



CITY OF MERCER ISLAND

CITY COUNCIL SPECIAL HYBRID MEETING

Tuesday, May 02, 2023 at 5:00 PM

MERCER ISLAND CITY COUNCIL:

Mayor Salim Nice, Deputy Mayor David Rosenbaum,
Councilmembers: Lisa Anderl, Jake Jacobson,
Craig Reynolds, Wendy Weiker, and Ted Weinberg

LOCATION & CONTACT:

Mercer Island Community & Event Center and via Zoom
8236 SE 24th Street | Mercer Island, WA 98040
206.275.7793 | www.mercerisland.gov

We strive to create an inclusive and accessible experience. Those requiring accommodation for meetings should notify the City Clerk's Office 3 days prior to the meeting at 206.275.7793 or by emailing cityclerk@mercerisland.gov.

The hybrid meeting will be broadcast live on MITV Channel 21 and live streamed on the City Council's [YouTube Channel](#)

Registering to Speak for Appearances: Individuals wishing to speak live during Appearances (public comment period) or during the Public Hearing must register with the City Clerk at **206.275.7793** or cityclerk@mercerisland.gov before 4 PM on the day of the Council meeting.

Please reference "Appearances" or "Public Hearing" on your correspondence and state if you would like to speak either in person at the Mercer Island Community & Event Center or remotely using Zoom. If providing your comments using Zoom, staff will be prepared to permit temporary video access when you enter the live Council meeting. Please remember to activate the video option on your phone or computer, ensure your room is well lit, and kindly ensure that your background is appropriate for all audience ages. Screen sharing will not be permitted, but documents may be emailed to council@mercerisland.gov.

Each speaker will be allowed three (3) minutes to speak. A timer will be visible to online to speakers, City Council, and meeting participants. Please be advised that there is a time delay between the Zoom broadcast and the YouTube or Channel 21 broadcast.

Join by Telephone at 5:00 PM (Appearances will start sometime after 5:30 PM): To listen to the meeting via telephone, please call **253.215.8782** and enter Webinar ID **856 8473 5545** and Password **730224** if prompted.

Join by Internet at 5:00 PM (Appearances will start sometime after 5:30 PM): To watch the meeting over the internet via your computer, follow these steps:

- 1) Click this [link](#)
- 2) If the Zoom app is not installed on your computer, you will be prompted to download it.
- 3) If prompted for Webinar ID, enter **856 8473 5545**; Enter Password **730224**
- 4) The City Clerk will call on you by name or refer to your email address when it is your turn to speak. Please confirm that your audio works prior to participating.

Join in person at Mercer Island Community & Event Center at 5:00 PM (Appearances will start sometime after 5:30 PM): —
8236 SE 24th Street

Submitting Written Comments: Email written comments to the City Council at council@mercerisland.gov.

MEETING AGENDA - Revised

CALL TO ORDER & ROLL CALL, 5 PM

PLEDGE OF ALLEGIANCE

AGENDA APPROVAL

STUDY SESSION

1. AB 6244: Police Department Annual Report.

Recommended Action: Receive report. No action necessary.

CITY MANAGER REPORT

APPEARANCES

(This is the opportunity for anyone to speak to the City Council on any item.)

CONSENT AGENDA

2. AB 6260: April 21, 2023 Payroll Certification.

Recommended Action: Approve the April 21, 2023 Payroll Certification (Exhibit 1) in the amount of \$973,786.50 and authorize the Mayor to sign the certification on behalf of the entire City Council.

3. Certification of Claims:

A. Check Register | 215549-215598 | 4/14/2023 | \$576,920.88

Recommended Action: Certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

4. AB 6261: Affordable Housing Week (Proclamation No. 306).

Recommended Action: Approve Proclamation No. 306 proclaiming May 7 to 13, 2023, as Affordable Housing Week in Mercer Island.

5. AB 6262: Construction Code Adoption (2nd Reading).

Recommended Action: Adopt Ordinance No. 23C-04 amending MICC Chapter 17 with the updated editions of the Construction Codes to be effective on July 1, 2023, as mandated by the State of Washington.

REGULAR BUSINESS

6. AB 6264: Formation of a City Council Ad Hoc Committee to Assist City Manager in Review and Evaluation of Regional Fire Service Proposals.

Recommended Action: Create the City Council Regional Fire Service Proposal Review Ad Hoc Committee to assist the City Manager with review and evaluation of regional fire service proposals in May and June of 2023.

7. AB 6258: 2024-2029 Six-Year Transportation Improvement Program Review and Public Hearing.

Recommended Action: Receive comments from the public hearing and provide feedback to staff.

OTHER BUSINESS

8. Planning Schedule – Revised 4/28/2023

9. Councilmember Absences & Reports

EXECUTIVE SESSION

10. Pending or Potential Litigation

Executive Session to discuss with legal counsel pending or potential litigation pursuant to RCW 42.30.110(1)(i).

Collective Bargaining

Executive Session for planning or adopting the strategy or position to be taken by the City Council during the course of any collective bargaining, professional negotiations, or grievance or mediation proceedings, or reviewing the proposals made in the negotiations or proceedings while in progress pursuant to RCW 42.30.140(4)(b).

ADJOURNMENT



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6244
May 2, 2023
Study Session

AGENDA BILL INFORMATION

TITLE:	AB 6244: Police Department Annual Report	<input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Receive report. No action necessary.	

DEPARTMENT:	Police
STAFF:	Ed Holmes, Police Chief Mike Seifert, Operations Commander Jeff Magnan, Services Commander Chad Schumacher, Marine Patrol Sergeant Dominic Amici, Detective Sergeant
COUNCIL LIAISON:	n/a
EXHIBITS:	n/a
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to highlight the activities of the Mercer Island Police Department ("Department") in 2022. The report will focus on three areas:

- The "Who We Are" section will focus on the Department's organizational structure, staffing, and training.
- The "What We Did" section will focus on general statistics, community outreach and partnerships, crime prevention, use of force, and de-escalation. This section will also highlight the Marine Patrol program.
- The "How Our Community Responded" section will highlight the support the Department has received from the community.

BACKGROUND

The Police Department provides an annual report summarizing the highlights of the previous year. The report includes information on personnel changes, patrol activity, investigations, use of force, records work, and community outreach.

ISSUE/DISCUSSION

WHO WE ARE

The Department has two divisions: Operations and Services. The Operations Division includes Patrol, Marine Patrol, and Special Teams. The Services Division includes Detectives, Police Records, Public Records, Evidence, Training, and Personnel.

In 2022, four employees left the Department; two departures were due to retirements, one was due to a relocation out of state, and one officer resigned while still on probation. During this same time, five new officers were hired to fill these four vacant positions as well as a vacancy from 2021. The hiring process has a number of steps designed to bring the best candidates forward to serve this community.

The Department continued its commitment to ensuring all the personnel are well trained. Officers attended over 2,000 hours of training, including classes on use of force, de-escalation, anti-biased policing, legal updates, autism awareness, special teams, and leadership development.

WHAT WE DID

Police Legislation

Command staff monitored new police legislation proposed during the 2022 legislative session. The following bills passed, and adjusted some of the police reform bills that were passed during the 2021 session.

- [HB 1735](#) Specifically allowed officers to once again use a reasonable amount of force to take someone into protective custody if the person is suffering from a mental health crisis.
- [HB 2037](#) Defined “physical force” as any act reasonably likely to cause physical pain or injury or any other act exerted upon a person’s body to compel, control, constrain, or restrain the person’s movement. Physical force does not include pat downs, incidental touching, verbal commands, or compliant handcuffing where there is no physical pain or injury.
- [HB 1719](#) Modified the prohibition on the use of military equipment. The bill still prohibited rifles of .50 caliber or greater (and a list of other military equipment) but allowed for other types of less lethal munitions that are .50 caliber or greater.

Command staff and the City Manager continue to monitor the bills proposed in the 2023 state legislative session.

Operations Division

Patrol

Patrol officers were very busy with proactive patrols and responding to calls for assistance. In 2022, officers:

- Responded to 11,919 calls for service ranging from simple theft cases to robbery and assault cases.
- Investigated 355 larceny cases including theft, mail theft, and motor vehicle prowls and 59 reported burglaries.
- Wrote 940 citations and made 210 arrests.

The Automatic License Plate Readers (ALPRs) continue to assist officers with identifying stolen vehicles and wanted individuals. The ALPR system also helps with the enforcement of parking violations.

The officers also continued to work with the City's ordinance that governs the use of public property. Officers maintained a compassionate approach when encountering people who were experiencing or potentially experiencing homelessness. No arrests have been made nor have any citations for violations of this ordinance been issued, but rather, this ordinance has been used as a way to get people connected to the resources they need. The officers are also able to call the outreach workers from two area shelters to streamline getting people the help they need.

Use of Force

The Department is well-trained in the use of force and continues to emphasize an approach to training that seeks to integrate de-escalation principles and tactics in all areas of policing. During 2022, there were only seven times when officers had to use some degree of force to gain compliance. All of these incidents involved a very low level of force, for example controlling someone's arms and legs to allow for the proper application of handcuffs. One of these incidents involved the officers displaying their firearms during a high-risk vehicle stop. The amount of force used by officers during these incidents was reviewed by the Operations Commander and the Chief, and deemed appropriate, justified, and within policy.

The Department continues to participate as a member of the Independent Force Investigation Team (IFIT) that investigates officer – involved shootings or serious applications of force. The Chief serves on the Executive Board and Sgt. Amici serves as an investigator. As a reminder, if a Mercer Island Police Officer is involved in an incident that warrants the activation of the IFIT, Mercer Island will not have any role in the ensuing investigation.

Marine Patrol

The Marine Patrol program provides service to Mercer Island, Renton, Bellevue, Medina, Hunts Point, and in 2023 began providing service to Yarrow Point as well. Most of the patrol officers are trained to operate the marine patrol vessels, so the Department can respond to emergencies throughout the year. The Marine Patrol Unit was exceptionally busy during 2022, responding to 325 calls for service including four vessel collisions with one fatality. The team also completed 270 vessel safety inspections. The annual Seafair event was a very busy weekend for the team, during which they made 21 arrests for boating under the influence. Despite the busy event, there were no drownings or major injuries that weekend.

The Marine Patrol supervisor, Sgt. Schumacher, became a state-certified marine patrol trainer. He now teaches classes to officers from across the state. His expertise has proven very valuable for Mercer Island's program.

Services Division

Records and Evidence

The Records staff processed close to 1,100 case reports and responded to approximately 600 public records requests. Staff also participated in the Drug Takeback event and was instrumental in the installation of the takeback bin in the police lobby. Oversight of property and evidence kept the Evidence Technician busy, especially managing the destruction of almost 400 items of evidence as per the state's destruction schedule.

Community Outreach

Outreach efforts continue to be a priority for the staff, particularly through the Department's social media platforms. The community is kept apprised of cases of interest, upcoming events, and introductions of the new officers. Recruiting new officers remains a priority for the Department, so staff focused efforts on attracting highly qualified candidates to consider working for the Department.

The Department continued community outreach via a number of events to include Coffee with a Cop, Battle of the Badges, Paws on Patrol, and National Night Out. The slow transition to in-person events has been particularly helpful in making personal connections with the community.

Emergency Management and Crime Prevention

The City's Emergency Manager/Crime Prevention Officer was very busy keeping emergency plans up to date, and training the City's volunteer teams on Community Emergency Response Team (CERT) courses, Emergency Well training, the Map Your Neighborhood program, and hosting Emergency Management informational booths. Managing the COVID-19 pandemic response continued to take staff resources, as did the preparation of the cooling center during heat events.

Detectives and School Resource Officer

The detective section was busy following up on criminal cases, and they welcomed their new School Resource Officer, Foster Barragan. SRO Barragan spent time meeting the students and staff and serving as a resource on matters related to juveniles.

Special Operations Team

The Special Operations Team participated in training sessions to maintain proficiency in responding to incidents that may require advanced tactics or specialized systems like Patrol Bikes.

HOW OUR COMMUNITY RESPONDED

Support from the Mercer Island community remains very strong. Community members routinely express their appreciation by dropping off baked goods and other treats, bringing in dinners around the holidays, and sharing their thanks via written expressions of their gratitude. Such support has a very positive impact on morale and retention. It is widely known that the Mercer Island community appreciates their police officers, as evidenced by the new officers often citing this support as one of the reasons they applied to work on Mercer Island. The Department greatly appreciates the strong partnership they have with the community.

RECOMMENDED ACTION

Receive report. No action necessary.



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6260
May 2, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6260: April 21, 2023 Payroll Certification	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Approve the April 21, 2023 Payroll Certification in the amount of \$973,786.50.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Administrative Services
STAFF:	Ali Spietz, Chief of Administration Nicole Vannatter, Human Resources Manager
COUNCIL LIAISON:	n/a
EXHIBITS:	1. April 21, 2023 Payroll Certification 2. FTE/LTE Counts
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

This agenda bill is to approve the payroll certification for the City of Mercer Island for the period from April 1, 2023 through April 14, 2023 in the amount of \$973,786.50 (see Exhibit 1).

BACKGROUND

[RCW 42.24.080](#) requires that all claims presented against the City by performing labor must be certified by the appropriate official to ensure that the labor was performed as described, and that the claims are just, due, and unpaid obligations against the City, before payment can be made. [RCW 42.24.180](#) allows the payment of claims to occur prior to City Council approval to expedite processing of the payment of claims, provided, however, that review and approval of the claims' documentation occurs at the next regularly scheduled public meeting. The Payroll Certification details the total payment to employees for labor performed and benefits payments made for each payroll. The City is on a bi-weekly payroll schedule with payments every other Friday.

ISSUE/DISCUSSION

Each payroll varies depending on several factors (i.e., number of employees, pay changes, leave cash outs, overtime, etc.). In addition to regular pay for employees, this payroll has variants that are outlined below.

Additional payments:

- \$9,009.22 in leave cash outs for current employees.
- \$2,018.84 in service and recognition awards.
- \$54,527.71 in overtime earnings (see chart for overtime hours by department).

Overtime hours by department:

Department	Hours
Administrative Services	
City Attorney's Office	
City Manager's Office	
Community Planning & Development	
Finance	28.00
Fire	583.00
Municipal Court	
Police	52.75
Public Works	66.50
Thrift Shop	
Youth & Family Services	
Total Overtime Hours	730.25

NEXT STEPS

FTE/LTE COUNTS

The table in Exhibit 2 shows the budgeted versus actual counts for Full Time Equivalents (FTEs) and Limited Term Equivalents (LTEs) for the current payroll. Casual labor employees (temporary and seasonal) are not included in the counts.

Casual Labor

In addition to FTE and LTE employees, the City utilizes casual labor to address workload needs that exceed the capacity or expertise of the City's regular staff and that are time limited or seasonal. Casual labor is used primarily to address seasonal workload needs and short-term workload issues created by special projects or position vacancies. Compared to an LTE position, a casual labor position has limited benefits and is filled for a shorter period of time (1-3 months, 6 months, or 9 months). The departments/divisions that utilize casual labor the most are Parks Maintenance, Recreation, Public Works, and the Thrift Shop.

RECOMMENDED ACTION

Approve the April 21, 2023 Payroll Certification (Exhibit 1) in the amount of \$973,786.50 and authorize the Mayor to sign the certification on behalf of the entire City Council.

CITY OF MERCER ISLAND PAYROLL CERTIFICATION

Item 2.

PAYROLL PERIOD ENDING 04.14.2023
PAYROLL DATED 04.21.2023

Net Cash	\$	638,672.84
Net Voids/Manuals	\$	-
Net Total	\$	638,672.84
Federal Tax Deposit	\$	105,321.96
Social Security and Medicare Taxes	\$	58,176.30
Medicare Taxes Only (Fire Fighter Employees)	\$	2,734.42
State Tax (Oregon, Massachusetts and North Carolina)	\$	53.79
Family/Medical Leave Tax (Massachusetts)	\$	14.66
Public Employees' Retirement System (PERS Plan 2)	\$	29,409.92
Public Employees' Retirement System (PERS Plan 3)	\$	8,189.80
Public Employees' Retirement System (PERSJM)	\$	587.22
Public Safety Employees' Retirement System (PSERS)	\$	236.44
Law Enforcement Officers' & Fire Fighters' Retirement System (LEOFF Plan2)	\$	30,479.77
Regence & LEOFF Trust Medical Insurance Deductions	\$	14,117.41
Domestic Partner Medical Insurance Deductions	\$	1,488.77
Kaiser Medical Insurance Deductions	\$	1,024.29
Health Care - Flexible Spending Account Contributions	\$	1,981.55
Dependent Care - Flexible Spending Account Contributions	\$	1,538.48
ICMA Roth IRA Contributions	\$	638.46
ICMA 457 Deferred Compensation Contributions	\$	40,850.28
Fire Nationwide 457 Deferred Compensation Contributions	\$	17,190.46
Fire Nationwide Roth IRA Contributions	\$	4,007.25
ICMA 401K Deferred Compensation Contributions	\$	-
Garnishments (Chapter 13)	\$	572.00
Child Support Wage Garnishment	\$	706.03
Mercer Island Employee Association Dues	\$	220.00
AFSCME Union Dues	\$	2,964.00
Police Union Dues	\$	2,531.23
Fire Union Dues	\$	2,060.91
Fire Union Supplemental Dues	\$	162.00
Standard - Supplemental Life Insurance	\$	409.70
Unum - Long Term Care Insurance	\$	839.15
AFLAC - Supplemental Insurance Plans	\$	238.52
Coffee Club Dues	\$	144.00
Transportation - Flexible Spending Account Contributions	\$	-
Fire HRA-VEBA Contributions	\$	6,224.00
Miscellaneous	\$	-
GET	\$	-
Oregon Transit Tax and Oregon Benefit Tax	\$	0.89
Tax & Benefit Obligations Total	\$	335,113.66

TOTAL GROSS PAYROLL	\$ 973,786.50
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I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.


 Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

FTE AND LTE COUNTS AS OF 4/14/2023


Full Time Equivalents (FTEs)	2023 Budgeted	2023 Actual
Administrative Services	15.00	14.00
City Attorney's Office	2.00	2.00
City Manager's Office	3.00	3.00
Community Planning & Development	18.00	18.00
Finance	9.00	7.00
Fire	31.50	29.50
Municipal Court	3.10	3.10
Police	37.50	37.50
Public Works	64.80	59.80
Recreation	10.25	10.25
Youth & Family Services	11.43	11.43
Thrift Shop	2.00	2.00
Total FTEs	207.58	197.58
Limited Term Equivalents (LTEs)	2023 Budgeted	2023 Actual
Administrative Services		1.00
City Manager's Office	0.50	1.00
Community Planning & Development		0.25
Finance	1.00	1.00
Public Works	3.00	3.75
Youth & Family Services	3.03	3.83
Thrift Shop	7.50	6.00
Total LTEs	15.03	16.83
Total FTEs & LTEs	222.61	214.42

FTE Vacancies:

1.0 Asset Mgmt Bus Systems Analyst	1.0 Fire Chief (contracted out)
1.0 CIP Project Inspector	1.0 Parks Maintenance Team Member
2.0 CIP Project Manager	1.0 Payroll Analyst
1.0 Deputy Fire Chief (contracted out)	1.0 Utility Billing Admin Assistant
1.0 Financial Analyst	

CERTIFICATION OF CLAIMS

I, the undersigned, do hereby certify under penalty of perjury that the materials have been furnished, the services rendered, or the labor performed as described herein, that any advance payment is due and payable pursuant to a contract or is available as an option for full or partial fulfillment of a contractual obligation, and that the claim is a just, due and unpaid obligation against the City of Mercer Island, and that I am authorized to authenticate and certify to said claim.



Finance Director

I, the undersigned, do hereby certify that the City Council has reviewed the documentation supporting claims paid and approved all checks or warrants issued in payment of claims.

Mayor

Date

<u>Report</u>	<u>Warrants</u>	<u>Date</u>	<u>Amount</u>
Check Register	215549-215598	4/14/2023	\$576,920.88
			\$576,920.88

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: 402000 - Water Fund-Admin Key</i>				
P0117831	00215566	GRAINGER	INVENTORY PURCHASES	241.00
<i>Org Key: CR1100 - Human Resources</i>				
P0117820	00215584	PUBLIC SAFETY TESTING INC	PD Promotional Testing -	22,182.30
P0117819	00215573	MATZKE, NORMAN	Polygraphs for entry level	750.00
P0117801	00215584	PUBLIC SAFETY TESTING INC	Q1 2023 subscription fee - Fir	386.00
<i>Org Key: CT1100 - Municipal Court</i>				
P0117790	00215556	COMPLETE OFFICE	MAR 2023 OFFICE SUPPLIES	24.76
<i>Org Key: DS1100 - Administration (DS)</i>				
P0117839	00215578	MICRO COM SYSTEMS LTD	Inv 17684; Document	2,570.34
P0117839	00215578	MICRO COM SYSTEMS LTD	Inv 17685; Data Entry/Scanning	1,256.39
<i>Org Key: FN2100 - Data Processing</i>				
P0117822	00215575	METROPRESORT	MARCH 2023 E-SERVICE PORTAL AD	75.00
<i>Org Key: FN4501 - Utility Billing (Water)</i>				
P0117822	00215575	METROPRESORT	MARCH 2023 PRINTING & MAILING	99.05
P0117822	00215575	METROPRESORT	MARCH 2023 PRINTING & MAILING	79.85
<i>Org Key: FN4502 - Utility Billing (Sewer)</i>				
P0117822	00215575	METROPRESORT	MARCH 2023 PRINTING & MAILING	99.05
P0117822	00215575	METROPRESORT	MARCH 2023 PRINTING & MAILING	79.85
<i>Org Key: FN4503 - Utility Billing (Storm)</i>				
P0117822	00215575	METROPRESORT	MARCH 2023 PRINTING & MAILING	99.06
P0117822	00215575	METROPRESORT	MARCH 2023 PRINTING & MAILING	79.85
<i>Org Key: FR1100 - Administration (FR)</i>				
P0117790	00215556	COMPLETE OFFICE	MAR 2023 OFFICE SUPPLIES	172.81
P0117802	00215549	Alvaria Inc	Telestaff monthly minimum in a	165.15
<i>Org Key: FR2100 - Fire Operations</i>				
P0117796	00215562	EASTSIDE FIRE & RESCUE	Apparatus maintenance 7609	2,266.74
P0117796	00215562	EASTSIDE FIRE & RESCUE	Apparatus maintenance 7608	2,126.35
P0117796	00215562	EASTSIDE FIRE & RESCUE	Apparatus Maintenance 4604	899.20
P0117798	00215562	EASTSIDE FIRE & RESCUE	Apparatus Maintenance 4603	860.18
P0117798	00215562	EASTSIDE FIRE & RESCUE	Apparatus Maintenance 8614	854.80
P0117796	00215562	EASTSIDE FIRE & RESCUE	Apparatus maintenance 7607	664.15
P0117796	00215562	EASTSIDE FIRE & RESCUE	Apparatus maintenance 6603	583.65
P0117797	00215550	AT&T MOBILITY	Cell and tablets	552.12
P0117796	00215562	EASTSIDE FIRE & RESCUE	Apparatus maintenance 8610	434.15
P0117796	00215562	EASTSIDE FIRE & RESCUE	Apparatus maintenance 8613	273.15
P0117796	00215562	EASTSIDE FIRE & RESCUE	Apparatus maintenance 8611	238.65
P0117798	00215562	EASTSIDE FIRE & RESCUE	Apparatus Maintenance 7609	210.81
P0117798	00215562	EASTSIDE FIRE & RESCUE	Apparatus Maintenance 8613	172.50
P0117798	00215562	EASTSIDE FIRE & RESCUE	Apparatus Maintenance 8614	170.95
P0117757	00215571	KROESENS UNIFORM COMPANY	Uniform ops	5.51
<i>Org Key: FR2500 - Fire Emergency Medical Svcs</i>				
P0117799	00215572	LIFE ASSIST INC	Aid supplies	1,182.30
P0117800	00215572	LIFE ASSIST INC	Aid Supplies	825.90

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: GB0100 - Building Repairs</i>				
P0117773	00215580	PACIFIC GLASS & DOOR INC.	INSTALL REPLACEMENT GLASS FOR	2,301.09
<i>Org Key: GGM004 - Gen Govt-Office Support</i>				
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	314.17
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	278.99
P0117814	00215557	CONFIDENTIAL DATA DISPOSAL	City Shredding Service -	250.00
P0117790	00215556	COMPLETE OFFICE	MAR 2023 OFFICE SUPPLIES	230.03
P0117814	00215557	CONFIDENTIAL DATA DISPOSAL	City Shredding Service -	225.00
P0117790	00215556	COMPLETE OFFICE	MAR 2023 OFFICE SUPPLIES	164.36
P0117790	00215556	COMPLETE OFFICE	MAR 2023 OFFICE SUPPLIES	159.25
P0117790	00215556	COMPLETE OFFICE	MAR 2023 OFFICE SUPPLIES	118.58
P0117790	00215556	COMPLETE OFFICE	MAR 2023 OFFICE SUPPLIES	118.05
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	57.14
P0117790	00215556	COMPLETE OFFICE	MAR 2023 OFFICE SUPPLIES	53.37
<i>Org Key: GGM005 - Genera Govt-L1 Retiree Costs</i>				
P0117834	00215563	ELSOE, RONALD	LEOFF1 Retiree Medical Expense	998.80
<i>Org Key: IS1100 - IGS Mapping</i>				
	00215587	RINGEL, MATT	FLIGHT TO GIS-ESRI CONFERENCE	209.44
<i>Org Key: IS2100 - IGS Network Administration</i>				
P0117823	00215589	Smarsh Inc.	Smarsh Additional March	80.21
<i>Org Key: IS3101 - GIS Analyst Water Fund</i>				
	00215587	RINGEL, MATT	FLIGHT TO GIS-ESRI CONFERENCE	209.45
<i>Org Key: IS3102 - GIS Analyst Sewer Fund</i>				
	00215587	RINGEL, MATT	FLIGHT TO GIS-ESRI CONFERENCE	209.45
<i>Org Key: IS3103 - GIS Analyst Storm Fund</i>				
	00215587	RINGEL, MATT	FLIGHT TO GIS-ESRI CONFERENCE	209.45
<i>Org Key: MT2100 - Roadway Maintenance</i>				
P0117821	00215577	MI UTILITY BILLS	MARCH 2023 PMT OF UTILITY BILL	119.10
<i>Org Key: MT2300 - Planter Bed Maintenance</i>				
P0117821	00215577	MI UTILITY BILLS	MARCH 2023 PMT OF UTILITY BILL	643.14
<i>Org Key: MT2500 - ROW Administration</i>				
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	5,235.47
<i>Org Key: MT3000 - Water Service Upsizes and New</i>				
P0117829	00215567	H D FOWLER	FACC-1320 12" ABANDONED CORP C	1,081.70
P0117765	00215592	TACOMA SCREW PRODUCTS INC	NUTS & BOLTS FOR WATER METERS	592.94
<i>Org Key: MT3100 - Water Distribution</i>				
P0117161	00215561	DITCH WITCH WEST	VAC TRAILER RENTAL	2,972.70
P0117821	00215577	MI UTILITY BILLS	MARCH 2023 PMT OF UTILITY BILL	2,021.55
<i>Org Key: MT3400 - Sewer Collection</i>				
P0117821	00215577	MI UTILITY BILLS	MARCH 2023 PMT OF UTILITY BILL	973.61
P0117827	00215567	H D FOWLER	6" ADS SOLID CORRUGATED PIPE	809.24

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
<i>Org Key: MT3800 - Storm Drainage</i>				
P0117821	00215577	MI UTILITY BILLS	MARCH 2023 PMT OF UTILITY BILL	95.38
<i>Org Key: MT4101 - Support Services - General Fd</i>				
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	63.15
<i>Org Key: MT4150 - Support Services - Clearing</i>				
P0117828	00215554	CINTAS CORPORATION #460	2023 PW COVERALL SERVICES	700.02
P0117828	00215554	CINTAS CORPORATION #460	2023 PW COVERALL SERVICES	700.02
P0117828	00215554	CINTAS CORPORATION #460	2023 PW COVERALL SERVICES	700.02
P0117828	00215554	CINTAS CORPORATION #460	2023 PW COVERALL SERVICES	700.02
<i>Org Key: MT4200 - Building Services</i>				
P0117821	00215577	MI UTILITY BILLS	MARCH 2023 PMT OF UTILITY BILL	9,832.43
P0117821	00215577	MI UTILITY BILLS	MARCH 2023 PMT OF UTILITY BILL	231.58
<i>Org Key: MT4300 - Fleet Services</i>				
P0117824	00215574	MERCER ISLAND CHEVRON	FUEL	1,494.29
P0117667	00215553	CHARGEPOINT INC	CHARGEPOINT replacement part	1,386.82
P0117826	00215579	NAPA AUTO PARTS	REPAIR PARTS	591.64
<i>Org Key: MT4420 - Transportation Planner Eng</i>				
P0117661	00215595	TRAFFIC SAFETY SUPPLY	IRS, TUFF CURB XLP, (40" X 8"	818.70
<i>Org Key: MT6100 - Park Maintenance</i>				
P0117828	00215554	CINTAS CORPORATION #460	PARKS 2023 COVERALL SERVICE	31.69
P0117828	00215554	CINTAS CORPORATION #460	PARKS 2023 COVERALL SERVICE	31.69
P0117828	00215554	CINTAS CORPORATION #460	PARKS 2023 COVERALL SERVICE	31.69
P0117828	00215554	CINTAS CORPORATION #460	PARKS 2023 COVERALL SERVICE	31.69
<i>Org Key: PO0000 - Police-Revenue</i>				
P0117815	00215596	WASHINGTON STATE PATROL	CPL Background Checks -	145.75
P0117815	00215596	WASHINGTON STATE PATROL	CPL Background Checks -	100.50
<i>Org Key: PO1100 - Administration (PO)</i>				
P0117810	00215550	AT&T MOBILITY	PD Phone and Data Services -	1,029.67
P0117808	00215591	T-MOBILE	PD Cell Service - Data - March	357.69
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	54.48
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	38.69
P0117808	00215591	T-MOBILE	Change in service - dated 3/2/	25.00
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	13.62
<i>Org Key: PO1350 - Police Emergency Management</i>				
P0117811	00215585	REMOTE SATELLITE SYSTEMS INT'L	Sat Phone Service for EMAC - D	69.95
<i>Org Key: PO1800 - Contract Dispatch Police</i>				
P0117825	00215583	PowerDMS	Accreditation and training Sof	7,243.05
<i>Org Key: PO1900 - Jail/Home Monitoring</i>				
P0117803	00215588	SCORE	Score Jail Housing Costs and	11,759.00
P0117817	00215569	ISSAQUAH JAIL, CITY OF	Issaquah Jail Housing - Invoic	7,665.00
P0117817	00215569	ISSAQUAH JAIL, CITY OF	Issaquah Jail Housing - Invoic	6,385.00
P0117803	00215588	SCORE	Score Jail Housing and medical	1,703.90
P0117803	00215588	SCORE	Score Jail Housing (Hospital	318.75

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
Org Key: PO2100 - Patrol Division				
P0117812	00215571	KROESENS UNIFORM COMPANY	Uniform Supplies - Invoice(s):	754.35
P0117813	00215590	STARBUCK'S TOWING	Impound Fees - Invoice: #2-800	279.65
P0117812	00215571	KROESENS UNIFORM COMPANY	Uniform Supplies - Invoice(s):	277.76
P0117812	00215571	KROESENS UNIFORM COMPANY	Uniform Supplies - Invoice(s):	27.53
P0117805	00215576	MI HARDWARE - POLICE	Patrol Supplies - Invoice # 14	9.49
Org Key: PO2200 - Marine Patrol				
P0117804	00215597	WEST MARINE PRO	MP Equipment	587.46
Org Key: PO3100 - Investigation Division				
P0117806	00215594	THOMSON REUTERS - WEST	West investigative Services -	497.61
P0117807	00215564	EQUIFAX INFORMATION SVCS LLC	Investigative Services - Invoi	153.95
Org Key: PO4100 - Firearms Training				
P0117809	00215551	AXON ENTERPRISE INC	Taser Supplies - Invoice INUS1	1,440.11
Org Key: PO4300 - Police Training				
P0117816	00215560	CRIMINAL JUSTICE TRAINING COMM	Instructor Development - Invoi	2,400.00
Org Key: PR4100 - Community Center				
P0117821	00215577	MI UTILITY BILLS	MARCH 2023 PMT OF UTILITY BILL	4,564.36
Org Key: PR5900 - Summer Celebration				
P0117793	00215598	WESTERN DISPLAY FIREWORKS LTD	FIREWORKS SHOW 7/15/23	10,000.00
Org Key: VCP104 - CIP Streets Salaries				
P0117760	00215552	BlueBeam Inc.	Bluebeam Revu Standard 1 addit	537.56
Org Key: VCP402 - CIP Water Salaries				
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	38.05
Org Key: WR152R - 80th Ave Sidewalk (28th-32nd)				
P0104658	00215570	KPG	80TH AVE SE PEDESTIAN IMPROVEM	32,213.78
Org Key: WU0100 - Emergency Water System Repairs				
P0111663	00215586	RH2 ENGINEERING INC	RESERVOIR PUMP-MOTOR	16,474.21
Org Key: WU0117 - Meter Replacement Implementati				
P0115874	00215565	FERGUSON ENTERPRISES LLC	ELECTRONIC METERS	110,497.28
P0115874	00215565	FERGUSON ENTERPRISES LLC	ELECTRONIC METERS	102,397.44
P0115874	00215565	FERGUSON ENTERPRISES LLC	ELECTRONIC METERS	70,249.50
P0115874	00215565	FERGUSON ENTERPRISES LLC	ELECTRONIC METERS	32,855.50
P0115874	00215565	FERGUSON ENTERPRISES LLC	ELECTRONIC METERS	19,216.82
P0102980	00215568	HDR ENGINEERING INC	WATER METER REPLACEMENT	16,083.20
P0115874	00215565	FERGUSON ENTERPRISES LLC	ESTIMATED TAXES AT 10,1%	11,160.23
P0115874	00215565	FERGUSON ENTERPRISES LLC	ESTIMATED TAXES AT 10,1%	10,342.14
P0115874	00215565	FERGUSON ENTERPRISES LLC	ESTIMATED TAXES AT 10,1%	7,095.20
P0115874	00215565	FERGUSON ENTERPRISES LLC	ESTIMATED TAXES AT 10,1%	3,318.41
P0115874	00215565	FERGUSON ENTERPRISES LLC	ESTIMATED TAXES AT 10,1%	1,940.90
Org Key: YF1100 - YFS General Services				
P0117790	00215556	COMPLETE OFFICE	FEB 2023 OFFICE SUPPLIES	14.31
Org Key: YF1200 - Thrift Shop				

Accounts Payable Report by GL Key

PO #	Check #	Vendor:	Transaction Description	Check Amount
P0117821	00215577	MI UTILITY BILLS	MARCH 2023 PMT OF UTILITY BILL	844.89
<i>Org Key: YF2600 - Family Assistance</i>				
P0117867	00215593	TAURAN PROPERTY MANAGEMENT CO	Rental assistance for EA clien	2,000.00
P0117869	00215558	COUNTRY VILLAGE DAY SCHOOL	Preschool scholarship for EA c	1,466.66
P0117868	00215559	CREATIVE LEARNING CENTER	Preschool scholarship for EA c	643.80
P0117871	00215581	PEBBLE @ MIPC, THE	Preschool scholarship for EA c	450.00
P0117870	00215582	PEBBLE @ MIPC, THE	Preschool Scholarship for EA c	420.00
Total				<u>576,920.88</u>

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00215549	04/14/2023	Alvaria Inc	P0117802	ASI075851	04/05/2023	165.15
		Telestaff monthly minimum in a				
00215550	04/14/2023	AT&T MOBILITY	P0117810	X03192023	03/11/2023	1,581.79
		Cell and tablets				
00215551	04/14/2023	AXON ENTERPRISE INC	P0117809	INUS140002	02/24/2023	1,440.11
		Taser Supplies - Invoice INUS1				
00215552	04/14/2023	BlueBeam Inc.	P0117760	1596345	04/05/2023	537.56
		Bluebeam Revu Standard 1 addit				
00215553	04/14/2023	CHARGEPOINT INC	P0117667	IN181597	03/17/2023	1,386.82
		CHARGEPOINT replacement part				
00215554	04/14/2023	CINTAS CORPORATION #460	P0117828	4150547517	03/27/2023	2,926.84
		2023 PW COVERALL SERVICES				
00215556	04/14/2023	COMPLETE OFFICE	P0117790	2189909-1	02/06/2023	7,149.28
		MAR 2023 OFFICE SUPPLIES				
00215557	04/14/2023	CONFIDENTIAL DATA DISPOSAL	P0117814	217400	02/28/2023	475.00
		City Shredding Service -				
00215558	04/14/2023	COUNTRY VILLAGE DAY SCHOOL	P0117869	041323	04/13/2023	1,466.66
		Preschool scholarship for EA c				
00215559	04/14/2023	CREATIVE LEARNING CENTER	P0117868	9890/9942	04/13/2023	643.80
		Preschool scholarship for EA c				
00215560	04/14/2023	CRIMINAL JUSTICE TRAINING COMM	P0117816	201137655	03/03/2023	2,400.00
		Instructor Development - Invoi				
00215561	04/14/2023	DITCH WITCH WEST	P0117161	90088702	03/30/2023	2,972.70
		VAC TRAILER RENTAL				
00215562	04/14/2023	EASTSIDE FIRE & RESCUE	P0117796	5363	03/28/2023	9,755.28
		Apparatus Maintenance 4603				
00215563	04/14/2023	ELSOE, RONALD	P0117834	LEOFF1 MED EXP	04/11/2023	998.80
		LEOFF1 Retiree Medical Expense				
00215564	04/14/2023	EQUIFAX INFORMATION SVCS LLC	P0117807	2054545844	03/23/2023	153.95
		Investigative Services - Invoi				
00215565	04/14/2023	FERGUSON ENTERPRISES LLC	P0115874	1185561	03/07/2023	369,073.42
		ELECTRONIC METERS				
00215566	04/14/2023	GRAINGER	P0117831	9663904184	04/04/2023	241.00
		INVENTORY PURCHASES				
00215567	04/14/2023	H D FOWLER	P0117827	I6357483	04/07/2023	1,890.94
		FACC-1320 12" ABANDONED CORP C				
00215568	04/14/2023	HDR ENGINEERING INC	P0102980	1200505228	03/07/2023	16,083.20
		WATER METER REPLACEMENT PROGRA				
00215569	04/14/2023	ISSAQUAH JAIL, CITY OF	P0117817	23000108	03/03/2023	14,050.00
		Issaquah Jail Housing - Invoic				
00215570	04/14/2023	KPG	P0104658	194602	03/30/2023	32,213.78
		80TH AVE SE PEDESTIAN IMPROVEM				
00215571	04/14/2023	KROESENS UNIFORM COMPANY	P0117812	72622	03/13/2023	1,065.15
		Uniform ops				
00215572	04/14/2023	LIFE ASSIST INC	P0117800	1307523	04/03/2023	2,008.20
		Aid supplies				
00215573	04/14/2023	MATZKE, NORMAN	P0117819	32923	03/28/2023	750.00
		Polygraphs for entry level				
00215574	04/14/2023	MERCER ISLAND CHEVRON	P0117824	FUEL MAR 2023	03/31/2023	1,494.29
		FUEL				
00215575	04/14/2023	METROPRESORT	P0117822	IN653274	04/05/2023	611.71
		MARCH 2023 E-SERVICE PORTAL AD				

Accounts Payable Report by Check Number

Check No	Check Date	Vendor Name/Description	PO #	Invoice #	Invoice Date	Check Amount
00215576	04/14/2023	MI HARDWARE - POLICE Patrol Supplies - Invoice # 14	P0117805	145607	03/11/2023	9.49
00215577	04/14/2023	MI UTILITY BILLS MARCH 2023 PMT OF UTILITY BILL	P0117821	MAR 2023 U AND W	03/31/2023	19,326.04
00215578	04/14/2023	MICRO COM SYSTEMS LTD Inv 17684; Document	P0117839	17685	04/06/2023	3,826.73
00215579	04/14/2023	NAPA AUTO PARTS REPAIR PARTS	P0117826	MAR2023	03/31/2023	591.64
00215580	04/14/2023	PACIFIC GLASS & DOOR INC. INSTALL REPLACEMENT GLASS FOR	P0117773	5171	03/27/2023	2,301.09
00215581	04/14/2023	PEBBLE @ MIPC, THE Preschool scholarship for EA c	P0117871	041323	04/13/2023	450.00
00215582	04/14/2023	PEBBLE @ MIPC, THE Preschool Scholarship for EA c	P0117870	041323B	04/13/2023	420.00
00215583	04/14/2023	PowerDMS Accreditation and training Sof	P0117825	INV-34128	03/29/2023	7,243.05
00215584	04/14/2023	PUBLIC SAFETY TESTING INC PD Promotional Testing -	P0117801	2023-282	04/03/2023	22,568.30
00215585	04/14/2023	REMOTE SATELLITE SYSTEMS INT'L Sat Phone Service for EMAC - D	P0117811	00122257	03/10/2023	69.95
00215586	04/14/2023	RH2 ENGINEERING INC RESERVOIR PUMP-MOTOR ASSESMENT	P0111663	89764	03/14/2023	16,474.21
00215587	04/14/2023	RINGEL, MATT FLIGHT TO GIS-ESRI CONFERENCE		04072023	04/07/2023	837.79
00215588	04/14/2023	SCORE Score Jail Housing Costs and	P0117803	6709	03/03/2023	13,781.65
00215589	04/14/2023	Smarsh Inc. Smash Additional March	P0117823	INV-89388	03/31/2023	80.21
00215590	04/14/2023	STARBUCK'S TOWING Impound Fees - Invoice: #2-800	P0117813	2-8003	03/17/2023	279.65
00215591	04/14/2023	T-MOBILE Change in service - dated 3/2/	P0117808	022123-032023	03/21/2023	382.69
00215592	04/14/2023	TACOMA SCREW PRODUCTS INC NUTS & BOLTS FOR WATER METERS	P0117765	100187732-00	04/03/2023	592.94
00215593	04/14/2023	TAURAN PROPERTY MANAGEMENT CO Rental assistance for EA clien	P0117867	041123	04/11/2023	2,000.00
00215594	04/14/2023	THOMSON REUTERS - WEST West investigative Services -	P0117806	847937734	03/01/2023	497.61
00215595	04/14/2023	TRAFFIC SAFETY SUPPLY IRS, TUFF CURB XLP, (40" X 8"	P0117661	INV057871	03/29/2023	818.70
00215596	04/14/2023	WASHINGTON STATE PATROL CPL Background Checks -	P0117815	I23004992	03/01/2023	246.25
00215597	04/14/2023	WEST MARINE PRO MP Equipment	P0117804	6122	03/09/2023	587.46
00215598	04/14/2023	WESTERN DISPLAY FIREWORKS LTD FIREWORKS SHOW 7/15/23	P0117793	04042023	04/04/2023	10,000.00
					Total	576,920.88



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6261
May 2, 2023
Consent Agenda

AGENDA BILL INFORMATION

TITLE:	AB 6261: Affordable Housing Week (Proclamation No. 306)	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Approve Proclamation No. 306 proclaiming the week of May 7 to 13, 2023 as Affordable Housing Week.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Community Planning and Development
STAFF:	Salim Nice, Mayor Alison Van Gorp, Deputy CPD Director
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Proclamation No. 306
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to proclaim May 7-13, 2023 as Affordable Housing Week in Mercer Island.

