Spas, And Hot Tubs.

(1) Swimming Pools. Swimming pools shall be maintained in a clean and sanitary condition, and in good repair.

(2) Enclosures. Private swimming pools, hot tubs and spas containing water more than 36 inches (915 mm) in depth shall be completely surrounded by a fence or barrier at least 48 inches (1,219 mm) in height above the finished ground level measured on the side of the barrier away from the pool. Gates and doors in such barriers shall be self-closing and self-latching. Where the self-latching device is less than 54 inches (1,372 mm) above the bottom of the gate, the release mechanism shall be located on the pool side of the gate. Self-closing and self-latching gates shall be maintained such that the gate will positively close and latch when released from an open position of six inches (152 mm) from the gatepost. No existing pool enclosure shall be removed, replaced or changed in a manner that reduces its effectiveness as a safety barrier. (Ord. O2004-148 § 4)

16.25.210 Exterior Structure.

(1) General. The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety or welfare.

(2) Protective Treatment. All exterior surfaces, including, but not limited to, doors, door and window frames, cornices, porches, trim, balconies, decks and fences shall be maintained in good condition. Exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by painting or other protective covering or treatment. Peeling, flaking and chipped paint shall be eliminated and surfaces repainted. All siding and masonry joints as well as those between the building envelope and the perimeter of windows, doors, and skylights shall be maintained weather resistant and watertight. All metal surfaces subject to rust or corrosion shall be coated to inhibit such rust and corrosion and all surfaces with rust or corrosion shall be stabilized and coated to inhibit future rust and corrosion. Oxidation stains shall be removed from exterior surfaces. Surfaces designed for stabilization by oxidation are exempt from this requirement.

(3) Premises Identification. Buildings shall have approved address numbers placed in a position to be plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters. Numbers shall be a minimum of four inches (102 mm) high with a minimum stroke width of 0.5 inch (12.7 mm).

(4) Structural Members. All structural members shall be maintained free from deterioration, and shall be capable of safely supporting the imposed dead and live loads.

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(5) Foundation Walls. All foundation walls shall be maintained plumb and free from open cracks and breaks and shall be kept in such condition so as to prevent the entry of rodents and other pests.

(6) Exterior Walls. All exterior walls shall be free from holes, breaks, and loose or rotting materials; and maintained weatherproof and properly surface-coated where required to prevent deterioration.

(7) Roofs and Drainage. The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

(8) Decorative Features. All cornices, belt courses, corbels, terra cotta trim, wall facings and similar decorative features shall be maintained in good repair with proper anchorage and in a safe condition.

(9) Overhang Extensions. All overhang extensions including, but not limited to, canopies, marquees, signs, metal awnings, fire escapes, standpipes and exhaust ducts shall be maintained in good repair and be properly anchored so as to be kept in a sound condition. When required, all exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(10) Stairways, Decks, Porches and Balconies. Every exterior stairway, deck, porch, balcony, and all appurtenances attached thereto shall be maintained structurally sound, in good repair, with proper anchorage and capable of supporting the imposed loads.

(11) Chimneys and Towers. All chimneys, cooling towers, smoke stacks, and similar appurtenances shall be maintained structurally safe and sound, and in good repair. All exposed surfaces of metal or wood shall be protected from the elements and against decay or rust by periodic application of weather-coating materials, such as paint or similar surface treatment.

(12) Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(13) Window, Skylight and Door Frames. Every window, skylight, door and frame shall be kept in sound condition, good repair and weather tight.

(a) Glazing. All glazing materials shall be maintained free from cracks and holes.

(b) Openable Windows. Every window, other than a fixed window, shall be easily openable and capable of being held in position by window hardware.

(c) Doors. All exterior doors, door assemblies and hardware shall be maintained in good condition. Locks at all entrances to dwelling units, rooming units and guestrooms shall

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tightly secure the door. Locks on means of egress doors shall be in accordance with SMC 16.25.280(1)(c).

(14) Building Security. Doors, windows or hatchways for dwelling units, rooming units or housekeeping units shall be provided with devices designed to provide security for the occupants and property within. (Ord. O2004-148 § 4)

16.25.215 Interior Structure.

(1) General. The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition. Every owner of a structure containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

(2) Structural Members. All structural members shall be maintained structurally sound, and be capable of supporting the imposed loads.