- Homelessness remains a major challenge in King County and current economic conditions continue to put pressure on low- and middle-income households in our region.
- Significant investments in building, preserving, and subsidizing new affordable homes are needed.
- The Growth Management Act now requires cities like Mercer Island to plan to accommodate projected housing needs as a part of the 2024 periodic update of comprehensive plans.
- In addition to planning for housing, the City also contributes to affordable housing development and preservation as a member of ARCH (A Regional Coalition for Housing).
- Proclaiming May 7-13 as Affordable Housing Week in Mercer Island shines a light on both the substantial need for more affordable housing in King County, as well as the important work already underway to understand and address that need.

BACKGROUND

Homelessness remains one of the most difficult and complex issues facing King County. The King County Regional Homelessness Authority estimates that more than 53,000 people experienced homelessness in King County in 2022, up from 40,000 people in 2020. The impacts of the COVID-19 Pandemic continue to exacerbate the challenges low- and middle- income people face in the region. Market rents surged more than

15% last year in East King County. Furthermore, the high rates of inflation and increases in costs of goods and services mean that family budgets are stretched.

King County currently faces a shortfall of 149,000 affordable homes. That number is expected to grow to 212,000 homes by 2044.

In 2022, the City completed a Housing Needs Assessment to understand Mercer Island's existing and future housing needs and to inform the 2024 periodic update to the Comprehensive Plan. City staff continue to coordinate with other East King County jurisdictions to address affordable housing needs through ARCH, including annual investments in the ARCH Housing Trust Fund, which has helped create over 7,000 units of affordable housing in East King County.

ISSUE/DISCUSSION

Since 2016, the [Housing Development Consortium](#) (HDC) of Seattle-King County has partnered with its diverse membership body to coordinate Affordable Housing Week, aimed at recognizing the need to preserve and increase affordable housing in King County communities. HDC's members encompass all major nonprofit housing developers in King County as well as financial institutions, consultants, architects, building contractors, attorneys, accountants, service providers, local housing authorities, and government agencies.

Each year, Affordable Housing Week brings together residents from across King County to focus attention on affordable housing and to promote thriving communities where everyone has an opportunity to live with dignity in safe, healthy, and affordable homes. Affordable Housing Week activities are attended and led by cities, organizations, advocates, and residents.

Proclaiming May 7-13 as Affordable Housing Week in Mercer Island shines a light on both the need for more affordable housing in King County, as well as the important work already underway to understand and address that need. For more information on affordable housing in King County and to learn about the events and activities planned for May 7-13, visit the [Affordable Housing Week webpage](#).

RECOMMENDED ACTION

Approve Proclamation No. 306 proclaiming May 7 to 13, 2023, as Affordable Housing Week in Mercer Island.



City of Mercer Island, Washington

Proclamation

WHEREAS, all people should have access to safe, healthy, and affordable homes within communities that provide opportunity.

The US Department of Housing and Urban Development (HUD) defines affordable housing as “housing on which the occupant is paying no more than 30 percent of gross income for housing costs, including utilities.”

The WA State Department of Commerce projects that by 2044, King County needs nearly 200,000 net new housing units for households at or below 80% area median income. Studies have also shown that each \$100 increase in median rent results in a 15% increase in homelessness in metro areas and a 39% increase in homelessness in nearby suburbs and rural areas.

The COVID-19 pandemic has exacerbated many existing financial constraints for low- and moderate-income households. Additionally, the CDC recognizes safe, healthy, and affordable housing within communities of opportunity as key social determinants of health.

Everyone benefits from affordable housing, including residents, neighbors, businesses, and employers. Recognizing this, people, organizations, and communities throughout King County are united to raise public awareness and are participating in local Affordable Housing Week activities to elevate the critical need to create healthy communities with ample affordable housing.

The City of Mercer Island endorses the goals, objectives, and purposes of Affordable Housing Week, and firmly recommits itself to ensuring that our community’s recovery from the crises at hand is equitable, and that all people in Mercer Island live with dignity in safe, healthy, and affordable homes.

NOW, THEREFORE, I, Salim Nice, Mayor of the City of Mercer Island, do hereby proclaim the week of May 7 to 13, 2023, as:

AFFORDABLE HOUSING WEEK

APPROVED, this 2nd day of May, 2023

Mayor Salim Nice

Proclamation No. 306





BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6262
May 2, 2023
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6262: Construction Code Adoption (2nd Reading)	<input type="checkbox"/> Discussion Only
RECOMMENDED ACTION:	Adopt Ordinance No. 23C-04 amending MICC Chapter 17 with the updated editions of the Construction Codes to be effective on July 1, 2023, as mandated by the State of Washington.	<input checked="" type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

DEPARTMENT:	Community Planning and Development
STAFF:	Jeff Thomas, Director Community Planning & Development Don Cole, Building Official Jeromy Hicks, Fire Marshal
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Proposed Ordinance No. 23C-04 with Attachment A 2. Summary of Significant Code Changes
CITY COUNCIL PRIORITY:	n/a

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to adopt state-mandated updates to the City's construction codes to improve public safety and welfare by staying current with new code requirements. Typically, the model codes are updated on a three-year cycle and the state then mandates adoption by local jurisdictions.

- Mercer Island must adopt the state-mandated construction codes no later than July 1, 2023.
- Additional construction code amendments are also recommended to align with regional model codes.
- Training will be available to building professionals to aid with the transition to the new construction codes. Information regarding the significant code updates is posted on the City's website.
- City Council completed its first reading of Ordinance No. 23C-04 (Exhibit 1) on April 25, 2023 ([AB 6250](#)) and scheduled the second reading and adoption for May 2, 2023.

BACKGROUND

The Washington State construction codes are amended on a three-year cycle, beginning with the release of the new editions of international model codes and ending with formal adoption of the construction codes as amended by the State Building Code Council (SBCC). The SBCC is a state agency created by the legislature to

provide independent analysis and objective advice to the legislature and the Governor's Office on state building code issues. The SBCC establishes the minimum building, mechanical, fire, plumbing and energy code requirements necessary to promote the health, safety, and welfare of the people of the state of Washington, by reviewing, developing, and adopting the state building code. The SBCC undertakes an extensive technical review and public outreach process in developing the state construction codes each cycle. The state construction code adoption process is [summarized in more detail here](#).

As indicated above, State updates to the construction codes occur every three years. Local jurisdictions are now required to adopt the state construction codes two years after adoption by the SBCC. Therefore, the city must adopt the 2021 construction codes by July 1, 2023. City Council completed its first reading of Ordinance No. 23C-04 on April 25, 2023.

ISSUE/DISCUSSION

2021 STATE CONSTRUCTION CODE MANDATE

Effective July 1, 2023, Washington statutes require all jurisdictions in the state to adopt and enforce the following updated Construction Code editions as adopted and amended by the State of Washington:

- 2021 International Building Code (IBC)
- 2021 International Residential Code (IRC)
- 2021 International Mechanical Code (IMC)
- 2021 International Fuel Gas Code (IFGC)
- 2021 Uniform Plumbing Code (UPC)
- 2021 International Fire Code (IFC)
- 2021 International Existing Building Code
- 2021 International Swimming Pool and Spa Code
- 2021 International Wildland-Urban Interface Code (WUIC)
- Washington State Energy Code (WSEC)
- Washington Cities Electrical Code (WCEC)

Proposed Ordinance No. 23C-04 (Exhibit 1) updates Mercer Island City Code Title 17 to adopt the updated State Construction Codes. Except for items presented in the section titled "Optional Changes," the proposed changes to the existing construction codes are limited to code changes deemed necessary to provide conformity with mandated updates or for clarification purposes.

MANDATED CHANGES

The mandated code updates include hundreds of changes with various levels of impact on safety, energy efficiency, construction costs, and more. For example, the updates include fire-resistive construction changes to improve fire and life safety and more stringent energy code requirements to improve energy efficiency. Both updates will result in small increases in construction costs. The analysis of such cost relationships was part of the state code adoption process.

Impactful and higher profile changes include:

- Restrictions on fossil fuel heating equipment,
- Requirements for heat pump space heaters and service water heaters,
- Provisions for electric vehicle (EV) charging infrastructure,
- Accessibility changes to accommodate larger wheelchairs, and

- Enforcement of the Wildland-Urban Interface Code.

A more detailed listing of significant code changes is provided in Exhibit 2.

OPTIONAL CHANGES

In addition to moving all mandated changes forward to second reading, the City Council also moved the following optional changes forward to align City requirements with those of other regional jurisdictions:

1. Update the Administrative Provisions to remain consistent with the Regional Model Code (MyBuildingPermit.com).

This proposed update includes minor alterations to the administrative provisions within the existing MICC Title 17, Construction Codes, enabling the Mercer Island Administrative Code to remain consistent with the regional model administrative code for cities participating within [MyBuildingPermit.com](https://www.mybuildingpermit.com). Examples include designating the authority for interpretations and enforcement, setting expiration criteria for permit applications and permits, and similar administrative provisions.

2. Update the Fire Code as recommended by Zone 1 Fire Marshals. Updates to the Fire Code are aimed at providing clarity to the adopted code as related to jurisdictional specific requirements. Furthermore, the recommended changes were modified to closely align with the City's regional partners to provide consistency for residents, business owners, and contractors.

Participation in the regional model codes for code administration and fire code requirements helps provide the following:

- Permit applicants will have consistent administration and enforcement when working in the region (MyBuildingPermit.com and Zone 1 Fire Marshal jurisdictions).
- A single reference to one administrative provision for all construction codes rather than eleven different codes created by multiple organizations.
- Resolves conflicts between administrative provisions within various adopted codes – IBC, UPC, NFPA, NEC, etc.
- Resolves conflicts, aligns, and provides administrative provisions consistent with other MICC provisions (fees, violations, appeals, etc.)
- Simplifies the addition of administrative provisions that are not addressed within the differing construction codes (such as fees, violations, penalties, appeals, etc.).
- Creates less work when adopting and amending administrative provisions. Specifically, only one code is amended instead of eleven codes.

There are no other changes proposed to the construction codes beyond the state mandated changes and the two aforementioned items. It should be noted that local jurisdictions have little authority to adopt construction codes that differ from the state mandated codes. State law ([WAC 51-04-030](https://www.wa.gov/law-and-legislation/wac-51-04-030)) requires review and approval of local amendments to certain construction codes by the Washington State Building Code Council (SBCC). Locally adopted construction codes shall not become effective without approval from the SBCC.

OUTREACH AND TRAINING FOR STAFF AND BUILDING PROFESSIONALS

Extensive public outreach and training has occurred at various levels, statewide through the Washington Association of Building Officials (WABO) and regionally by MyBuildingPermit.com, to which the Mercer Island

is a member. WABO just completed its “2023 WABO Annual Education Institute” from March 20-24 in Lynnwood. MyBuildingPermit.com has its annual “I-Code Update Week” scheduled for May 15-19 in Kirkland.

Locally, City staff are providing information regarding the significant code updates on the City’s website, sending email communications to customers as well as answering specific questions regarding the updates. Staff participates in the development of low-cost 2021 Code update training seminars targeted at contractors and design professionals, along with providing informational handouts and website information.

NEXT STEPS

Adopting the ordinance on May 2, 2023, will provide for the updated Construction Codes to take effect on July 1, 2023, as mandated by the State of Washington.

RECOMMENDED ACTION

Adopt Ordinance No. 23C-04 amending MICC Chapter 17 with the updated editions of the Construction Codes to be effective on July 1, 2023, as mandated by the State of Washington.

**CITY OF MERCER ISLAND
ORDINANCE NO. 23C-04**

**AN ORDINANCE OF THE CITY OF MERCER ISLAND AMENDING TITLE 17 OF
THE MERCER ISLAND CITY CODE, CONSTRUCTION CODES, BY ADOPTING
THE 2021 AMENDMENTS TO THE STATE BUILDING CODE, PROVIDING FOR
SEVERABILITY, AND ESTABLISHING AN EFFECTIVE DATE**

WHEREAS, Washington statutes require all jurisdictions in the state to adopt by reference and enforce the updated versions of the Construction Codes throughout Washington; and

WHEREAS, the City Council of the City of Mercer Island has adopted by reference numerous Construction Codes for the health, safety and welfare of the citizens as set forth in Title 17 of the Mercer Island City Code (MICC), Construction Codes, and

WHEREAS, the Washington State Building Code Council adopted the 2021 editions of the International Codes, and all jurisdictions in the state are required to adopt and enforce the 2021 International Codes effective July 1, 2023; and

WHEREAS, the City of Mercer Island adopted the 2018 International Codes and wishes to adopt the 2021 amendments to the International Codes, to be effective July 1, 2023; and

WHEREAS, RCW 19.27.040 permits a city to amend the International Codes as they apply to that city, so long as the minimum performance standards of the Codes and the objectives enumerated in RCW 19.27.020 are not diminished; and

WHEREAS, Title 17 MICC was previously adopted and amended to be consistent with the regional model code established by jurisdictions participating within MyBuildingPermit.com; and

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

Section 1: **Title 17 MICC “Construction Codes” Amended.** The amendments to Title 17 MICC set forth in Exhibit A to this ordinance shall be adopted and become effective on July 1, 2023, but not sooner than the effective date of this ordinance.

Section 2: **Scrivener’s Errors.** The City Council authorizes the Building Official, Fire Marshal, and the City Clerk to correct any scrivener’s errors in Exhibit A.

Section 3: **Severability.** If any section, sentence, clause or phrase of this ordinance or any municipal code section amended hereby should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity of any other section, sentence, clause or phrase of this ordinance or the amended code section.

Section 4: **Effective Date.** This ordinance shall take effect and be in force 5 days after its passage and publication.

PASSED by the City Council of the City of Mercer Island, Washington at its meeting on the 2nd day of May 2023 and signed in authentication of its passage.

CITY OF MERCER ISLAND

Salim Nice, Mayor

Approved as to Form:

ATTEST:

Bio Park, City Attorney

Andrea Larson, City Clerk

Date of Publication: _____

Chapter 17.01 INTERNATIONAL BUILDING CODE

17.01.010 Adoption.

The ~~2018-2021~~ Edition of the International Building Code (IBC), including the adoption of ICC/ANSI A117.1-~~2009~~2017, Requirements for Accessible and Useable Buildings and Facilities, as adopted and amended by the State Building Code Council in WAC Chapter 51-50, as published by the International Code Council, excluding Chapter 1, Administration, is adopted by reference, together with the following amendments and additions. The Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in place of IBC Chapter 1, Administration. The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

Exceptions. The provisions of this code do 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 either 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 do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rule adopted under RCW Chapter 70.114A or Chapter 37, Laws of 1998 (SB 6168).

"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" under RCW 70.54.110.

- A. The following appendices of the ~~2018-2021~~ Edition of the International Building Code are also adopted by reference: Appendix E — Supplementary Accessibility Requirements, and Appendix H — Signs.

- ~~B. Miscellaneous.~~

- ~~1. Recyclable materials, compost, and solid waste storage.~~

- ~~i. For the purposes of this section, the following definitions shall apply:~~

- ~~a. Compost means biodegradable solid wastes that are separated for composting such as food waste, food soiled paper and yard waste.~~

- ~~b. Recycled materials means those solid wastes that are separated for recycling or reuse, such as papers, metals and glass.~~

- ~~ii. All local jurisdictions shall require that space be provided for the storage of recycled materials, compost, and solid waste for all new buildings.~~

- ~~iii. The storage area shall be designed to meet the needs of the occupancy, efficiency of pickup, and shall be available to occupants and haulers.~~

~~Exception: Group R-3 and Group U occupancies.~~

(Ord. 21C-01 § 1 (Exh. A); Ord. 16C-04 § 1; Ord. 13C-06 § 1; Ord. 10C-03 § 1; Ord. 07C-04 § 1; Ord. 04C-12 § 4)

17.01.020 Amendments and additions.

Formatted: Section

- A. *IBC Section 202 Amended — Definitions, High-Rise Building.* Section 202 of the International Building Code is hereby amended to read as follows:

HIGH-RISE BUILDING. A building with an occupied floor or rooftop located more than 75 feet (22,860 mm) above the lowest level of fire department vehicle access.

- B. *IBC Section 312.1 Amended — Utility and Miscellaneous Group U, General.* Section 312.1 of the International Building Code is hereby amended to read as follows:

Section 312.1 — General. Buildings and structures of an accessory character and miscellaneous structures not classified in any specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but not be limited to, the following:

Agricultural buildings

Aircraft hangars, accessory to a one- or two-family residence (see Section ~~412.5~~412.4)

Barns

Carports

Communication equipment structures with a gross floor area of less than 1500 square feet (139 square meters)

Fences more than 6 feet (1,829 mm) high

Grain silos, accessory to a residential occupancy

Livestock shelters

Private garages

Retaining walls

Sheds

Stables

Tanks

Towers

Waterfront structures

- C. *IBC Section 405.8 Amended — Underground Buildings, Standby Power.* Section 405.8 of the International Building Code is hereby amended to read as follows:

Section 405.8 — Standby power and emergency power. A standby power system complying with Section 2702 shall be provided for standby power loads specified in Section 405.8.1. An emergency power system complying with Section 2702 shall be provided for the emergency power loads specified in Section ~~405.8.1-405.8.2~~. 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.

- D. *IBC Section 502.1 Amended — General Building Heights and Areas, General, Address Identification.* Section 502.1 of the International Building Code is hereby amended to read as follows:

Section 502.1 — New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting

the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than six (6) inches high with a minimum stroke width of 1/2 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

- E. *IBC Section 903.2 Amended — Fire Protection Systems, Automatic Sprinkler Systems, Where Required.* Section 903.2 of the International Building Code is hereby amended to read as follows:

903.2 Where required. Approved automatic sprinkler systems shall be installed in all newly constructed buildings and structures with a gross floor area of 5,000 square feet or greater and shall be provided in the locations described in Sections 903.2.1 through 903.2.12.

- F. *IBC Section 903.3.1.2 Amended — NFPA 13R Sprinkler Systems.* Section 903.3.1.2 of the International Building Code is hereby amended to read as follows:

Section 903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in one and two family dwellings shall be permitted to be installed throughout in accordance with NFPA 13R. One and two family dwellings 10,000 square feet and larger shall be installed in accordance with NFPA 13R or 13. Systems in accordance with NFPA 13R shall not be installed in R-1 or R-2 Occupancies.

- G. *IBC Section 903.4.3 Amended — Sprinkler System Monitoring and Alarms, Floor Control Valves.* Section 903.4.3 of the International Building Code is hereby amended to read as follows:

Section 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 NFPA 13R Systems.

- H. *IBC Section 907.2 Amended — Where Required—New Buildings and Structures.* Section 907.2 of the International Fire Code is hereby added to read as follows:

907.2 Where required—new buildings and structures. An approved 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. For all newly constructed buildings with a gross floor area of 3,000 or greater square feet an approved manual and automatic fire alarm system shall be installed.

Exceptions:

1. One- and two-family dwellings, Group R-3, Group R-4, and Group U Occupancies having adequate fire flow and approved access. Dwelling units shall have interconnected single station smoke detectors in accordance with RCW 48.48.140 and WAC Chapter 212-10.
2. Buildings under 10,000 square feet that are protected throughout by an approved and monitored automatic sprinkler system installed in accordance with section 903.3.1.1 unless required by other sections of this code.

The system shall provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

A minimum of one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.

2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.

Remodels and tenant improvements. When undergoing remodel and tenant improvements, existing occupancies equipped with smoke detectors that are 10 or more years old shall have all such detectors replaced with modern units. Those occupancies without the protection of smoke detection shall add a manual and automatic fire alarm system in accordance with the applicable requirements in this section and other sections that may apply.

Additions. Additions to existing buildings shall meet the requirements of, Remodels and Tenant improvements, for the whole building and additionally provide the same coverage level to the addition as the rest of the building unless authorized by the Fire Code Official.

- I. *IBC Section 1608.1 Amended — Snow Loads—General.* Section 1608.1 of the International Building Code is hereby amended to read as follows:

1608.1 Snow Loads—General. Design snow loads shall be determined in accordance with Chapter 7 of ASCE 7, but the design roof load shall not be less than that determined by Section 1607. Furthermore, the design roof snow load shall not be less than 25 pounds per square feet. When using this design roof snow load it will be left to the engineer's judgment whether to consider drift or sliding snow. However, the engineer shall consider a rain on snow surcharge of at least 5 pounds per square feet for roof slopes less than 5 degrees.

- J. *IBC Section ~~3112~~ Revised 3116 Added* --- *Waterfront Structures.* Section ~~3112~~ 3116 of the International Building Code is hereby added to read as follows:

SECTION ~~3112~~ 3116 — WATERFRONT STRUCTURES

Section ~~3112~~ 3116.1 General. In addition to other requirements of this code, all waterfront structures including but not limited to docks, piers, wharves, floats, mooring piles, anchor buoys, bulkheads, submerged or overhead wires, pipes, and cables, and any object passing beneath, through or over the water beyond the line of ordinary high water shall comply with the regulations of this section.

Section ~~3112~~ 3116.2 Approvals required. Before any permit for a new waterfront structure or revisions to an existing waterfront structure is issued by the building official, the applicant shall obtain prior approval from all applicable state and federal agencies.

- Section ~~3112~~ 3116.3 Definitions.** For the purposes of this section, certain terms are defined as follows:

BULKHEAD. A retaining wall or erosion-control structure along a waterfront.

COVERED WATERFRONT STRUCTURE. Any waterfront structure covered in whole or in part by a roof.

COVERED WATERFRONT STRUCTURE BUILDING AREA. The area lying directly beneath the portion of a structure covered by a roof.

SUBSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure below and including the deck.

SUPERSTRUCTURE. That portion of the construction of a dock, pier, wharf or other similar waterfront structure above the deck.

Section ~~3112~~ 3116.4 Construction Requirements. Waterfront structures shall comply with Sections ~~3112~~ 3116.4.1 through ~~3112~~ 3116.4.3.

Section ~~3112~~ 3116.4.1 Substructure. The substructure may be constructed of any materials allowed by this code. All decks shall sustain, within the limitations of this code, all dead loads plus a live load of not less than 100 pounds per square foot, assumed to act vertically. In addition to the live load requirement, all structures and every portion thereof shall be designed and constructed to resist a horizontal force of not less than 100 pounds per lineal foot acting at the deck line, in any direction.

Exception: For waterfront structures serving only a single dwelling, a live load of 40 psf may be used and a horizontal force need only be considered where applicable.

Section ~~31123116~~ 4.2 Superstructure. The superstructure shall be designed and constructed to sustain all dead loads, live loads, and wind loads required by this code, and shall be constructed of any materials allowed by this code, except when the building area of a covered waterfront structure exceeds 1,000 square feet the entire superstructure and deck shall be constructed of noncombustible materials or as required for Type IV-HT Construction per IBC Section 602.4.

Section ~~31123116~~ 4.3 Hardware. All hardware used structurally shall be of a corrosive-resistant metal such as aluminum, brass, copper, and stainless steel, or be completely protected by an approved corrosion-resistant metal, such as zinc.

- K. *IBC Appendix H, Section H101.3 Added — Signs, General, Conflict with Mercer Island City Code.* Appendix H, Section H101.3 of the International Building Code is hereby added to read as follows:

Section H101.3, Conflict with Mercer Island City Code. If any provisions of IBC Appendix H are in conflict with any provisions of the Mercer Island City Code, the applicable provisions of the Mercer Island City Code shall govern.

Chapter 17.02 INTERNATIONAL RESIDENTIAL CODE

17.02.010 Adoption.

The ~~2018-2021~~ Edition of the International Residential Code (IRC), as adopted and amended by the State Building Code Council in WAC Chapter 51-51, as published by the International Code Council, is adopted by reference with the following additions, deletions and exceptions. Provided, that Chapter 1, Part 2, Administration and Enforcement, is not adopted and the Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in place of IRC Chapter 1, Part 2, Administration and Enforcement. Provided, that Chapters 11 and 25 through 43 of the International Residential Code are not adopted. Provided, that the energy code is regulated by WAC Chapter 51-11R; the plumbing code is regulated by WAC Chapter 51-56; the electrical code is regulated as adopted by MICC 17.13.020. Provided, that the standards for liquefied petroleum gas installations shall be ~~2017~~ 2020 NFPA 58 (Liquefied Petroleum Gas Code) and ~~2018-2021~~ NFPA 54 (National Fuel Gas Code). Provided, that all other fuel gas installations shall be regulated by the International Mechanical Code and International Fuel Gas Code. Provided, that Appendix AF, Radon Control Methods, Appendix AQ, Tiny ~~Homes~~Houses, and Appendix U, Dwelling Unit Fire Sprinkler Systems, and Appendix V, Fire Sprinklers, are adopted. The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

Exceptions. The provisions of this code do 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 either 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 do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rule adopted under RCW Chapter 70.114A or RCW Chapter 37, Laws of 1998 (SB 6168). "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" under RCW 70.54.110.

17.02.020 Amendments and additions.

A. *IRC Table R301.2(1) Amended.* International Residential Code Table R301.2(1) is hereby amended to read as follows:

TABLE R301.2**CLIMATIC AND GEOGRAPHIC DESIGN CRITERIA**

<u>GROUND SNOW LOAD^a</u> <u>(psf)</u>	<u>WIND DESIGN</u>				<u>SEISMIC DESIGN CATEGORY</u>	<u>SUBJECT TO DAMAGE FROM</u>			<u>ICE BARRIER UNDERLAYMENT REQUIRED</u>	<u>FLOOD HAZARD^e</u>	<u>AIR FREEZING INDEX</u>	<u>MEAN ANNUAL TEMP</u>
	<u>Speed^b</u> <u>(mph)</u>	<u>Topographic effects^c</u>	<u>Special wind region</u>	<u>Windborne debris zone</u>		<u>Weathering^d</u>	<u>Frost line depth</u>	<u>Termite</u>				
<u>25</u>	<u>98</u>	<u>Yes</u>	<u>No</u>	<u>No</u>	<u>D2</u>	<u>Moderate</u>	<u>12"</u>	<u>Slight to Moderate</u>	<u>No</u>	<u>NA</u>	<u>113</u>	<u>53 °F</u>
<u>MANUAL J DESIGN CRITERIA</u>												
<u>Elevation</u>		<u>Altitude correction factor</u>		<u>Coincident wet bulb</u>		<u>Indoor winter design dry-bulb temperature</u>	<u>Indoor winter design dry-bulb temperature</u>	<u>Outdoor winter design dry-bulb temperature</u>	<u>Heating temperature difference</u>			
<u>338 feet</u>		<u>0.99</u>		<u>66 °F</u>		<u>72 °F</u>	<u>72 °F</u>	<u>24 °F</u>	<u>48 °F</u>			
<u>Latitude</u>		<u>Daily Range</u>		<u>Indoor summer design relative humidity</u>		<u>Summer design gains 50% RH</u>	<u>Indoor summer design dry-bulb temperature</u>	<u>Outdoor summer design dry-bulb temperature</u>	<u>Cooling temperature difference</u>			
<u>47°34'39"</u>		<u>M</u>		<u>50%</u>		<u>5</u>	<u>75 °F</u>	<u>83 °F</u>	<u>8 °F</u>			

a. _____ This is the minimum roof snow load. When using this snow load it will be left to the engineer's judgment whether to consider drift or sliding snow. However, rain on snow surcharge of 5 psf must be considered for roof slopes less than 5 degrees.

b. _____ The basic wind speed is determined from the basic wind speed map in Figure R301.2(2). Wind exposure category shall be determined on a site-specific basis in accordance with Section R301.2.1.4.

c. _____ Topographic effects (Wind Speed-up Kzt factor) shall be determined on a site-specific basis in accordance with Section R301.2.1.5.

d. _____ Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The grade of masonry units shall be determined from ASTM C34, C55, C62, C73, C90, C129, C145, C216 or C652.

e. The City of Mercer Island participates in the National Flood Insurance Program (NFIP); Regular Program (No Special Flood Hazard Area). Further NFIP participation information: CID 530083, Initial FHBM Identified 06/28/74, Initial FIRM Identified 05/16/95, Current Effective Map Date (NSFHA), Reg-Emer Date 06/30/97, 53033C0654G effective 8/19/2020.

IRC Table R301.2(1)
Climatic and Geographic Design Criteria

ROOF SNOW LOAD ^a (psf)	WIND DESIGN				SEISMIC DESIGN CATEGORY	SUBJECT TO DAMAGE FROM			OUTSIDE DESIGN TEMP(F) — HEAT/COOL	ICE BARRIER UNDER- LAYMENT REQUIRED	FLOOD HAZARDS ^e	AIR FREEZING INDEX	MEAN ANNUAL TEMP
	Speed ^b (mph)	Topographic effects ^c	Special wind region	Windborne debris zone		Weathering ^d	Frost Line Depth	Termite					
25	110	Yes	No	No	D2	Moderate	12"	Slight to Moderate	83/24	No	N.A.	113	53
MANUAL J DESIGN CRITERIA													
Elevation			Latitude	Winter heating	Summer cooling	Altitude correction factor	Indoor design temperature		Design temperature cooling		Heating temperature difference		
338 feet			47° 34'39"	72°F max	75°F min	0.99	72°F		75°F		48°F		
Cooling temperature difference			Wind velocity heating	Wind velocity cooling	Coincident wet bulb	Daily range		Winter humidity		Summer humidity			
8°F			N.A.	N.A.	66	Medium		75%		68%			

^a—This is the minimum roof snow load. When using this snow load it will be left to the engineer's judgment whether to consider drift or sliding snow. However, rain on snow surcharge of 5 psf must be considered for roof slopes less than 5 degrees.

^b—The 110 mph Ultimate Design Wind Speed (3-second gust) as adopted by the 2018 IRC/ASCE 7-10 (or if using the IBC for structural design, the 98 mph Basic Design Wind Speed as adopted by the 2018 IBC/ASCE 7-16 may be used).

^c—Wind exposure category and Topographic effects (Wind Speed up Kzt factor) shall be determined on a site-specific basis by the Engineer of Record (components and cladding need not consider topographic effects unless otherwise determined by the engineer of record).

^d—Weathering may require a higher strength concrete or grade of masonry than necessary to satisfy the structural requirements of this code. The grade of masonry units shall be determined from ASTM C 34, C 55, C 62, C 73, C 90, C 129, C 145, C 216 or C 652.

^e—The City of Mercer Island participates in the National Flood Insurance Program (NFIP); Regular Program (No Special Flood Hazard Area). Further NFIP participation information: CID 530083, Initial FHBM Identified 06/28/74, Initial FIRM Identified 05/16/95, Current Effective Map Date (NSFHA), Reg-Emer Date 06/30/97, 53033C0654G effective 8/19/2020.

B. **IRC AV107.2 Added.** International Residential Code Appendix V, Section AV107.2 is hereby added as follows:

AV107.2 Fire sprinklers in Existing Buildings. An approved automatic fire sprinkler system shall be installed throughout the residence in existing one-family and two-family dwellings (and townhouses) in accordance with Appendix U when undergoing a remodel or addition when the

construction value of all additions, alterations or repairs performed within a sixty-month period exceeds 50% of the value of the residence. Value shall be determined by a method approved by the fire code official.

C. *IRC AV107.3 Added.* International Residential Code Appendix V, Section AV107.3 is hereby added as follows:

AV107.3 Household Fire Alarm System. An approved Household Fire Alarm System shall be installed throughout the residence in existing one-family and two-family dwellings (and townhouses) that have deficiencies in Fire Flow, hydrants or access. This system shall be installed in accordance with NFPA 72 chapter 29 when undergoing a remodel or addition when the construction value of all additions, alterations or repairs performed within a sixty-month period is within 10% to 50% of the value of the residence. Value shall be determined by a method approved by the fire code official.

(Ord. 21C-01 § 1 (Exh. A); Ord. 17C-01 § 2; Ord. 16C-04 § 2; Ord. 13C-06 § 2; Ord. 10C-03 § 2)

Chapter 17.03 INTERNATIONAL MECHANICAL CODE

17.03.010 Adoption.

The ~~2018~~ 2021 Edition of the International Mechanical Code (IMC), as adopted and amended by the State Building Code Council in WAC Chapter 51-52, as published by the International Code Council, is adopted by reference with the following additions, deletions and exceptions. Provided, that Chapter 1, Part 2, Administration and Enforcement, is not adopted and the Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in place of IMC Chapter 1, Part 2, Administration and Enforcement. Provided, that the installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code. Provided, that detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code. Provided, that the standards for liquefied petroleum gas installations shall be the ~~2017~~ 2020 Edition of NFPA 58 (Liquefied Petroleum Gas Code) and the ~~2018~~ 2021 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code). References in this code to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington State under WAC Chapter 388-78A and Group I-1, Condition 2 residential treatment facilities licensed by Washington State under WAC Chapter 246-337. The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

Exceptions. The provisions of this code do 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 either frost protection or increased heat retention. A temporary growing structure is not considered a building for purposes of this code.

Conflicts. In the case of conflict between the duct sealing or insulation requirements of Section 603 or Section 604 of this code and the duct sealing or insulation requirements of WAC Chapter 51-11C, the Washington State Energy Code, the provisions of the energy codes shall govern.

(Ord. 21C-01 § 1 (Exh. A); Ord. 16C-04 § 3; Ord. 13C-06 § 3; Ord. 10C-03 § 3; Ord. 07C-04 § 4; Ord. 04C-12 § 4)

Chapter 17.04 NATIONAL FUEL GAS CODE (NFPA 54)

17.04.010 Adoption.

The ~~2018~~ 2021 Edition of the National Fuel Gas Code (ANSI Z223.1/NFPA 54), as adopted by the State Building Code Council in WAC Chapter 51-52, as published by NFPA, is adopted by reference. The Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be applied for the administration of this code. The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

(Ord. 21C-01 § 1 (Exh. A); Ord. 16C-04 § 4; Ord. 13C-06 § 4; Ord. 10C-03 § 4; Ord. 07C-04 § 5; Ord. 04C-12 § 4)

Chapter 17.05 LIQUEFIED PETROLEUM GAS CODE (NFPA 58)

17.05.010 Adoption.

The ~~2017~~ 2020 Edition of the Liquefied Petroleum Gas Code (NFPA 58), as adopted by the State Building Code Council in WAC Chapter 51-52, as published by NFPA, is adopted by reference. The Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be applied for the administration of this code. The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

(Ord. 21C-01 § 1 (Exh. A); Ord. 16C-04 § 5; Ord. 13C-06 § 5; Ord. 10C-03 § 5; Ord. 07C-04 § 6; Ord. 04C-12 § 4)

Chapter 17.06 INTERNATIONAL FUEL GAS CODE

17.06.010 Adoption.

The ~~2018~~ 2021 Edition of the International Fuel Gas Code (IFGC), as adopted by the State Building Code Council in WAC Chapter 51-52, as published by the International Code Council, excluding Chapter 1, Part 2, Administration and Enforcement, is adopted by reference. The Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in place of IFGC Chapter 1, Part 2, Administration and Enforcement. Provided, that detached and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code. Provided, that the standards for liquefied petroleum gas installations shall be the ~~2017~~ 2020 Edition of NFPA 58 (Liquefied Petroleum Gas Code) and the ~~2018~~ 2021 Edition of ANSI Z223.1/NFPA 54 (National Fuel Gas Code). The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

(Ord. 21C-01 § 1 (Exh. A); Ord. 16C-04 § 6; Ord. 13C-06 § 6; Ord. 10C-03 § 6; Ord. 07C-04 § 7; Ord. 04C-12 § 4)

17.06.020 Reserved.

Editor's note(s)—Ord. 21C-01 repealed § 17.06.020 which pertained to amendments and additions.