(3) Interior Surfaces. All interior surfaces shall be maintained in a sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood, mold and other defective surface conditions shall be corrected.

(4) Stairs and Walking Surfaces. Every stair, ramp, landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

(5) Handrails and Guards. Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition.

(6) Interior Doors. Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware. (Ord. O2004-148 § 4)

16.25.220 Handrails And Guards.

Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1,067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Exception: Guards shall not be required where exempted by the adopted building code. (Ord. O2004-148 § 4)

16.25.225 Rubbish And Garbage.

(1) Accumulation of Rubbish or Garbage. All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage as set forth in SMC 8.05.020.

(2) Disposal of Rubbish. Every occupant of a structure shall dispose of all rubbish in a clean and sanitary manner by placing such rubbish in approved containers.

(a) Rubbish Storage Facilities. The owner of every occupied premises shall supply approved covered containers for rubbish, and the owner of the premises shall be responsible for the removal of rubbish.

(b) Refrigerators. Refrigerators and similar equipment not in operation shall not be discarded, abandoned or stored on premises and are defined as an attractive nuisance as set forth in SMC 8.05.020.

(3) Disposal of Garbage. Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers maintained for regular collection.

(a) Garbage Facilities. The owner of every dwelling shall supply an approved leak-proof, covered, outside garbage container.

(b) Containers. The operator of every establishment producing garbage shall provide, and at all times cause to be utilized, approved leak-proof containers provided with close-fitting covers for the storage of such materials until removed from the premises for disposal.

(c) Recyclable Materials and Solid Waste Storage. Space required by WAC 51-50-009 for the storage of recycled materials and solid waste shall be maintained to meet the needs of the occupancy, efficiency of pickup, and shall be available to occupants and haulers. (Ord. O2004-148 § 4)

16.25.230 Extermination.

(1) Infestation. All structures shall be kept free from insect and rodent infestation. All structures in which insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After extermination, proper precautions shall be taken to prevent re-infestation.

(2) Owner. The owner of any structure shall be responsible for extermination within the structure prior to renting or leasing the structure.

(3) Single Occupant. The occupant of a one-family dwelling or of a single-tenant nonresidential structure shall be responsible for extermination on the premises.

(4) Multiple Occupancy. The owner of a structure containing two or more dwelling units, a multiple occupancy, a rooming house or a nonresidential structure shall be responsible for

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extermination in the public or shared areas of the structure and exterior property. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for extermination.

(5) Occupant. The occupant of any structure shall be responsible for the continued rodent and pest-free condition of the structure.

Exception: Where the infestations are caused by defects in the structure, the owner shall be responsible for extermination. (Ord. O2004-148 § 4)

16.25.235 Light And Ventilation.

The provisions of this chapter shall govern the minimum conditions and standards for light, ventilation and space for occupying a structure.

The owner of the structure shall provide and maintain light, ventilation and space conditions in compliance with these requirements. A person shall not occupy as owner-occupant, or permit another person to occupy, any structures that do not comply with the requirements of this chapter.

In lieu of the means for natural light and ventilation herein prescribed, artificial light or mechanical ventilation complying with SMC Title 16 and locally adopted amendments shall be permitted.

(1) Natural Light. Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be eight percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than three feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

Exception: (1) Where natural light for rooms or spaces without exterior glazing areas is provided through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet (2.33m²). The exterior glazing area shall be based on the total floor area being served.

(2) The glazed areas need not be installed in rooms where an emergency rescue and escape opening is not required and artificial light is provided capable of producing an average illumination of 6 footcandles (65 lux) over the area of the room at a height of 30 inches (762 mm) above the floor level.

(3) Common Halls and Stairways. Every common hall and stairway in residential occupancies, other than in one- and two-family dwellings, shall be lighted at all times with at least a 60-watt standard incandescent light bulb for each 200 square feet (19 m²) of floor area or equivalent illumination; provided, that the spacing between lights shall not be greater than 30 feet (9,144 mm). In other than residential occupancies, means of egress, including exterior means

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of egress and stairways, shall be illuminated at all times the building space served by the means of egress is occupied with a minimum of one foot-candle (11 lux) at floors, landings and treads.

(4) Other Spaces. All other spaces shall be provided with natural or artificial light sufficient to permit the maintenance of sanitary conditions, and the safe occupancy of the space and utilization of the appliances, equipment and fixtures.