Chapter 17.07 INTERNATIONAL FIRE CODE

17.07.010 Adoption.

The ~~2018~~2021 Edition of the International Fire Code (IFC), as adopted and amended by the State Building Code Council in WAC Chapter 51-54, as published by the International Code Council, is adopted by reference, together with the amendments and additions set forth below. The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

The following appendices of the ~~2018~~2021 Edition of the International Fire Code are also adopted by reference: Appendix B — Fire-Flow Requirements for Buildings; Appendix C — Fire Hydrant Locations and Distribution; Appendix D — Fire Apparatus Access Roads; and Appendix J — Building Information Sign.

The geographic limits referred to in certain sections of the ~~2018~~2021 International Fire Code are hereby established as follows:

Section 6104.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): Zones TC, MF-2, MF-3 and PI as defined in MICC Title 19, Unified Land Development Code.

~~The 2018 International Wildland Urban Interface Code is included in this code as Section 8200 with amendments found in Appendix Chapter N.~~

Exceptions. The provisions of this code do 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 either 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 do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rule adopted under RCW Chapter 70.114A or Chapter 37, Laws of 1998 (2SSB 6168). "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" under RCW 70.54.110. The manufacture, storage, handling, sale and use of fireworks shall be governed by RCW Chapter 70.77 and by WAC Chapter 212-17 and local ordinances consistent with WAC Chapter 212-17.

(Ord. 21C-01 § 1 (Exh. A); Ord. 18C-05 § 1 (Att. A); Ord. 16C-04 § 7; Ord. 13C-06 § 7; Ord. 10C-03 § 7; Ord. 07C-04 § 8; Ord. 04C-12 § 4)

17.07.020 Amendments and additions.

- A. *IFC Section 102.7 Amended — Referenced Codes and Standards.* Section 102.7 of the International Fire Code is hereby amended to read as follows:

Section 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 80. 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. Where differences occur between the provisions of this code and the referenced standards, the provisions of this code shall apply.

- B. *IFC Section 104.1.2 Added — Indigent Housing Guidelines.*

104.1.2 Indigent Housing Guidelines. The fire code official is hereby authorized to develop a policy regarding application and exemption of construction codes for temporary homeless shelters in accordance with WAC 51-16-030 Exemptions for indigent housing guidelines, now or as hereafter amended.

- C. *IFC Section ~~104.10.4~~104.11.1 Amended — General Authority and Responsibilities, Assistance from Other Agencies.* Section ~~104.10.4~~104.11.1 of the International Fire Code is hereby amended to read as follows:

Section ~~104.10.4~~104.11.1 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 when requested to do so by the fire code official.

- D. *IFC Section 104.11.2 Amended — General Authority and Responsibilities, Obstructing Operations.* Section 104.11.2 of the International Fire Code is hereby amended to read as follows:

Section 104.11.2 Obstructing operations. No person shall obstruct the operations of the fire department in connection with extinguishment, control, or investigation of any fire, or actions relative to other emergencies, or disobey any lawful command of the fire chief or officer of the fire department in charge of the emergency, or any part thereof, or any lawful order of a police officer assisting the fire department.

- E. *IFC Section 105.1.74 Added — Permits, Construction Permit Fees.* Section 105.1.4 of the International Fire Code is hereby added to read as follows:

Section 105.1.74 Construction permit fees. Fees will be assessed for each construction permit issued under this Code. Fees shall be established by resolution of the city council.

- F. *IFC Section 105.1.85 Added — Permits, Operational Permit Fees.* Section 105.1.5 of the International Fire Code is hereby added to read as follows:

Section 105.1.85 Operational permit fees. Fees may be charged annually for each type of operational permit. Fees shall be established by resolution of the city council.

- G. *IFC Section 105.6.49 Added — Food Trucks.* Section 105.6.49 of the International Fire Code is hereby added to read as follows:

~~**Section 105.6.49. An operational permit is required to operate a food truck.**~~

- H. *IFC Section 105.6.30 Amended — Mobile Food Preparation Vehicles.* Section 105.6.30 of the International Fire Code is hereby amended to read as follows:

Mobile Food Preparation Vehicle. Mobile food preparation vehicles that are equipped with appliances that produce smoke or grease-laden vapors or utilize LP-gas systems or CNG systems for the purpose of preparing and serving food to the public. Vehicles intended for private recreation shall not be considered mobile food preparation vehicles.

~~**104.6.30-105.3.9.**~~ Valid operational permits issued by any other Municipality, County, or Authority Having Jurisdiction may be considered upon approval of the Fire Marshal and are maintained in accordance with the conditions of the original permit.

- I. *IFC Section 105.6.257-26 Added — Emergency Power Supply Systems.* Section 105.7.26 of the International Fire Code is hereby added to read as follows:

Section 105.6.257-26 Emergency Power Supply Systems. A construction permit is required for the installation of a required emergency power supply system that provides emergency power for any life safety device or system. Examples as follows but not limited to elevators, escalators, systems to prevent explosions or detonations, life maintaining medical systems, etc.

- J. *IFC 106.8 Amended — Overcrowding.* Section 108.6 of the International Fire Code is hereby amended to read as follows:

Section 108.6 Overcrowding. Overcrowding or admittance of any person beyond the approved capacity of a building or portion thereof shall not be allowed. The fire code official, upon finding any overcrowding

conditions or obstruction in aisles passageways or other means of egress, or upon finding any condition which constitutes a life safety hazard, shall be authorized to direct actions to reduce the overcrowding or to cause the event to be stopped until such condition or obstruction is corrected.

- K. ~~IFC 108.7 Amended — Unauthorized Tampering. Section 108.7 of the International Fire Code is hereby amended to read as follows:~~

~~Section 108.7 Unauthorized Tampering. Signs, tags, or seals posted or affixed by the fire code official or their designee shall not be mutilated, destroyed, or tampered with or removed without authorization from the fire code official.~~

IFC Section 109.3.1 Added- Timeliness of report filing. Section 109.3.1 of the International Fire Code is hereby added to read as follows:

Section 109.3.1 Timeliness of report filing. Fire/life safety system confidence testing reports shall be submitted within seven business days of the inspection or maintenance completion. Systems with impairments or "red-tagged" systems must also be reported immediately using the current mandatory impaired system(s) reporting process established by the Fire Code Official. Reports that are not submitted in a timely manner are subject to additional staff time recovery fees at the established rate with a one hour minimum.

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- L. ~~IFC Section 109.1-111.1 Amended — Board of Appeals, Board of Appeals Established. Section 109.1-111.1 of the International Fire Code is hereby amended to read as follows:~~

~~Section 109.1-111.1 General. Hearing Examiner authority over appeals.. The hearing examiner shall hear and decide appeals of orders, decisions or determinations made by the fire code official relative to the application and interpretation of the International Fire Code. Appeals shall follow the process described in MICC 17.14.020 and 19.15.130.~~

- M. ~~IFC Section 109.2-111.2 Amended — Board of Appeals, Limitations on Authority. Section 109.2-111.2 of the International Fire Code is hereby amended to read as follows:~~

~~Section 109.2-111.2 Limitations on authority. An application for appeal shall be based on a claim that the true intent of the International Fire Code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of the International Fire 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 administrative provisions of the International Fire Code nor shall the hearing examiner have the authority to waive requirements of either this code or of other codes, appendices and referenced code standards adopted by or through this code.~~

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IFC Section 111.3 Amended- Qualifications. Section 111.3 of the International Fire Code is hereby amended to read as follows:

Section 111.3 Hearing Examiner. Appeals of orders or decisions or determinations made by the fire code official shall be made to the hearing examiner. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder has been incorrectly interpreted, the provisions of this code do not fully apply, or an equally good or better solution is proposed. The hearing examiner shall have not authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner be empowered to waive requirements of either this code or the technical codes

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which are the codes, appendices, and referenced code standards adopted by the City. Appeals shall follow the process described in MICC 17.14.020 and 19.15.130.

IFC Section 112.4 Amended- Violations penalties. Section 112.4 of the International Fire Code is hereby amended to read as follows:

112.4 Violation penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair or do work in violation of the approved construction documents or directive of the fire code official, or of a permit or certificate used under provision of this code shall be subject to the City of Mercer Island Code Enforcement actions and penalties as prescribed by outlined in title 6, section 6.10.050 of the MICC Ch. 6.10, Code Compliance.

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IFC Section 113.4 Amended- Failure to comply. Section 113.4 of the International Fire Code is hereby amended to read as follows:

113.4 Failure to comply. Any person who shall continue any work after having been serviced with a stop work order, except such work as that person is directed to preform to remove a violation or unsafe condition, shall be subject to the provisions of MICC Section(s) 6.10.050.

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- N. *IFC Section 202 Amended — Definitions, High-Rise Building.* Section 202 of the International Fire Code is hereby amended to read as follows:

HIGH-RISE BUILDING. A building with an occupied floor or rooftop located more than 75 feet (22,860 mm) above the lowest level of fire department vehicle access.

- O. *IFC Section 307 Amended — Open Burning, Recreational Fires, and Portable Outdoor Fireplaces.* Section 307 of the International Fire Code is hereby amended to read as follows:

307.1 General. A person shall not kindle or maintain or authorize to be kindled or maintained any open burning unless conducted and approved in accordance with Sections 307.1.1 through 307.5

307.1.1 Prohibited open burning. Open burning shall be prohibited at all times in compliance with a permanent ban on open burning established by the Puget Sound Clean Air Agency in September of 1992.

Exceptions:

1. Bonfires
2. Recreational Fires
3. Portable outdoor fireplaces
4. Fire Department Training Fires

307.2 Permit Required. A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to conducting a bonfire, recreational fire or portable outdoor fireplace fire. Application for such approval shall only be presented by and permits issued to the owner of the land in which the fire is to be kindled.

307.2.1 Bans on fires due to air quality or fire danger. If the Puget Sound Clean Air Agency issues a ban due to air quality, or if a fire and life safety burn ban is issued by the City of Mercer Island and/or the King County Fire Marshal's Office all fires are prohibited. It is the responsibility of the property owner where the fire is to be constructed to ensure no such ban exists prior to starting any fire.

307.3 Extinguishment authority. When any fire creates or adds to a hazardous situation, permit conditions are not adhered to, or a required permit has not been obtained, the fire code official is authorized to order the extinguishment of the fire.

307.4 Location. The location for the fires shall be as follows:

307.4.1 Bonfires. A bonfire shall not be constructed within 50 feet (15240 mm) of a structure or combustible material unless the fire is contained in a barbeque pit. Conditions which could cause a fire to spread within 50 feet (15244 mm) of a structure shall be eliminated prior to ignition.

307.4.2 Recreational Fires. Recreational fires shall not be constructed within 25 feet (7620 mm) of a structure or combustible material. Conditions that could cause a fire to spread within 25 feet (7620 mm) of a structure shall be eliminated prior to ignition.

307.4.3 Portable Outdoor Fireplaces. Portable outdoor fireplaces shall be used in accordance with the manufacturer's instructions and shall not be operated within 15 feet (3048 mm) of a structure or combustible material.

307.5 Attendance. Bonfires, recreational fires and use of portable fireplaces shall be constantly attended until the fire is extinguished. Not fewer than one portable fire extinguisher complying with Section 906 with a minimum of 4-A rating or other approved on-site fire-extinguishing equipment, such as dirt, sand, water barrel, garden hose or water truck, shall be available for immediate utilization.

- P. *IFC Section 308.3 Amended — Open Flames, Group A Occupancies.* Section 308.3 of the International Fire Code is hereby amended to read as follows:

Section 308.3 Group A occupancies. Open-flame devices shall not be used in a Group A occupancy.

Exceptions:

1. Open-flame devices are allowed to be used in the following situations, provided approved precautions are taken to prevent ignition of a combustible material or injury to occupants:
 - 1.1. Where necessary for ceremonial or religious purposes in accordance with Section 308.1.7.
 - 1.2. On stages and platforms as a necessary part of a performance in accordance with Section 308.3.2.
 - 1.3. Where candles on tables are securely supported on substantial noncombustible bases and the candle flames are protected.
2. Heat-producing equipment complying with Chapter 6 and the International Mechanical Code.
3. Gas lights are allowed to be used provided adequate precautions satisfactory to the fire code official are taken to prevent ignition of combustible materials.
4. Where approved by the fire code official.

- Q. *IFC Section 314.4 Added — Indoor Displays, Vehicles.* Section 314.4 of the International Fire Code is hereby amended 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:

1. Batteries are disconnected.
2. Fuel in fuel tanks does not exceed one-quarter tank or 5 gallons (19 L) (whichever is least).
3. Fuel tanks and fill openings are closed and sealed to prevent tampering.
4. Vehicles, fueled equipment, boats or other motor craft are not fueled or defueled within the building.

- R. *IFC Section 401 — Amended Evacuation Required.* Section 401.9 of the International Fire Code is hereby amended to read as follows:

Section 401.9 Evacuation required. In the event of activation of a fire, emergency alarm, or at the direction of the fire code official, occupants of the building or portion of the building in which the alarm is activated shall make a safe and orderly evacuation out of the building, or as provided in the building's fire safety and evacuation or high-rise operations plan.

Exceptions:

1. Where the occupant's physical or other disability make the occupant unable to evacuate without assistance and no assistance is immediately available, or;
 2. Where the presence of smoke, fire, structural collapse or other hazard or obstruction in the occupant's means of egress make evacuation unsafe.
- S. *IFC Section 501.1 Amended — General, Scope.* Section 501.1 of the International Fire Code is hereby amended to read as follows:

Section 501.1 Scope. Fire service features for buildings, structures and premises shall comply with this chapter. The requirements in this chapter may be modified by the fire code official if other approved fire-protection features are provided.

- T. *IFC Section 503 Amended — Fire Apparatus Access Roads.* Section 503 of the International Fire Code is hereby adopted and amended to read as follows:

Section 503.1 Where required. Fire apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.3 and/or local street, road and access standards as determined by the fire code official.

503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45,720 mm) of all portions of the facility and all portions of the exterior walls of the first story of the building as measured by an approved route around the exterior of the building or facility.

Exception: The fire code official is authorized to increase the dimension of 150 feet (45,720 mm) where:

1. The building is equipped throughout with an approved automatic sprinkler system installed in accordance with Sections 903.3.1.2 or 903.3.1.3 for 1 and 2 family dwellings or Section 903.3.1.1 for all other buildings.
2. Fire apparatus access roads cannot be installed because of location on property, topography, waterways, nonnegotiable grades or other similar conditions, and an approved alternative means of fire protection is provided.

503.1.2 Additional access. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

503.1.3 High-piled storage. Fire department vehicle access to buildings used for high-piled combustible storage shall comply with the applicable provisions of Chapter 32.

503.2 Specifications. Fire apparatus access roads shall be installed and arranged in accordance with Sections 503.2.1 through 503.2.2.

503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Appendix D Section D103.5, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm).

503.2.2 Authority. The fire code official shall have the authority to require an increase in the minimum access widths where they are inadequate for fire or rescue operations.

503.4 Obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in Section 503.2.1 shall be maintained at all times.

503.4.1 Traffic calming devices. Traffic calming devices shall be prohibited unless approved by the fire code official.

- U. *IFC Section 505.1 Amended — Address Identification.* Section 505.1 of the International Fire Code is hereby amended to read as follows:

Section 505.1 — Address identification. New and existing buildings shall be provided with approved address identification. The address identification shall be legible and placed in a position that is visible from the street or road fronting the property. Address identification characters shall contrast with their background. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall not be spelled out. Each character shall be not less than six (6) inches high with a minimum stroke width of 1/2 inch. Where required by the fire code official, address identification shall be provided in additional approved locations to facilitate emergency response. Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address identification shall be maintained.

- V. *IFC Section 507.3 Amended — Fire Protection Water Supplies, Fire-Flow.* Section 507.3 of the International Fire Code is hereby amended to read as follows:

Section 507.3 Fire-flow. Fire-flow requirements for buildings or portions of buildings and facilities shall be determined by an approved method and Appendix B.

Exceptions:

1. Fire-flow is not required for structures under 500 square feet with a B, U or R-1 occupancy where structures are at least 30 feet from any other structure and are used only for recreation.
2. In rural and suburban areas in which adequate and reliable water supply systems do not exist, the fire code official is authorized to utilize NFPA 1142 or the International Wildland-Urban Interface Code.

- W. *IFC Section 507.5.1 Amended — Fire Hydrant Systems, Where Required.* Section 507.5.1 of the International Fire Code is hereby amended to read as follows:

Section 507.5.1 Where required. Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 150 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exception:

For buildings, one- and two-family dwellings and Group R-3 and Group U occupancies equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1, 903.3.1.2, or 903.3.1.3, the distance requirement shall be 600 feet (183 m).

- X. *IFC Section 507.5.1.1 Amended — Hydrant for Standpipe Systems.* Section 507.5.1.1 of the International Fire Code is hereby amended to read as follows:

507.5.1.1 Hydrant for standpipe and fire sprinkler systems. Buildings equipped with a standpipe system installed in accordance with Section 905 or a fire sprinkler system installed in accordance with Section 903 shall have a fire hydrant within 15 feet of the fire department connections.

Exception: The distance shall be permitted to exceed 15 feet where approved by the fire code official.

- Y. *IFC Section 510 Amended — Emergency Responder Radio Coverage.* Section 510 of the International Fire Code is hereby amended to read as follows:

510.1 Emergency responder radio coverage in new buildings. Approved radio coverage for emergency responders within the building meeting any of the following conditions:

1. High rise buildings;
2. The total building area is 50,000 square feet or more;
3. The total basement area is 10,000 square feet or more; or
4. Buildings or structures where the Fire or Police Chief determined that in-building radio coverage is critical because of its unique design, location, or occupancy.

The radio coverage system shall be installed in accordance with Sections 501.4 through 510.5.5 of this code and within the provision of NDPA 1221 (2019). This section shall not require the improvement of the existing public safety communication systems.

When determining if the minimum signal strength referenced 510.4.1.1 exists at a subject building, the signal strength shall be measured at any point on the exterior of the building up to the highest point of the roof.

Exceptions:

1. Buildings and areas of buildings that have a minimum radio coverage signal strength of the King County Regional 800 MHz Radio System within the building in accordance with Section 510.4.1 without the use of a radio coverage system.
2. In facilities where emergency responder radio coverage is required and such systems, components or equipment required could have a negative impact on the normal operations of that facility, the fire code official shall have the authority to accept an automatically activated emergency responder radio coverage system.
3. One- and two-family dwellings and townhouses.
4. Subject to the approval of the fire code official, and upon adoption of the local jurisdiction, buildings other than high-rise buildings, colleges, universities and buildings used primarily occupied by Group E or I occupancies that have completed a Mobile Emergency Radio Coverage application and submitted payment as outlined in the application.

510.4.1 Emergency responder communication enhancement system signal strength. The building shall be considered to have acceptable emergency responder communications enhancement system coverage when signal strength measurements in 95 percent of all areas on each floor of the building meet the signal strength requirements in Sections 510.4.1.1 through 510.4.1.3.

Exception: Critical areas, such as the fire command center(s), the fire pump room(s), interior exit stairways, exit passageways, elevator lobbies, standpipe cabinets, sprinkler sectional valve locations, and other areas required by the fire code official, shall be provided with 99 percent floor area radio coverage.

510.4.1.1 Minimum signal strength into the building. The minimum inbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The inbound signal level shall be a minimum of -95 dBm in 95% of the coverage area and 99% in critical areas and sufficient to provide not less than a Delivered Audio Quality (DAQ) of 3.0 or an equivalent Signal-to-Interference-Plus-Noise Ratio (SINR) applicable to the technology for either analog or digital signals.

510.4.1.2 Minimum signal strength out of the building. The minimum outbound signal strength shall be sufficient to provide usable voice communications throughout the coverage area as specified by the fire code official. The outbound signal level shall be sufficient to provide not less than a DAQ of 3.0 or an equivalent SINR applicable to the technology for either analog or digital signals. A minimum signal strength of -95 dBm shall be received by the King County Regional 800 MHz Radio System when transmitted from within the building.

510.4.2 System design. The emergency responder radio coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA 1221 (2019).

510.4.2.1 Amplification systems and components. Buildings and structures that cannot support the required level of radio coverage shall be equipped with systems and components to enhance the public safety radio signals and achieve the required level of radio coverage specified in Sections 510.4.1 through 510.4.1.3. Public safety communications enhancement systems utilizing radio-frequency-emitting devices and cabling shall be allowed by the Public Safety Radio System Operator. Prior to installation, all RF-emitting devices shall have the certification of the radio licensing authority and be suitable for public safety use.

510.4.2.2 Technical criteria. The Public Safety Radio System Operator shall provide the various frequencies required, the location of radio sites, the effective radiated power of radio sites, the maximum propagation delay in microseconds, the applications being used and other supporting technical information necessary for system design upon request by the building owner or owner's representative.

510.4.2.3 Power supply sources. Emergency responder radio coverage systems shall be provided with dedicated standby batteries or provided with 2-hour standby batteries and connected to the facility generator power system in accordance with Section 1203. The standby power supply shall be capable of operating the emergency responder radio coverage system at 100-percent system capacity for a duration of not less than 12 hours.

510.4.2.4 Signal booster requirements. If used, signal boosters shall meet the following requirements:

1. All signal booster components shall be contained in a National Electrical Manufacturer's Association (NEMA) 4, IP66-type waterproof cabinet or equivalent.

Exception: Listed battery systems that are contained in integrated battery cabinets.

2. Battery systems used for the emergency power source shall be contained in a NEMA 3R or higher-rated cabinet, IP65-type waterproof cabinet or equivalent.
3. Equipment shall have FCC or other radio licensing authority certification and be suitable for public safety use prior to installation.
4. Where a donor antenna exists, isolation shall be maintained between the donor antenna and all inside antennas to not less than 20 dB greater than the system gain under all operating conditions.
5. Bi-Directional Amplifiers (BDAs) used in emergency responder radio coverage systems shall be fitted with anti-oscillation circuitry and per-channel AGC.
6. The installation of amplification systems or systems that operate on or provide the means to cause interference on any emergency responder radio coverage networks shall be coordinated and approved by the Public Safety Radio System Operator.
7. Unless otherwise approved by the Public Safety Radio System Operator, only channelized signal boosters shall be permitted.

Exception: Broadband BDA's may be utilized when specifically authorized in writing by the Public Safety Radio System Operator.

510.4.2.5 System monitoring. The emergency responder radio enhancement system shall include automatic supervisory and trouble signals that are monitored by a supervisory service and are annunciated by the fire alarm system in accordance with NFPA 72. The following conditions shall be separately annunciated by the fire alarm system, or, if the status of each of the following conditions is individually displayed on a dedicated panel on the radio enhancement system, a single automatic supervisory signal may be annunciated on the fire alarm system indicating deficiencies of the radio enhancement system:

1. Loss of normal AC power supply.
2. System battery charger(s) failure.
3. Malfunction of the donor antenna(s).

4. Failure of active RF-emitting device(s).
5. Low-battery capacity at 70-percent reduction of operating capacity.
6. Active system component malfunction.
7. Malfunction of the communications link between the fire alarm system and the emergency responder radio enhancement system.

510.5 Installation requirements. The installation of the public safety radio coverage system shall be in accordance with NFPA 1221 and Sections 510.5.1 through 510.5.7.

510.5.1 Approval prior to installation. Amplification systems capable of operating on frequencies licensed to any public safety agency by the FCC or other radio licensing authority shall not be installed without prior coordination and approval of the Public Safety Radio System Operator.

510.5.2 Minimum qualifications of personnel. The minimum qualifications of the system designer and lead installation personnel shall include both of the following:

1. A valid FCC-issued general radio telephone operators' license.
2. Certification of in-building system training issued by an approved organization or approved school, or a certificate issued by the manufacturer of the equipment being installed.

510.5.3 Acceptance test procedure. Where an emergency responder radio coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is in accordance with Section 510.4.1. The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas, with a maximum test area size of 6,400 square feet. Where the floor area exceeds 128,000 square feet, the floor shall be divided into as many approximately equal test areas as needed, such that no test area exceeds the maximum square footage allowed for a test area.
2. Coverage testing of signal strength shall be conducted using a calibrated spectrum analyzer for each of the test grids. A diagram of this testing shall be created for each floor where coverage is provided, indicating the testing grid used for the test in Section 510.5.3(1), and including signal strengths and frequencies for each test area. Indicate all critical areas.
3. Functional talk-back testing shall be conducted using two calibrated portable radios of the latest brand and model used by the agency's radio communications system or other equipment approved by the fire code official. Testing shall use Digital Audible Quality (DAQ) metrics, where a passing result is a DAQ of 3 or higher. Communications between handsets shall be tested and recorded in the grid square diagram required by section 510.5.3(2): each grid square on each floor; between each critical area and a radio outside the building; between each critical area and the fire command center or fire alarm control panel; between each landing in each stairwell and the fire command center or fire alarm control panel.
4. Failure of more than 5% of the test areas on any floor shall result in failure of the test.

Exception:

1. Critical areas shall be provided with 99 percent floor area coverage.
5. In the event that two of the test areas fail the test, in order to be more statistically accurate, the floor shall be permitted to be divided into 40 equal test areas. Failure of not more than two nonadjacent test areas shall not result in failure of the test. If the system fails the 40-area test, the system shall be altered to meet the 95-percent coverage requirement.
6. A test location approximately in the center of each test area shall be selected for the test, with the radio enabled to verify two-way communications to and from the outside of the building through the

public agency's radio communications system. Once the test location has been selected, that location shall represent the entire test area. Failure in the selected test location shall be considered to be a failure of that test area. Additional test locations shall not be permitted.

7. The gain values of all amplifiers shall be measured, and the test measurement results shall be kept on file with the building owner so that the measurements can be verified during annual tests. In the event that the measurement results become lost, the building owner shall be required to rerun the acceptance test to reestablish the gain values.
8. As part of the installation, a spectrum analyzer or other suitable test equipment shall be utilized to ensure spurious oscillations are not being generated by the subject signal booster. This test shall be conducted at the time of installation and at subsequent annual inspections.
9. Systems incorporating Class B signal booster devices or Class B broadband fiber remote devices shall be tested using two portable radios simultaneously conducting subjective voice quality checks. One portable radio shall be positioned not greater than 10 feet (3048 mm) from the indoor antenna. The second portable radio shall be positioned at a distance that represents the farthest distance from any indoor antenna. With both portable radios simultaneously keyed up on different frequencies within the same band, subjective audio testing shall be conducted and comply with DAQ levels as specified in Sections 510.4.1.1 and 510.4.1.2.
10. Documentation maintained on premises. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall place a copy of the following records in the DAS enclosure or the building engineer's office. The records shall be available to the fire code official and maintained by the building owner for the life of the system:
 - a. A certification letter stating that the emergency responder radio coverage system has been installed and tested in accordance with this code, and that the system is complete and fully functional.
 - b. The grid square diagram created as part of testing in Sections 510.5.3(2) and 510.5.3(3).
 - c. Data sheets and/or manufacturer specifications for the emergency responder radio coverage system equipment; back up battery; and charging system (if utilized).
 - d. A diagram showing device locations and wiring schematic.
 - e. A copy of the electrical permit.
11. Acceptance test reporting to fire code official. At the conclusion of the testing, and prior to issuance of the building Certificate of Occupancy, the building owner or owner's representative shall submit to the fire code official a report of the acceptance test by way of the department's approved fire records management procedure.

510.6.4 Identification. Radio Coverage system shall be identified by a sign located on or near the Fire Alarm Control Panel stating "This building is equipped with an Emergency Responder Radio Coverage System."

- Z. *IFC Section 602 Amended — Building Services and Systems, Definitions.* Section 602.1, Definitions, of the International Fire Code is hereby amended to read as follows:

POWER TAP is 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 overcurrent protection.

- AA. *IFC Section 901.4 Amended — Installation.* Section 901.4.7 of the International Fire Code is hereby added to read as follows:

901.4.7 Additions, change of use, alterations and repairs to buildings.

901.4.7-1901.4.3.1 Additions or changes of use. Additions or changes of use to existing buildings which would result in a nonconforming building shall cause the building to be brought up to current code

requirements for fire protection systems. Subject to the approval of the fire code official, a phasing plan of up to five years is permitted on sprinkler systems only.

901.4.3.2901.4.7.2 Alterations and repairs. When the value of all alterations or repairs performed within a sixty-month period exceeds 50 percent of the value of the building, the fire extinguishing systems and fire detection systems shall be installed throughout as for new construction. For the purposes of this section, the value of the building shall be determined by an approved method by the fire code official.

BB. *IFC Section 903.2 Amended — Automatic Sprinkler Systems, Where Required.* Section 903.2 of the International Fire Code is hereby amended to read as follows:

Section 903.2 Where required. Approved automatic sprinkler systems shall be installed in all newly constructed buildings and structures with a gross floor area of 5,000 square feet or greater and in the locations described in Sections 903.2.1 through 903.2.12.L.

IFC Section 903.2.9(6)903.2.9(5) Amended — Group S-1. Section 903.2.9(6) of the International Fire Code is hereby amended to read as follows:

903.2.9(6)903.2.9(5)

6. A Group S-1 occupancy used for self-storage where the fire area exceeds 2,500 square feet.

CC. *IFC Section 903.3.1.2 Amended — NFPA 13R Sprinkler Systems.* Section 903.3.1.2 of the International Fire Code is hereby amended to read as follows:

Section 903.3.1.2 NFPA 13R sprinkler systems. Automatic sprinkler systems in one and two family dwellings shall be permitted to be installed throughout in accordance with NFPA 13R. One and two family dwellings 10,000 square feet and larger shall be installed in accordance with NFPA 13R or 13. Systems in accordance with NFPA 13R shall not be installed in R-1 or R-2 Occupancies.

DD. *IFC Section 903.4.3 Amended — Sprinkler System Monitoring and Alarms, Floor Control Valves.* Section 903.4.3 of the International Fire Code is hereby amended to read as follows:

Section 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 NFPA 13R Systems.

EE. *IFC Section 905.8 Added — Standpipe Systems, Dry Standpipes.* Section 905.8 of the International Fire Code is hereby added to read as follows:

Section 905.8 Dry standpipes. Dry standpipes shall not be installed.

Exception: Where subject to freezing and in accordance with NFPA 14 when approved by the Fire Code Official.

FF. *IFC Section 907.2 Added — Where Required—New Buildings and Structures.* Section 907.2 of the International Fire Code is hereby added to read as follows:

907.2 Where required—New buildings and structures. An approved 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. For all newly constructed buildings with a gross floor area of 3,000 or greater square feet an approved manual and automatic fire alarm system shall be installed.

Exceptions:

1. One- and two-family dwellings, Group R-3, Group R-4, and Group U Occupancies having adequate fire-flow and approved access. Dwelling units shall have interconnected single station smoke detectors in accordance with RCW 48.48.140 and WAC Chapter 212-10.

2. Buildings under 10,000 square feet that are protected throughout by an approved and monitored automatic sprinkler system installed in accordance with Section 903.3.1.1 unless required by other sections of this code.

The system shall provide occupant notification in accordance with Section 907.5, unless other requirements are provided by another section of this code.

A minimum of one manual fire alarm box shall be provided in an approved location to initiate a fire alarm signal for fire alarm systems employing automatic fire detectors or water-flow detection devices. Where other sections of this code allow elimination of fire alarm boxes due to sprinklers, a single fire alarm box shall be installed.

Exceptions:

1. The manual fire alarm box is not required for fire alarm systems dedicated to elevator recall control and supervisory service.
2. The manual fire alarm box is not required for Group R-2 occupancies unless required by the fire code official to provide a means for fire watch personnel to initiate an alarm during a sprinkler system impairment event. Where provided, the manual fire alarm box shall not be located in an area that is accessible to the public.

Remodels and tenant improvements. When undergoing remodel and tenant improvements, existing occupancies equipped with smoke detectors that are 10 or more years old shall have all such detectors replaced with modern units. Those occupancies without the protection of smoke detection shall add a manual and automatic fire alarm system in accordance with the applicable requirements in this section and other sections that may apply.

Additions. Additions to existing buildings shall meet the requirements of, Remodels and Tenant improvements, for the whole building and additionally provide the same coverage level to the addition as the rest of the building unless authorized by the Fire Code Official.

- GG. *IFC Section 1103.2 Amended — Emergency Responder Radio Coverage in Existing Buildings.* Section 1103.2 of the International Fire Code is hereby amended to read as follows:

1103.2 Emergency responder radio coverage in existing buildings. Buildings constructed prior to the implementation of this code shall not be required to comply with the emergency responder radio coverage provisions except as follows:

1. Whenever an existing wired communication system cannot be repaired or is being replaced.
2. Buildings identified in Section 510.1 undergoing substantial alteration as determined by the Fire Code Official.
3. When buildings, classes of buildings or specific occupancies do not have minimum radio coverage signal strength as identified in Section 510.4.1 and the Fire or Police Chief determines that lack of minimum signal strength poses an undue risk to emergency responders or occupants that cannot be reasonably mitigated by other means.

- HH. *IFC Section 901.9 Amended — Termination of monitoring service.* Section 901.9 of the International Fire Code is hereby amended to read as follows:

901.9 Termination of monitoring service. For fire alarm systems required to be monitored by this code, notice shall be required to be made to the fire code official whenever alarm monitoring services are terminated. Notice shall be made in writing to the fire code official 30 days prior to the service being terminated.

- II. *IFC Section 1103.11 Amended — Building Information Card.* Section 1103.11 of the International Fire Code is hereby amended to read as follows:

1103.11 Building Information Card. An approved Building Information Card shall be located in each fire command center, high-rise buildings, hospitals, multiple buildings on common platforms, or other target hazard building as determined by the fire code official including, but is not limited to, all of the following information:

1103.11.1 General Building Information. General building information that includes: property name, address, the number of floors in the building above and below grade, use and occupancy classification (for mixed uses, identify the different types of occupancies on each floor) and the estimated building population during the day, night and weekend.

1103.11.2 Building Emergency Contact Information. Building emergency contact information that includes: a list of the building's emergency contacts including but not limited to the building manager, building engineer and tier respective work phone number, cell phone number and email addresses.

1103.11.3 Building Construction Information. Building construction information that includes: the type of the building construction including but not limited to the floors, walls, columns and roof assembly.

1103.11.4 Exit Stairway Information. Exit access stairway and exit stairway information that includes: number of the exit access stairways and exit stairways in building; each exit access stairway and exit stairway designation and floors served; location where each exit access stairway and exit stairway discharges; interior exit stairways that are pressurized; exit stairways provided with emergency lighting; each exit stairway that allows reentry; exit stairways providing roof access; elevator car numbers and respective floors that are served; location of elevator machine room, control rooms and control spaces; location of sky lobby; and location of freight elevator banks.

1103.11.5 Building Services and System Information. Building services and system information that includes location of the mechanical rooms, location of the building management system, location and capacity of all fuel and oil tanks, location of emergency generator and location of natural gas services.

1103.11.6 Fire Protection Information. Fire protection system information that includes location of standpipes, location of the fire pump room, location of fire department connections, floors protected by automatic sprinklers, and location of different types of automatic sprinkler systems installed including but not limited to dry, wet and pre-action.

1103.11.7 Hazardous Material Information. Hazardous material information that includes the location and quantity of hazardous material.

JJ. IFC Section ~~3308.9~~33319.1 Amended — *Job Shacks and Other Temporary Structures*. Section 3308.9 of the International Fire Code is hereby amended to read as follows:

~~3308.9~~33319.1 Job shacks and other temporary structures. Job shacks and other temporary structures located within or less than 20' from the permanent building shall be:

1. Constructed of non-combustible materials or 1-hour fire-restive construction.
2. Shall not be equipped with fuel fired heaters.
3. Shall be equipped with monitored fire alarm system when located below grade.
4. Shall not function as non-associated construction offices unless protected with automatic sprinkler systems.

KK. IFC Section ~~3308.10~~33319 Added — *Additional Requirements*. Section 3308.10 of the International Fire Code is hereby amended to read as follows:

~~3308.10~~33319.1 Additional Requirements for wood-frame buildings more than 50,000 square feet in area.

~~3319.1~~3308.10.1 Job Site Security. The job site shall be secured with controlled access once above grade combustible construction has begun together with off hours guard service, motion-controlled surveillance or both.

LL. *IFC Section 5003.9 Amended — General Requirements, General Safety Precautions.* Section 5003.9 of the International Fire Code is hereby amended to read as follows:

Section 5003.9 General safety precautions. General precautions for the safe storage, handling or care of hazardous materials shall be in accordance with Sections 5003.9.1 through 5003.9.11.

MM. *IFC Section 5003.9.11 Added — Manufacturer's Limitations.* Section 5003.9.11 of the International Fire Code is hereby added to read as follows:

5003.9.11 Manufacturer's Limitations. The storage and use of hazardous materials shall not exceed the manufacturer's limitations on shelf life and any other restrictions on use.

NN. *IFC Section 5307.5.2 Deleted — Carbon Dioxide (CO₂) Systems Used in Beverage Dispensing Applications.* Section 5307.5.2 of the International Fire Code is hereby deleted.

OO. *IFC Appendix B, Section B104.2 Deleted — Fire-Flow Calculation Area, Area Separation.* Appendix B, Section B104.2 of the International Fire Code is hereby deleted.

PP. *IFC Appendix B, Table B105.2 Amended — Required Fire-Flow for Buildings Other Than One- and Two-Family Dwellings, Group R-3 and R-4 Buildings and Townhouses* is hereby added to read as follows:

TABLE B105.2 REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN
ONE- AND TWO-FAMILY DWELLINGS,
GROUP R-3 AND R-4 BUILDINGS AND TOWNHOUSES

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE-FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)
Section 903.3.1.1 of the International Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the International Fire Code	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.

^a The reduced fire-flow shall be not less than 1,500 gallons per minute.

QQ. *IFC Appendix C, Section C102 Amended — Number of Fire Hydrants.* Appendix C, Section C102.2 of the International Fire Code is hereby added to read as follows:

Section C102.2 Sprinkler support hydrants. One or more fire hydrants shall be designated as sprinkler support hydrants and are not included in the required fire hydrant calculations as determined by fire-flow.

RR. *IFC Appendix D, Section D101.1 Amended — General, Scope.* Appendix D, Section D101.1 of the International Fire Code is hereby amended to read as follows:

Section D101.1 Scope. Fire apparatus access roads shall be in accordance with this appendix and all other applicable requirements of the International Fire Code. The requirements in this appendix may be modified by the fire code official if the building is provided with an approved automatic fire sprinkler system and/or other approved fire-protection features.

SS. *IFC Appendix D, Section D105.1 Amended — Where Required.* Appendix D, Section D105.1 of the International Fire Code is hereby amended to read as follows:

D105.1 Where required. Where the vertical distance between the grade plane and the highest roof surface exceeds 30 feet (9,144 mm), approved aerial fire apparatus access roads shall be provided. For purposes of this section, the highest roof surface shall be determined by measurement to the eave of a pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

Exception: One- and two-family dwellings, Group R-3, and Group U Occupancies.