(5) Ventilation. Every habitable space shall have at least one openable window. The total openable area of the window in every room shall be equal to at least 45 percent of the minimum glazed area required in subsection (1) of this section.

Exception:

(i) Where rooms and spaces without openings to the outdoors are ventilated through an adjoining room, the unobstructed opening to the adjoining room shall be at least eight percent of the floor area of the interior room or space, but not less than 25 square feet (2.33 m²). The ventilation openings to the outdoors shall be based on a total floor area being ventilated.

(ii) The glazed areas need not be openable where an emergency rescue and escape opening is not required and an approved mechanical ventilation system capable of producing 0.35 air change per hour in the room is installed or a whole-house mechanical ventilation system is installed capable of supplying outdoor ventilation air of 15 cubic feet per minute (cfm) (78 L/s) per occupant computed on the basis of two occupants for the first bedroom and one occupant for each additional bedroom.

(6) Bathrooms and Toilet Rooms. Every bathroom and toilet room shall comply with the ventilation requirements for habitable spaces as required by subsection (4) of this section, except that a window shall not be required in such spaces equipped with a mechanical ventilation system. Air exhausted by mechanical ventilation system from a bathroom or toilet room shall discharge to the outdoors and shall not be recirculated.

(7) Cooking Facilities. Unless approved through the certificate of occupancy, cooking shall not be permitted in any rooming unit or dormitory unit, and a cooking facility or appliance shall not be permitted to be present in a rooming unit or dormitory unit.

Exception: Where specifically approved in writing by the code official.

(8) Process Ventilation. Where injurious, toxic, irritating or noxious fumes, gases, dusts or mists are generated, a local exhaust ventilation system shall be provided to remove the contaminating agent at the source. Air shall be exhausted to the exterior and not be recirculated to any space.

(9) Clothes Dryer Exhaust. Clothes dryer exhaust systems shall be independent of all other systems and shall be exhausted in accordance with the manufacturer's instructions. (Ord. O2004-148 § 4)

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16.25.240 Occupancy Limitations.

(1) Privacy. Dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces.

(2) Minimum Room Widths. A habitable room, other than a kitchen, shall not be less than seven feet (2,134 mm) in any plan dimension. Kitchens shall have a clear passageway of not less than three feet (914 mm) between counter fronts and appliances or counter fronts and walls.

(3) Minimum Ceiling Heights. Habitable spaces, hallways, corridors, laundry areas, bathrooms, toilet rooms and habitable basement areas shall have a clear ceiling height of not less than seven feet (2,134 mm).

Exceptions:

(a) In one- and two-family dwellings, beams or girders spaced not less than four feet (1,219 mm) on center and projecting not more than six inches (152 mm) below the required ceiling height.

(b) Basement rooms in one- and two-family dwellings occupied exclusively for laundry, study or recreation purposes, having a ceiling height of not less than six feet eight inches (2,033 mm) with not less than six feet four inches (1,932 mm) of clear height under beams, girders, ducts and similar obstructions.

(c) Rooms occupied exclusively for sleeping, study or similar purposes and having a sloped ceiling over all or part of the room, with a clear ceiling height of at least seven feet (2,134 mm) over not less than one-third of the required minimum floor area. In calculating the floor area of such rooms, only those portions of the floor area with a clear ceiling height of five feet (1,524 mm) or more shall be included.

(4) Bedroom Requirements. Every bedroom shall comply with the following requirements:

(a) Area for Sleeping Purposes. Every bedroom shall contain at least 70 square feet (6.5 m²) of floor area,

(b) Water Closet Accessibility. In other than Group R-3 occupancies (single-family residence), every bedroom shall have access to at least one water closet and one lavatory without passing through another bedroom and shall have access to at least one water closet and lavatory located on the same story as the bedroom.

(c) Prohibited Occupancy. Kitchens and nonhabitable spaces shall not be used for sleeping purposes.

(d) Other Requirements. Bedrooms shall comply with the applicable provisions of this code including, but not limited to, the light, ventilation, room area, ceiling height and room width requirements of this chapter; the plumbing facilities and water-heating facilities

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requirements of SMC 16.25.245 through 16.25.260; the heating facilities and electrical receptacle requirements of SMC 16.25.270; and the smoke alarm and emergency escape requirements of SMC 16.25.280.