(Ord. 21C-01 § 1 (Exh. A); Ord. 17C-12 § 3; Ord. 17C-01 § 3; Ord. 16C-04 § 7; Ord. 13C-06 § 7; Ord. 10C-03 § 7; Ord. 07C-04 § 9; Ord. 04C-12 § 4)

Chapter 17.08 UNIFORM PLUMBING CODE

17.08.010 Adoption.

The ~~2018~~ 2021 Edition of the Uniform Plumbing Code (UPC), as adopted and amended by the State Building Code Council in WAC Chapter 51-56, as published by the International Association of Plumbing and Mechanical Officials, is adopted by reference with the following additions, deletions and exceptions. Provided, that Chapter 1, Administration, is not adopted and the Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in place of UPC Chapter 1, Administration. Provided, that Chapters 12 and 14 of the Uniform Plumbing Code are not adopted. Provided, that those requirements of the Uniform Plumbing Code relating to venting and combustion air of fuel-fired appliances as found in Chapter 5 and those portions of the code addressing building sewers are not adopted. The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

The following appendices of the ~~2018~~ 2021 Edition of the Uniform Plumbing Code as adopted and amended by the State Building Code Council in WAC Chapter 51-57, as published by the International Association of Plumbing and Mechanical Officials, are also adopted by reference: Appendix A — Recommended Rules for Sizing the Water Supply System; Appendix B — Explanatory Notes on Combination Waste and Vent Systems; Appendix I — Installation Standards; Appendix M — Peak Water Demand Calculator. In addition, Appendix C — Alternate Plumbing Systems, excluding Sections C303.3, C304.0 through C601.9, is adopted by reference.

Conflicts. Where a conflict exists between the provisions of Appendix I and the manufacturer's installation instructions, the conditions of the listing and the manufacturer's installation instructions shall apply.

(Ord. 21C-01 § 1 (Exh. A); Ord. 16C-04 § 8; Ord. 13C-06 § 8; Ord. 10C-03 § 8; Ord. 09C-18 § 1; Ord. 07C-04 § 10; Ord. 04C-12 § 4)

Chapter 17.09 WASHINGTON STATE ENERGY CODE

17.09.010 Adoption.

The 2021 Washington State Energy Code (WSEC), Commercial Provisions and Residential Provisions, as adopted by the State Building Code Council in WAC Chapter 51-11C and 51-11R, ~~is~~ are adopted by reference with the following additions, deletions and exceptions. Provided, that Administration Sections C104, C106, C107, C107 ~~C109~~ through ~~C111-C112, and R102 through R107, and R107-R109~~ through R111-R112 are not adopted and the Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in their place. The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

Exception. The provisions of this code do not apply to temporary growing structures used solely for the commercial production of horticultural plants including ornamental plants, flowers, vegetables, and fruits. A temporary growing structure is not considered a building for the purposes of this code. However, the installation of other than listed, portable mechanical equipment or listed, portable lighting fixtures is not allowed.

(Ord. 21C-01 § 1 (Exh. A); Ord. 16C-04 § 9; Ord. 04C-12 § 4)

Chapter 17.12 UNIFORM HOUSING CODE

17.12.010 Adoption.

The 1997 Edition of the Uniform Housing Code (UHC) as published by the International Council of Building Officials is adopted by reference. References in the Uniform Housing Code to other codes not adopted by MICC title 17 shall be deemed to refer to the most closely corresponding adopted codes and sections, as provided in MICC 17.14.010.

17.12.020 Amendments and additions.

A. UHC Section 701 Amended — Heating and Ventilation. Section 701 of the Uniform Housing Code is hereby amended to read as follows:

UHC 701.1 Heating. Dwelling units, guest rooms and congregate residences shall be provided with heating facilities capable of maintaining a room temperature of 68°F at a point 3 feet above the floor in all habitable rooms. Such facilities shall be installed and maintained in a safe condition and in accordance with applicable sections of the Building Code, Mechanical Code, Energy Code and all other applicable laws. Unvented fuel-burning heaters are not permitted. All heating devices or appliances shall be of an approved type. The installation of one or more portable space heaters shall not be used to achieve compliance with this section.

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Chapter 17.13 WASHINGTON CITIES ELECTRICAL CODE¹

17.13.010 Short title.

This chapter shall be known as the electrical code of the city of Mercer Island, which is hereinafter referred to as the "city of Mercer Island Electrical Code," "electrical code" or as "this chapter."

17.13.020 Adoption.

The 2020 Edition of the Washington Cities Electrical Code (WCEC) Part 1 and Part 3, excluding Part 2, Administration, is adopted by reference, together with the following amendments, additions and exceptions. The Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in place of WCEC Part 2, Administration. This includes Annexes A, B and C of the National Electrical Code; Commercial Building Telecommunications Cabling Standard (ANSI/TIA-568-C Series, February 2009); Commercial Building Standard for Telecommunications Pathway and Spaces (TIA-569-B, October 2004); Commercial Building Grounding and Bonding Requirements for Telecommunications (ANSI/TIA-607-B, August 2011); Residential Telecommunications Cable Standard (ANSI/TIA/EIA 570-B-2004); and the National Electrical Safety Code (NESC C2-2012 excluding Appendices A and B). The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

17.13.030 Conflicts.

- A. The requirements of this chapter will be observed where there is any conflict between this chapter and the National Electrical Code (NFPA 70), centrifugal fire pumps (NFPA 20), the emergency and standby power systems (NFPA 110), ANSI/TIA/EIA 568-B, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, or ANSI/TIA/EIA 570.
- B. The National Electrical Code will be followed where there is any conflict between the standard for installation of ~~stationary~~ stationary pumps for fire protection (NFPA 20), the standard for emergency and standby power systems (NFPA 110), ANSI/TIA/EIA 568-B, ANSI/TIA/EIA 569-A, ANSI/TIA/EIA 607, ANSI/TIA/EIA 570-B, and the National Electrical Code (NFPA 70).
- C. In accordance with RCW 19.28.010(3), where the State of Washington Department of Labor and Industries adopts a more current edition of the National Electrical Code (NFPA 70), the building official may supplement use of this code with newly adopted editions of the National Electrical Code. Provisions in the annex chapters of the National Electrical Code shall not apply unless specifically referenced in the adopting ordinance.

Chapter 17.14 CONSTRUCTION ADMINISTRATIVE CODE

17.14.010 Adoption.

The Construction Administrative Code is hereby adopted as follows:

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the Construction Administrative Code of the city of Mercer Island, hereinafter referred to as "this code."

101.2 Purpose. The purpose of this chapter is to provide for the administration, organization and enforcement of the construction codes adopted by the city.

101.3 Scope and General Requirements. The provisions of this Construction Administrative Code shall apply to grading, building, plumbing, and mechanical permits and the following "Construction Codes":

- 2018-2021 International Building Code — WAC Chapter 51-50
- 2018-2021 International Residential Code — WAC Chapter 51-51R
- 2018-2021 International Mechanical Code — WAC Chapter 51-52
- 2018-2021 National Fuel Gas Code (ANSI Z223.1/NFPA 54) — WAC Chapter 51-52
- 2017-2020 Liquefied Petroleum Gas Code (NFPA 58) — WAC Chapter 51-52
- 2018-2021 International Fuel Gas Code — WAC Chapter 51-52
- 2018-2021 Uniform Plumbing Code — WAC Chapter 51-56 and 51-57
- 2018-2021 Washington State Energy Code, Commercial Provisions and Residential Provisions — WAC Chapters 51-11C and 51-11R
- 2020 National Electrical Code as adopted and amended by the Washington Cities Electrical Code
- 2018-2021 International Existing Building Code — WAC 51-50-480000
- 2018-2021 International Swimming Pool and Spa Code — WAC 51-50-3109 and WAC 51-51-0329
- 2021 International Wildland-Urban Interface Code — WAC 51-55

101.4 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 New 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.

1. "Action" means a specific response complying fully with a specific request by the jurisdiction.
2. "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.
3. "Complete response" means an adequate response to all requests from city staff in sufficient detail to allow the application to be processed.
4. "Occupancy" means the purpose for which a building, or part thereof, is used or intended to be used.

5. "Shall," as used in this chapter, is mandatory.
6. "Valuation" or "value" as applied to a building or portion thereof, 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 replacement costs. It shall also include the contractor's overhead and profit. "Valuation" or "value" as applied to a specific scope of work associated with a permit shall be the fair market value of that scope of work including time and materials and the contractor's overhead and profit.

101.5 Appendices. Provisions in the appendices shall not apply unless specifically adopted—referenced in the adopting ordinance. An appendix adopted by a local jurisdiction that affects single-family or multifamily residential buildings as defined in RCW 19.27.015 shall not be effective unless approved by the state building code council pursuant to RCW 19.27.060 (1)(a).

Exceptions: 1. The state building code council has determined that a local ordinance providing specifications for light straw-clay or strawbale construction, or requiring a solar-ready zone, or requiring fire sprinklers in accordance with Appendix AR, AS, or V of this chapter may be adopted by any local government upon notification of the council.
2. Appendix AF, Radon Control Methods, Appendix AQ, Tiny Homes, and Appendix U, Dwelling Unit Fire Sprinkler Systems, are included in adoption of the International Residential Code.

101.6 Intent. The purpose of the construction codes and the Construction Administrative Code is to establish the minimum requirements to provide a reasonable level of safety, public health and general welfare through affordability, structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and for providing a reasonable level of life safety to life and property protection from fire, explosion and other hazards or dangerous conditions, and to provide a reasonable level of safety to fire fighters and emergency responders during emergency operations.

101.7 Referenced Codes. The codes listed in Sections 101.8 through 401.20101.21 and referenced elsewhere in the construction codes and the Construction Administrative Code shall be considered part of the requirements of the construction codes and the Construction Administrative Code to the prescribed extent of each such reference.

101.8 International Building Code — Scope. The provisions of the International Building Code (IBC) 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.

Exception: Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with separate means of egress and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code.

101.9 International Residential Code — Scope and general requirements. The provisions of the International Residential Code for One- and Two-Family Dwellings (IRC) shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height, including adult family homes, foster family care homes and family day care homes licensed by the Washington state department of social and health services.

Exceptions:

1. Live/work units located in townhouses complying with the requirements of Section 419-5508.5 of the International Building Code shall be permitted to be constructed in accordance with the International

Residential Code for One- and Two-Family Dwellings. ~~Fire suppression~~An automatic sprinkler system required by Section ~~449-508.7~~ of the International Building Code where constructed under the International Residential Code for One- and Two-Family Dwellings shall conform to Appendix U.

2. Owner-occupied lodging houses with one or two guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings.
3. Owner-occupied lodging houses with three to five guestrooms shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with a fire sprinkler system in accordance with Appendix U.
4. A care facility with five or fewer persons receiving custodial care within a dwelling unit shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with an automatic fire sprinkler system in accordance with Appendix U.
5. A care facility with five or fewer persons receiving medical care within a dwelling unit shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with an automatic fire sprinkler system in accordance with Appendix U.
6. A care facility with five or fewer persons receiving care that are within a single-family dwelling shall be permitted to be constructed in accordance with the International Residential Code for One- and Two-Family Dwellings where equipped with an automatic fire sprinkler system in accordance with Appendix U.

101.10 Electrical Code — Scope. The provisions of the Mercer Island Electrical Code apply to the installation of electric conductors, electric equipment, alterations, modifications or repairs to existing electrical installations for the following:

1. Electrical conductors, electrical equipment, and electrical raceways installed within or on public and private buildings, property or other structures.
2. Signaling and communications conductors and equipment, telecommunications conductors and equipment, fiber optic cables, and raceways installed within or on public and private buildings, property or other structures.
3. Yards, lots, parking lots, and industrial substations.
4. Temporary electrical installations for use during the construction of buildings.
5. Temporary electrical installations for carnivals, conventions, festivals, fairs, traveling shows, the holding of religious services, temporary lighting of streets, or other approved uses.
6. Installations of conductors and equipment that connect to a supply of electricity.
7. All other outside electrical conductors on the premises.
8. Optional standby systems derived from portable generators.

Exception: Installations under the exclusive control of electric utilities for the purpose of communication, transmission, and distribution of electric energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utilities or on public highways, streets, roads, etc., or outdoors by established rights on private property.

It is the intent of this section that this code covers all premises' wiring or wiring other than utility owned metering equipment, on the load side of the service point of buildings, structures, or any other premises not owned or leased by the utility. Also, it is the intent that this code covers installations in buildings used by the

utility for purposes other than listed above, such as office buildings, warehouses, garages, machine shops, and recreational buildings which are not an integral part of a generating plant, substation, or control center.

101.11 Gas Code — Scope. The provisions of the International Fuel Gas Code (IFGC) shall apply to the installation of fuel gas piping systems, fuel gas utilization equipment, gaseous hydrogen systems and related accessories in accordance with Sections 101.2.1 through 101.2.5, except those regulated by the International Residential Code (IRC) and those utilizing LPG.

101.12 Mechanical Code — Scope. The provisions of the International Mechanical Code (IMC) shall apply to the design, installation, maintenance, alteration and inspection of mechanical systems that are permanently installed and utilized to provide control of environmental conditions and related processes within buildings. The IMC shall also regulate those mechanical systems, system components, equipment and appliances specifically addressed herein. The installation of fuel gas distribution piping and equipment, fuel gas-fired appliances and fuel gas-fired appliance venting systems shall be regulated by the International Fuel Gas Code. References in this code to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington state under WAC Chapter 388-78A and Group I-1, Condition 2 residential treatment facilities licensed by Washington state under WAC Chapter 246-337.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories high with separate means of egress and their accessory structures shall comply with the International Residential Code.
2. The standards for liquefied petroleum gas (LPG) installations shall be NFPA 58 (Liquefied Petroleum Gas Code) and ANSI Z223.1/NFPA 54 (National Fuel Gas Code).

101.12.1 Other authorities. In addition to the IMC, provisions of WAC Chapter 480-93 regarding gas pipeline safety may also apply to single meter installations serving more than one building. The provisions of WAC Chapter 480-93 are enforced by the Washington Utilities and Transportation Commission.

101.13 Plumbing Code — Scope. The provisions of the Uniform Plumbing Code (UPC) shall apply to the erection, installation, alteration, repair, relocation, replacement, addition to, use, or maintenance 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.

101.14 Property maintenance. The provisions of the Uniform Housing Code (UHC) shall apply to existing structures to provide minimum standards to safeguard life or limb, health, property, and public welfare by regulating and controlling the use and occupancy, location, and maintenance of all residential buildings and other structures within this jurisdiction.

101.15 Dangerous buildings. The provisions of the Uniform Code for the Abatement of Dangerous Buildings (UCADB) shall apply to all dangerous buildings, as defined in the UCADB, which are now in existence or which may hereafter become dangerous in this jurisdiction. The purpose of the UCADB is to provide a just, equitable and practicable method, to be cumulative with and in addition to any other remedy provided by the International Building Code, International Residential Code, Uniform Housing Code or otherwise available by law, whereby buildings or structures which from any cause endanger the life, limb, health, morals, property, safety or welfare of the general public or their occupants and may be required to be repaired, vacated, abated or demolished.

101.16 Fire prevention. The provisions of the International Fire Code (IFC) shall apply to matters affecting or relating to structures, processes, premises and safeguards from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous to life, property or public welfare in the occupancy or operation of structures or premises; from matters related to the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation; and from conditions affecting the safety of fire fighters and emergency responders during emergency procedures.

101.17 Energy Code — Scope. The provisions of the Washington State Energy Code (WSEC) shall apply to all matters governing the design and construction of buildings for energy efficiency. The WSEC Residential WAC Chapter 51-11R applies to residential buildings, building sites, associated systems and equipment, and the WSEC Commercial WAC Chapter 51-11C applies to commercial buildings, building sites, associated systems and equipment. Residential sleeping units, Group I-1, Condition 2 assisted living facilities licensed by Washington state under chapter 388-78A WAC and Group I-1, Condition 2 residential treatment facilities licensed by Washington state under chapter 246-337 WAC shall utilize the commercial building sections of the energy code regardless of the number of stories of height above grade plane. References in the commercial energy code to Group R shall include Group I-1, Condition 2 assisted living facilities licensed by Washington state under WAC Chapter 388-78A and Group I-1, Condition 2 residential treatment facilities licensed by Washington state under WAC Chapter 246-337. Building areas that contain Group R sleeping units, regardless of the number of stories in height, are required to comply with the commercial sections of the energy code. Where a building includes both residential building and commercial building portions, each portion shall be separately considered and meet the applicable provisions of the WSEC - Commercial or WSEC - Residential Provisions.

101.18 Ventilation. The provisions of the mechanical code shall apply to all occupancies to govern minimum requirements for ventilation.

101.19 International Existing Building Code — Scope. The provisions of the International Existing Building Code shall apply to the repair, alteration, change of occupancy, addition to and relocation of existing buildings. Provided, that the Washington State Energy Code and the International Wildland Urban Interface Code shall be regulated by their respective provisions for existing buildings. Provided, that work regulated by this code is also regulated by the construction requirements for existing buildings within Chapter 11 of the International Fire Code, such work shall comply with applicable requirements in both codes.

Exception: Detached one- and two-family dwellings and ~~multiple single-family dwellings~~ ~~(townhouses)~~ townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the International Residential Code.

101.20 International Swimming Pool and Spa Code (ISPSC) — Scope. The provisions of this code shall apply to the construction, alteration, movement, renovation, replacement, repair and maintenance of aquatic recreation facilities, pools and spas. The pools and spas covered by this code are either permanent or temporary, and shall be only those that are designed and manufactured to be connected to a circulation system and that are intended for swimming, bathing or wading. Swimming pools, spas and other aquatic recreation facilities shall comply with the ISPSC, where the facility is one of the following, except that public swimming pool barriers are regulated by WAC 246-260-031(4):

1. For the sole use of residents and invited guests at a single-family dwelling;
2. For the sole use of residents and invited guests of a duplex owned by the residents; or
3. Operated exclusively for physical therapy or rehabilitation and under the supervision of a licensed medical practitioner.

All other "water recreation facilities" as defined in RCW 70.90.110 are regulated under WAC Chapters 246-260 and 246-262.

101.21 International Wildland-Urban Interface Code — Scope. The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure, or premises within the wildland-urban interface areas in this jurisdiction.

SECTION 102 APPLICABILITY

102.1 General.

1. 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 the construction codes specify different materials, methods of construction or other requirements, the most restrictive shall govern except that the hierarchy of the codes named in RCW Chapter 19.27 shall govern. If there is a conflict between an adopted code and a referenced standard, the adopted code shall apply.
2. New Installations. The adopted construction codes apply to new installations.

Exception: If an electrical, plumbing or mechanical permit application is received after the adopted construction codes have taken effect but is identified with a building permit application received prior to the effective date of the ordinance codified in this chapter, all applicable codes adopted and in force at the time of a complete building permit application will apply.

3. Existing installations. Lawfully installed existing installations that do not comply with the provisions of the adopted construction codes shall be permitted to be continued without change, except as is specifically covered in this chapter, the International Existing Building Code, the Uniform Housing Code, the International Fire Code or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public. Where changes are required for correction of hazards, a reasonable amount of time shall be given for compliance, depending on the degree of the hazard.
4. Maintenance. Buildings and structures, including their electrical, plumbing and mechanical systems, equipment, materials and appurtenances, both existing and new, and parts thereof, and landscape materials, vegetation, defensible space or other devices or safeguards required by this code, shall be maintained in proper operating condition in accordance with the original design and in a safe, hazard-free condition, and in conformance to the code edition under which installed. Devices or safeguards that are required by the adopted construction codes shall be maintained in compliance with the code edition under which installed. The owner or the owner's designated agent shall be responsible for the maintenance of the buildings, structures, landscape materials, vegetation, systems, and equipment. To determine compliance with this provision, the code official shall have the authority to require that the systems and equipment be re-inspected.

The inspection for maintenance of HVAC systems shall be performed in accordance with ASHRAE/ACCA/ANSI Standard 180.

5. Additions, alterations, modifications or repairs for other than IRC buildings. Additions, alterations, modifications or repairs to a building or structure or to the electrical, plumbing or mechanical system(s) of any building, structure, or premises shall conform to the requirements of the adopted construction codes, without requiring those portions of the existing building or system not being altered or modified to comply with all the requirements of the adopted construction codes, except as is specifically covered in this chapter, the International Existing Building Code, the Uniform Housing Code, the International Fire Code or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public. Installations, additions, alterations, modifications, or repairs shall not cause an existing building to become unsafe or to adversely affect the performance of the building as determined by the building official or designated representative. Electrical wiring added to an existing service, feeder, or branch circuit shall not result in an installation that violates the provisions of the code in force at the time the additions were made.
6. Additions, alterations, change of use, repairs, or relocations to IRC buildings or structures. Additions, alterations, repairs, or relocations shall be permitted to conform to the requirements of the provisions of IRC Chapter 45 or shall conform to the requirements for a new structure without requiring the existing structure to comply with the requirements of this code, unless otherwise stated. Additions, alterations, repairs, and relocations shall not cause an existing structure to become less compliant with the provisions of this code than the existing building or structure was prior to the addition, alteration, repair, or relocation. Where additions, alterations, or changes of use to an existing structure result in a

use or occupancy, height, or means of egress outside the scope of this code, the building shall comply with the International Existing Building Code.

Exceptions: Exceptions for IRC buildings or structures include:

1. Additions with less than 500 square feet of conditioned floor area are exempt from the requirements for Whole House Ventilation Systems, Section M1505.
2. Additions or alterations to existing buildings which do not require the construction of foundations, crawlspaces, slabs or basements shall not be required to meet the requirements for radon protection in Section R332.1 and Appendix F.

102.2 Other laws. The provisions of the construction codes and the Construction Administrative Code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 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 the construction codes.

102.4 Existing structures and installations. The legal occupancy of any structure existing on the date of adoption of the construction codes shall be permitted to continue without change, except as is specifically covered in this chapter, the International Existing Building Code, the Uniform Housing Code, the International Fire Code or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

102.5 Determination of substantially improved or substantially damaged existing buildings and structures in flood hazard areas. See section 105.3.1.1 For for applications for reconstruction, rehabilitation, repair, alteration, addition or other improvement of existing buildings or structures located in flood hazard areas, the building official shall determine where the proposed work constitutes substantial improvement or repair of substantial damage. Where the building official determines that the proposed work constitutes substantial improvement or repair of substantial damage, and where required by the International Existing Building Code, the building official shall require the building to meet the requirements of Section 1612 of the International Building Code.

102.6 Preliminary meeting. When requested by the permit applicant or the building official, the building official shall meet with the permit applicant prior to the application for a construction permit to discuss plans for the proposed work or change of occupancy in order to establish the specific applicability of the provisions of this code.

Exception: Repairs and Level 1 alterations.

102.7 Building evaluation. The building official is authorized to require an existing building to be investigated and evaluated by a registered design professional based on the circumstances agreed upon at the preliminary meeting. The design professional shall notify the code official if any potential nonconformance with the provisions of this code is identified.

102.10 Moved buildings. Buildings or structures moved into or within a jurisdiction shall comply with the provisions of this Code, the International Existing Building Code when applicable, the International Residential Code (WAC Chapter 51-51), the International Building Code (WAC Chapter 51-50), the International Mechanical Code (WAC Chapter 51-52), the International Fire Code (WAC Chapter 51-54), the Uniform Plumbing Code and Standards (WAC Chapters 51-56 and 51-57), and the Washington State Energy Code (WAC Chapter 51-11).

Exception: Group R-3 buildings or structures are not required to comply if:

1. The original occupancy classification is not changed; and
2. The original building is not substantially remodeled or rehabilitated.

For the purposes of this section a building shall be considered 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.

See MICC 19.09.080, Moving of buildings, for additional requirements.

102.11.1 Moved Buildings, Electrical.

1. Nonresidential buildings or structures moved into or within the jurisdiction must be inspected to ensure compliance with current requirements of this chapter.
2. Residential buildings or structures wired in the U.S., to NEC requirements, and moved into the jurisdiction must be inspected to ensure compliance with the NEC requirements in effect at the time and place the original wiring was made. The building or structure must be inspected to ensure compliance with all current requirements of RCW Chapter 19.28 and the rules developed by the department if:
 - a. The original occupancy classification of the building or structure is changed as a result of the move; or
 - b. The building or structure has been substantially remodeled or rehabilitated as a result of the move.
3. Residential buildings or structures wired in Canada to Canadian Electrical Code (CEC) standards and moved into the jurisdiction must be inspected to ensure compliance with the following minimum safety requirements:
 - a. Service, service grounding, and service bonding must comply with this Code.
 - b. Canadian Standards Association (CSA) listed Type NMD cable is allowed with the following qualifications:
 - i. CSA listed Type NMD cable, American Wire Gauge #10 and smaller installed after 1964 utilizing an equipment grounding conductor smaller than the phase conductors, must be:
 - (1) Replaced with a cable utilizing a full-size equipment grounding conductor; or
 - (2) Protected by a ground fault circuit interrupter protection device.
 - ii. CSA listed Type NMD cable, #8 AWG and larger, must:
 - (1) Utilize an equipment grounding conductor sized according to the requirements of the NEC in effect at the time of the installation;
 - (2) Be protected by a ground fault circuit interrupter protection device; or
 - (3) Be replaced.
 - c. Other types of wiring and cable must be:
 - i. Replaced with wiring listed or field evaluated in accordance with U.S. standards by a laboratory approved by the department; or
 - ii. Protected by a ground fault circuit interrupter protection device and arc fault circuit protection device.
 - d. Equipment, other than wiring or panelboards, manufactured and installed prior to 1997 must be listed and identified by laboratory labels approved by the department or CSA labels.
 - e. All panelboards must be listed and identified by testing laboratory labels approved by the department with the following qualifications:
 - i. CSA listed panelboards labeled "Suitable for Use as Service Equipment" will be considered to be approved as "Suitable for Use only as Service Equipment."

- ii. CSA listed panelboards must be limited to a maximum of 42 circuits.
- iii. CSA listed panelboards used as lighting and appliance panelboards as described in the NEC, must meet all current requirements of the NEC and this chapter.
- f. Any wiring or panelboards replaced or changed as a result of the move must meet current requirements of RCW Chapter 19.28 and this chapter.
- g. The location, type, and ground fault circuit interrupter protection of receptacles and equipment in a bathroom, kitchen, basement, garage, or outdoor area must meet the Washington requirements in effect at the time the wiring was installed.
- h. 4, 15-ampere, kitchen small appliance circuits will be accepted in lieu of 2, 20-ampere, kitchen small appliance circuits. Receptacles will not be required to be added on kitchen peninsular or island counters.
- i. Spacing requirements for all other receptacles must meet the Washington State requirements in effect at the time the wiring was installed.
- j. Receptacles installed above baseboard or fixed wall space heaters must be removed and the outlet box covered with a blank cover. The receptacle is required to be relocated as closely as possible to the existing location.
- k. Lighting outlet and switch locations must meet the Washington requirements in effect at the time the wiring was installed.
- l. Dedicated 20-ampere small appliance circuits are not required in dining rooms.
- m. Electric water heater branch circuits must be adequate for the load.
- n. The location, type, and circuit protection of feeders must meet the Washington State requirements in effect at the time the wiring was installed.

102.12 Referenced codes and standards. The codes and standards referenced in the construction codes shall be considered part of the requirements of the construction codes to the prescribed extent of each such reference. Where differences occur between provisions of the construction codes and referenced codes and standards, the provisions of the construction codes shall apply.

Exception. Where enforcement of a code provision would violate the conditions of the listing of equipment or an appliance, the conditions of the listing and the manufacturer's installation instructions shall apply.

102.13 Partial invalidity. In the event that any part or provision of the construction codes 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.

102.14 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.

102.15 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 or the Mercer Island City Code.

SECTION 103 ENFORCEMENT AUTHORITY

103.1 Community Planning and Development (CPD). CPD ~~shall be responsible for~~ hereby created for the implementation, administration and enforcement of the construction codes, ~~under the administrative and operational control of the~~ and the official in charge thereof shall be known as the building official, who shall be designated by the code official (as defined by MICC 19.16.010); provided, the fire marshal or his or her designee shall be responsible for enforcement of the International Fire Code.

103.2 Building official. The building official is responsible for administration and interpretation of the Construction Administrative Code and the Construction Codes, except that the fire marshal or his or her designee shall be responsible for administration and interpretation of the International Fire Code.

103.3 Deputies. The building official ~~may delegate shall have the~~ authority to appoint a deputy building official, other related technical officers, code enforcement officers, inspectors, plan examiners or other City employees. Such employees shall have powers as delegated by the building official.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

104.1 General. The building official is hereby authorized and directed to administer, interpret and enforce the provisions of this Construction Administrative Code and all construction codes except the International Fire Code. The building official shall have the authority to render interpretations of said codes and to adopt policies and procedures in order to clarify the application of their provisions. Such interpretations, policies and procedures shall be consistent with the intent and purpose of the codes and shall not have the effect of waiving requirements specifically provided for in the codes.

104.1.1 Liability. The building official, hearing examiner, or employee charged with the enforcement of this code, while acting in good faith and without malice in the discharge of the duties required by this code 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 while acting in good faith and without malice and under the provisions of this code shall be defended by legal representative of the jurisdiction until the final termination of the proceedings. The building official or subordinate shall not be liable for cost in any action, suit or proceeding that is instituted in pursuance of the provisions of this code.

104.2 Applications and permits. The building official shall receive applications, review construction documents and issue permits 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 the construction codes and the Construction Administrative Code.

104.3 Notices and orders. The building official shall issue all necessary notices or orders to ensure compliance with the construction codes and the Construction Administrative Code.

104.3.1 Tagging of buildings. Following a city of Mercer Island-issued formal declaration of emergency, the building official may 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." Notice of orders pertaining to dangerous buildings and appeal procedures established under adopted building codes shall not apply under official declarations of emergency.

104.4 Inspections. The building official shall make 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.

104.5 Identification. The building official shall carry proper identification when inspecting structures or premises in the performance of duties under the construction codes and the Construction Administrative Code.

104.6 Right of entry. Where it is necessary to make an inspection to enforce the provisions of the construction codes and the Construction Administrative Code, 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 the construction codes and the Construction Administrative Code 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 the construction codes and the

Construction Administrative Code, 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.

Where the building official has first obtained a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person have charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to promptly permit entry therein by the building official for the purpose of inspection and examination pursuant to the applicable construction code.

104.7 Department records. The building official shall keep official records of applications received, permits and certificates issued, fees collected, 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.

104.8 Approved materials and equipment. Materials, equipment and devices approved by the building official shall be constructed and installed in accordance with such approval.

104.8.1 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 prior approval is obtained from the building official.

104.9 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of the construction codes and the Construction Administrative Code, 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 the construction codes and the Construction Administrative Code impractical and the modification is in compliance with the intent and purpose of the construction codes and the Construction Administrative Code 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.

104.10 Alternative materials, design and methods of construction and equipment. The provisions of the construction codes are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by the construction codes, provided that any such alternative has been approved by the building official. The building official shall have the authority to approve an alternative material, design or method of construction upon application of the owner(s) or the owner(s) authorized agent(s). The building official shall first find that the proposed design is satisfactory and complies with the intent of the provisions of the construction codes, and that the material, method or work offered is, for the purpose intended, not less than the equivalent of that prescribed in the construction codes in quality, strength, effectiveness, fire resistance, durability, energy conservation and efficiency, and safety. Compliance with the specific performance-based provisions of the construction codes shall be an alternative to the specific requirements of the construction codes. Where the alternative material, design or method of construction is not approved, the building official shall respond in writing, stating the reasons why the alternative was not approved. The building official is authorized to charge an additional fee to evaluate any proposed alternate material, design and/or method of construction and equipment under the provisions of this section.

104.10.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in the construction codes, shall consist of valid research reports from approved sources.

104.10.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of the construction codes, or evidence that a material or method does not conform to the requirements of the construction codes, 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 jurisdiction. Test methods shall be as specified in the construction codes 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.

SECTION 105 PERMITS

105.1 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 electrical, gas, mechanical or plumbing system, the installation of which is regulated by the construction codes and the Construction Administrative Code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

105.1.1 Annual Permit. Instead of an individual construction permit for each plumbing, mechanical or electrical alteration to an already approved system or equipment or application installation, the building official is authorized to issue an annual permit upon application therefor to any person, firm or corporation regularly employing one or more qualified tradespersons in the building, structure or on the premises owned or operated by the applicant for the permit.

The person to whom an annual permit is issued shall keep a detailed record of alterations made under such annual permit. The building official shall have access to such records at all times or such records shall be filed with the building official as designated.

105.1.2 Electrical permit required. In accordance with RCW Chapter 19.28, an electrical permit is required for the following installations:

1. The installation, alteration, repair, replacement, modification or maintenance of all electrical systems, wire and electrical equipment regardless of voltage.
2. The installation and/or alteration of low voltage systems defined as:
 - a. NEC, Class 1 power limited circuits at 30 volts maximum.
 - b. NEC, Class 2 circuits powered by a Class 2 power supply as defined in NEC 725.41(A).
 - c. NEC, Class 3 circuits powered by a Class 3 power supply as defined in NEC 725.41(A).
3. Telecommunications Systems.
 - a. All installations of telecommunications systems on the customer side of the network demarcation point for projects greater than ten telecommunications outlets.
 - b. All backbone installations regardless of size and all telecommunications cable or equipment installations involving penetrations of fire barriers or passing through hazardous locations require permits and inspections.
 - c. The installation of greater than ten outlets and the associated cables along any horizontal pathway from a telecommunications closet to work areas during any continuous ninety-day period requires a permit and inspection.
 - d. In Residential Groups R-1 and R-2 occupancies as defined in the International Building Code, permits and inspections are required for all backbone installations, all penetrations of fire-resistive walls, ceilings and floors; and installations of greater than ten outlets in common areas.
 - e. Definitions of telecommunications technical terms will come from RCW Chapter 19.28, the currently adopted WAC rules, EIA/TIA standards, and the National Electrical Code.

105.1.2 Grading permit required. No person shall do any grading without first obtaining a grading permit from the building official.

105.2 Work exempt from permit. The following permit exemptions shall not apply to Areas of Flood Hazard and City Land Use Critical Areas unless the work is entirely within or on the exterior envelope of a legally established existing building. For example, exempt repairs to mechanical, electrical, and plumbing equipment, exempt re-roofing, exempt wall finishes and similar exempt work, which is located entirely within or on the exterior envelope of a legally established existing building remains exempt from permit when located within Areas of Flood Hazard and City Land Use Critical Areas. Exemptions from permit requirements related to the construction codes shall not be deemed to grant authorization for any work to be done in any manner in violation of the provisions of the construction codes or any other laws or ordinances of this jurisdiction.

Permits shall not be required for the following:

Grading.

1. An excavation below existing finished grade for basements and footings of an existing building, retaining wall or other structure authorized by a valid building permit. This shall not exempt any excavation having an unsupported height greater than 5 feet.
2. An excavation of less than 50 cubic yards of materials which:
 - a. Is less than 2 feet in depth and/or
 - b. Does not create a cut slope of a ratio steeper than two horizontal to one vertical.
3. A fill of less than 50 cubic yards of material which is less than 1 foot in depth and placed on natural terrain with a slope flatter than five horizontal to one vertical.

Building.

1. Other than storm shelters, One-story detached accessory structures constructed under the provisions of the IRC used as tool and storage sheds, tree supported play structures, 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. Provided that a permit is required for regulated work within locations subject to the requirements of the Wildland-Urban Interface Code.
2. Fences not over 6 feet (1,829 mm) high, where such fences are located in accordance with all land use regulations and street standards.
3. Oil derricks.
4. Retaining walls and rockeries which are not over 4 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.
5. 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 2 to 1.
6. Sidewalks, decks and driveways constructed under the provisions of the IRC, which are not more than 30 inches (762 mm) above grade and not over any basement or story below. Provided that a permit is required for regulated work within locations subject to the requirements of the Wildland-Urban Interface Code.
7. In-kind re-roofing of one- and two-family dwellings provided the roof sheathing is not removed or replaced. Provided that a permit is required for regulated work within locations subject to the requirements of the Wildland-Urban Interface Code.
8. Painting, non-structural wood and vinyl siding, papering, tiling, carpeting, cabinets, counter tops and similar finish work, provided that existing, required accessible features are not altered. This exemption shall not apply to veneer, stucco or exterior finish and insulation systems (EFIS). This exemption shall not apply to structures regulated under RCW Chapter 64.55. Provided that a

permit is required for exterior regulated work within locations subject to the requirements of the Wildland-Urban Interface Code.

9. Temporary motion picture, television and theater stage sets and scenery.
10. Prefabricated swimming pools accessory to one- and two-family dwellings or Group R-3 occupancy which are less than 24 inches (610 mm) deep, do not exceed 5,000 gallons (18,925 L) and are installed entirely above ground.
11. Shade cloth structures constructed for garden nursery or agricultural purposes and not including service systems. Provided that a permit is required for regulated work within locations subject to the requirements of the Wildland-Urban Interface Code.
12. Play structures, Swings, slides and other similar playground equipment. Provided, that a permit and compliance with IBC 424 is required for play structures installed inside all occupancies covered by the IBC that exceed 10 feet in height or 150 square feet in area.
13. Window awnings supported by an exterior wall which do not project more than 54 inches (1,372 mm) from the exterior wall and do not require additional support of a one- and two-family dwelling or a Group R-3 or U occupancy. Provided that a permit is required for regulated work within locations subject to the requirements of the Wildland-Urban Interface Code.
14. Movable cases, counters and partitions not over 5 feet 9 inches (1,753 mm) in height.
15. Satellite earth station antennas 6½ feet (2 m) or less in diameter in zones other than residential zones.
16. Satellite earth station antennas 3½ feet (1 m) or less in diameter in residential zones.
17. Video programming service antennas 3½ feet (1 m) or less in diameter or diagonal dimension, regardless of zone.
18. Decking replacement on decks without changing or adding any other structural members or removing guardrails. Provided that a permit is required for regulated work within locations subject to the requirements of the Wildland-Urban Interface Code.
19. In-kind window replacement for IRC structures where no alteration of structural members is required, safety glazing is provided where required, window fall protection is provided where required, emergency egress requirements are provided and when the window U-values meet the prescriptive requirements within the Washington State Energy Code. Provided that a permit is required for regulated work within locations subject to the requirements of the Wildland-Urban Interface Code.
20. Job shacks that are placed at a permitted job site during construction may be allowed on a temporary basis and shall be removed upon final approval of construction. A job shack is a portable structure for which the primary purpose is to house equipment and supplies, and which may serve as a temporary office during construction for the purposes of the construction activity. Provided that a permit is required for regulated work within locations subject to the requirements of the Wildland-Urban Interface Code.
21. Flag and light poles that do not exceed 20 feet in height. (An electrical permit may still be required.)
22. Photovoltaic (PV) panels meeting all of the following criteria:
 - a. PV system is designed and proposed for a detached 1- or 2-family dwelling or townhouse not more than 3 stories above grade or detached accessory structure.
 - b. PV system is being installed by a licensed contractor.
 - c. Mounting system is engineered and designed for PV.

- d. Rooftop is made from lightweight material such as a single layer of composition shingles, metal roofing, or cedar shingles.
- e. Panels are mounted no higher than 18 inches above the surface of the roofing to which they are affixed. Except for flat roofs, no portion of the system may exceed the highest point of the roof (or ridge).
- f. Total dead load of panels, supports, mountings, raceways, and all other appurtenances weigh no more than 3.5 pounds per square foot.
- g. Supports for solar panels are installed to spread the dead load across as many roof-framing members as needed to ensure that at no point loads in excess of 50 pounds are created.
- h. The installation will comply with the manufacturer's instructions.
- i. Roof and wall penetrations will be flashed and sealed to prevent entry of water, rodents, and insects.
- j. Home is code compliant to setbacks and height, or code allows expansion of nonconformity for solar panels.
- k. System complies with International Residential Code Chapter 23 for solar thermal energy systems.
- l. Roof-mounted collectors and supporting structure are constructed of noncombustible materials or fire-retardant-treated wood equivalent to that required for the roof construction.
- m. Roof access points and pathways for firefighters will be provided per IFC 605.11.
- n. The PV system has an approved and issued electrical permit.

Mechanical.