(5) Food Preparation. All spaces to be occupied for food preparation purposes shall contain suitable space and equipment to store, prepare and serve foods in a sanitary manner. There shall be adequate facilities and services for the sanitary disposal of food wastes and refuse, including facilities for temporary storage. (Ord. O2004-148 § 4)

16.25.245 Plumbing Facilities And Fixture Requirements.

The provisions of this chapter shall govern the minimum plumbing systems, facilities and plumbing fixtures to be provided in existing structures. The owner of the structure shall provide and maintain such plumbing facilities and plumbing fixtures in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any structure or premises which does not comply with the requirements of this chapter or the provisions of SMC Titles 16 and 17.

(1) Number and Type of Fixtures. Plumbing fixtures shall be provided and maintained in the quantity and location as required under the building and plumbing codes in existence at the time the occupancy was first approved by the jurisdiction unless subsequently approved to be relocated or removed under an approved permit. as required in the SMC Titles 16 and 17.

(2) Privacy. Toilet rooms and bathrooms shall provide privacy and shall not constitute the only passageway to a hall or other space, or to the exterior. A door and interior locking device shall be provided for all common or shared bathrooms and toilet rooms in a multiple dwelling.

(3) Location. Toilet rooms and bathrooms serving hotel units, rooming units or dormitory units or housekeeping units shall have access by traversing not more than one flight of stairs and shall have access from a common hall or passageway.

(4) Location of Employee Toilet Facilities. Toilet facilities shall have access from within the employees' working area. The required toilet facilities shall be located not more than one story above or below the employees' working area and the path of travel to such facilities shall not exceed a distance of 500 feet (152 m). Employee facilities shall either be separate facilities or combined employee and public facilities.

Exception: Facilities that are required for employees in storage structures or kiosks, which are located in adjacent structures under the same ownership, lease or control, shall not exceed a travel distance of 500 feet (152 m) from the employees' regular working area to the facilities.

(5) Floor Surface. In other than dwelling units, every toilet room floor shall be maintained to be a smooth, hard, nonabsorbent surface to permit such floor to be easily kept in a clean and sanitary condition. (Ord. O2004-148 § 4)

16.25.250 Plumbing Systems And Fixtures.

All plumbing fixtures shall be properly installed and maintained in working order, and shall be kept free from obstructions, leaks and defects and be capable of performing the function for which such plumbing fixtures are designed. All plumbing fixtures shall be maintained in a safe, sanitary and functional condition. Plumbing fixtures shall have adequate clearances for usage and cleaning.

Where it is found that a plumbing system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, inadequate venting, cross connection, back siphonage, improper installation, deterioration or damage or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard. (Ord. O2004-148 § 4)

16.25.255 Water System.

(1) General. Every sink, lavatory, bathtub or shower, drinking fountain, water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with SMC Titles 16 and 17.

(2) Contamination. The water supply shall be maintained free from contamination, and all water inlets for plumbing fixtures shall be located above the flood-level rim of the fixture. Shampoo basin faucets, janitor sink faucets and other hose bibs or faucets to which hoses are attached and left in place, shall be protected by an approved atmospheric-type vacuum breaker or an approved permanently attached hose connection vacuum breaker.

(3) Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.

(4) Water Heating Facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110 degrees Fahrenheit (43 degrees Celsius). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, except where allowed by SMC Titles 16 and 17. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters. (Ord. O2004-148 § 4)

16.25.260 Sanitary Drainage System.

All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

Every plumbing stack, vent, waste and sewer line shall function properly and be kept free from obstructions, leaks and defects. (Ord. O2004-148 § 4)

16.25.265 Storm Drainage.

Drainage of roofs and paved areas, yards and courts, and other open areas on the premises shall be discharged in a manner consistent with the Sammamish Municipal Code and shall not be discharged in a manner that creates a public nuisance. (Ord. O2004-148 § 4)

16.25.270 Mechanical And Electrical Requirements.

The provisions of this chapter shall govern the minimum mechanical and electrical facilities and equipment to be provided.

The owner of the structure shall provide and maintain mechanical and electrical facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises which does not comply with the requirements of this chapter.

(1) Heating Facilities Required. Heating facilities shall be provided in structures as follows:

(a) Residential Occupancies. Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms and toilet rooms.

(b) Heat Supply. Every owner and operator of any building who rents, leases or lets one or more dwelling unit, rooming unit, dormitory or guestroom on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply heat to maintain a temperature of not less than 68 degrees Fahrenheit (20 degrees Celsius) in all habitable rooms, bathrooms, and toilet rooms.