- 1. Portable heating, cooking, or clothes drying appliances.
- 2. Portable ventilation equipment.
- 3. Portable cooling unit.
- 4. Steam, hot or chilled water piping within any heating or cooling equipment regulated by the construction codes.
- 5. Replacement of any part which does not alter its approval or make it unsafe.
- 6. Portable evaporative cooler.
- 7. Self-contained refrigeration system containing 10 pounds (4.54 kg) or less of refrigerant and actuated by motors of 1 horsepower (746 W) or less.
- 8. Portable fuel cell appliances that are not connected to a fixed piping system and are not interconnected.

Plumbing.

- 1. 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 obtained and inspection made as provided in the construction codes.
- 2. The clearing of stoppages or the repairing of leaks in pipes, valves or fixtures and the removal and reinstallation of water closets, provided such repairs do not involve or require replacement or rearrangement of valves, pipes or fixtures.

3. Reinstallation or replacement of pre-fabricated fixtures that do not involve or require the replacement or rearrangement of valves or pipes.

105.2.1 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 building official.

105.2.2 Public service agencies or Work in the Public Way.

1. A permit shall not be required for the 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 established by right.
2. A permit shall not be required for work located primarily in a public way, public utility towers and poles (but not exempting wireless communications facilities not located in a public way) and hydraulic flood control structures.

105.3 Application for permit. To obtain a permit, the applicant shall first file a complete application in writing on a form furnished by the building department for that purpose or on-line by an electronic application furnished by the building department for that purpose. Such application shall:

1. Identify and describe the work to be covered by the permit for which application is made.
2. Describe the land on which the proposed work is to be done by legal description, street address or similar description that will readily identify and definitely locate the proposed building or work.
3. Indicate the use and occupancy for which the proposed work is intended.
4. Be accompanied by complete construction documents and other information as required in Section 107.
5. State the valuation of the proposed work.
6. Be signed by the applicant or the applicant's authorized agent.
7. Give such other data and information as required by the building official.

105.3.1 Action on application. The building official shall examine or cause to be examined applications for permits and amendments thereto within a reasonable time after filing. If the application or the construction documents do not conform to the requirements of pertinent laws, the building official shall reject such application in writing, stating the reasons therefor. If the building official is satisfied that the proposed work conforms to the requirements of the construction codes and the Construction Administrative Code and laws and ordinances applicable thereto, the building official shall issue a permit therefor as soon as practicable.

105.3.1.1 Determination of substantially improved or substantially damaged existing buildings in flood hazard areas. For applications for reconstruction, rehabilitation, addition, alteration, repair or other improvement of existing buildings or structures located in a flood hazard area, the building official shall examine or cause to be examined the construction documents and shall make a determination with regard to the value of the proposed work. For buildings that have sustained damage of any origin, the value of the proposed work shall include the cost to repair the building or structure to its predamaged condition. If the building official finds that the value of proposed work equals or exceeds 50 percent of the market value of the building or structure before the damage has occurred or the improvement is started, the proposed work is a substantial improvement or repair of substantial damage and the building official shall require existing portions of the entire building or structure to meet the requirements of IBC 1612 or IRC Section R322, as applicable. See IBC Chapter 2 Definitions for Substantial Damage, Substantial Improvement and Flood Hazard Area for additional information.

For the purpose of this determination, a substantial improvement shall mean any repair, reconstruction, rehabilitation, addition or improvement of a building or structure, the cost of which equals or exceeds 50 percent of the market value of the building or structure before the improvement or repair is started. Where

the building or structure has sustained substantial damage, repairs necessary to restore the building or structure to its predamaged condition shall be considered substantial improvements regardless of the actual repair work performed. The term shall not include either of the following:

1. Improvements to a building or structure that are required to correct existing health, sanitary or safety code violations identified by the building official and that are the minimum necessary to ensure safe living conditions.

2. Any alteration of a historic building or structure, provided that the alteration will not preclude the continued designation as a historic building or structure. For the purposes of this exclusion, a historic building shall be any of the following:

2.1. Listed or preliminarily determined to be eligible for listing in the National Register of Historic Places.

2.2. Determined by the Secretary of the U.S. Department of Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined to qualify as an historic district.

2.3. Designated as historic under a state or local historic preservation program that is approved by the Department of Interior.

105.3.2 Time limitation of application. _____

1. Applications for which no permit is issued within 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.
2. ~~Applications may be canceled for inactivity, if an applicant fails to respond to the department's written request for revisions, corrections, actions or additional information within 90 days of the date of request. The building official may extend the response period beyond 90 days if within the original 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 department.~~
- ~~3.~~ The building official may extend the life of an application 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 or 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 final city decision; or
 - c. 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.

105.3.3 Verification of contractor registration. Prior to issuance of a permit for work which is to be done by a contractor required to be registered pursuant to RCW Chapter 18.27, the applicant shall provide the city with the contractor's registration number and Mercer Island business license number and any other information determined necessary by the city to allow verification that such contractor is currently registered as required by law.

105.3.4 Vesting of Construction Codes. The construction codes and construction administrative code that are in effect when the building permit application is deemed complete by the building official shall apply. The city has the authority to establish policies and procedures for establishing the requirements of a complete application. For mechanical, electrical, plumbing or fire permit applications submitted after the ordinance codified in this title has taken effect, but related to the scope of work identified in a building permit application that was complete prior to the effective date of the ordinance codified in this chapter, all applicable construction codes adopted and in force at the time of filing of the complete building permit application will apply.

105.4 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 the construction codes and the Construction Administrative Code or of any other ordinance of the jurisdiction. Permits presuming to give authority to violate or cancel the provisions of the construction codes and the Construction Administrative Code or other ordinances of the jurisdiction shall not be valid. The issuance of a permit based on construction documents and other data shall not prevent the building official 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 where in violation of the construction codes and the Construction Administrative Code or of any other ordinances of this jurisdiction.

105.5 Expiration.

1. Every permit issued shall expire two years from the date of issuance. For nonresidential or mixed-use construction, the building official may approve a request for an extended expiration date where a construction schedule is provided by the applicant and approved prior to permit issuance.
2. During or after a declared emergency covered under RCW chapter 38.52, the building official may authorize one 6-month extension to an unexpired permit if the building official finds that the state of emergency resulted in a stoppage of work or substantial construction delays.
3. The building official may approve a request to renew a permit if an additional fee has been paid, a construction schedule and management plan is provided and approved, and no changes are proposed to the approved plans by the applicant. Requests for permit renewals shall be submitted prior to or not more than 90-days after permit expiration. When determining whether to approve a building permit renewal, the building official may consider whether a previously approved construction schedule for the building permit has been adhered to by the applicant. In cases where a construction schedule has not been adhered to, due to reasonably unforeseeable delays, the building official may authorize renewal of the permit. Renewed permits shall expire 3 years from the date of issuance of the original permit, except when an extension is granted by the building official under the provisions of subsection 2, above, and then renewed permits shall expire 3.5 years from the date of issuance. The building official shall not authorize a permit renewal if the construction schedule supplied with the renewal request will not result in the completion of work within the time period authorized under the permit renewal. For permits that have expired, a new permit must be obtained and new fees paid. No permit shall be renewed more than once.
4. Electrical, 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 electrical, mechanical and/or plumbing permit shall expire 180 days from issuance.
5. If a permit expired without final inspection and no further work was performed during the expiration period, the building official 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 would commence on the date of written approval. If work required under a final inspection is not completed within the 30-day extension period, the permit shall expire. However, the building official may authorize an additional 30-day extension if conditions outside of the applicant's control exist and the applicant is making a good faith effort to complete the permitted work.

105.6 Construction management plan and construction schedule.

1. Every permit issued for the construction of a new single family home with a gross floor area of more than 6,000 square feet, or as required for a permit renewal under section 105, shall provide a construction management plan and a construction schedule for approval by the building official.
2. Every permit issued for the remodel or addition to a single family home that will result in the modification of more than 6,000 square feet gross floor area, or the addition of more than 3,000

square feet gross floor area, or as required for a permit renewal under section 105, shall provide a construction management plan and a construction schedule for approval by the building official.

3. The construction management plan shall include measures to mitigate impacts resulting from construction noise, deliveries and trucking, dust/dirt, use of the street for construction related staging and parking, off-site parking, and haul routes. The building official may require additional information as needed to identify and establish appropriate mitigation measures for construction related impacts.
4. The construction schedule shall identify major milestones, anticipated future phases, and anticipated completion dates. The construction schedule shall establish a timeline for completion of exterior and interior building related construction activity and site work. The construction schedule shall incorporate appropriate measures to address unforeseeable delays and shall provide for contingencies. The building official may require additional information or revisions to the construction schedule.
5. The building official is authorized to take corrective measures as needed to ensure adherence to the approved construction management plan and construction schedule.

105.7 Suspension or revocation. The building official is authorized to suspend or revoke a permit issued under the provisions of the construction codes and the Construction Administrative Code 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 or any of the provisions of the construction codes and the Construction Administrative Code.

105.8 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 Section 110.6.

105.9 Simultaneous issuance of permits. Land clearing, building demolition, and grading permits will not be issued prior to the issuance of a building permit when a separate land clearing, building demolition, or grading permit is required; provided, however, that after due consideration of the specific circumstances of the project the building official may issue such permits prior to issuance of a building permit, otherwise all permits are to be issued simultaneously.

SECTION 106 FLOOR AND ROOF DESIGN LOADS

106.1 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 psf (2.40 kN/m²), such design live load shall be conspicuously posted by the owner or the owner's authorized agent in that part of each story in which they apply, using durable signs. It shall be unlawful to remove or deface such notices.

106.2 Issuance of certificate of occupancy. A certificate of occupancy required by Section 111 shall not be issued until the floor load signs required by Section 106.1 have been installed.

106.3 Restrictions on loading. It shall be unlawful to place, cause or permit to be placed, on any floor or roof of a building, structure or portion thereof, a load greater than is permitted by this code.

SECTION 107 ~~SUBMITTAL-CONSTRUCTION~~ DOCUMENTS

107.1 ~~Submittal-Construction~~ documents. Submittal documents consisting of construction documents, statement of special inspection and structural observation programs, engineering reports and calculations, diagrams and other data shall be submitted with each permit application for a permit. The construction documents shall be prepared by a registered design professional where required by the State of Washington. Where 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 requirement for submission of construction documents and other data 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 the construction codes.

107.2 Construction documents. Construction documents shall be in accordance with sections 107.2.1 through ~~107.2.5-107.2.9.~~

107.2.1 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 detail that it will conform to the provisions of the construction codes and the Construction Administrative Code and relevant laws, ordinances, rules and regulations, as determined by the building official. The plans must include the relevant items listed in this section and any other information or documents as deemed necessary by the building official.

107.2.1.1 Structural information. Structures or portions thereof, constructed under the IBC shall have construction documents include the information specified in section 1603 of the IBC.

107.2.1.1 Nonstructural components. Construction documents shall indicate if structural support and anchoring documentation for nonstructural components is part of the design submittal or a deferred submittal. The construction documents for nonstructural components shall at a minimum identify the following:

1. All nonstructural components required by ASCE 7 Section 13.1.3 to have an importance factor of, I_p , of 1.5.
2. All mechanical equipment, fire sprinkler equipment, electrical equipment, and other nonstructural components required by ASCE 7 Section 13.1.3 Item 1 to be operational following a seismic event that require designated seismic systems per ASCE 7 Section 13.2.2 and special inspections per Section 1705.13.4.

107.2.2 Fire protection system shop drawings. Shop drawings for the fire protection system(s) shall be submitted to indicate conformance with the construction codes, the Construction Administrative Code, 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 of the IBC. Shop drawings shall be prepared by a certified individual as required by the State of Washington.

107.2.3 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 the construction codes. In other than one- and two-family dwellings and their accessory structures, the construction documents shall designate the number of occupants to be accommodated on every floor and in all rooms and spaces.

107.2.4 Exterior envelope. Construction documents for all buildings shall describe the exterior wall envelope in sufficient detail to determine compliance with the construction codes. 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 membranes; 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, one- and two-family dwellings and Group R-3 and U occupancies may be exempt from the detailing requirements of this section.

107.2.4.1 Building enclosure design requirements of multiunit residential buildings or rehabilitative construction subject to the regulations of RCW Chapter 64.55.

1. Any person applying for a building permit for construction of a multiunit residential building or rehabilitative construction shall submit building enclosure design documents to the building official prior to the start of construction or rehabilitative construction of the building enclosure. If construction work on a building enclosure is not rehabilitative construction because the cost thereof is not more

than five percent of the assessed value of the building, then the person applying for a building permit shall submit to the building official a letter so certifying. Any changes to the building enclosure design documents that alter the manner in which the building or its components is waterproofed, weatherproofed, and otherwise protected from water or moisture intrusion shall be stamped by the architect or engineer and shall be provided to the building official and to the person conducting the course of construction inspection in a timely manner to permit such person to inspect for compliance therewith, and may be provided through individual updates, cumulative updates, or as-built updates.

2. The building official shall not issue a building permit for construction of the building enclosure of a multiunit residential building or for rehabilitative construction unless the building enclosure design documents contain a stamped statement by the person stamping the building enclosure design documents in substantially the following form: "The undersigned has provided building enclosure documents that in my professional judgment are appropriate to satisfy the requirements of RCW 64.55.005 through 64.55.090."
3. The building official 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 RCW 64.55.090. Nothing in RCW 64.55.005 through RCW 64.55.090 requires a building official to review, approve, or disapprove enclosure design documents.

See MICC 19.08.060, Condominium conversions, for additional requirements.

107.2.4.2 Exterior balconies and elevated walking surfaces. Where balconies or other elevated walking surfaces ~~are exposed to water from direct or blowing rain, snow, or irrigation,~~ have weather exposed surfaces and the structural framing is protected by an impervious moisture barrier, the construction documents shall include details for all elements of the impervious moisture barrier system. The construction documents shall include manufacturer's installation instructions.

107.2.5 Site plan. The construction documents submitted with the application for permit shall be accompanied by a site plan showing to scale the size and location of new construction and existing structures on the site, distances from lot lines, the established street grades and the proposed finished grades and, as applicable, flood hazard areas, floodways, and design flood elevations; and it shall be drawn in accordance with an accurate boundary line survey. 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 is 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 an alteration or repair or when otherwise warranted.

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 of the IBC.

107.2.6 Electrical.

1. Electrical Engineer. Electrical plans for the following installations shall be prepared by or under the direction of an electrical engineer registered under RCW Chapter 18.43, and WAC Chapters 392-344, 246-320, and 388-97. All electrical plans must bear the engineer's stamp and signature.
 - a. All educational facilities, hospitals and nursing homes;
 - b. All services or feeders rated 1,600 amperes or larger;
 - c. All installations identified in the National Electrical Code requiring engineering supervision;
 - d. As required by the building official for installations which by their nature are complex, hazardous or pose unique design problems.
2. Information on construction documents. Construction documents shall identify the name and classification of the facility and clearly show the electrical installation or alteration in floor plan view, include all switchboard and panelboard schedules and when a service or feeder is to be installed or

altered, must include a riser diagram, load calculation, fault current calculation, and interrupting rating of equipment.

3. Penetrations. Construction documents shall indicate where penetrations will be made for electrical systems and shall indicate the materials and methods for maintaining required structural safety, fire-resistance rating and fire-blocking.
4. Load calculations. Where an addition or alteration is made to an existing electrical system, an electrical load calculation shall be prepared to determine if the existing electrical service has the capacity to serve the added load.
5. Plan review required. Electrical plan review is required for all new or altered electrical projects in the following occupancies and/or installations:
 - a. Educational, institutional, or health care facilities/buildings as follows:
 - Hospital
 - Nursing home unit or long-term care unit
 - Boarding home
 - Assisted living facility
 - Private alcoholism hospital
 - Alcoholism treatment facility
 - Private psychiatric hospital
 - Maternity home
 - Ambulatory surgery facility
 - Renal hemodialysis clinic
 - Residential treatment facility for psychiatrically impaired children and youth
 - Adult residential rehabilitation center
 - Educational facilities
 - Institutional facilities

Exceptions:

1. Electrical Plan review is not required for the above educational, institutional, or health care facilities buildings where:
 - a. Lighting specific projects that result in an electrical load reduction on each feeder involved in the project;
 - b. Low voltage systems;
 - c. Modification to existing electrical installations where all of the following conditions are met:
 - i. Service or distribution equipment involved is rated less than 100 amperes and does not exceed 250 volts;
 - ii. Does not involve emergency systems other than listed unit equipment per NEC 700.12(F);
 - iii. Does not involve branch circuits or feeders of an essential electrical system as defined in NEC 517.2; and
 - iv. Service and feeder load calculations are increased by 5% or less.

- d. Stand-alone utility fed services that do not exceed 250 volts, 100 amperes where the project's distribution system does not include:
 - i. Emergency systems other than listed unit equipment per NEC 700.12(F);
 - ii. Critical branch circuits or feeders as defined in NEC 517.2; or
 - iii. A required fire pump system.
- 2. Alterations in non-residential occupancies 2,500 square feet and greater.
- 3. Installations in occupancies, except one and two family dwellings, where a service or feeder rated 100 amperes or greater is installed or altered or if more than 100 amperes is added to the service or feeder.
- 4. All work on electrical systems operating at/over 600 Volts.
- 5. All commercial generator installations or alterations.
- 6. All work in areas determined to be hazardous (classified) location by the NEC.
- 7. If 60% or more of luminaires change.
- 8. Installations of switches or circuit breakers rated four hundred amperes or over except for one and two family dwellings.
- 9. Wind driven generators.
- 10. Solar photovoltaic systems.
- 11. Any proposed installation which cannot be adequately described in the application form.

107.2.7 Plumbing. Plans must be submitted for review and approval whenever the scope of the work is too complex for inspection alone as determined by the building official.

107.2.8 Mechanical. Plans must be submitted for review and approval whenever the scope of the work is too complex for inspection alone as determined by the building official.

107.2.9 Relocatable Buildings. Construction documents for relocatable buildings shall comply with [Section IBC 311.2.3.113](#).

107.2.10 Information on storm shelters. Construction documents for storm shelters shall include the information required in ICC 500.

107.2.11 Information for structures located in wildland-urban interface areas. In addition to the above requirements, site plans shall include topography, width and percent of grade of access roads, landscape and vegetation details, locations of structures or building envelopes, existing or proposed overhead utilities, occupancy classification of buildings, types of ignition-resistant construction of buildings, structures and their appendages, roof classification of buildings and site water supply systems. The code official is authorized to waive or modify the requirement for a site plan where the application for permit is for alteration or repair or where otherwise warranted.

107.2.11.1 Vegetation management plans. Where utilized by the permit applicant pursuant to IWUIC Section 502, vegetation management plans shall be prepared and shall be submitted to the code official for review and approval as part of the plans required for a permit.

107.2.11.2 Fire protection plan. Where required by the code official pursuant to IWUIC Section 405, a fire protection plan shall be prepared and shall be submitted to the code official for review and approved as a part of the plans required for a permit.

107.2.11.3 Other data and substantiation. Where required by the code official, the plans and specifications shall include classification of fuel loading, fuel model light, medium or heavy, and substantiating data to verify classification of fire-resistive vegetation.

107.2.11.4 Vicinity plan. In addition to the requirements for site plans, plans shall include details regarding the vicinity within 300 feet (91 440 mm) of lot lines, including other structures, slope, vegetation, fuel breaks, water supply systems and access roads.

107.3 Examination of documents. The building official shall examine or cause to be examined the accompanying submittal documents and shall ascertain by such examinations whether the construction indicated and described is in accordance with the requirements of the construction codes, the Construction Administrative Code, and other pertinent laws or ordinances.

107.3.1 Use of consultants. Whenever review of a building permit application requires retention by the jurisdiction for professional consulting services, the applicant shall reimburse to the jurisdiction the cost of such professional consulting services. This fee shall be in addition to the normal plan review and building permit fees. The jurisdiction may require the applicant to deposit an amount with the jurisdiction estimated in the discretion of the building official to be sufficient to cover anticipated costs to retaining professional consultant services and to ensure reimbursement for such costs.

107.3.2 Approval of construction documents. When the building official issues a permit, the construction documents shall be approved, in writing or by stamp, as "Reviewed for Code Compliance." One set of construction documents so reviewed shall be retained by the building official either as a paper or electronic set. Another set shall be returned to the applicant, either as a paper or electronic set, and shall be kept at the site of work and shall be open to inspection by the building official or a duly authorized representative.

107.3.3 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 the construction codes and the Construction Administrative Code. 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.

107.4 Design professional in responsible charge.

107.4.1 General. 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 1704.6 of the IBC, the inspection program shall name the individual or firms who are to perform structural observations and describe the stages of construction at which structural observation is to occur (see also other duties specified in Chapter 17 of the IBC).

107.4.2 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 building official within a specified period. Deferral of any submittal items shall have the prior approval of the building official. The registered design professional in responsible charge shall indicate the list of deferred submittals on the construction documents for review by the building official. 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 building official with a notation indicating that the deferred submittal documents have been reviewed and have been found to be in general conformance to the design of the building. The deferred submittal items shall not be installed until the deferred submittal documents

have been approved by the building official. The building official is authorized to charge an additional plan review fee to evaluate deferred submittals under the provisions of this section.

107.5 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 resubmitted for approval as an amended set of construction documents. The building official is authorized to charge an additional plan review fee to evaluate revisions to the approved construction documents.

107.6 Retention of construction documents. One set of approved construction documents shall be retained by the building official 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.

SECTION 108 TEMPORARY STRUCTURES AND USES

108.1 General. The building official is authorized to issue 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.

Exceptions:

1. The provisions of this code do 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 either frost protection or increased heat retention. A temporary growing structure is not considered a building for purposes of this code.
2. The provisions of this code do not apply to the construction, alteration, or repair of temporary worker housing except as provided by rule adopted under RCW Chapter 70.114A or Chapter 37, Laws of 1998 (SB 6168). "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" under RCW 70.54.110.
3. The building official may authorize unheated tents and yurts under 500 square feet accommodating R-1 occupancy for recreational use as a temporary structure and allow them to be used indefinitely.

108.2 Electrical. If the building official finds that the safety of life and property will not be jeopardized, permits may be issued for temporary electrical installations for use during the construction of buildings or for carnivals, conventions, festivals, fairs, the holding of religious services, temporary lighting of streets, or other approved uses. Permission to use such temporary installation shall not be granted for a greater length of time than thirty days, except that a permit for a temporary installation to be used for constructing of a building may be issued for the period of construction. Should such temporary lighting be over the street area, the proper authorization for such use of the street must first be obtained.

All such temporary installations shall be made in accordance with the requirements of this NEC; provided, that the building official may permit deviations which will not permit hazards to life or property; and further provided, that whenever such hazards are deemed by the building official to exist, the building official may at once rescind or cancel the permit covering such installation and disconnect or order the disconnection of all energy to such equipment.

108.3 Conformance. Temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of the construction codes as necessary to ensure the public health, safety and general welfare.

108.4 Termination of approval. The building official is authorized to terminate such permit for a temporary structure or use and to order the temporary structure or use to be discontinued.

108.5 Bonds and set-aside accounts. The building official may require a performance bond or set-aside account to be in place prior to issuance of a permit for temporary structures and temporary uses.

SECTION 109 FEES

109.1 Payment of fees. A permit shall not be valid until applicable development and construction permit fees established by City Council by resolution have been paid, nor shall an amendment to a permit be released until any additional fee required, if any, has been paid.

109.2 Schedule of permit fees. On buildings, structures, gas, mechanical, electrical and plumbing systems or alterations requiring a permit, a fee for each permit shall be paid as required, in accordance with a schedule of fees to be recommended by the building and/or code official and approved by city council by resolution.

109.3 Plan Review Fees. When submittal documents are required by Section 107, a plan review fee shall be paid at the time of submitting the construction documents for plan review. The building official 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 is 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 Section 107.4.2, an additional plan review fee shall be charged at the rate set forth by resolution.

109.4 Building permit valuations. The applicant for a permit shall provide an estimated permit valuation at time of application. The determination of valuation shall be made by the building official if not clearly established by resolution.

109.5 Work commencing before permit issuance. Any person who commences any work on a building, structure, gas, mechanical, electrical or plumbing system before obtaining the necessary permits shall be subject to a stop work order and a special investigation fee in an amount equal to twice the permit fee, or otherwise established by the building official. The special investigation fee shall be paid in addition to the required permit fees.

109.6 Related fees. The payment of fees 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.

109.7 Refunds. The building official 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 chapter. The building official 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. The building official 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.

SECTION 110 INSPECTIONS

110.1 General. The building official is authorized to require construction or work for which a permit is required to be inspected, and 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 the construction codes, the Construction Administrative Code, or of other ordinances of the jurisdiction. Inspections presuming to give authority to violate or cancel the provisions of the construction codes, the Construction Administrative Code, or of other ordinances of the jurisdiction shall not be valid. It shall be the duty of the permit applicant to cause the work to remain accessible and exposed for inspection purposes. Neither the building official nor the jurisdiction shall be liable for expenses entailed in the removal or replacement of any material, product, system or building component required to allow inspection to validate compliance with the Construction Codes or Construction Administrative Code.

110.2 Preliminary inspections. Before issuing a permit, the building official is authorized to examine or cause to be examined buildings, structures, installations, and sites for which an application has been filed.

110.3 Manufacturer's installation instructions. Manufacturer's installation instructions, as required by the construction codes, shall be available on site at the time of inspection.

110.4 Required inspections. The building official, designated agent, or approved agency, upon notification, shall make the inspections set forth in Sections 110.4.1 through 110.4.16.

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110.4.1 Footing and foundation inspection. Footing and foundation inspections shall be made after poles or piers are set or trenches or basement areas are excavated and all required hold-down anchor bolts, hold-down straps, any forms erected, 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 and special requirements for wood foundations. Materials for the foundation shall be on the job, except where concrete is ready mixed in accordance with ASTM C 94, the concrete need not be on the job.

110.4.2 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.

110.4.3 Lowest floor elevation. 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 or IRC Section R322 shall be submitted to the building official. 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.

110.4.4 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.

110.4.5 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.

110.4.6 IMC/UPC/Gas/NEC rough-in inspection. Rough-in mechanical, gas piping, plumbing and electrical systems shall be inspected after the roof, framing, fire-blocking and bracing are in place and all components to be concealed are complete, and if required, under test prior to covering or concealment, before fixtures or appliances are set or installed, and prior to framing inspection. No connections to primary utilities shall be made until the rough-in work is inspected and approved. Joints and connections in the plumbing system shall be gastight and watertight for the pressures required by the test.

Exception: Backfilling of ground-source heat pump loop systems tested in accordance with section M2105.28 prior to inspection shall be permitted.

No test or inspection shall be required where a plumbing system, or part thereof, is set up for exhibition purposes and has no connection with a water or drainage system.

The requirements of this section shall not be considered to prohibit the operation of any heating equipment or appliances installed to replace existing heating equipment or appliances serving an occupied portion of a structure provided that a request for inspection of such heating equipment or appliances has been filed with the department not more than 48 hours after such replacement work is completed, and before any portion of such equipment or appliances is concealed by any permanent portion of the structure.

110.4.7 Frame inspection. Framing inspections shall be made after the roof deck or sheathing, all framing, fire blocking, draft-stopping 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 and the building is substantially dry.

110.4.8 Weather Resistance.

110.4.8.1 Exterior Finish and Insulation Systems (EFIS), Lath and gypsum board inspection. EFIS, Lath and gypsum board inspections shall be made after backing, lathing or gypsum board, interior and exterior, is in place, but before any plastering is applied or gypsum board joints and fasteners are taped and finished. Also, see Section 110.4.15 for Building enclosure special inspection requirements of RCW Chapter 64.55.

Exception: Interior gypsum board that is not part of a fire-resistance-rated assembly or a shear assembly does not require inspection.

110.4.8.2 Weather-exposed balcony and walking surface waterproofing. Where balconies or other elevated walking surfaces are exposed to water from direct or blowing rain, snow or irrigation have weather-exposed surfaces, and their structural framing is protected by an impervious moisture barrier, all elements of the impervious moisture barrier system shall not be concealed until inspected and approved.

Exception: Where special inspections are provided in accordance with Section 1705.1.1, Item 3.

110.4.9 Fire-resistance-rated construction inspections. Where fire-resistance-rated construction is required, an inspection of such construction shall be made after lathing or gypsum board or gypsum panel products are in place, but before any plaster is applied, or before board or panel joints and fasteners are taped and finished. Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions shall not be concealed from view until inspected and approved.

110.4.9.1 Fire and smoke resistant penetrations.

Protection of joints and penetrations in fire-resistance-rated assemblies, smoke barriers and smoke partitions should not be concealed from view until inspected and approved.

110.4.9.2 Types IV-A, IV-B and IV- C connection protection inspection.

In buildings of Types IV-A, IV-B and IV- C construction, where connection fire resistance ratings are provided by wood cover calculated to meet the requirements of Section 2304.10.1, inspection of wood cover shall be made after the cover is installed, but before any other coverings or finishes are installed.

110.4.10 Energy efficiency inspections per the requirements of WSEC ~~C104-C105~~ and ~~R104R105~~.

110.4.10.1 Envelope Energy Code Inspections. In addition to the inspections required in WAC Chapters 51-11C and 51-11R, the following inspections are also required:

1. Footings and foundation insulation. Inspections shall verify footing and/or foundation insulation R-value, location, thickness, depth of burial and protection of insulation as required by the code, approved plans and specifications.
2. Thermal envelope. Inspections shall be made before application of interior finish and shall verify that envelope components with the correct type of insulation, the R-values, the correct location of insulation, the correct fenestration, the U-factor, SHGC, VT, and air leakage controls are properly installed as required by the code, approved plans and specifications, including envelope components in future tenant spaces of multitenant buildings.
3. Plumbing system. Inspections shall verify the type of insulation, the R-values, the protection required, controls, and heat traps as required by the code, approved plans and specifications.
4. Mechanical system. Inspections shall verify the installed HVAC equipment for the correct type and size, controls, duct and piping insulation R-values, duct system and damper air leakage, minimum fan efficiency, energy recovery and economizer as required by the code, approved plans and specifications.

5. Electrical system. Inspections shall verify lighting system controls, components, meters, motors and installation of an electric meter for each dwelling unit as required by the code, approved plans and specifications.

1. Wall insulation. The wall insulation inspection is to be made after exterior wall weather protection and all wall insulation and air vapor retarder sheets or film materials are in place, but before any wall covering is placed.
2. Glazing. The glazing inspection is to be made after glazing materials are installed in the building.
3. Exterior roofing insulation. The exterior roofing insulation inspection is to be made after the installation of the roofing and roof insulation, but before concealment.
4. Slab/floor insulation. The slab/floor insulation inspection is to be made after the installation of the slab/floor insulation, but before concealment.

Also, see Section 110.4.15 for Building enclosure special inspection requirements of RCW Chapter 64.55.

110.4.10.2 Mechanical.

1. Mechanical equipment efficiency and economizer. The mechanical equipment efficiency and economizer inspection is to be made after all equipment and controls required by the construction codes are installed and prior to the concealment of such equipment or controls.
2. Mechanical pipe and duct insulation. The mechanical pipe and duct insulation inspection is to be made after all pipe, fire-suppression piping and duct insulation is in place, but before concealment.

110.4.10.3 Lighting and motors.

1. Lighting equipment and controls. The lighting equipment and controls inspection is to be made after the installation of all lighting equipment and controls required by the construction codes, but before concealment of the lighting equipment.
2. Motors. Motor inspections are to be made after installation of all equipment covered by the construction codes, but before concealment.

110.4.11 Electrical.

1. The installation, alteration or extension of any electrical system, fixtures or components for which a permit is required by this code shall be subject to inspection by the building official and such electrical systems, fixtures and components shall remain accessible and exposed for inspection purposes until approved by the building official. It shall be the duty of the permit applicant to cause the electrical systems to remain accessible and exposed for inspection purposes. The city shall not be liable for expenses entailed in the removal or replacement of material required to permit inspection. When the installation of an electrical system is complete, an additional and final inspection shall be made. Electrical systems and equipment regulated by the National Electrical Code shall not be connected to the energy source until authorized by the building official.
2. The building official may require special inspection of equipment or wiring methods where the installation requires special training, equipment, expertise, or knowledge. Where such special inspection is required, it shall be performed by an independent third party acceptable to the building official. The special inspection person/agency shall be designated and approved prior to beginning the installation of wiring or equipment. A written report from the designated special inspection agency indicating that the installation conforms to the appropriate codes and standards shall be received by the building official prior to that installation being approved. All costs for such testing and reporting shall be the responsibility of the permit holder.
3. Approval as a result of an inspection shall not be construed to be an approval of a violation of the provisions of the National Electrical Code or of other ordinances of the city. Inspections presuming to

give authority to violate or cancel the provisions of the National Electrical Code or other ordinances of the city shall not be valid.

4. The building official, upon notification, shall make the inspections set forth in this section:
 - a. Underground. Underground inspection shall be made after trenches or ditches are excavated and bedded, piping and conductors are installed, and before backfill is put in place. Where excavated soil contains rocks, broken concrete, frozen chunks and other rubble that would damage or break the raceway, cable or conductors, or where corrosive action will occur, protection shall be provided in the form of granular or selected material, approved running boards, sleeves or other means.
 - b. Rough-in. Rough-in inspection shall be made after the roof, framing, fire-blocking and bracing are in place and all wiring and other components to be concealed are complete, and prior to the installation of wall or ceiling membranes. All required equipment grounding conductors installed in concealed cable or flexible conduit systems must be completely installed and made up at the time of the rough-in cover inspection.
 - c. 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 other laws, which are enforced by the city.
 - d. Final Inspection. The final inspection shall be made after all work required by the permit is completed.
5. Traffic management systems.
 - a. The city will perform the electrical inspection and acceptance of traffic management systems within its jurisdiction. A traffic management system includes:
 - i. Traffic illumination systems;
 - ii. Traffic signal systems;
 - iii. Traffic monitoring systems;
 - iv. The electrical service cabinet and all related components and equipment installed on the load side of the service cabinet supplying electrical power to the traffic management system; and
 - v. Signalization system(s) necessary for the operation of a light rail system. A traffic management system can provide signalization for controlling vehicular traffic, pedestrian traffic, or rolling stock.
 - b. The city recognizes that traffic signal conductors, pole and bracket cables, signal displays, traffic signal controllers/cabinets, and associated components used in traffic management systems are acceptable for the purpose of meeting the requirements of RCW Chapter 19.28 provided they conform with the following standards or are listed on the Washington state department of transportation (WSDOT) qualified products list.

WSDOT/APWA Standard Specifications and Plans;

WSDOT Design Manual;

International Municipal Signal Association (IMSA);

National Electrical Manufacturers Association (NEMA);

Federal Standards 170/Controller Cabinets;

Manual for Uniform Road, Bridge, and Municipal Construction;

Institute of Transportation Engineers (ITE);

Manual of Uniform Traffic Control Devices (MUTCD).

- c. Associated induction detection loop or similar circuits will be accepted by the department or city authorized to do electrical inspections without inspection.
- d. For the licensing requirements of RCW Chapter 19.28, jurisdictions will be considered owners of traffic management systems when doing electrical work for another jurisdiction(s) under a valid interlocal agreement, as permitted by RCW Chapter 39.34. Interlocal agreements for traffic management systems must be filed with the department or city authorized to do electrical inspections prior to work being performed for this provision to apply.
- e. Jurisdictions, with an established electrical inspection authority, and WSDOT may perform electrical inspection on their rights-of-way for each other by interlocal agreement. They may not perform electrical inspection on other rights-of-way except as allowed in RCW Chapter 19.28 or 39.34.
- f. Underground installations.
 - i. In other than open trenching, raceways will be considered "fished" according to the NEC and do not require visual inspection.
 - ii. The department or city authorized to do electrical inspections will conduct inspections in open trenching within its jurisdiction upon request.
- g. Identification of traffic management system components. Local government jurisdictions or WSDOT may act as the certifying authority for the safety evaluation of all components.
 - i. An electrical service cabinet must contain only listed components. The electrical service cabinet enclosure is not required to be listed but will conform to the standards in subsection (h) of this section.
 - ii. The local government jurisdiction must identify, as acceptable, the controller cabinet or system component(s) with an identification plate. The identification plate must be located inside the cabinet and may be attached with adhesive.
- h. Conductors of different circuits in same cable, enclosure, or raceway. All traffic management system circuits will be permitted to occupy the same cable, enclosure, or raceway without regard to voltage characteristics, provided all conductors are insulated for the maximum voltage of any conductor in the cable, enclosure, or raceway.

110.4.12 Reinspection. The building official may require a structure or portions of work to be reinspected. A reinspection fee may be assessed for each inspection or reinspection 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 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 reinspection fees have been assessed, no additional inspection of the work shall be provided by the city until the required fees are paid.

110.4.13 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 the construction codes, the Construction Administrative Code, and other laws or ordinances of the city.

110.4.14 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 construction codes by an approved agency at no cost to the jurisdiction.

110.4.15 Building enclosure special inspection requirements of RCW Chapter 64.55. RCW Chapter 64.55 requires affected multiunit residential buildings to provide a building enclosure inspection performed by a third party, independent, and qualified inspector during the course of initial construction and during rehabilitative construction. The city does not verify the qualifications of the inspector or determine whether the building enclosure inspection is adequate or appropriate. However, the City is prohibited from issuing a

certificate of occupancy for the building until the inspector prepares a report and submits to the building department 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 107.2.4.1 Building enclosure design requirements of RCW Chapter 64.55 for additional requirements.

110.4.16 Final inspection. The final inspection shall be made after all work required by the building permit is completed.

110.4.16.1 Commercial energy code final. The final inspection shall include verification of the installation and proper operation of all required building controls, and documentation verifying activities associated with required building commissioning have been conducted in accordance with WSEC C408.

110.5 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.

110.6 Inspection requests. It shall be the duty of the permit holder or their duly authorized agent to notify the building official 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 the construction codes and the Construction Administrative Code.

110.7 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the building official. The building official, upon notification, shall 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 the construction codes or the Construction Administrative Code. Any portions that do not comply shall be corrected and such portion shall not be covered or concealed until authorized or approved by the building official.

SECTION 111 CERTIFICATE OF OCCUPANCY

111.1 Use and Cchange of occupancy. A building or structure shall not be used or occupied in whole or in part, and a change of occupancy of a building or structure or portion thereof shall not be made, until the building official has issued a certificate of occupancy as provided herein. Issuance of a certificate of occupancy shall not be construed as an approval of a violation of the provisions of the construction codes, the Construction Administrative Code, or of other ordinances of the jurisdiction. Certificates presuming to give authority to violate or cancel the provisions of this code or other ordinances of the jurisdiction shall not be valid.

Exceptions:

1. Work exempt from permits per Section 105.2.
2. For single family dwellings and their accessory structures, the City issued building permit inspection record may serve as the certificate of occupancy when the final inspection has been approved by the building official or the building official's designee.

111.2 Change in use. Changes in the character or use of an existing structure shall not be made except as specified in Section 506 and 507 of the International Existing Building Code.

111.23 Certificate issued. After the building official inspects the building or structure and finds no violations of the provisions of the construction codes, the Construction Administrative Code, or other laws or ordinances that are enforced by this jurisdiction, the building official shall issue a certificate of occupancy that contains the following:

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 the construction codes and the Construction Administrative Code 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.
9. The type of construction.
10. The design occupant load.
11. Where~~if~~ an automatic sprinkler system is provided, and whether the sprinkler system is required.
12. Any special stipulations and conditions of the building permit.

111.43 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 any or all accessibility components. 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.

111.54 Revocation. The building official is authorized to, in writing, suspend or revoke a certificate of occupancy issued under the provisions of the construction codes and the Construction Administrative Code wherever the certificate is issued in error, or on the basis of incorrect information supplied, 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 the construction codes or the Construction Administrative Code.

SECTION 112 SERVICE UTILITIES

112.1 Connection of service utilities. No person shall make connections from a utility, source of energy, fuel or power, or a water system or sewer system to any building or system that is regulated by the construction codes or the Construction Administrative Code for which a permit is required, until approved by the building official.

112.2 Temporary connection. 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.

112.3 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 the construction codes and the Construction Administrative Code 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 approval required by Section 112.1 or 112.2. The building official shall notify the serving utility and, wherever possible, the owner or the owner's authorized agent and occupant of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified by some method prior to disconnecting, the owner or the owner's authorized agent or occupant of the building, structure or service system shall be notified in writing, as soon as practical thereafter.

112.4 Connection after order to disconnect. A person shall not make energy source connections to mechanical, plumbing, or electrical systems regulated by the construction codes, which have been disconnected or ordered to be disconnected by the building official, or the use of which has been ordered to be discontinued by the building official until the building official authorizes the reconnection and use of such systems. Where a system is maintained in violation of the construction code, and in violation of a notice issued pursuant to the provisions of this section, the building official shall institute appropriate action to prevent, restrain, correct or abate the violation.

SECTION 114 VIOLATIONS

114.1 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 the construction codes and the Construction Administrative Code, or cause same to be done, in conflict with or in violation of any of the provisions of the construction codes or the Construction Administrative Code.

114.2 Enforcement. Enforcement of the construction codes and the Construction Administrative Code shall be in conformance with the procedures set forth in chapter 6.10 MICC; provided, that references to the development code shall be deemed to refer to the Construction Administrative Code and the Construction Codes.

114.3 Enforcement Authority.

1. Community Planning and Development (CPD). CPD shall be responsible for enforcement of the construction codes, under the administrative and operational control of the building official, who shall be designated by the code official (as defined by MICC 19.16.010); provided, the fire code official or his or her designee shall be responsible for enforcement of the International Fire Code, the International Wildland-Urban Interface Code, IBC Chapter 9 — Fire Protection Systems and IRC Appendix V related to residential fire sprinklers.
2. Building Official. The building official is responsible for administration and interpretation of the Construction Administrative Code and the construction codes; provided, the fire code official or his or her designee shall be responsible for administration and interpretation of the ~~fire code~~ International Fire Code, the International Wildland-Urban Interface Code, IBC Chapter 9 — Fire Protection Systems and IRC Appendix V related to residential fire sprinklers.

Whenever the term or title "administrative authority," "responsible official," "building official," "chief inspector," "code enforcement officer" or other similar designation is used in this title or in any of the construction codes, it shall be construed to mean the building official designated by the code official; provided, with regard to the International Fire Code, it shall mean the fire code official or his or her designee.

SECTION 115 STOP WORK ORDER

115.1 Authority. Whenever the building official finds any work being performed in either a dangerous or unsafe manner or in a manner ~~either~~ contrary to the provisions of the construction codes, the Construction Administrative Code, or other pertinent laws or ordinances implemented through the enforcement of the construction codes and the Construction Administrative Code, the building official is authorized to issue a stop work order.

115.2 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~~ is authorized to resume.

115.3 Investigation fee. 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. The special investigation fee shall be determined by Section 109.5.

ICC-115.34 Emergencies.

Where an emergency exists, the building official shall not be required to give written notice prior to stopping the work.

115.45 Unlawful continuance~~Failure to comply~~. 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 chapter 6.10 MICC.

SECTION 116 UNSAFE STRUCTURES AND EQUIPMENT

116.1 General. 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. Unsafe structures shall be taken down and removed or made safe, as the building official deems necessary and as provided for in the Uniform Code for the Abatement of Dangerous Buildings or the Uniform Housing Code. A vacant structure that is not secured against unauthorized entry shall be deemed unsafe. Additionally, the provisions of the MICC Title 6 – Building and land Use Code Enforcement ordinance may be utilized.

116.2 Restoration. Where the structure or equipment determined to be unsafe by the building official is restored to a safe condition, to the extent that repairs, alterations or additions are made or a change of occupancy occurs during the restoration of the structure, such repairs, alterations, additions and change of occupancy shall comply with the requirements of chapter 17.14 MICC, Section 105 and the International Existing Building Code.

SECTION 117 FEES

117.1 Fees. Fees shall be recommended by the building and/or code official and established by resolution of the Mercer Island city council for each permit required under the construction codes. No permit shall be issued until the required fees have been paid.

SECTION 118 REFERENCES TO CODES NOT ADOPTED

118.1 Corresponding Codes. Where codes and standards adopted in this title make reference to codes and standards not adopted in this title, the codes and standards not adopted shall be deemed to refer to adopted codes or standards as follows:

1. References to the International Plumbing Code shall be deemed to refer to the Uniform Plumbing Code.
2. References to the International Electrical Code shall be deemed to refer to the Washington Cities Electrical Code.
3. References to the International Property Maintenance Code shall be deemed to refer to either the Uniform Housing Code or the Uniform Code for the Abatement of Dangerous Buildings as set forth in chapter 17.14 MICC, the Construction Administrative Code, subsection 101.5.7.
4. References to the International Energy Conservation Code shall be deemed to refer to the Washington State Energy Code.

118.2 Codes and Standards Not Referenced — Coordination of Section References. In the event of references in a code, standard, or section that do not correlate accurately to adopted codes, standards, or sections, the building official shall determine the code, standard or section that most closely correlates.

(Ord. 21C-01 § 1 (Exh. A); Ord. 20C-21 § 1; Ord. 18C-06 § 1 (Att. A); Ord. 17C-15 § 1 (Att. A); Ord. 17C-12 § 4; Ord. 16C-04 § 11; Ord. 15C-14 § 2; Ord. 13C-06 § 10; Ord. 10C-03 § 11; Ord. 07C-04 § 12; Ord. 04C-12 § 4)

17.14.020 Appeals.

A. *Appeals to Hearing Examiner.*

1. Appeals of orders, decisions and determinations of the building or fire code official issued pursuant to MICC title 15 or this title that do not constitute enforcement actions shall be heard and decided by the city of Mercer Island hearing examiner pursuant to this section and chapter 3.40 MICC.
2. To the extent the codes adopted by reference in this title refer to a "board of appeals" or a "building board of appeals," those references shall be deemed to refer to the city of Mercer Island hearing examiner.

B. *Limitations on authority.* An appeal shall be based on a claim that the true intent of this chapter or the technical codes adopted in this title (the "technical codes") or the rules legally adopted thereunder have been incorrectly interpreted, that the provisions of this chapter or the technical codes do not apply or that an equally good or better form of construction, method of protection or safety is proposed. The hearing examiner shall have no authority relative to interpretation of the administrative provisions of this code nor shall the hearing examiner have the authority to waive requirements of either this code or of other codes, appendices and referenced code standards adopted by or through this code.

On its own motion or on the motion of a party, the hearing examiner shall dismiss an appeal for lack of jurisdiction or authority.

C. *Who can appeal, when to appeal and appeal fee.* For the purposes of this chapter, "appellant" shall be defined as the applicant and the owner of property to which the permit decision is directed, or anyone who is adversely affected by the order, determination, or decision. An appellant shall file an appeal of the order, decision or determination of the building or fire code official with the city clerk within 14 days of the date of the decision of the building or fire code official, using a form provided by the city. An appeal fee established by resolution shall be payable at the time an appeal is submitted. Failure to timely file the appeal or pay the appeal fee shall result in dismissal of the appeal.

D. *Contents of appeal.* At a minimum, the written filing of an appeal shall contain:

1. A clear reference to the matter being appealed, including code citations for the section(s) of code subject to the appeal;
2. A statement of the specific objections to the building or fire code official's order, decision or determination disputed by the appellant; and
3. The relief sought by the appellant.

E. *Notice of the appeal hearing.*

1. The building official shall prepare a notice of the appeal hearing containing the following:
 - a. The file number and a brief description of the matter being appealed;
 - b. A statement of the scope of the appeal including a summary of the elements of the building or fire code official's order, decision or determination that are contested in the appeal;
 - c. The time and place of the hearing on appeal before the hearing examiner; and
 - d. A statement of who may participate in the appeal.
2. At least 15 days before the hearing on the appeal, the building official shall send a copy of the notice of appeal hearing to each person who has appealed the building or fire code official's order, decision or determination.

F. *Participation in the appeal.* Only those parties who have appealed the building or fire code official's order, decision or determination may participate in the appeal. Appellants may participate in either or both of the following ways:

1. By submitting written comments or testimony to the hearing examiner prior to the commencement of the hearing; or
2. By appearing in person, or through a representative, at the hearing. The hearing examiner may reasonably limit the extent of oral testimony or oral argument to facilitate the orderly and timely conduct of the hearing.

G. *Scope of appeal.* The appeal will be an open record appeal hearing. The scope of the appeal is limited to the specific elements of the building or fire code official's order, decision or determination disputed by the appellant and the hearing examiner shall only consider comments, testimony and arguments on these specific elements.

Chapter 17.17 INTERNATIONAL EXISTING BUILDING CODE

17.17.010 Adoption.

The ~~2018-2021~~ International Existing Building Code (IEBC) is included in the adoption of the International Building Code as provided by IBC Section 101.4.7 and amended in WAC 51-50-480000, including Appendix A, Guidelines for the Seismic Retrofit of Existing Buildings, excluding Chapter 1, Part 2, Administration. The Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in place of IEBC Chapter 1, Part 2, Administration. Provided, that detached one- and two-family dwellings and ~~multiple single family dwellings (townhouses)~~ townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with ~~this code or the International Residential Code. Provided, that the Washington State Energy Code and the International Wildland Urban Interface Code shall be regulated by their respective provisions for existing buildings. Provided, that work regulated by this code is also regulated by the construction requirements for existing buildings within Chapter 11 of the International Fire Code, such work shall comply with applicable requirements in both codes.~~

(Ord. 21C-01 § 1 (Exh. A))

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Chapter 17.18 INTERNATIONAL SWIMMING POOL AND SPA CODE

17.18.010 Adoption.

The ~~2018-2021~~ International Swimming Pool and Spa Code (ISPSC) is included in the adoption of the International Building Code as provided by IBC Section 3109.1 and amended in WAC 51-50-3109, and as provided by IRC Section ~~R329-R327~~ and amended in WAC 51-51-~~0329,0327~~ excluding Chapter 1, Part 2, Administration. The Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in place of ISPSC Chapter 1, Part 2, Administration. The design and construction of swimming pools, spas, hot tubs and other aquatic recreation facilities shall comply with the ISPSC where the facility is one of the following, except that public swimming pool barriers are regulated by WAC 246-260-031(4):

- A. For the sole use of residents and invited guests at a single-family dwelling;
- B. For the sole use of residents and invited guests of a duplex owned by the residents; or
- C. Operated exclusively for physical therapy or rehabilitation and under the supervision of a licensed medical practitioner.

All other "water recreation facilities" as defined in RCW 70.90.110 are regulated under WAC Chapters 246-260 and 246-262.

(Ord. 21C-01 § 1 (Exh. A))

Chapter 17.19 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE

17.19.010 Adoption.

The 2021 edition of the *International Wildland - Urban-Interface Code*, as adopted and amended by the State Building Code Council in WAC Chapter 51-55, as published by the International Code Council, excluding Chapter 1, Administration, is adopted by reference, together with the following amendments and additions. The Construction Administrative Code, as set forth in chapter 17.14 MICC, shall be used in place of IWUIC Chapter 1, Administration. The codes, appendices, and standards set forth in this chapter shall be filed with the city clerk and a copy made available for use and examination by the public, pursuant to RCW 35A.12.140.

17.01.020 Amendments and additions.

101 Scope and general requirements.

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, repair, maintenance and use of any building, structure, or premises within the wildland-urban interface areas in this jurisdiction.

Buildings or conditions in existence at the time of the adoption of this code are allowed to have their use or occupancy continued, if such condition, use or occupancy was legal at the time of the adoption of this code, provided that such continued use does not constitute an egregious danger to life or property.

Buildings or structures moved into or within the jurisdiction shall comply with the provisions of this code for new buildings or structures.

101.4 Retroactivity. The provisions of the code shall apply to conditions arising after the adoption thereof, conditions not legally in existence at the adoption of this code and conditions that, as determined by the code official, constitute an egregious hazard to life or property.

EXCEPTION: Provisions of this code that specifically apply to existing conditions are retroactive.

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Summary of Significant Code Changes

The 2021 Construction Codes will be effective on July 1, 2023. The following list highlights some of the significant changes to the various construction codes. Washington State amendments have been prefaced with “WS” to clarify the source of the change.

2021 International Building Code (IBC)

- Nonstructural components. Construction documents shall indicate if structural support and anchoring documentation for nonstructural components is part of the design submittal or a deferred submittal. WS IBC 107.2.9.
- Types IV-A, IV-B and IV- C connection protection inspection: Special inspection requirements were added to address the anchorage and connection of mass timber structural elements. IBC 110.4.9.2.
- Change of Occupancy definition revised to include a change in the level of activity within a building or structure. IBC 202.
- State amendment to the high-rise definition to include an occupied roof with an occupant load of 50 or more persons, which is located more than 75 feet above the lowest level of fire department vehicle access. WS202. Note - the definition was previously amended in MICC 17.01.020 to be measured to the occupied floor or rooftop, regardless of occupant load.
- Uses not classified as Group H: Distilling, brewing, and storing beer, wine, and spirits is not necessarily in Group H as long as it complies with the International Fire Code. IBC 307.1.1.
- Alcoholic beverage storage: Beverages over 16% alcohol are in the S-1 moderate-hazard storage group; beverages at or below 16% are in the S-2 low-hazard storage group. IBC 311.2 & 311.3.
- Puzzle rooms (escape rooms) are now defined and regulated as special amusement areas, requiring compliance with Section 411 and special means of egress requirements. IBC 202, 411.5.
- For the purpose of determining the allowable number of control areas in a building, each portion separated by one or more fire walls is now considered as a separate building. IBC 414.2.3. Play structure requirements increased when exceeding 600 sf in area or 10 feet in height, including special investigation and structural design. IBC 424.
- Domestic cooking in ambulatory care facilities: New rules for domestic cooking appliances in care facilities include fire safety measures, gas shutoffs with supervisory staff access, and timed shutoffs for appliances. IBC 422.7.
- The state requires electric vehicle charging infrastructure within new buildings and accessory structures for most occupancy groups, including dwelling units with private garages. WS IBC 429, WS IBC Table 429.2.
- Occupied roof allowances: Occupied roofs are not included in the height or number of stories as long as the penthouse and other roof structures comply with section 1511. IBC 503.1.4. Enclosure of occupied roof areas. With limited exceptions, elements or structures enclosing the occupied roof areas shall not extend more than 48 inches (1220 mm) above the surface of the occupied roof. WS IBC 503.1.4.1.
- Guards. Occupied roofs shall have guards in accordance with Section 1015.2. WS IBC 503.1.4.2
- Podium buildings: Now allows combustibile stair construction below the 3-hour horizontal separation if several conditions are met. WS IBC 510.2.
- Previous construction types in the state code (Types IV-A, IV-B, and IV-C) have been moved to the model code with some state amendments. Three construction types allow mass timber buildings of taller heights, more stories above grade, and greater allowable areas compared to existing provisions for heavy timber buildings. IBC 602.4, IBC Table 601, WS 602.4.

- Structural fire Protection: Now requires any attachments to fire rated steel members to be rated for at least 12" away from structural member. IBC & WS 704.6.1.
- Separation of Energy Storage Systems requiring fire barriers and restricting fire-protection rated glazing to address thermal runaway concerns. Provided glazing must be fire-resistance rated. Wall & opening requirements as established by IFC 1207. IBC 707.4, 716
- Exit Access Travel Distance: This language change from "Common path of Egress Travel Distance" to "Exit Access Travel Distance" will change the end point of the measurement of the distance traveled. For single-exit stories, the travel distance limits are now based on the exit access travel distance as opposed to the common path of egress travel. IBC 1006.3.4.
- Egress illumination: Increases amount of lighting along stairs & landings from 1 foot-candle to 10 f-c while stairs are in use (occupant sensors). IBC 1008.2.1.
- Accessible egress: Now requires elevator to occupied roofs if 4 stories or more. IBC 1009.2.1.
- Min. door width: Door width revisions to certain small spaces such as fitting rooms, shower compartments, toilet stalls, etc. IBC 1010.1.1.
- Max. door width: Door width no longer limited to 4 ft. max. (if all other requirements met). IBC 1010.1.1. Areas of refuge: Increased size of areas of refuge from 30"x 40" to 30"x 52". IBC 1009.6.3.
- The 2017 edition of ICC A117.1 *Accessible and Usable Buildings and Facilities* was adopted. IBC 1102.1.
- ICC A117.1 – 2017 contains substantial changes to account for the standard, larger electronic wheelchairs. For example, increased sizes of turning spaces, clear floor spaces, toilet rooms, width along accessible route of travel, ramps, curb ramps, sidewalks, etc. and other spaces in new construction.
- ICC A117.1 – 2017 provides technical requirements for wheelchair charging stations.
- Unvented attics: Expands alternatives for unvented attic spaces if air permeable insulation and 'vapor diffusion ports' (new definition) are used. IBC 1202.3.
- In Group E occupancies, enhanced classroom acoustics in compliance with ICC A117.1 are to be provided in all classrooms having of volume of 20,000 cubic feet or less. IBC 1207.
- Restroom privacy: new requirement to provide privacy screening at entrance to public restrooms designed for more than one occupant. IBC 1210.3.
- Parapets of a minimum height are now required for aggregate-surfaced roofs to prevent blow-off. IBC 1504.9.
- Mixed occupancy buildings with assembly spaces are placed in Risk Category III when the total public assembly occupant load is greater than 2500 people. IBC Table 1604.5.
- Installation of firestop, fire-resistant joint systems, and perimeter fire containment systems in residential-use buildings now requires special inspection in Group R fire areas having an occupant load exceeding 250 people. IBC 1705.1.8.
- Structural Concrete Tolerances - ACI standards ACI 117 and ITG 7 were added by reference to provide acceptable tolerances for concrete construction. IBC 1901.7.
- The use of intermodal shipping containers as buildings is now specifically addressed through provisions intended to supplement existing applicable IBC requirements. IBC 3115.
- All-gender terminology replaces gender neutral. Separate facilities not required rooms are designed for use by both sexes and privacy is provided. WS Chapter 29.
- Fire protection: Expands requirements to provide fire protection water on construction sites before and during vertical construction. IBC 3313.
- Appendix P Construction & Demolition Material Management: if specifically adopted by a jurisdiction, provides requirements for salvage assessment and waste diversion.

2021 International Residential Code for One- and Two-Family Dwellings (IRC)

- The state added Ch. 45 – Existing buildings and structures. The scoping provisions state that repairs, alterations, additions, and relocation of existing buildings and structures must comply with the requirements of new construction except as modified in this chapter. Users are directed to the IEBC only when there is a change in occupancy or change of height or egress that pushes the scope out of the IRC. WS IRC R102.7.1 and WS IRC Chapter 45.
- The definition of Townhouse changed and a new definition for Townhouse Unit was added and modified by the state. IRC R202 & WS IRC R202.
- The state added a definition of Enclosed Kitchen and Loft (to replace Sleeping Loft) and modified Landing Platform. WS IRC R202.
- The use of Intermodal Shipping Containers is now recognized in the IRC and criteria for minimum structural requirements is referenced to Section 3115 of the IBC. IRC R301.1.4.
- Wind speeds have been updated and reduced in many areas. Design criteria can be verified using <https://asce7hazardtool.online/>. IRC R301.2.1.
- Irregular building provisions for hillside light-frame constructed buildings may require engineered design per IBC. R301.2.2.6 (Item 8).
- Scope added for anchorage of water heaters to include thermal storage units. WS IRC R301.2.2.10.
- The live load requirement for guards and handrails are separated and the requirements for guards have been lessened. Now only handrails must apply a single concentrated load applied in any direction at any point along the top. For guards not required to serve as a handrail, the load need not be applied to the top element of the guard in a direction parallel to such element thus reducing the amount of connection hardware needed to construct a guard along a deck or other elevated walking surface. Guards must still be designed with the concentrated load in the downward direction and in the horizontal direction away from the walking surface. IRC Table R301.5.
- While the model code was amended to clarify that the separation of dwelling units in two-family dwellings to be not less than 1-hour regardless of whether a lot line existed between the units, the state did not adopt that language and added an exception to not require separation of an ADU added to an existing single-family residence to create a two-family dwelling when smoke alarms are interconnected. WS IRC R302.3.1.
- The state made several modifications to the fire-resistance requirements in two-family dwellings regarding protection at the wall separating units, separation from shared accessory rooms, and penetrations. WS IRC R302.3.4 – R302.3.5.3.
- Doors at the dwelling-to-garage opening now must be self-latching in addition to being equipped with a self-closing or automatic-closing device. IRC R302.5.1.
- A new section added regarding electric vehicle charging to require a dedicated 40-ampere circuit terminating at a junction box, receptacle outlet or charging equipment. WS IRC R309.6.
- The provisions for window wells and area wells serving emergency escape and rescue openings have been merged into one section for area wells. IRC R310.4.
- The state relocated requirements for replacement windows from R310.5 to R4502.5. WS IRC R4502.5.
- The state exception to allow access to areas of 200 s.f. or less utilizing alternating tread devices, ship's ladders or ladders has been limited to areas located not more than 10 feet above finished floor of the space below. WS IRC R311.4.
- The state removed the limitation of 12'-7" as the maximum vertical rise of stair flights. WS IRC R311.7.3.
- The state did not adopt the exception for alternating tread devices or ship's ladders. WS IRC R311.7.11 & WS IRC R311.7.12.

- A new location requirement for smoke alarms was added to address high ceilings adjacent to hallways serving bedrooms and the state clarified that a smoke alarm is required within the room to which a loft is open. IRC R314.3 & WS IRC R314.3.
- The provisions for protection of wood against decay have been reorganized and clarified. IRC R317.1.
- The accessibility provisions for live/work units and owner-occupied lodging houses constructed under the IRC are clarified. IRC R320.
- Habitable attics are now limited to one-third the floor area of the story below except if the dwelling unit is equipped with a fire sprinkler system, it can be not greater than one-half the floor area. IRC R326.
- The state requirement that pools and spas comply with the ISPSC has been relocated from R328 to R327 with the same revisions as previously adopted. WS IRC R327.1.
- The state amended section for Energy Storage Systems has been relocated from R329 to R328 and modified. WS IRC R328.
- The state added a new section for Lofts including a definition in R202. Other code sections modified to include loft requirements where applicable. WS IRC R333.
- The state added a new section for Stationary Fuel Cell Power Systems and refers to the IFC for compliance requirements. WS IRC R334.
- 6 mil waterproofing no longer allowed at concrete foundations. IRC R406.2.
- A minimum 10 mil vapor retarder conforming to ASTM E1745 Class A requirements is now required below slabs-on-grade. IRC R506.2.3.
- New section added specific to exterior deck guards. IRC R507.10.
- Continuous sheathing requirements for foundation cripple walls limited to exterior cripple walls only allowing for simplified crawl space ventilation. IRC R602.9.
- The location of braced wall lines and permitted offsets are more limited. IRC R602.10.1.2.
- Clarifications added for use of brick veneer in prescriptive designs by adjusting seismic factors. IRC Table R602.10.3(4).
- Limitations added for stone and masonry veneer in prescriptive designs. IRC R602.10.6.5.
- Garage door labeling required to identify wind pressure rating among other information. IRC R609.4.1.
- Requirements for vapor retarders have been reorganized and clarified. Several new tables have been provided to assist designers in determining what vapor retarders are required, and where these vapor retarders should be located in the wall assembly. IRC R702.7.
- Some previous state amendments for exterior coverings regarding water-resistive barriers and flashing have been removed to rely on the model code language. IRC R703.
- Larger air gaps are allowed behind veneer to accommodate thicker continuous insulation. IRC Table R703.8.4(1).
- A new section added to provide prescriptive guidance on materials, design, and installation of soffits. IRC R704.
- Revised wood roof framing language to clarify where a ridge beam is required when ceiling joists or rafter ties do not provide continuous ties across the structure. IRC R802.3.
- Additional specifications are provided to clarify and limit where ridge boards can be used. IRC R802.6.
- The state modified local exhaust requirements in kitchens and differentiates between open and enclosed kitchens. Enclosed Kitchen added to definitions. WS IRC R202 & WS IRC M1505.4.4.1.
- The state modified local exhaust fan requirements to limit sones at kitchen fans. WS IRC M1505.4.4.2.

- The state added a new section for local intermittent kitchen exhaust systems including field verification and diagnostic testing requirements. WS IRC M1505.4.4.3.
- A new section added for oil-fired appliances to be equipped with a safety device which will stop burner operation in the event that the venting system is obstructed. IRC M1802.4.
- The provisions for ground source heat pump loop piping systems in Section M2105 have been duplicated in Section M2101 to apply to all hydronic piping systems in this modified section. IRC M2101.11 – M2101.31.
- The exception allowing new exhausts to be run through existing unlined chimneys has been removed. IRC G2427.5.5.1.
- The exception allowing commercial cooking appliances where the installation is designed by a licensed Professional Engineer has been removed. Commercial cooking appliances lack many safeguards that are found in residential appliances and are now fully prohibited by the IRC. IRC G2447.2.
- Requirement added for radon testing in Appendix AF – Radon control methods. This appendix chapter is specifically adopted by the state. WS IRC AF104.
- The state amends provisions in Appendix AT – Solar-ready provisions – detached one- and two-family dwellings. The provisions in this appendix are not mandatory unless specifically referenced in the jurisdiction’s adopting ordinance. WS IRC Appendix AT.
- The state adds Appendix Y – Construction and demolition material management. The provisions in this appendix are not mandatory unless specifically referenced in the jurisdiction’s adopting ordinance. WS IRC Appendix Y.
- The state adds Appendix Z – Building deconstruction. The provisions in this appendix are not mandatory unless specifically referenced in the jurisdiction’s adopting ordinance. WS IRC Appendix Z.

2021 International Mechanical Code (IMC)

- Clothes dryer exhaust terminals are required to be at least 3 feet from any opening into a building. IMC 504.4.1.
- Polyurethane spray-applied foam on the exterior of ducts in attics and crawl spaces required to meet specific smoke and flame index limits. IMC 604.3.
- Fire and smoke dampers must be provided with approved access for inspection and maintenance. IMC 607.4.
- Refrigerant tables updated to include new refrigerants. IMC Table 1103.1.
- Addition of condensate termination identification markings and discharge restrictions. IMC 307.1.1, 307.2.3.3, 307.2.1.1.
- Approved factory-built combination intake/exhaust terminations permitted, relaxing separation requirement. WS IMC 401.4(3); IMC 401.4.
- 30% reduction in minimum mechanical ventilation for whole-house balanced ventilation systems. IMC 403.3.2.1.
- Continuous operation requirement for manicure and pedicure station exhaust systems. IMC 502.20.1.
- Grease duct horizontal cleanout required within 3 feet of a horizontal discharge fan. IMC 506.3.9.

2021 International Fuel Gas Code (IFGC)

- The termination of concealed condensate piping requires marking to indicate if it is the primary drain or the secondary drain. IFGC 307.2.
- Press-connect joints are acceptable for high pressure (over 5 psig) applications indoors. IFGC 202.

2021 Uniform Plumbing Code (UPC)

- 120-degree Fahrenheit maximum shower discharge for single head showers – this previously applied only to gang showers. UPC 408.3.2
- New materials table added for cleanouts, UPC 707.2
- New testing standards for plastic pipes in plenums. Must now be tested for compliance with ASTM E84 or UL 723. UPC 903.1
- Circuit venting language cleaned up and clarified. UPC 911
- New secondary roof drain requirements. Requires doubling the rainfall rate for secondary roof drains unless roof is designed for ponding per ASCE 7-16. WA UPC 1101.12

2021 Washington State Energy Code - Commercial (WSEC-C)

- Sections in Chapter 1 are reordered (and renumbered) for consistency with other I-Code formats.
- Note, definition of Residential Building modified in WSEC-R, which changes scope of code. With revisions, Group R-2 buildings with dwelling units accessed from interior corridors (regardless of height) are now subject to commercial provisions of the energy code. WSEC R202.18-R & R401.1.
- Definition of Conditioned Space revised to clarify it includes stair and elevator shafts. WSEC C202.3-C.
- Allowance for insulation certificate to demonstrate R-value when insulating materials are installed without observable markings. WSEC C303.1.2.
- Clarifications made to code applicability to process equipment. WSEC C401.2.2.
- A permanent certificate requirement is added to commercial buildings that will record basic information related to the building thermal envelope. This is similar to the requirement for residential buildings. WSEC C401.3.
- Clarification to the semi-heated exception to clarify the exception only relates to the allowed heat source and does not allow unlimited heat capacity. WSEC C402.1.1.2 Exc.
- Reduction in allowed U-factor for greenhouse vertical fenestration on north walls to 0.60 (from 0.70). WSEC Table C402.1.1.3.
- Increase in R-value required for metal building roofs. WSEC Table C402.1.3.
- Both the wood frame wall and metal building wall R-values have been modified to require continuous insulation in addition to cavity insulation. WSEC Table C402.1.3.
- Opaque doors moved to WSEC Table C402.1.4 (from C402.1.3).
- Roof insulation requirements are clarified and separated for compliance with either the U-factor or R-value method in WSEC Sections C402.1.4.1 and C402.2.1.
- New section requires heat loss through PTACs, PTHPs, and other through-wall mechanical equipment to be calculated as part of envelope U-factor compliance. WSEC C402.1.4.3.
- The U-factor requirements in WSEC Table C402.1.4 are decreased to improve the efficiency of the building envelope.
- New sections added to reduce heat loss through significant thermal bridges in the building envelope. WSEC C402.2.8 & C402.2.9
- Maximum fenestration U-values and SHGCs decreased to reduce envelope heat loss. WSEC Table C402.4.
- Adjust the fenestration U-value requirements for increased allowable fenestration area. WSEC C402.4.1.1.2.
- Language clarified to require skylights in all spaces under a roof meeting the requirements, not just single-story spaces. WSEC C402.4.2.
- The allowable air leakage rate is reduced to 0.25 cfm/ft² and buildings must now meet this requirement. Corrective measures and retesting are needed until air leakage rate is achieved. WSEC C402.5.2 & C405.2.3.

- Increased R-value of ducts for combustion air to R-16 (from R-8) to align with outside air duct requirements. WSEC C402.5.5.
- Add exception to vestibule rule for doors connecting to outdoor dining areas. WSEC C402.5.9 Exc 11.
- Large, operable openings such as roll-up doors and windows must now be interlocked with the heating and cooling system. WSEC C402.5.11.
- Multiple revisions to TSPR section to provide clarifications based on interpretation request, expand use of TSPR to multifamily buildings, and add functionality to the approach by accounting for additional system parameters. WSEC C403.1.1.
- New section to require heat pump space heating, rather than fossil fuel or electric space heating, for all buildings. Exceptions are provided to allow electric resistance heating for small loads and as supplementary heat for very cold weather. WSEC C403.1.4.
- Additional exception to allow greater than 150% of minimum ventilation if a DOAS unit has a very efficient energy recovery device. WSEC C403.2.2.1 Exc 5.
- Fault detection and diagnostics now required for HVAC systems in large buildings (100,000 SF or larger) to ensure ongoing operational efficiency of equipment. WSEC C403.2.3 (ICC CE111-19).
- Decrease size threshold for variable speed drive requirement. WSEC C403.2.4 & C404.13.
- Efficiency tables updated and revised for SEER2. WSEC Tables C403.3.2(1) through C403.3.2(16).
- Increased efficiency requirements for DOAS systems. WSEC C403.3.5.1.
- Specific sizing and control requirements for DOAS heating and cooling systems added. WSEC C403.3.5.5.
- Requirements for demand responsive controls added for most use types. WSEC C403.4.1.7.
- Areas requiring demand control ventilation expanded. WSEC C403.7.1.1.
- Energy recovery required in Group R-2 occupancies. Energy recovery sensible recovery effectiveness requirements increased in other occupancies. WSEC C403.7.6.
- Demand controlled kitchen ventilation required for kitchens with 2000 cfm exhaust or greater. WSEC C403.7.7.1.3.
- Revised the fan power budget and allowances based on system type. WSEC C403.8.
- Added requirements for dehumidification efficiency for indoor growing facilities. WSEC C403.13.
- Service water heating must be heat pump water heater (HPWH) with some exceptions. Primary heat pump system sizing criteria added. WSEC C404.2.1.
- Large pool water heaters may not be electric resistance. WSEC C404.11.1.
- Demand responsive control requirements added for certain water heaters. WSEC C404.14.
- Luminaire level lighting controls required in large open offices. WSEC C405.2.8.1.
- Light reduction (dimming) controls required in most spaces that are not provided with occupant sensor lighting controls. WSEC C405.2.4.
- Daylight responsive lighting control trigger now based on lighting wattage regardless of luminaire quantity. WSEC C405.2.5.
- Electric receptacles required at dwelling unit gas appliances. WSEC C405.7.1.
- New UPS efficiency requirements for computer rooms in line with ENERGY STAR. WSEC C405.12.
- Significant revisions to C406 Additional Efficiency Credit tables and requirements. Credit requirements and allowances for each option now based on occupancy and applicable credit value weighted energy savings by occupancy type. Additional options added to WSEC Table C406.2.
- New Load Management Measure Credits (Table C406.3) required for new buildings greater than 5,000 SF in area. WSEC C406.3.
- Lower Commissioning exception thresholds. WSEC C408.1.
- Renewable energy generation system required for new buildings greater than 10,000 SF in area. WSEC C411.
- New section regulating compressed air systems (process loads). WSEC C412.

- Reduced threshold for meeting current lighting power allowance from 50% to 20% or more of luminaires altered.
- Change of space conditioning moved to C505 to clarify requirements. WSEC C505.

2021 Washington State Energy Code - Residential (WSEC-R)

- Sections in Chapter 1 are reordered (and renumbered) for consistency with other I-Code formats.
- Definition of Residential Building modified which changes scope of code. With revisions, Group R-2 buildings with dwelling units accessed from interior corridors (regardless of height) are now subject to commercial provisions of the energy code. WSEC R202.18-R & R401.1.
- Allowance for insulation certificate to demonstrate R-value when insulating materials are installed without observable markings. WSEC R303.1.2.
- Certificate requirements numbered for clarity and solar array information and code edition and compliance path requirements added. WSEC R401.3.
- The assembly U-factor is established as the primary insulation metric, with R-value as an alternative. The tables were reordered to reflect this, with U-factor table first. WSEC Tables R402.1.2 and R402.1.3.
- The ceiling U-factor has decreased to 0.024 (from 0.026). WSEC Table R402.1.2.
- The ceiling R-value has increased to R-60 (from R-49). WSEC Table R402.1.3.
- The wood frame wall R-value has been modified to require continuous insulation in addition to cavity insulation. Two options are 1) R-20 cavity plus R-5 continuous or 2) R-13 cavity plus R-10 continuous. WSEC Table R402.1.3.
- Air leakage rate reduced to
 - 4.0 air changes per hour (ACH) maximum (from 5.0 ACH) for IRC buildings. WSEC R402.4.1.3.1.
 - 0.25 cfm per square foot of the dwelling unit enclosure area maximum for R-2 units. WSEC R402.4.1.3.2.
- New requirement for outlet boxes to be air sealed. WSEC R402.4.6.
- The three possible duct locations (outside conditioned space, in conditioned space and buried) are clarified and the insulation requirements for each are modified. WSEC R403.3.
- Protection of piping insulation from “equipment maintenance” language clarified. WSEC R403.4.1.
- Water heaters must be installed in conditioned space, except for highly efficiency water heaters. WSEC R403.5.5.
- Water heaters must be heat pump type, with some exceptions and requirements for supplemental water heating systems. WSEC R403.5.7.
- New section requiring that the mechanical ventilation be tested and verified to meet the minimum flow rate requirements. WSEC R403.6.2.
- This new section requires that space heating be provided by a heat pump—either gas or electric—as a method to reduce greenhouse gas emissions and save energy. There are exceptions provided for dwellings with small heating loads and allowances for supplementary heating. WSEC R403.13.
- All lighting equipment shall contain only high-efficacy lighting sources (excluding kitchen appliance lighting fixtures). R404.1.
- Exterior lighting must meet the power allowances in the commercial provisions. WSEC R404.1.1.
- Interior lighting must now be controlled by dimmers, occupant sensor controls, or built-in fixture controls. WSEC R404.2.
- Exterior lighting over 30 watts must be provided with automatic controls to turn off during daylight hours. WSEC R404.3.
- Fuel normalization table credits adjusted. WSEC Table R406.2.
- Required number of additional energy efficiency credits reduced in most cases. Additions increased to require 2.0 credits (from 1.5) and exempts additions less than 150 square feet. WSEC R406.3.

- WSEC Table R406.3 extensively revised. One half point is equivalent to a 600 kWh energy savings. Some options were eliminated due to the fact they are now a part of the base code requirements.
- Small additions (less than 150 s.f.) are exempted from the requirement to obtain additional energy efficiency credits in Section R406. WSEC R502.1.1.
- New requirement that when additions over 150 square feet adjoin existing attic spaces, the existing attic space needs to be insulated to current R402 requirements and insulation values. WSEC R502.3.1.1.
- New exception added to state that replacement heating equipment is not required to comply with the heat pump requirement as long as it does not exceed the heating capacity of the equipment being replaced. WSEC R503.1.2 Exc 3.
- An exception was added to state that replacement water heating equipment is not required to comply with the heat pump requirement as long as it does not exceed the heating capacity of the equipment being replaced. WSEC R503.1.3 Exc 2.
- An exception was added to state that replacement water heating equipment is not required to be moved to within the conditioned space. WSEC R503.1.3 Exc 1.
- The threshold for lighting to comply with Section R404.1 was decreased from 50% replacement to 10% replacement. WSEC R503.1.4 Exc.
- Various standards were updated to more recent editions or were added to support new code requirements as noted in the section descriptions. WSEC Chapter 6.