(c) Occupiable Work Spaces. Indoor occupiable work spaces shall be supplied with heat to maintain a temperature of not less than 65 degrees Fahrenheit (18 degrees Celsius) during the period the spaces are occupied.

Exceptions:

(i) Processing, storage and operation areas that require cooling or special temperature conditions.

(ii) Areas in which persons are primarily engaged in vigorous physical activities.

(d) Room Temperature Measurement. The required room temperatures shall be measured three feet (914 mm) above the floor near the center of the room and two feet (610 mm) inward from the center of each exterior wall.

(2) Mechanical Appliances. All mechanical appliances, fireplaces, solid fuel-burning appliances, cooking appliances and water heating appliances shall be properly installed and maintained in a safe working condition, and shall be capable of performing the intended function.

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(a) Removal of Combustion Products. All fuel-burning equipment and appliances shall be connected to an approved chimney or vent.

Exception: Fuel-burning equipment and appliances which are labeled for unvented operation.

(b) Clearances. All required clearances to combustible materials shall be maintained.

(c) Safety Controls. All safety controls for fuel-burning equipment shall be maintained in effective operation.

(d) Combustion Air. A supply of air for complete combustion of the fuel and for ventilation of the space containing the fuel-burning equipment shall be provided for the fuel-burning equipment.

(e) Energy Conservation Devices. Devices intended to reduce fuel consumption by attachment to a fuel-burning appliance, to the fuel supply line thereto, or to the vent outlet or vent piping therefrom, shall not be installed unless labeled for such purpose and the installation is specifically approved.

(f) Duct Systems. Duct systems shall be maintained free of obstructions and shall be capable of performing the required function.

(3) Electrical Facilities. Every occupied building shall be provided with an electrical system in compliance with the following requirements:

(a) Service. The size and usage of appliances and equipment shall serve as a basis for determining the need for additional facilities in accordance with the State Electrical Code as administered by Washington State Department of Labor and Industries.

(b) Electrical System Hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

(c) Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner in accordance with the State Electrical Code

(d) Receptacles. Every habitable space in a dwelling shall contain receptacle outlets as required by the State Electrical Code. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter as required by the State Electrical Code. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.

Exhibit 2

(e) **Lighting Fixtures.** Every public hall, interior stairway, toilet room, kitchen, bathroom, laundry room, boiler room and furnace room shall contain lighting fixtures as required by SMC Titles 16 and 17 and the State Electrical Code.

(f) **Extension Cords.** Extension cords shall not be used for permanent wiring. Extension cords shall not extend from one room to another; be placed across a doorway; extend through a wall or partition; or be used in any area where such cord may be subject to physical damage. (Ord. O2004-148 § 4)

16.25.275 Elevators, Escalators And Dumbwaiters.

Elevators, dumbwaiters and escalators shall be maintained to sustain safely all imposed loads, to operate properly, and to be free from physical and fire hazards. The most current certificate of inspection shall be on display at all times within the elevator or attached to the escalator or dumbwaiter; or the certificate shall be available for public inspection in the office of the building operator, or as required by state law.

In buildings equipped with passenger elevators, at least one elevator shall be maintained in operation at all times when the building is occupied.

Exception: Buildings equipped with only one elevator shall be permitted to have the elevator temporarily out of service for testing or servicing. (Ord. O2004-148 § 4)

16.25.280 Fire Safety Requirements.

The provisions of this chapter shall govern the minimum conditions and standards for fire safety relating to structures and exterior premises, including fire safety facilities and equipment to be provided.

The owner of the premises shall provide and maintain such fire safety facilities and equipment in compliance with these requirements. A person shall not occupy as owner-occupant or permit another person to occupy any premises that does not comply with the requirements of this chapter.

(1) Means of Egress.

(a) **General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with SMC Titles 16 and 17.

(b) **Aisles.** The required width of aisles in accordance with SMC Titles 16 and 17 shall be unobstructed.

(c) **Locked Doors.** All means of egress doors shall be readily openable from the side from which egress is to be made without the need for keys, special knowledge or effort, except where the door hardware conforms to that permitted by SMC Titles 16 and 17.

Exhibit 2

(d) Emergency Escape Openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following: required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools; bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

(2) Fire-Resistance Ratings.