2021 International Existing Building Code (IEBC)

- Application of fire code - Adds pointer to IFC Chapter 11. IEBC 101.2.1.
- Flood hazard documentation is required for lowest floor level in flood hazard areas; refers to IBC or IRC for compliance. IEBC 109.3.10.
- Adds “or other ordinance of the jurisdiction” to reasons why a code official is authorized to revoke a Certificate of occupancy. IEBC 110.4.
- Provides Building Official the authority to allow water and sewer connections, which may ease the construction process, especially for currently occupied buildings. IEBC 111.
- New section specifying that where an emergency exists, the code official is not required to give a written notice prior to stopping the work. IEBC 114.3.
- Changes to reference structures instead of buildings. Section clarifies that vacant structures that are not secured are unsafe. IEBC 115.1.
- Alteration, addition or change of occupancy - New language clarifies that the exception doesn't apply to alterations for accessibility required by Section 306. IEBC 301.3.
- Requirement added to maintain accessible means of egress during construction. IEBC 305.2.
- Section clarifying no alterations can be done that would decrease accessibility. IEBC 306.3.1.
- Requirement stating that exterior elements must be at least 36 inches wide. IEBC 306.7.6.
- Requirement to add smoke alarms for all group R and I-1 for any classification of work. IEBC 307.
- Requirement to add carbon monoxide detection in group I, R, and E under some circumstances. IEBC 308.
- When significant portions of a building's exterior wall coverings or exterior wall envelopes are added or replaced, they must comply with the requirements of Chapters 14 and 26 of the IBC. IEBC 309, 309.1.
- Additions, Level 3 alterations, and changes of occupancy in educational occupancies are now required to meet the enhanced classroom acoustic requirements of Section 808 of ICC A117.1. IEBC 502.6; 503.16; 506.6.
- Requirements in the IBC have been referenced to provide special allowances for educational occupancies with regard to door lock mechanisms. IEBC 503.17.
- New provisions allow the use of existing and smaller replacement windows for emergency escape and rescue openings within a change of occupancy when applying both the prescriptive and work area methods, providing flexibility while still maintaining the level of safety for occupants and emergency responders. IEBC 506.4.
- Locking requirements to keep intruders from entering rooms added for Group E, Group B educational, and Group I-4 to comply with IBC. Alteration level 1. IEBC 704.3.
- New section exempting requirements related to work area where level 2 alterations are limited to mech/elect/fire, windows, increasing accessibility. IEBC 801.3.
- Changed from all I occupancies to just I-1, I-3, and I-4. Section requires sprinklers where exits or corridors are shared by more than 1 tenant or where serving occupant load greater than 30. IEBC 803.2.2.
- New section requiring sprinklers in Group I-2 depending on size of work area. IEBC 803.2.3.
- Sprinkler requirement where occupant load is greater than 30 and exits/corridors are shared by more than 1 tenant. IEBC 803.2.5.
- Section adding requirement for minimum clear width of ramps and corridors to be 48” where corridors are used for movement of care recipients in beds. IEBC 804.3.
- Amendment adding limitation of 35 feet for dead end corridors in and 30 ft in I-2 occupancies. Group I-2 also added to Exceptions 2, 3, 4. IEBC 804.7.
- Section revised significantly. Previously if occupant load increased by >20%, plumbing fixtures for the story were required to be provided in quantities specified in the IPC based on the increased

occupant load. 2021 code requires only Group I-2 facilities, ambulatory care facilities and outpatient clinics to meet installation and equipment requirements in NFPA 99 for any added portion of an existing medical gas system. IEBC 808.1.

- New section requiring enhanced classroom acoustics for all Group E classrooms with a volume of 20,000 cf or less. IEBC 903.4.
- New section requiring sprinklers for Level 3 work areas. IEBC 904.1.4.
- New section requiring sprinklers for windowless stories where new construction would require it. IEBC 904.1.6.
- Adds exception – new plumbing required only when occupant load increased by more than 20 percent. IEBC 1009.1.
- Adds section to describe support needed for excavation retention systems. IEBC 1502.2.
- Water supply for fire protection should be made available as soon as combustible building material arrives on site / exception gives fire code official authorization to reduce fire-flow requirements for various reasons. IEBC 1509.1.
- Requires fire flow of 500 gallons per minute and within 500 feet of combustible building materials. IEBC 1509.2.
- Sets minimum fire flow based on the building fire separation parameters for > 30 ft, 30-60 ft and < 30 ft. IEBC 1509.3.

2021 International Swimming Pool and Spa Code (ISPSC)

- 4-foot-tall fencing now required for pool excavation sites during construction. ISPSC 305.11.
- New requirements for pool access gate latching devices. ISPSC 305.4.
- Means of egress complying with the IBC required for public pool enclosures. ISPSC 305.8.
- Hot water tanks serving pools as well as pool heaters are now required to be listed and labelled. ISPSC 316.2.
- New section added providing requirements for pool equipment rooms. ISPSC 324.

2021 International Wildland Urban Interface Code (IWUIC)

- Special requirements for properties located within wildland-urban interface or intermix areas, as defined by WA DNR map. Contains provisions addressing fire spread, accessibility, defensible space, water supply and more for buildings constructed near wildland areas.
- Establishes regulations to safeguard life and property from the intrusion of wildland fire and to prevent structure fires from spreading to wildland fuels.
- Regulates defensible space and provides ignition-resistant construction requirements to protect against fire exposure and resist ignition by embers.
- Provides standards for emergency access, water supply and fire protection.
- Provides requirements for automatic fire suppression and safe storage practices.

2021 International Fire Code

- CO Detectors required in Group I-1, I-2, I-4, R- and E classrooms. IFC 915.2, 1103.9
- Electrical Energy Storage System revised along with operational & construction permits. IFC 1207
- Modify Chapter 1 (administrative) to align enforcement, violations, and hearing examiner procedures with current language adopted by MICC and other Construction Codes. IFC Section 111, 112, 113
- Add language to encourage timeliness of confidence test reporting and recover staff time for reports not submitted. IFC 109.3.1



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6264
May 2, 2023
Regular Business

AGENDA BILL INFORMATION

TITLE:	AB 6264: Formation of a City Council Ad Hoc Committee to Assist City Manager in Review and Evaluation of Regional Fire Service Proposals	<input type="checkbox"/> Discussion Only <input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Create a City Council Ad Hoc Committee to assist the City Manager with review and evaluation of regional fire service proposals.	

DEPARTMENT:	City Manager
STAFF:	Jessi Bon, City Manager Robbie Cunningham Adams, Management Analyst
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Regional Fire Service Model Request for Proposals 2. City Council Rules of Procedure, Section 9
CITY COUNCIL PRIORITY:	4. Focus efforts and actions to be an environmentally and fiscally sustainable, connected, and diverse community.

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to create a City Council ad hoc committee, further described below.

- The purpose and objective of the committee is to assist the City Manager with review and evaluation of regional fire service proposals and to make a recommendation to the City Council.
- Staff proposes the committee meet twice in the month of May to inform a presentation and update to the City Council on June 6, 2023. Subsequent committee meetings may be scheduled in June.
- If the ad hoc committee is formed, then the Mayor will need to appoint three Councilmembers. This may be done at the May 2, 2023 Meeting.

BACKGROUND

During the April 4, 2023 City Council Meeting, the Council authorized and directed the City Manager to seek proposals from the City of Bellevue and Eastside Fire & Rescue for a regional fire service model ([AB 6249](#)). The City posted the [request for proposals \(RFP\) for regional fire services](#) with a due date of Wednesday, May 3, 2023 at 4:00 pm. The RFP includes a list of objectives and factors to guide the evaluation of regional fire services proposals (Exhibit 1). Additional information is available on the City's [Let's Talk page](#).

ISSUE/DISCUSSION

Staff recommends the creation of a City Council ad hoc committee, as set forth in the City Council Rules of Procedure 9.3B and 9.5 (Exhibit 2), to assist the City Manager in reviewing regional fire service proposals. Staff proposes the committee meet with the City Manager and staff twice in the month of May in preparation for a presentation and update to the City Council on June 6, 2023. Subsequent committee meetings may be scheduled in June.

Proposals will be received from responding agencies by May 3 at 4:00 pm. The proposals will be made available to the public on [Let's Talk](#).

The committee will not take action on behalf of the City Council, conduct hearings, or take testimony or public comment.

City Manager and staff meetings with the committee can be scheduled based on availability of committee members. Upon completion of the intended purpose and objective, the committee will disband as set forth in the City Council Rules of Procedure 9.3B.

NEXT STEPS

If a City Council ad hoc committee is formed, the Mayor (in consultation with the Deputy Mayor) will need to appoint three Councilmembers as set forth in the City Council Rules of Procedure 9.5. This may be done at the May 2, 2023 City Council Meeting.

RECOMMENDED ACTION

Create the City Council Regional Fire Service Proposal Review Ad Hoc Committee to assist the City Manager with review and evaluation of regional fire service proposals in May and June of 2023.

CITY OF MERCER ISLAND REQUEST FOR PROPOSALS – Bid No. 23-15

MERCER ISLAND FIRE SERVICES – REGIONAL PROPOSAL FRAMEWORK

Purpose of Request

The City of Mercer Island (“City”) is considering adopting a regional fire services model and is seeking proposals from the City of Bellevue and Eastside Fire & Rescue to provide fire and emergency services on Mercer Island. A regional fire services model is defined as a single, larger fire agency providing comprehensive fire services across multiple communities. The purpose of adopting a regional fire services model is to maintain or enhance current levels of service while balancing the shared responsibility for long-term cost-effective fire and emergency medical service delivery.

The information included below is intended to guide the development of a proposal with the understanding that final terms will be negotiated once an agency is selected.

Minimum criteria in considering adopting a regional fire services model include:

- Maintains or improves current fire and emergency medical service levels and both fire stations on Mercer Island remain open.
- Mercer Island Fire Department employees will be hired by the public agency in their current or comparable positions. Does not include the Fire Chief, Deputy Fire Chief, or Administrative Assistant positions.
- Creates opportunities for career growth, enhanced training, and other professional development for Mercer Island Fire Department employees.
- Achieves operating efficiencies and cost savings for the City of Mercer Island.

Schedule

The following is a tentative schedule for review and consideration of the proposals:

Issue RFP	April 5, 2023
Deadline for Submittal of Proposals	May 3, 2023, 4:00 PM PST
Internal Review of Proposals	May 2023
City Council Review of Proposals	May/June 2023
Next Steps	Timeline TBD

Scope of Work

The following Scope of Work is intended to inform the development of a proposal, with final terms to be negotiated if a regional fire services agency is selected. Responses to the request for proposals shall include the following:

1. Fire and Emergency Medical Services.
 - a. Will perform all services necessary for fire suppression, emergency medical services, hazardous materials response, technical rescue, and emergency response within the jurisdictional

boundaries of the City of Mercer Island as currently provided by the Mercer Island Fire Department.

- b. Will perform full-service fire marshal duties including development permit and plan reviews, annual hazard inspections, fire flow tests, and other fire protection system tests, fire investigations, and will support city code compliance efforts as appropriate.
- c. Provision of fire and emergency medical services with same or lower service response times as currently provided by the Mercer Island Fire Department.
- d. Fully integrate with the City of Mercer Island's Mobile Integrated Health program.
- e. Will create updated automatic and mutual aid agreements if needed, noting in the proposal how these may differ than existing arrangements for the Mercer Island Fire Department.

2. Level of Service and Staffing Integration.

- a. Will maintain or increase the level of fire and emergency medical service and staffing currently provided by the City of Mercer Island, which is as follows:
 - i. One (1) Battalion Chief, or Lieutenant in charge of Station 91 and 92
 - ii. One (1) Lieutenant at Station 92
 - iii. One (1) Lieutenant at Station 91
 - iv. Two (2) Firefighters at Station 91 and two (2) Firefighters at Station 92 (total of four firefighters on each shift).
 - v. One (1) Fire Marshal
- b. The uniformed employees of the Mercer Island Fire Department will be integrated into the IAFF local of the regional fire service agency. Uniformed employees will continue in their current positions, job assignments, and seniority, or as agreed through collective bargaining prior to the implementation of the regional fire services model.
- c. The City of Mercer Island recognizes that regional fire service agencies may utilize a different staffing structure, including different job titles and rankings as compared to the City's staffing structure. The proposal should include consideration for full integration of the positions identified above and include information on where variations or differences exist.

3. Other Considerations. The proposal shall include recommendations and costs associated with other components of the fire and emergency medical service operation, not contemplated in the above two sections, including the following:

- a. Address provision of benefits for fire employees including medical, dental, vision, retirement, and other.
- b. Address transition of accrued leave including sick and vacation for fire employees.
- c. Identify the preferred term length for a regional fire services agreement with parameters for options to amend or renew the agreement.
- d. Identify other specialty services not currently provided by the City of Mercer Island that would be included as part of this partnership.

- e. Address how the City's appurtenant funding mechanisms for fire and emergency medical service will be handled as part of the contemplated regional fire services agreement. This includes the City's annual contribution from the King County EMS Levy, the annual emergency medical service utility charge, revenues from emergency medical transport fees, and Federal funding associated with the Ground Emergency Medical Transportation program.
 - f. Address the recommended approach to facility maintenance, management, and repair in collaboration with the City of Mercer Island. The City anticipates retaining ownership of all existing fire stations, facilities, real property, apparatus, vehicles, and equipment and will oversee all capital projects.
 - g. Address approach to providing full-service fleet maintenance.
 - h. Describe the internal administration of fire and emergency medical services and the reliance, if any, on the City of Mercer Island's internal service departments (e.g., Human Resources, Payroll, IT, Finance, etc.)
 - i. Address the regional fire service agency's leadership and oversight structure, and how they would collaborate and engage with the Mercer Island City Council, City Manager, and other staff.
 - j. Describe the approach and level of service anticipated as it relates to communication, public relations, community engagement, and community education. Proposal should also address how the City's Communications Manager and agency will collaborate.
 - k. The City of Mercer Island manages a comprehensive emergency management program and intends to continue this program. The proposal should identify opportunities to further collaborate on emergency management services.
 - l. Outline the desired schedule for payment under the proposed agreement.
4. Costs of Services. Proposals shall include the cost for providing the services described above and highlight items that will require additional consideration. Costs that cannot yet be evaluated, but that will be part of the regional services model, should be identified in the proposal materials.

Collective Bargaining

The City of Mercer Island acknowledges the need and welcomes the opportunity to collectively bargain the impact of the transition to regional fire services with Mercer Island IAFF Local 1762.

Evaluation Factors for Review of Proposal

In addition to the items identified above, the City of Mercer Island may consider the following in evaluating proposals:

- Experience in providing regional fire services and satisfaction of current contract agencies.
- Immediate and long-term impacts to current Mercer Island Fire employees.
- Ability to maintain or enhance current levels of service while balancing the shared responsibility for long-term cost-effective fire and emergency medical service delivery.
- Governance model, reporting cycles, and annual metrics used to measure service delivery for contract agencies.

- Direct and indirect costs in the near and long-term.

Terms and Conditions

- The City reserves the right to accept and select any proposal or to negotiate with any agency, which in its sole discretion will best serve the public interest of Mercer Island.
- The City reserves the right to reject any and all proposals, and to waive minor irregularities in any proposal. The City is not obligated to accept any proposal or to negotiate with any agency in response to any proposal.
- The City reserves the right to request clarification of information submitted, and to request additional information.
- The City shall not be responsible for reimbursing any costs incurred by the agency in preparing, submitting, or presenting its response to the RFP.

Instructions for Submittal of Proposals

- Proposals must be submitted electronically in PDF format via email by Wednesday, May 3 at 4:00 pm PST. When a proposal has been received, a response email will be sent to confirm receipt. Proposals should be marked as follows and sent to:
 To: jessi.bon@mercerisland.gov
 Subject: Regional Fire Services Proposal
- Proposals should be prepared simply and economically, providing a straightforward, concise description of provider capabilities to satisfy the requirements of the request. Emphasis should be on completeness and clarity of content. Identification of issues that agency submitting proposal will need to address with the City if their proposal is selected is welcome.
- Proposals delivered after the posted deadline may not be considered for selection.

Contacts

All communication concerning this RFP should be directed in writing to:

Jessi Bon, City Manager
 Email: jessi.bon@mercerisland.gov

Any oral communications will be considered unofficial and non-binding on the City.

SECTION 9. CITY COUNCIL COMMITTEES

- 9.1** City Council committees, which are created by the City Council, operate as policy review and discussion arms of the City Council. The committees enable City staff to obtain early feedback from representative members of the City Council on issues affecting public policy prior to their presentation to the full City Council. City Council Committees are expected to anticipate the full range of considerations and concerns related to various policy questions.
- 9.2** Committees do not replace the City Council as final decision makers on behalf of the full City Council. City Council Committees give no staff direction on administrative matters, specific assignments, or work tasks. Any discussion or feedback expressed or received at a Committee meeting should not be construed or understood to be a decision by or for the full City Council.
- 9.3** There are two forms of City Council Committees:
- A.** Standing Committees: these are permanent and meet regularly on policy matters pertaining to the designated subject.
 - B.** Ad Hoc Committees: these are short-term in nature and advise on a specific policy matter or concern. Ad hoc committees will be dissolved upon completion of the intended purpose and objectives.
- 9.4** Committees will be established by a charter containing the purpose, objectives, responsibilities, duration, membership, and meeting schedule.
- 9.5** Committee appointments (chairs and members) shall be made by the Mayor (in consultation with the Deputy Mayor). The Mayor will consider the interests and requests of individual Councilmembers in making committee assignments. No more than three (3) Councilmembers shall serve on any committee.
- 9.6** Committees will have staff support assigned by the City Manager. Staff will work with the committee chairs to set agendas, provide support materials, and prepare reports.
- 9.7** In January of even years, the Mayor, in consultation with the Deputy Mayor, will review committees for relevancy and make appointments or reassignments, as necessary. The City Clerk will maintain the list of appointments (City Council Liaison Appointments) to established committees.



BUSINESS OF THE CITY COUNCIL CITY OF MERCER ISLAND

AB 6258
May 2, 2023
Public Hearing

AGENDA BILL INFORMATION

TITLE:	AB 6258: 2024-2029 Six-Year Transportation Improvement Program Review and Public Hearing	<input checked="" type="checkbox"/> Discussion Only <input type="checkbox"/> Action Needed: <input type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution
RECOMMENDED ACTION:	Receive comments from public hearing and provide feedback to staff.	

DEPARTMENT:	Public Works
STAFF:	Jason Kintner, Chief of Operations Matt Mornick, Finance Director Patrick Yamashita, City Engineer/Deputy Public Works Director Clint Morris, Capital Division Manager Lia Klein, Transportation Engineer Ian Powell, Street Engineer
COUNCIL LIAISON:	n/a
EXHIBITS:	1. Summary of Public Comments Received by April 21 2. Street Fund Forecast, as of April 2023 3. Detail of Proposed Expenditures 2024-2029 4. Project Descriptions 5. Map of Proposed Roadway and PBF Improvements 6. Map of Mercer Way Shoulder Improvements
CITY COUNCIL PRIORITY:	3. Make once-in-a-generation investments to update and modernize aging infrastructure, capital facilities, and parks.

AMOUNT OF EXPENDITURE	\$ n/a
AMOUNT BUDGETED	\$ n/a
APPROPRIATION REQUIRED	\$ n/a

EXECUTIVE SUMMARY

The purpose of this agenda bill is to conduct a public hearing on the 2024-2029 Transportation Improvement Program (TIP) and for the City Council to provide staff with feedback. Adoption of the TIP is scheduled for June 6.

- The previous 2023-2028 TIP was adopted by the Council on June 7, 2022.
- The 2023 public comment period is March 21 to June 6. A public hearing will be held during the May 2 Council meeting and will be continued to June 6.
- Program elements include Residential and Arterial Street Improvements, Pedestrian and Bicycle Facilities, and East Link Traffic Safety/Mitigation Eligible projects.
- Projects pertaining to the ADA Transition Plan are included in the TIP.

- Priority for resurfacing projects is determined by the pavement condition index (PCI), a score from “Good” to “Failed” based on data collected over the entire roadway network. The PCI was last updated in 2022.
- Staff will incorporate City Council feedback and return on June 6, 2023, for continuation of the public hearing and adoption of the TIP.

BACKGROUND

The Six-Year TIP is a planning tool used to identify specific projects that serve to maintain, preserve, and maximize use of the existing roadway and trail systems. The TIP balances revenues and expenditures within the Street Fund through programming and phasing construction of projects over a six-year period.

RCW 35.77.010 requires cities to formally adopt a TIP annually and submit it to WSDOT and the Puget Sound Regional Council (PSRC) by July 1. A public hearing on the draft TIP is a requirement of State law and is incorporated as part of the City Council meeting. Once the TIP is adopted, projects are budgeted and funded through the City’s Capital Improvement Program (CIP) during the biennial budget process.

The TIP is also used to coordinate future transportation projects with needed underground utility improvements so that utility work is budgeted and programmed to occur prior to or in conjunction with roadway projects. All arterial street and pedestrian and bicycle facility (PBF) projects must be included in the TIP to be eligible for State and Federal funding.

The draft TIP is an update of the 2023-2028 version ([AB 6099](#)) adopted by the City Council in June 2022. Individual projects and programs are combined, where feasible, to create economies of scale for construction. The draft TIP includes transportation improvement projects and programs in the following categories:

- A. Residential Street Preservation Program
- B. Arterial Street Improvements
- C. Pedestrian and Bicycle Facilities (PBF) – New
- D. East Link Traffic Safety / Mitigation Eligible Projects
- E. Other

At the May 2, 2023 meeting, the City Council will conduct a public hearing on the draft 2024-2029 TIP and provide feedback to staff to guide development of the final TIP. A final version of the 2024-2029 TIP will be presented for review and adoption at the June 6, 2023 City Council meeting.

ISSUE/DISCUSSION

PUBLIC COMMENTS

The 2023 public comment period runs for eleven weeks from March 20 to June 6, when the City Council adopts the TIP. Notices advertising the opportunity for public comment were posted on the City’s website, in the Mercer Island Reporter (March 29), the City’s weekly newsletter (MI Weekly), and on [Let’s Talk](#). Additional information is available on the City’s TIP webpage (www.mercergov.org/TIP). Let’s Talk and the City’s TIP webpage provide users with access to TIP maps, FAQs, and related information to learn more about the TIP process and to submit comments online.

Prior to the public hearing, a total of 36 public comments were received.

- Pedestrian and bicycle facilities projects (23 comments)
- Other transportation projects (2 comments)

- Non-TIP Related projects: (11 comments)

These comments are summarized in Exhibit 1. Public comment will also be taken during the public hearing.

STREET FUNDING

Street Fund revenues support the planning work reflected in the TIP, as outlined in the Street Fund forecast. During the 2023-2024 planning period, resources that fund TIP projects include:

RESOURCES	% OF TOTAL
Real Estate Excise Taxes (REET) Revenues	37%
State-shared Motor Vehicle Fuel Taxes (MVFT)	9%
State Shared - Multimodal Transportation Fees	1%
MI Transportation Benefit District	7%
State Grants (when available)	2%
Transportation Impact Fees	1%
Interfund Transfers (Utility work within street projects)	10%
Sound Transit Mitigation Fees	33%

Except for REET funding, all revenues noted above are dedicated to the Street Fund. One hundred percent of REET-1 revenues go to the Capital Improvement Fund to fund capital improvements including parks, open space, public building maintenance projects, and to pay debt service on construction of the Community Center. REET-2 revenues are split differently. Ten percent of REET-2 revenues are directed to the Capital Improvement Fund. The remaining 90 percent is committed to the Street Fund for construction and maintenance of streets and pedestrian and bicycle facilities.

MVFT is a fixed tax, currently making up 49.4 cents of the per gallon price of gasoline, diesel, and other fuels. It is not based on the dollar amount of the fuel, but rather on the volume of fuel sold. Hence, there is no revenue benefit from higher gas prices. The state shared revenue is distributed based on population and other set allocation methods.

MVFT is to be spent on salaries and wages, material, supplies, equipment, purchase or condemnation of right-of-way, engineering or any other proper highway or street purpose in connection with the construction, alteration, repair, improvement, or maintenance of any city street, bridge, viaduct, or under passage along, upon, or across such streets. The share of the motor vehicle fuel tax distributed to the City of Mercer Island is projected to decline over time.

Like MVFT, Multimodal Transportation funds are a state shared revenue. Distributions are shared equally between cities and counties. The city portion is made on a per capita basis. In general, Mercer Island's population grows at a slower rate than surrounding cities, so this revenue is projected to also remain flat if not slightly declining over time.

City Council adopted [Ordinance No. 14C-11](#), which directs vehicle license fees collected under the Transportation Benefit District (TBD) to the operation, preservation, and maintenance of principal arterials of regional significance, high-capacity transportation, and/or public transportation. Street Right of Way Maintenance and Operations, and arterial street improvements are the kind of projects typically funded with vehicle license fees.

Washington State law (RCW 82.02.050) specifies that Transportation Impact Fees are to be spent on “system improvements.” System improvements can include physical or operational changes to existing roadways, as well as new roadway connections. These are generally projects that add capacity (new streets, additional lanes, widening, signalization, etc.), but can also include bicycle, pedestrian, and transit-supportive projects that provide capacity for future growth and are within the right of way of ‘streets and roads’ as defined by the Growth Management Act.

Staff secured a Washington State Department of Transportation grant in the amount of \$185,000 to support traffic safety signal improvements (see project SP0137). Over the next two years, the grant will support installation of flashing yellow arrows, reflectorized backplates, and ADA compliant push buttons to upgrade pedestrian crossings in four separate locations on the island.

Several transportation improvements in proximity to the East Link Light Rail station are eligible for traffic/safety enhancement funding as outlined in the 2017 settlement agreement with Sound Transit. Several projects are underway with more scheduled for completion before December 2025.

Past practice with funding transportation infrastructure improvements has been to utilize the more restrictive resources in the Street Fund – such as transportation impact fees – before using the less restrictive resources (such as REET-2 or revenues from the State’s Motor Vehicle Fuel Tax). This practice will continue, as outlined in the 2024-2029 TIP. For the current Street Fund balance, refer to Exhibit 2.

PROGRAM ELEMENTS

The following describes the TIP categories and follows the same order as the Detail of Expenditures in Exhibit 3. The proposed TIP projects fall under two main categories – “Preservation & Maintenance Projects” and “New Construction Projects.” The Capital Improvement Program includes a budget policy that prioritizes capital reinvestment projects (preservation & maintenance) over capital facilities projects (new facilities). Staff utilizes this policy when prioritizing projects in the TIP to maintain a positive Street Fund balance. For specific project descriptions, refer to Exhibit 4. For a map of these projects, refer to Exhibit 5.

Preservation & Maintenance Projects

Residential Street Preservation Program

This program restores and resurfaces the City's 58.2 miles of public residential streets on an approximate 35- to 40-year cycle. Over the last 15 years, just over 14 miles of residential streets have been resurfaced with a Hot Mix Asphalt (“HMA”) overlay and 2.8 miles have been resurfaced with a chip seal. This combined 17 miles accounts for 30% of the residential street network. The residential program also improves substandard streets in public right-of-way at the rate of roughly one per biennium, as the need arises. Selection and timing of residential resurfacing work is based on Pavement Condition Index (“PCI”) ratings performed every three years, as well as planned water, sewer, and storm drainage utility work. The most recent PCI ratings were collected in 2022 and are scheduled to be updated again in 2025.

Arterial Street Improvements

This category provides preservation and improvement of the City's 25.4 miles of arterial streets on an approximate 25- to 30-year cycle. This includes the 2.6 miles of Town Center arterial streets. Project priorities are based on PCI, the need for underground utility improvements, condition of pedestrian and bicycle facilities, and timing of other large projects. These projects incorporate reinvestment in existing pedestrian and bicycle facilities. Residential street overlays are linked when feasible to arterial street projects to create an economy of scale. In the next six years, resurfacing projects are planned on portions of North Mercer Way,

East Mercer Way, West Mercer Way, Gallagher Hill Road, SE 36th Street, SE 40th Street, SE 27th Street, 78th Avenue SE, and SE 24th Street.

New Construction Projects

Pedestrian and Bicycle Facilities (“PBF”)

This category improves and adds to the pedestrian and bicycle facilities network. Specific projects are based primarily on those identified in the [2010 PBF Plan](#), with input from the community and the School District. PBF “reinvestment” projects, such as asphalt overlays of existing pedestrian paths adjacent to arterial street improvements, are not included in this category. Rather, they are included in the scopes of their associated arterial street improvement projects. This category also includes ongoing program funding to implement smaller scale PBF improvements and more recently, Americans with Disabilities Act (ADA) compliance improvements guided by the [ADA Transition Plan](#).

The Roadside Shoulder Development Program was established in 2002 to create new paved shoulders suitable for pedestrian and bicycle use on the Mercer Ways. Since that time, numerous phases of work have been completed. While most of these have been on East Mercer Way, improvements have also been made on North and West Mercer Ways. Exhibit 6 shows the status of the Roadside Shoulder Development Program. Since 2003, the City has constructed at least one shoulder project per biennium, for a total investment of over \$4 million. The final two projects within the proposed 2024-2029 TIP will complete the Roadside Shoulder Development Program in 2026 for a lifetime program cost of approximately \$5.2 million. These two projects average \$605,000.

With the Roadside Shoulder Development Program concluding in 2026, the funding can be reallocated to other priority work. Staff proposes to shift approximately \$400,000 per biennium from these funds starting in 2028 to the ADA Transition Plan Implementation program. This allows the program to proceed without increasing the “bottom line”. The projects will be accomplished through a combination of specific ADA focused capital projects (e.g., ADA Transition Plan Implementation Project) and other capital projects that include eliminating ADA deficiencies, including the SE 40th Street Sidewalk Improvement (SP0116), three sidewalk replacement projects in the town center (SP0111: 80th Avenue Sidewalk from SE 27th to SE 32nd Streets, SP0112: 78th Avenue Sidewalk from SE 32nd to SE 34th Streets, & SP0131: SE 32nd Street from 77th to 78th Ave SE).

East Link Traffic Safety / Mitigation Eligible Projects

This category was added in 2018 to reflect projects identified to mitigate traffic and safety concerns due to the I-90 center roadway closure and the opening of the East Link Light Rail station. Staff developed these projects based on the community’s feedback, analysis of traffic patterns, and anticipated needs for pedestrian/bicycle safety improvements on routes to the light rail station. The projects are eligible to be funded through the Sound Transit Mitigation funds.

Since 2018, the City has utilized this funding for several pedestrian-focused improvement projects including West Mercer Way Pedestrian Crossings, 76th Avenue SE Mid-Block Crosswalk, and 77th Avenue SE & Sunset Hwy Intersection Improvements (currently under construction). Projects planned through 2025 include the 80th Avenue SE Sidewalk, 78th Avenue SE Sidewalk, SE 32nd Street Sidewalk, and the ADA Transition Plan Implementation. See Exhibit 2.

Another project utilizing mitigation funding is the Island Crest Way Corridor Improvements. This project is moving forward in 2023 with design and development of three enhanced pedestrian crossings for

construction in 2024, as well as developing design concepts for a shared-use path and two intersection improvements. Shared use path concepts will be developed for both sides of Island Crest Way. Staff will present the concepts to the City Council in Q4 2023 for consideration and provide direction. Future projects resulting from design development will be included in a future TIP proposal.

NEW PROJECTS AND CHANGES TO CONSIDER FROM THE PREVIOUS TIP

The following is a summary of the noteworthy changes incorporated into the draft 2024-2029 TIP. Refer to Exhibit 4 for a description of the projects in the draft 2024-2029 TIP.

Arterial Street Improvements

Arterial projects can vary in scope from substantial reconstruction (as seen on SE 40th Street in 2018), to hot mix asphalt overlays (East Mercer Way in 2019 and 2021), to chip seals (East Mercer Way in 2018). Staff utilize PCI data to help determine the scope, resurfacing method, and timing of arterial street projects. Arterial work for the next six years continues to focus on preserving existing facilities through hot mix asphalt (HMA) overlays which have service lives of 25 to 30 years on Mercer Island arterial streets.

- **SP0104: North Mercer Way (7500 to Roanoke)** – This project was moved from 2023 to 2024 to provide more time to construct a water improvements project in the same area.
- **SP0001: West Mercer Way (I-90 to SE 32nd Street)** – This new project will resurface portions of West Mercer Way with a HMA overlay in 2030, with design planned in 2029. These sections of roadway were last resurfaced in 1994, 2003, and 2013. While current PCI's are in the Satisfactory and Fair ranges, staff believe this area of West Mercer Way will be in need of resurfacing by 2030. Future PCI data in 2025 may revise this future project's limits.
- **SP0002: 78th Avenue SE (SE 40th Street to WMW)** – This new project will resurface this portion of 78th Avenue SE with a HMA overlay in 2029. Last repaved in 2001, this roadway's current PCI is in the Fair range. The overlay project will be tied to the 78th Avenue SE sidewalk improvements project.
- **SP0003: SE 24th Street (72nd Avenue SE to 76th Avenue SE)** – This new project will resurface this portion of SE 24th Street with a HMA overlay in 2029. Last repaved in 1993, this roadway's current PCI is in the Fair range but is expected to decline further by 2029. The overlay project will be tied to the SE 24th Street sidewalk improvements project [SP004].

Pedestrian and Bicycle Facilities (PBF)

- **SP0004: SE 24th Street Sidewalk (72nd Avenue SE to 76th Avenue SE)** – This new project will reconstruct concrete curb, gutter, and sidewalk along SE 24th Street to upgrade the current walking facility. This project is tied to the SE 24th Street overlay project [SP003] and is planned for 2029.
- **SP0005: 81st Avenue SE Sidewalk (NMW to SE 24th Street)** – This new project proposes to reconstruct concrete curb, gutter, sidewalk, and ADA ramps along the east side of 81st Avenue SE to provide a safe walk route to the park and ride as well as to the new Sound Transit station and is planned for 2027.
- **SP0006: North Mercer Way Sidewalk (Fortuna to SE 35th St)** – This project proposes to remove the existing guardrail behind existing curb and construct a new concrete sidewalk and ADA ramps along the north side of North Mercer Way to provide a walking facility where none currently exists. This project will close a gap in the City's existing sidewalk infrastructure and is planned for 2026.
- **SP0007: 84th Avenue SE Pedestrian Improvement (SE 33rd Place to SE 36th Street)** – This project proposes to construct a new sidewalk or path along the east side of 84th Avenue SE to provide a "safe walk route" for Northwood Elementary and the High School. It is a medium priority request of the School District and is planned for 2028. This project has been on the "unfunded" PBF list for several

years.

- **SP0008: 78th Avenue SE Sidewalk (SE 40th Street to WMW)** – This project proposes to install concrete curb, gutter, and sidewalk along the west side of 78th Avenue SE from SE 40th to SE 41st Streets to provide a walking facility where none currently exists. The project will also upgrade an existing walkway on the east side of the roadway with concrete curbs and sidewalk to improve the connection from the adjacent neighborhood to SE 40th Street, providing access to the Town Center and West Mercer Elementary School. This project is tied to the 78th Avenue SE overlay project [SP0002] and is planned for 2029. This project has been on the “unfunded” PBF list for several years.

LOOKING AHEAD – UNFUNDED PEDESTRIAN AND BICYCLE FACILITIES (“PBF”) PROJECTS BEYOND 2029

Several PBF projects are unfunded pending further evaluation of scope, confirmation of need, and availability of funding. They include:

- **86th Avenue SE Sidewalk Improvement (SE 42nd Street to Island Crest Way)** – Install curb, gutter, sidewalk, ADA ramps and cycle track along east side of 86th Avenue where no walkway currently exists. Replace speed humps, signage, and pavement marking. This project would fill a current gap in the PBF network. The estimated cost is approximately \$2.6M.
- **Merrimount Drive (Island Crest Way to West Mercer Way)** – Sidewalk improvements on both sides of roadway, requested by the community, supports Safe Routes to School. The estimated cost is approximately \$960,000.
- **92nd Avenue SE Sidewalk Improvements (SE 40th to SE 41st Streets)** - Install curb, gutter, sidewalk, and ADA ramps along the west side of 92nd Ave SE to provide a “safe walk route” for Northwood Elementary and the High School, as well as a bus stop location for Islander Middle School. The estimated cost is \$800,000. This project will complete a missing link on 92nd Avenue by connecting with sidewalks along the High School frontage, creating a continuous sidewalk from SE 40th to SE 42nd Streets. This project may be eligible for Transportation Improvement Board or Safe Routes to School Grant funding. This is a low/moderate priority for the School District. City and District staff will monitor the need and propose this work in a future TIP if warranted.

MOBILE ASSET DATA COLLECTION & PAVEMENT CONDITION RATINGS

As part of the ongoing effort to cost-effectively maintain the City’s street network, staff has contracted for pavement condition assessment of City roadways at regular intervals (completed in 2013, 2016, 2019, and 2022). The data collected produces a Pavement Condition Index (PCI) value for each of the over 700 segments of pavement within the City’s 83.6-mile public road network. This rating process is based on collecting visual pavement distress information and computing it into numerical deduction values which are subtracted from a highest possible score of 100, resulting in a PCI score between 0 and 100. These numerical scores are bracketed into six condition ranges: Good (PCI 100-86), Satisfactory (85-71), Fair (70-56), Poor (55-41), Very Poor (40-26), and Failed (25-0).

The overall health of Mercer Island’s road network can be determined by three general indicators: the average network PCI, the amount of network backlog (defined as a PCI below 40), and the amount of network in Good condition (PCI of 100-86).

PCI data from 2022 gave the City’s road network an average PCI of 75. This is considered a slightly above-average grade in the pavement rating industry. The backlog was 4.0%, which is considered low (below 15% is desirable) and the amount of Good condition streets at 25% was considered somewhat high (should be at least 15%). Over the last six years, road projects have repaved numerous streets in the Poor and Failed

categories, which has significantly lowered the backlog.

Staff uses PCI information as the primary basis for prioritizing street resurfacing projects within the TIP. Other factors that are considered when scheduling roads for repaving are upcoming utility projects (storm drainage, water mains, natural gas work) and coupling with PBF improvements. Because pavement conditions change over time, data collection needs to be an ongoing process. Staff plans to collect PCI data again in the summer of 2025.

SUMMARY

Project schedules were updated from the 2023-2028 TIP. Street resurfacing projects were added based on pavement conditions, timing with utility construction projects, and increasing material costs. New pedestrian facility improvements will focus on closing gaps in the network and providing safe routes to both schools and transit.

NEXT STEPS

Develop the final TIP based on feedback from the Council. Continue public hearing and present the updated TIP to the Council on June 6, 2023 for adoption.

RECOMMENDED ACTION

Receive comments from the public hearing and provide feedback to staff.

Log #	Category	Location	Comment/Question	Staff Response
1	Pedestrian and Bicycle Project	SE 24th St & Aegis Living Driveway	Many people cross this street illegally to reach the I-90 trail, Shawn's Cafe, the elderly home and office building. This is a very dangerous spot to do so, as it's on a steep hill. Would you provide some kind of affordance for pedestrians here, such as a crosswalk with a pedestrian refuge, and/or a mid-block stop sign?	Would be considered in the SE 24th St Sidewalk project scheduled for 2029.
2	Non-TIP	SE 24th St & 76th Ave SE	The crosswalk paint here has been wearing down for some time and is almost invisible, despite this being one of the intersections most heavily used by pedestrians and bikes. I submitted a request to the city in 2022 to repaint, but was told they were waiting on more paint? It's been in bad condition for more than a year now.	This crosswalk will be improved by PA0160 (ADP Intersection and Crossing Improvements).
3	Pedestrian and Bicycle Project	SE 27th St & 76th Ave SE	The intersection here is very wide. I often see elderly people take ~30 seconds to cross this intersection while cars wait. I understand this will be improved with the potential SE 27th Street Realignment, but in the interim, could this gap be narrowed? For example, perhaps the westbound turn lane (in front of Hadley) could be combined, with the resulting gap paved into sidewalk. The low traffic volume here doesn't need two turn lanes.	Location has been identified for new curb ramp and crosswalk design as part of SP118 (ADA Implementation).
4	Pedestrian and Bicycle Project	7600 Block SE 27th St	This gap is frequently crossed by pedestrians going between the apartment buildings and shops. It would be nice to see a crosswalk here, at least a basic one to signal to drivers to slow down.	Requires evaluation and consideration for 2025-2030 TIP.
5	Pedestrian and Bicycle Project	76th Ave SE & N Mercer Way	This slip lane from 76th to Mercer Way feels unsafe to use as a pedestrian. Perhaps the intersection could be configured without a slip lane, or the crosswalk could be raised to improve visibility?	Intersection is being reconstructed by Sound Transit.
6	Pedestrian and Bicycle Project	77th Ave SE & McDonald's Driveway	It would be nice to have a mid-block pedestrian crossing on 77th Ave here. I understand the Xing Hua development is supposed to introduce this, but this project has been delayed for some time now, so perhaps we could implement it sooner.	Requires evaluation and consideration for 2025-2030 TIP.
7	Pedestrian and Bicycle Project	8400 Block SE 68th St	There is no legal pedestrian crossing between the shopping center and trail network. Could one or two crosswalks be added along 68th St?	Will be considered as part of Neighborhood Traffic Program.
8	Pedestrian and Bicycle Project	4100 Block Island Crest Way	This road feels very unsafe to use on a bicycle, despite being the most direct route between the south and north part of the island. Could this perhaps be reduced from 4 lanes to 3, with a barrier-protected bike lane on each side of the road?	Requires evaluation and consideration for 2025-2030 TIP.
9	Pedestrian and Bicycle Project	SE 40th St & Island Crest Way	Does the intersection at SE 40th / Island Crest Way have a bicycle detection mechanism? I've found myself waiting here for some time on a bike and eventually pressing the pedestrian beg button. Automatic cyclist detection here would be appreciated.	Detection sensitivity settings were recently increased to improve bike detection.