(a) Fire-Resistance-Rated Assemblies. The required fire-resistance rating of fire-resistance-rated walls, fire stops, shaft enclosures, partitions and floors shall be maintained.

(b) Opening Protective. Required opening protective shall be maintained in an operative condition. All fire and smoke stop doors shall be maintained in operable condition. Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable.

(3) Fire Protection Systems.

(a) General. All systems, devices and equipment to detect a fire, actuate an alarm, or suppress or control a fire or any combination thereof shall be maintained in an operable condition at all times in accordance with SMC Titles 16 and 17.

(b) Smoke Alarms. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-2, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

(i) On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.

(ii) In each room used for sleeping purposes.

(iii) In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level; provided, that the lower level is less than one full story below the upper level.

Single or multiple-station smoke alarms shall be installed in other groups in accordance with SMC Titles 16 and 17.

(4) Power Source. In Group R occupancies and in dwellings not regulated as Group R occupancies, single-station smoke alarms shall receive their primary power from the building wiring; provided, that such wiring is served from a commercial source and shall be equipped with a battery backup. Smoke alarms shall emit a signal when the batteries are low. Wiring shall

Exhibit 2

be permanent and without a disconnecting switch other than as required for over current protection.

Exception: Smoke alarms are permitted to be solely battery-operated in buildings where no construction is taking place, buildings that are not served from a commercial power source and in existing areas of buildings undergoing alterations or repairs that do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for building wiring without the removal of interior finishes.

(5) Interconnection. Where more than one smoke alarm is required to be installed within an individual dwelling unit in Group R-2, R-3, R-4 and in dwellings not regulated as Group R occupancies, the smoke alarms shall be interconnected in such a manner that the activation of one alarm will activate all of the alarms in the individual unit. The alarm shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed.

Exceptions:

(i) Interconnection is not required in buildings which are not undergoing alterations, repairs, or construction of any kind.

(ii) Smoke alarms in existing areas are not required to be interconnected where alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, unless there is an attic, crawl space or basement available which could provide access for interconnection without the removal of interior finishes. (Ord. O2004-148 § 4)



City Council Agenda Bill

Meeting Date: June 1, 2010

Date Submitted: May 24, 2010

Originating Department: Public Works

Clearances:

- | | | |
|---|--|--|
| <input type="checkbox"/> City Manager | <input type="checkbox"/> Community Development | <input type="checkbox"/> Parks & Recreation |
| <input type="checkbox"/> Attorney | <input type="checkbox"/> Finance & IT | <input type="checkbox"/> Police |
| <input type="checkbox"/> Admin Services | <input type="checkbox"/> Fire | <input checked="" type="checkbox"/> Public Works |

Subject: Renaming City Streets

Action Required: City Council approval of attached Resolution R2010-XXX renaming public streets entering high schools along 228th Avenue.

Exhibits: 1. Copy of Resolution R2010-XXX.

Budget: No budget impact – if approved, the cost of changing the street name signs can be absorbed within the currently adopted 2010 budget.

Summary Statement:

Students from Eastlake High School, Eastside Catholic High School and Skyline High School have requested that the streets entering their respective schools be renamed utilizing their corresponding mascot as the namesake.

Background:

Staff has researched the request made by the students. There are no concerns from emergency services or the post office. There is no technical or legal issue associated with the requested street name change.

If the attached resolution is passed by city council, staff will coordinate the installation of new signs. Staff will also notify adjacent property owners, the post office, King County (recorder's office, METRO, mapping department), emergency service providers, Sound Transit, and any other agency group that may be effected by this change. The post office will continue to deliver mail to both the old street name as well as the new street name.

Proposed street name changes are as follows:

NE 4th Street east of 228th Avenue to the entrance of Lake Washington School District's Eastlake High School shall be renamed "Wolfpack Way".

SE 4th Street east of 228th Avenue to the entrance Eastside Catholic High School shall be renamed "Crusader Way".

SE 10th Street east of 228th Avenue to the entrance of Issaquah School District's Skyline High School shall be renamed "Spartan Way".



City Council Agenda Bill

Financial Impact:

There is no financial impact associated with adoption of this resolution. There will be minor costs associated with the fabrication and installation of the new signs. These costs can be covered by the currently adopted 2010 Street Fund (Fund 101) budget.

Recommended Motion:

Move to approve Resolution R2010-XXX renaming city streets as follows:

NE 4th Street east of 228th Avenue to the entrance of Lake Washington School District's Eastlake High School shall be renamed "Wolfpack Way".

SE 4th Street east of 228th Avenue to the entrance Eastside Catholic High School shall be renamed "Crusader Way".

SE 10th Street east of 228th Avenue to the entrance of Issaquah School District's Skyline High School shall be renamed "Spartan Way".

**DRAFT
CITY OF SAMMAMISH
WASHINGTON
RESOLUTION NO: R2010-XXX**

A RESOLUTION OF THE CITY OF SAMMAMISH CITY COUNCIL CHANGING THE NAMES OF THREE EXISTING CITY STREETS

WHEREAS, the City of Sammamish has an existing street network; and

WHEREAS, said street network has established names and numbering used for addressing; and

WHEREAS, the City of Sammamish has three high schools within its city limits; and

WHEREAS, students from each of the three existing high schools have requested the roadway entering their school be renamed with their corresponding mascots as the namesake; and

WHEREAS, the mascots are Wolfpack for Eastlake High School, Crusaders for Eastside Catholic High School, and Spartan for Skyline High School;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAMMAMISH, WASHINGTON, DO RESOLVE AS FOLLOWS:

NE 4th Street east of 228th Avenue to the entrance of Lake Washington School District’s Eastlake High School shall be renamed “Wolfpack Way”.

SE 4th Street east of 228th Avenue to the entrance Eastside Catholic High School shall be renamed “Crusader Way”.

SE 10th Street east of 228th Avenue to the entrance of Issaquah School District’s Skyline High School shall be renamed “Spartan Way”.

ADOPTED BY THE CITY COUNCIL AT THEIR MEETING THEREOF ON THE _____ DAY OF JUNE, 2010.

CITY OF SAMMAMISH

Mayor Donald J. Gerend

Exhibit 1

ATTEST/AUTHENTICATED:

Melonie Anderson, City Clerk

Approved as to form:

Bruce L. Disend, City Attorney

Filed with the City Clerk: May 25, 2010
Passed by the Council: June 1, 2010
Resolution No:



City Council Agenda Bill

Meeting Date: June 1, 2010

Date Submitted: May 26, 2010

Originating Department: Public Works

Clearances:

- City Manager
 Attorney
 Admin Services

- Community Development
 Finance & IT
 Fire

- Parks & Recreation
 Police
 Public Works

Subject: 2010 Pavement Program - Overlays

Action Required: Authorize the City Manager to award and execute a contract with the lowest responsible bidder for construction of the 2010 pavement overlay project.

Exhibits: 1. None – Bid tab to be provided at June 1st Council Meeting.

Budget: Pavement Management Program (340-119-542-30-48-00)
 2010 Approved Budget: \$2,215,000. This contract is anticipated to use approximately 50% of the adopted 2010 budget. Upcoming patching, chip sealing and crack sealing contracts will use the remaining 2010 budget amount.

Summary Statement:

The Public Works Department recommends that the City Council authorize the City Manager to award and execute a contract with the lowest responsible bidder for construction of the 2010 Pavement Program – Overlays for arterial streets. Bids are scheduled to be opened on May 27th, 2010. Prior to recommending award to the City Manager, staff will conduct due diligence for selecting the lowest responsible bidder.

Background:

The streets being repaired as part of this contract are 216th Ave NE between Inglewood Hill Road NE and NE 16th Street and 212th Avenue SE between 212th Way SE and NE 10th Street. The streets were selected based on engineering judgment and data records created through the City's on-going pavement management program. This project provides for pavement preservation through localized pavement patching and Hot Mix Asphalt (HMA) overlays. Work may be done on other City streets under this contract provided it is within the essence of the original scope of work.

Financial Impact:

Staff anticipates that this work will be performed within budget.

Program Budget (340-119-542-30-48-00)	\$ 2,215,000
Engineer's Estimate	\$ -1,130,000
5% Contingency	\$ -56,500
Remaining Budget	\$ 1,028,500

The remaining budget is reserved for use for material testing costs and other planned contracts for local road reconstruction, chip seals, crack sealing and pavement patching.

Recommended Motion:

Move to authorize the City Manager to award and execute a contract for the 2010 Pavement Program - Overlays project with the lowest responsible bidder for the amount of the contractor's bid price and to administer a five percent project construction contingency.