Log #	Category	Location	Comment/Question	Staff Response
10	Pedestrian and Bicycle Project	8100 SE 40th St	This section of SE 40th st is considered a bike route but has no physical barrier between cyclists and cars. Could the bike lane be upgraded to a fully separated or protected bike lane with a physical barrier? This area is right next to a school, so cyclists will often be younger and need extra protection to ride safely.	Requires evaluation and consideration for 2025-2030 TIP.
11	Pedestrian and Bicycle Project	8815 SE 40th St	This section of SE 40th st is considered a bike route but has no physical barrier between cyclists and cars. Could the bike lane be upgraded to a fully separated or protected bike lane with a physical barrier? This area is right next to a school, so cyclists will often be younger and need extra protection to ride safely.	Requires evaluation and consideration for 2025-2030 TIP.
12	Pedestrian and Bicycle Project	84th Ave SE	Missing sidewalk on 84th Ave SE	Project has been added to the 2024-2029 TIP.
13	Pedestrian and Bicycle Project	78th Ave SE between SE 34th St & SE 40th St	The side of 78th Ave between 34th-40th functions well as an informal mixed-use (pedestrian and cyclist) trail. It would be nice to see this formalized through the addition of a physical barrier between drivers and nonmotorized users.	Requires evaluation and consideration for 2025-2030 TIP.
14	Pedestrian and Bicycle Project	2555 76th Ave SE	There is a pedestrian connection behind the Hadley connecting to the Aegis Living road, but it is muddy and informal. It would be nice to see this path improved.	Private property/street.
15	Pedestrian and Bicycle Project	2448 76th Ave SE	There is an informal pedestrian path between the black-painted shopping center and the parking lot adjacent to the Chevron. This is in the form of a steep gravel-covered path. This informal connection happens twice, both in front of and behind the shopping center. It would be nice to see this replaced with a better walkway- this is the most direct route between the bus stops/light rail and the west side of the Town Center.	Private property.
16	Non-TIP	SE 26th St & N Mercer Way	Crossing SE 26th St is annoying on a bike because even when cars have a green light on N Mercer Way, you have to stop and hit the crossing button in order for the pedestrian signal to change. Having it change automatically instead of requiring a button press would be helpful.	WSDOT signal. Will request evaluation of signal settings.
17	Non-TIP	I-90	The freeway lid is lovely and is an excellent use of what otherwise could have been a rather unpleasant space. I also appreciate that Mercer Island landscapes its bridges over the freeway (76th, 77th, 80th, etc.) instead of just having a road with narrow sidewalks like most other cities.	Will continue to maintain and develop these spaces.

Log #	Category	Location	Comment/Question	Staff Response
18	Pedestrian and Bicycle Project	77th Ave SE	It's disappointing to see [SP146] 77th Avenue SE Channelization. This project will remove a critical bicycle route from the Town Center. We cannot simply replace this with sharrows; sharrows are a failed notion that leads to cyclist-vehicle conflict. The many children living in the Town Center would be endangered by directing them from a bike lane into the street. We can come up with a design that allows for both on-street parking AND bicycle lanes. Perhaps by removing the center lane, the street could be configured to widen the sidewalk and add raised-level bike lanes along with parking on one or both sides of the street. Brooklyn Ave NE near the U-District Light Rail Station is an approximate example of this configuration.	Restriping currently required by MICC 19.11.120. Will monitor the results of the TC Parking Study and any subsequent modifications to MICC 19.11.120. Project will be modified accordingly at that time.
19	Pedestrian and Bicycle Project	SE 27th St	I am looking forward to [SPXXX] SE 27th Street Realignment Study. This section of roadway can be unpleasant to use outside of a car, despite being in the most walkable part of Mercer Island. During this study, please consider narrowing the roadway width to encourage slow speeds; consider adding a fully protected bicycle lane as a safe connection between the I-90 trail and the rest of the island; and consider adding frequent crosswalks to discourage mid-block crossing.	Project is scheduled for 2023.
20	Pedestrian and Bicycle Project	SE 27th St & 77th Ave SE	Please change Town Center intersections to have leading pedestrian intervals and automatic walk signals. Seattle is rolling out leading pedestrian intervals everywhere- they have a big impact on pedestrian safety: https://www.seattle.gov/transportation/projects-and-programs/safety-first/vision-zero/leading-pedestrian-intervals	LPI was implemented recently in the Town Center. Other timing changes will be considered in SP137.
21	Pedestrian and Bicycle Project	SE 27th St (Town Center)	The south side of this section of 27th St is pretty narrow for pedestrians. When two people approach each other, one is forced to step to the side putting them very close to the roadway. Cyclists that occasionally try to use this section (usually children) have a hard time.	Requires evaluation and consideration for 2025-2030 TIP.
22	Other Transportation Project	3300 Block 72nd Ave SE	72nd Ave SE needs proper traffic lane striping, especially south of 32nd. The road is very wide in parts and it's a hazard for both drivers and pedestrians where the boundaries of the driving area aren't clear.	Will be considered as part of Neighborhood Traffic Program.
23	Pedestrian and Bicycle Project	2500 Block 72nd Ave SE	72nd Ave SE needs proper sidewalks. There's a ton of pedestrian traffic, and access is often blocked by illegally parked vehicles.	Requires evaluation and consideration for 2025-2030 TIP.

Log #	Category	Location	Comment/Question	Staff Response
24	Pedestrian and Bicycle Project	Island Crest Way	We are writing as members of Neighbors in Motion (NIM) about our priorities regarding the missing link along ICW. NIM has these basic priorities for the route. 1.The NS route must have physical protection (trees, poles, etc.) for the bike and ped routes. 2.If at all possible, the bike and ped routes should be separated; not shared multiuse paths. 3. Bike and ped routes should be constructed on both sides of ICW, as the city-hired consultant recommended. 4.The bike routes should be one-way, northbound on the east side, southbound on the west side. 5.The bike route should go south to SE 71st and north to SE 40th. 6.We appreciate the likely installation of new/improvedcrosswalks, especially at SE 62nd, and possibly moving the one at SE 63rd further south.	Will be taken into consideration for SP135.
25	Pedestrian and Bicycle Project	Gallager Hill Rd	Gallager hill road needs a crosswalk	Would be considered in SP106 and SP115.
26	Non-TIP	Gallager Hill Rd	Entering the uphill road with cars can be dangerous for neighbors due to poor visibility caused by the road's sharp bends. Fast-moving cars may not be visible to those entering the road, increasing the risk of accidents. To address this issue, installing a mirror or a sign indicating "Drive slowly, neighbor cars enter the road" could help increase driver awareness. Or anything helps.	Roadway will be evaluated in SP106 and SP115.
27	Non-TIP	Mercerwood Dr	peds walk/run in wide shoulder here, and cars sometimes take it too tight and drive over the white line, in the shoulder (and due to overgrowth, can't see that people are on the shoulder ahead). Can this be protected? Parked cars also hinder visibility - can that be banned along the curves?	Will be considered as part of Neighborhood Traffic Program.
28	Non-TIP	E Mercer Way & SE 40th St	add wayfinding to SE 40th St streetend. Although it's an unimproved street end atm, the lack of signage and level of road maintenance does not suggest it's public land. Please improve. It would create a nice neighborhood walking destination	Will be considered as part of Neighborhood Traffic Program.
29	Non-TIP	4000 Block E Mercer Way	parked cars along EMW force bikers and peds into vehicular lanes. this is unsafe. Safe ped/bike lanes should be prioritized over car storage. Parking on EMW should generally be banned except in weather emergencies or where there's space to park without blocking the shoulder for bikes/peds	Will be considered as part of Neighborhood Traffic Program.
30	Non-TIP	97th Ave SE	open 97th Ave SE as a bike/ped connection between SE 36th St and SE 40th St; this would improve walkability this section of the island.	Private property/street.

Log #	Category	Location	Comment/Question	Staff Response
31	Non-TIP	SE 40th St & 97th Ave SE	provide pedestrian/bike access via the city's property connecting SE 36th and SE 40th. This would greatly improve multi-modal connectivity options for Mercerwood neighborhood! Make City Hall walkable!!	Has been considered previously but not approved due to security issues.
32	Pedestrian and Bicycle Project	SE 40th St & 86th Ave SE	missing bike lane along SE 40th after 86th to ICW. Cars aggressively try to cut out from the light in front of bikes, and move over to try to make the right on ICW. A marked (ideally protected) bike lane would enforce safer driving.	Requires evaluation and consideration for 2025-2030 TIP.
33	Non-TIP	SE 24th St & 78th Ave SE	cut back bushes to improve visibility and improve signage for drivers coming from 78th. Drivers from 78th roll the stop sign and don't understand that bikes from SE 24th may be going straight rather than turning.	Will be considered as part of Neighborhood Traffic Program.
34	Non-TIP	SE 26th St & N Mercer Way	SE 26th crosswalk doesn't activate unless you press the button. From a bike, this button is not easy to reach as it is along SE 26th St, left of the sidewalk, and actually a little past the cross walk. So rather than keeping right on the path as you approach, you have to pull to the left and go pass the crosswalk to hit it. Then you need to back up on your bike to actually cross. In the short-term, please reprogram crosswalk light to activate automatically in the cycle. In the long-term, please move the button to the right if you want to return the crosswalk to on-demand	WSDOT signal. Will request evaluation of signal settings.
35	Other Transportation Project	Multiple	Dear Council, my comments on the 2023-28 TIP can be found at Transportation Improvement Plan Comments Due. — NextdoorThe three main issues that concern me are:A. The rapid removal of mature street trees in the town center and replacing them with saplings (fortunately it looks like the plan for 80th is now too expensive). With the removal of the trees that died by Haps, and three mature trees for the crosswalk on 27th, and trees along 29th, we are removing the one attractive feature in our town center, our mature tree canopy.B. NIM's proposal for bi-directional segregated pedestrian and bike lanes on ICW. I have posted and written about this proposal many times, including in my recent ND post, and Dan Grausz chased this solution for at least a decade without a solution. I just don't think the missing gap exists on ICW, unless the outside consultant's proposal for a bi-directional dual use 10' wide path along the east side of ICW is the plan, but even then bike speeds would have to be slow enough to avoid the cars entering and exiting ICW that have to ease out past the privacy hedges. Bikes would have to yield to these cars because the cars won't be able to see the bikes, and will be focused on entering or exiting ICW.C. Converting 27th into a four way stop, with possibly removing the surface parking by The Boyd Collection. This was added at the last second last year, and I still don't get the purpose, and whether it will impact traffic congestion and our levels of service.	The City remains dedicated to preserving the urban tree canopy. Comments regarding SP0135 and the SE 27th Street Realignment Study will be taken into consideration during the preliminary analysis process.

Log #	Category	Location	Comment/Question	Staff Response
36	Pedestrian and Bicycle Project	Multiple	<p>Please consider full funding for 86th Avenue SE Sidewalk Improvements (SE 42nd Street to Island Crest Way). This is critically needed to provide a required walking facility where none exists.</p> <p>I strongly oppose [SP146] 77th Avenue SE Channelization (SE 32nd to North Mercer Way). A sharrow is not the same as a bike lane, it is simply some paint applied to a normal traffic lane and provides zero protection for bicyclists on an essential North-South route. Dropping this project is particularly germane given the results of the recent parking study.</p> <p>I strongly support continued development of SP142 in the Island Crest corridor. This corridor will become even more important over time and I agree with the NIM recommendations here.</p>	Requires evaluation and consideration for 2025-2030 TIP.
37	Pedestrian and Bicycle Project	77 th Ave SE & N Mercer Way	<p>As owners of 2235 77th Ave SE, we would like to request stairs to connect our street to N. Mercer Way. The land between 77th and N. Mercer Way is WSDOT owned. For years there has been a foot path up the hill, and it gets a lot of pedestrian traffic. Many residents from surrounding streets cut through the woods there. As part of the improvements in the area, we would like to request stairs be built on the WSDOT land to make it safer to get up and down the hill, especially in the winter.</p>	Will be considered for SP0125 (PBF Plan Implementation).

SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM

Street Fund Balance - as of April 2023*

2024 - 2029

RESOURCES (\$ in thousands)	COMMENTS	2023	2024	2025	2026	2027	2028	2029	Percent
Beginning Fund Balance		\$6,109	\$7,250	\$3,546	\$2,406	\$2,242	\$2,727	\$1,516	
Revenues									
Real Estate Excise Tax	RCW 82.46.010	1,955	1,857	1,894	1,932	1,971	2,010	2,050	37.2%
Fuel Tax	RCW 47.24.040	460	466	461	456	452	447	443	9.0%
MI Transportation Benefit District (TBD)	MI Ordinance 14C-11 (Oct 2014)	375	375	375	375	375	375	375	7.3%
State Grants		27	155	0	0	0	0	0	1.8%
Transportation Impact Fees	MI Ordinance 16C-01 (Jan 2016)	60	60	60	60	60	60	60	1.2%
Interfund Transfers	Utility work within street projects	428	583	602	549	320	480	540	9.9%
State Shared - Multimodal Transportation	ESSB 5987 (July 2015)	34	34	33	33	33	32	32	0.7%
Mitigation - Sound Transit	Ends December 2025	1,958	1,425	969	0	0	0	0	33.0%
Total Revenues		\$5,297	\$4,954	\$4,394	\$3,405	\$3,210	\$3,405	\$3,500	100%
Total Street Fund Resources		\$11,406	\$12,204	\$7,940	\$5,811	\$5,452	\$6,131	\$5,016	

EXPENDITURES (\$ in thousands)	COMMENTS	2023	2024	2025	2026	2027	2028	2029
A. Residential Streets Preservation Program		900	920	940	960	980	1,000	1,062
B. Arterial Street Improvements		75	1,470	1,553	885	515	2,259	1,239
C. Pedestrian & Bicycle Facilities - New		100	856	1,415	963	332	744	1,062
D. East Link Traffic/Safety Mitigation Eligible Projects		1,958	1,425	969	0	0	0	0
E. TIP Other		130	155	104	188	305	0	118
F. Operations Other	Non-TIP Related Work	993	3,832	554	574	593	612	631
Total Expenditures		\$4,156	\$8,658	\$5,535	\$3,569	\$2,725	\$4,615	\$4,112
Ending Fund Balance (including reserves)		\$7,250	\$3,546	\$2,406	\$2,242	\$2,727	\$1,516	\$904

FUND RESERVES AND DESIGNATIONS (\$ in thousands)	COMMENTS	2023	2024	2025	2026	2027	2028	2029
Minimum Operating Fund Balance	45-day minimum updated annually	90	93	97	100	104	108	111
Impact Fees Collected	Applied to eligible projects	467	366	77	49	95	97	157
Designated - TC Streets Reserve		100	0	0	0	0	0	0
Ending Fund Balance (available after reserves)		\$6,593	\$3,087	\$2,232	\$2,093	\$2,528	\$1,311	\$635

*Pending further analysis.

Note: Slight differences may occur due to rounding.

SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM

Detail of Proposed Expenditures for 2024 - 2029

						Project Costs with Inflation Factor						
	PROJECTS	PROJECT ID	PROJECT MNGR	STATUS	COMMENTS	2024	2025	2026	2027	2028	2029	TOTAL
PRESERVATION AND MAINTENANCE PROJECTS												
A.	Residential Street Preservation Program											
	Residential Street Resurfacing	SP0100	Street Engineer		Annual program to resurface residential streets.	920,000	940,000	960,000	980,000	1,000,000	1,062,000	5,862,000
A.	Subtotal Residential Street Preservation Program					\$920,000	\$940,000	\$960,000	\$980,000	\$1,000,000	\$1,062,000	\$5,862,000
B.	Arterial Street Improvements											
	Arterial Preservation Program	SP0101	Street Engineer		Annual program to extend life of arterial streets through targeted repairs and patching.	75,000	77,700	80,400	83,100	85,800	88,500	490,500
	North Mercer Way (7500 to Roanoke)	SP0104	Street Engineer	Modified	Resurface pavement with HMA overlay. Moved from 2023 to 2024 to accommodate water improvements project.	616,000	-	-	-	-	-	616,000
	West Mercer Way (SE 56th - EMW)	SP0126	Street Engineer		Resurface with HMA overlay.	-	-	-	-	2,173,600	-	2,173,600
	Gallagher Hill Road (SE 36th - SE 40th)	SP0106	Street Engineer		Resurface with HMA overlay. Tied to SPI39.	75,000	506,604	-	-	-	-	581,604
	SE 40th (88th Ave SE - 93rd Ave SE)	SP0107	Street Engineer		Resurface with HMA overlay. Tied to SPI40.	50,000	362,600	-	-	-	-	412,600
	SE 36th St (Gallagher Hill Rd - EMW)	SP0127	Street Engineer		Resurface with HMA overlay. Minor sidewalk repairs included.	-	606,060	-	-	-	-	606,060
	North Mercer Way (8400 - SE 35th)	SP0128	Street Engineer		Resurface with HMA overlay. Includes SE 26th Street (ICW - 84th Ave SE)	-	-	805,072	-	-	-	805,072
	SE 27th St (76th Ave SE - 80th Ave SE)	SP0110	Street Engineer		Resurface with HMA overlay (Town Center).	654,000	-	-	-	-	-	654,000
	East Mercer Way (SE 36th St - SE 40th St)	SP0134	Street Engineer		Resurface with HMA overlay.	-	-	-	432,120	-	-	432,120
	West Mercer Way (I-90 to SE 32nd St)	SP0001	Street Engineer	New	Resurface with HMA overlay. Design in 2029. Construction in 2030.	-	-	-	-	-	88,500	88,500
	78th Ave SE (SE 40th Street to WMW)	SP0002	Street Engineer	New	Resurface with HMA overlay. Tied to sidewalk project.	-	-	-	-	-	472,000	472,000
	SE 24th Street (72nd Avenue SE to 76th Avenue SE)	SP0003	Street Engineer	New	Resurface with HMA overlay. Tied to sidewalk project.	-	-	-	-	-	590,000	590,000
B.	Subtotal Arterial Street Improvements					1,470,000	1,552,964	885,472	515,220	2,259,400	1,239,000	7,922,056
NEW CONSTRUCTION PROJECTS												
C.	Pedestrian and Bicycle Facilities (PBF) - New Facilities											
	West Mercer Way Roadside Shoulders - Ph 4 (8100 WMW - 8400 EMW)	SP0114	Street Engineer		Paved shoulder along northbound lane, gap completion.	676,000	-	-	-	-	-	676,000
	Gallagher Hill Sidewalk Impr (SE 36th - SE 40th)	SP0115	Street Engineer		New sidewalk, gap completion. Tied to SPI31. TIB grant eligible.	100,000	403,004	-	-	-	-	503,004
	SE 40th Sidewalk Impr (Gallagher Hill - 93rd Ave SE)	SP0116	Street Engineer		Replace/improve existing sidewalk, construct bike lanes supporting SRTS. TIB or SRTS grant eligible. Highest priority for MISD. Tied to SPI32.	80,000	908,572	-	-	-	-	988,572
	ADA Transition Plan Implementation	SP0118	Transp. Engineer		Plan, enhance, and construct pedestrian facility improvements to comply with the ADA Transition Plan. See section D for 2023-2024 budget. \$200K for 2026 biennium. \$400K/biennium starting in 2028.	-	-	214,400	-	457,600	-	672,000
	PBF Plan Implementation	SP0125	Transp. Engineer		Annual program to identify, prioritize, design and construct small spot improvements and gap completion projects to pedestrian and bicycle facilities citywide.	-	103,600	-	110,800	-	-	214,400
	77th Ave SE channelization (SE 32nd - North Mercer Way)	SP0136	Transp. Engineer		Placeholder to remove bike lanes, create on-street parking and add sharrows to comply with street design standards in MICC 19.11.120 if Town Center Parking Study does not result in changes to street design standards.	-	-	53,600	-	-	-	53,600
	East Mercer Way Roadside Shoulders - Ph 11 (SE 79th St. to 8400 block)	SP0132	Street Engineer		Final phase of Mercer Ways Roadside Shoulders project.	-	-	533,856	-	-	-	533,856
	SE 24th Street Sidewalk (72nd Ave SE to 76th Ave SE)	SP0004	TBD	New	Replace/improve existing sidewalk, ADA ramps, and crosswalks. Tied to overlay project.	-	-	-	-	-	708,000	708,000
	81st Ave SE Sidewalk (NMW to SE 24th Street)	SP0005	TBD	New	Replace/improve existing sidewalk and ADA ramps.	-	-	-	221,600	-	-	221,600
	NMW Sidewalk (Fortuna to SE 35th Street)	SP0006	TBD	New	New sidewalk. Remove guardrail. Tied to SPI34.	-	-	160,800	-	-	-	160,800
	84th Ave SE Ped Improvement (SE 33rd Pl to SE 36th St)	SP0007	TBD	New	Improved pedestrian area. Medium priority for MISD.	-	-	-	-	286,000	-	286,000
	78th Ave SE Sidewalk (SE 40th Street to WMW)	SP0008	TBD	New	New sidewalk. Tied to overlay project. TIB or SRTS grant eligible.	-	-	-	-	-	354,000	354,000
C.	Subtotal Pedestrian and Bicycle Facilities (PBF) - New Facilities					856,000	1,415,176	962,656	332,400	743,600	1,062,000	5,371,832

B.	Subtotal Arterial Street Improvements					1,470,000	1,552,964	885,472	515,220	2,259,400	1,239,000	7,922,056
NEW CONSTRUCTION PROJECTS												
D.	East Link Traffic Safety/ Mitigation Eligible Projects											
	Island Crest Way Corridor Improvements (90th Ave. SE-SE	SP0135	Transp. Engineer		Implementation of recommendations from ICW Corridor Safety Analysis.	1,100,000	-	-	-	-	-	1,100,000
	78th Avenue Sidewalk (SE 32nd - SE 34th)	SP0112	Transp. Engineer		Replace existing curb, sidewalk & ADA ramps. Replace street trees and street lighting. Moved to East Link Mitigation category.	75,000	697,228	-	-	-	-	772,228
	SE 32nd St. (77th to 78th Ave. SE) sidewalk replacement	SP0131	Transp. Engineer		Replace wide sidewalk area adjacent to Mercerdale Park due to tree damage. Includes replacement of street trees and ADA improvements. Combine project with SPI37 for economy of scale.	50,000	271,432	-	-	-	-	321,432
	North Mercer Way—MI P&R Frontage Improvements	SP0144	TBD	Removed	Remove bus bay on north side of NMW, widen trail to meet current std for multi-use facility, provide mixing zone at 80th Ave SE crossing, improve sight lines at western driveway access. Relocate street lighting, add landscape area.	1,177,000	-	-	-	-	-	1,177,000
	ADA Transition Plan Implementation	SP0118	Transp. Engineer		Plan, enhance, and construct pedestrian facility improvements to comply with the ADA Transition Plan. 2023-2024 focus in town center. \$200k per year for projects focused in the Town Center near the East Link station. Moved to East Link Mitigation category.	200,000	-	-	-	-	-	200,000
D.	Subtotal East Link Traffic Safety/ Mitigation Eligible Projects					1,425,000	968,660	-	-	-		2,393,660
E.	Other											
	Minor Capital - Traffic Operations Improvements	SP0122	Transp. Engineer		Minor transportation improvements to address traffic operation and safety issues and concerns.	-	103,600	-	110,800	-	118,000	214,400
	Pedestrian & Bicycle Facilities Plan Update	SP0133	Transp. Engineer		Current 2010 PBF Plan is out of date and was a modest update to the original 1996 plan. Comprehensive update will incorporate ADA Transition Plan, evaluate projects and priorities based on current standards, and provide a roadmap and foundation for future improvements. Staff will pursue grant opportunities where possible.	-	-	187,600	193,900	-	-	381,500
	Traffic Signal Safety Improvements	SP0137	Transp. Engineer		Safety and operational enhancements for four traffic signals. WSDOT City Safety Grant awarded.	155,000						
E.	Subtotal Other					155,000	\$103,600	\$187,600	\$304,700	\$0	\$118,000	750,900
F.	Non-TIP Related Operations					3,832,000	3,832,000	3,832,000	3,832,000	3,832,000	3,832,000	19,160,000
F.	Subtotal Non-TIP Related Operations					\$3,832,000	\$3,832,000	\$3,832,000	\$3,832,000	\$3,832,000	\$3,832,000	\$19,160,000
	TOTAL PROJECT COSTS					\$8,658,000	\$8,812,400	\$6,827,728	\$5,964,320	\$7,835,000	\$7,313,000	\$38,097,448

SIX-YEAR TRANSPORTATION IMPROVEMENT PROGRAM

Project Descriptions (2024-2029)

[SP0101] - Residential Street Resurfacing

Historically, this program consists of hot mix asphalt (HMA) overlays on an average of 1.0 mile of residential streets annually. The HMA overlay program began in 1989. Prior to that, the City's primary pavement resurfacing program was chip sealing and slurry sealing. In 2011, the City returned to using chip sealing (on a limited basis) as another tool for street pavement preservation. To date, chip seal projects have been performed in 2011, 2013, and 2018. The Residential Street Preservation Program also improves about one substandard street per biennium, as the need arises.

The City's pavement condition data is an integral part of determining the locations and schedule of future residential street asphalt overlays and chip seal work. Pavement Condition Index (PCI) data was collected in 2013, 2016, 2019 and 2022 and is planned again for collection in 2025. When PCI falls below a score of 70, staff considers a roadway for resurfacing. For roadways with resurfacing needs that also have pending utility work (storm drainage, new water main, etc.), these roadways are typically scheduled for paving in the years following completion of that major utility work. The timing and limits of residential street resurfacing work in future TIPs may change, as determined by updated pavement condition information.

Some of the residential roadways planned for future HMA repaving are listed below. Other roadways may be added or the timing of these streets below may change based on when and where water main construction, storm drainage construction, franchise utility work, and major housing projects occur.

- In 2024, roadways in the south end neighborhood of Island Point (84th Avenue, SE 80th and SE 82nd Streets) will be resurfaced, as well as SE 78th Street in front of Lakeridge Elementary School. These roadways have PCI's ranging from Fair to Very Poor to Failed. In addition, portions of SE 27th Street and 74th Avenue on First Hill will be repaved after watermain replacement work.
- In 2025, the neighborhood streets comprised of SE 60th and SE 61st Streets and 90th, 92nd, 93rd, and 94th Avenues (east of Island Crest Way) are planned for repaving. PCI's of these roads are in the Fair, Poor, and Very Poor ranges. Additionally, portions of SE 47th Street, 84th Avenue, and 86th Avenue, lying west of Island Crest Way will be repaved. These roadway PCI ratings range from Fair to Very Poor to Failed.
- In 2026 the residential streets of SE 58th and SE 59th Streets and 91st Avenue (lying east of Island Crest Way) and several streets in the First Hill neighborhood, including portions of 66th, 70th, 71st, and 74th Avenues are planned for repaving.
- In 2027, likely residential paving work will occur in the Mercerwood neighborhood on portions of 93rd, 94th, 95th, 96th, and 97th Avenues, following watermain replacement work.

- In 2028, potential residential streets include SE 72nd Place, 91st Ave SE, 91st Place SE and 92nd Place SE. These roadways have current PCI ratings in the Fair to Poor ranges.

Arterial Street Improvements

- **[SP0101] Arterial Preservation Program** work continues annually. The purpose of this program is to extend the life of arterial streets proactively, by repairing isolated pavement failure areas through crack sealing, square cut patching, and grinding and repaving of full-lane-width segments. Crack sealing extends the life of existing pavements by sealing out water intrusion.
- **[SP0104] North Mercer Way (7500 block to Roanoke Way).** This project will resurface North Mercer Way with an HMA overlay in 2024. The roadway was last repaved in 1994 and its current PCI ratings are in the Fair and low Satisfactory ranges. Work scope will include repaving the roadway and the adjacent eastbound pedestrian shoulder. This work has been rescheduled from 2023 to allow more time for water system improvements to be completed.
- **[SP0126] West Mercer Way (SE 56th Street to East Mercer Way)** is planned for resurfacing in 2028 with an HMA overlay. This roadway was last repaved in 1995 with an HMA overlay. Its current PCI's are in the low Satisfactory range and its condition will continue to slowly decline. Patching and crack sealing have both been performed in recent years. The actual timeframe for repaving could be later, based on future PCI data.
- **[SP0106] Gallagher Hill Road (SE 36th Street to SE 40th Street)** is proposed for resurfacing with an HMA overlay in 2025. Last repaved in 1988, Gallagher Hill Road's current PCI rating is in the Fair range and staff believes that by 2025 its rating could decline to Poor.
- **[SP0116] SE 40th Street (88th Avenue SE to 93rd Avenue SE).** This project will resurface SE 40th Street with a grind and HMA overlay process. It is planned for 2025, after completion of nearby water main replacement projects in 2022 and 2024. Paving will be coupled with the SE 40th Street sidewalk improvements from Gallagher Hill Road to 93rd Avenue SE [SP115]. Sidewalks and bike lanes between 88th Avenue SE and Gallagher Hill Road were constructed in 2018.
- **[SP0127] SE 36th Street (Gallagher Hill Road to East Mercer Way).** This project will resurface SE 36th Street with an HMA overlay in 2025. This roadway was rebuilt in the mid 1980's by WSDOT as part of the I-90 freeway improvements. Its current PCI rating is Fair; but is expected to decline further in the coming years. This pavement has performed well, but will be nearly 40 years old in 2025, and will need resurfacing. Project elements will also include sidewalk repairs for ADA compliance.
- **[SP0128] North Mercer Way (8400 Block to SE 35th Street).** This project will resurface North Mercer Way with an HMA overlay in 2026. Work will also include sidewalk repairs for ADA compliance and resurfacing of nearby SE 26th Street (Island Crest Way to 84th Avenue). This portion of North Mercer was last repaved in 1994 by WSDOT at the end of the I-90 freeway construction. While its PCI ratings are in the Satisfactory and Fair ranges, staff believes PCI's will drop into the Poor range by 2025, after completion of the King County North Mercer Interceptor Sewer pipe project.

- **[SP0110] SE 27th Street (76th Avenue SE to 80th Avenue SE)** will resurface SE 27th Street from 76th Avenue to 80th Avenue in the Town Center with a grind and HMA overlay of the existing roadway in 2024. This roadway was last resurfaced in 1994 and its current PCI is in the Fair range.
- **[SP0134] East Mercer Way (SE 36th Street to SE 40th Street).** This project will resurface this portion of East Mercer Way with a HMA overlay in 2027. Last repaved in the mid-1980's by WSDOT, this roadway's current PCI is in the low Satisfactory range and staff believes it will drop to Fair or Poor by 2027.
- **[SP0001] West Mercer Way (I-90 to SE 32nd Street)** will resurface portions of West Mercer Way with a HMA overlay in 2030, with design planned in 2029. These sections of roadway were last resurfaced in 1994, 2003, and 2013. While current PCI's are in the Satisfactory and Fair ranges, staff believe this area of West Mercer Way will be in need of resurfacing by 2030. Future PCI data in 2025 may revise this future project's limits.
- **[SP0002] 78th Avenue SE (SE 40th Street to West Mercer Way)** will resurface this portion of 78th Ave SE with a HMA overlay in 2029. Last repaved in 2001, this roadway's current PCI is in the Fair range. The overlay project will be tied to the 78th Ave SE sidewalk improvements project [SPXXX], also proposed for 2029.
- **[SP0003] SE 24th Street (72nd Ave SE to 76th Ave SE)** will resurface this portion of SE 24th Street with a HMA overlay in 2029. Last repaved in 1993, this roadway's current PCI is in the Fair range but is expected to decline further in the coming years. Project limits could increase based on future pavement conditions. This project will be tied to the SE 24th sidewalk improvements project [SPXXX] also proposed for 2029.

Pedestrian and Bicycle Facilities – New

- **[SP0114] West Mercer Way Roadside Shoulders – Phase 4 (8100 WMW to 8400 EMW).** This project will build a new paved shoulder from the 8100 block of West Mercer Way around the south tip of the Island to the 8400 block of East Mercer Way. Construction is planned for 2024. This is the final phase of West Mercer Way shoulder development.
- **[SP0115] Gallagher Hill Road Sidewalk Improvement (SE 36th Street to 40th Street).** This project will complete a gap in the City's sidewalk infrastructure on Gallagher Hill Road by connecting SE 40th Street to the SE 36th Street/North Mercer Way intersection at the bottom of Gallagher Hill. The project, proposed for construction in 2025, will build concrete curb, gutter, and sidewalk along the east side of the roadway in conjunction with the planned resurfacing of Gallagher Hill Road [SP106].
- **[SP0116] SE 40th Street Sidewalk Improvements (Gallagher Hill Road to 93rd Avenue SE).** Proposed for construction in 2025, this project will build concrete curb, gutter, sidewalk, and bike lane along the south side of SE 40th from Gallagher Hill Road to 93rd Avenue SE, and along the north side from Gallagher Hill Road to Greenbrier Lane. This project will complete the PBF infrastructure along SE 40th Street between Island Crest Way and Mercerwood Drive by providing continuous, uniform sidewalk and bike routing along both sides of the street. This project is a high priority request of the School District staff and

supports “Safe Routes to School” principles for the schools and facilities within the School District campus and a bus stop location for Islander Middle School. The adjacent roadway will be repaved after completion of this work through an arterial street overlay [SP107].

- **[SP0118] ADA Transition Plan Implementation** is a biennial program to design and construct spot improvements to pedestrian facilities citywide to meet compliance standards established by the Americans with Disabilities Act (ADA). Beginning in the 2026 biennium, following work completed in the Town Center under the East Link Mitigation category, this project will address compliance issues across the island as identified by the City’s ADA Transition Plan.
- **[SP0125] PBF Plan Implementation** is an annual program to identify, prioritize, design and construct small spot improvements and gap completion projects to pedestrian and bicycle facilities citywide as identified in the PBF Plan. Specific projects for this program have not yet been identified or prioritized for construction. Proposed focus is on implementation of signage and pavement markings to support sharing of the road by all users and completion of missing links in sidewalks or trails to fill gaps in the PBF system.
- **[SP0136] 77th Avenue SE Channelization (SE 32nd to North Mercer Way).** This project will modify existing channelization to provide on-street parking from SE 32nd to SE 27th Streets in the Town Center and provide sharrows in the northbound and southbound travel lanes to connect to the I-90 Mountains to Sound trail in accordance with Town Center street standards described in MICC 19.11.120. This project is a placeholder and may be modified in the future based on the results of the Town Center Parking Study currently underway.
- **[SP0132] East Mercer Way Roadside Shoulders - Ph 11 (SE 79th Street to 8400 block).** This project will create a new paved shoulder from SE 79th Street to the 8400 block. This is the final phase of the Mercer Way Roadside Shoulder projects and will remove the last gap in pedestrian and bicycle facilities along East Mercer Way’s entire 4.8-mile length. Construction is planned for 2026.
- **[SP0004] SE 24th Street Sidewalk Improvements (72nd Ave SE to 76th Ave SE).** This project will reconstruct concrete curb, gutter and sidewalk along SE 24th Street to upgrade the current walking facility. This project is tied to the SE 24th Street overlay project [SPXXX] and is planned for 2029.
- **[SP0005] 81st Avenue SE Sidewalk Improvements (North Mercer Way to SE 24th Street).** This project proposes to reconstruct concrete curb, gutter, sidewalk and ADA ramps along the east side of 81st Avenue SE to provide a safe walk route to the park and ride as well as to the new Sound Transit station and is planned for 2027.
- **[SP0006] North Mercer Way Sidewalk Improvements (Fortuna to SE 35th Street).** This project proposes to remove the existing guardrail behind the existing curb and gutter and construct a new concrete sidewalk and ADA ramps along the north side of North Mercer Way to provide a walking facility where none currently exists. This project will close a gap in the City’s existing sidewalk infrastructure and is planned for 2026.
- **[SP0007] 84th Avenue SE Pedestrian Improvements (SE 33rd Place to SE 36th Street).** This project proposes to construct a new sidewalk or path along the east side of 84th Avenue

SE to provide a “safe walk route” for Northwood Elementary and the High School. It is a medium priority request of the School District and is planned for 2028.

- **[SP0008] 78th Avenue SE Sidewalk Improvements (SE 40th to West Mercer Way).** This project proposes to install concrete curb, gutter and sidewalk along the west side of 78th Ave SE from SE 40th to SE 41st Streets to provide a walking facility where none currently exists. The project will also upgrade an existing walkway on the east side of the roadway with concrete curbs and sidewalks to improve the connection from the adjacent neighborhood to SE 40th Street, providing access to the Town Center and West Mercer Elementary School. This project is tied to the 78th Ave SE overlay project [SPXXX] and is planned for 2029.

East Link Traffic/Safety Mitigation Projects

- **[SP0135] Island Crest Way Corridor Improvements (90th Avenue SE to SE 63rd Street).** A number of traffic safety and operation concerns were identified as part of the Island Crest Way Corridor Safety Analysis in 2022. This project will include planning and development to address deficiencies along a one-mile segment of Island Crest Way, including:
 - Lighting Study (upgrading pedestrian and roadway lighting to meet illumination standards)
 - Shared-Use Path Pre-Design (analysis of space requirements, constraints, and alternatives)
 - Crosswalk Improvements Project (design and construction of multiple crossings to improve/complete gaps in the network)
 - Design Feasibility Study (planning level analysis of major roadway reconfigurations including a roundabout at SE 68th Street and right turn lane at SE 53rd Place)
 - Tree Condition Assessment (evaluation of all trees in the right-of-way to study health, risks, and maintaining the street tree canopy).
- **[SP0112] 78th Avenue SE Sidewalk Improvements (SE 32nd Street to SE 34th Street).** This project proposes to replace curbs, sidewalks, and street trees along the east side of the roadway with a new design that will allow space for new street trees to mature without sidewalk damage. In addition, ADA accessibility and street lighting would be improved on both sides of the roadway. This section of 78th Avenue was not rebuilt during the 1994-1996 Town Center Streets reconstruction effort and suffers from significant sidewalk damage from tree roots. Design work is planned to start in 2024 and construction is planned for 2025.
- **[SP0131] SE 32nd Street Sidewalk Replacement (77th to 78th Avenues).** This proposed project will replace the sidewalk and street trees on the south side of the roadway to address damage and uplift caused by existing street trees. This wide sidewalk provides access to Mercerdale Park and has historically been used during the Farmer's Market and Summer Celebration. This project will be coupled with the 78th Avenue Sidewalk Improvements [SP137].
- **[SP0118] ADA Transition Plan Implementation** is a biennial program to design and construct spot improvements to pedestrian facilities citywide to meet compliance standards established by the Americans with Disabilities Act (ADA). For the 2023-2024 biennium, locations prioritized by the ADA Transition Plan in the Town Center will take precedence in anticipation of East Link rail service beginning in 2025.

Other

- **[SP0143] Minor Capital – Traffic Operations Improvements** is a biennial program to provide minor capital transportation improvements City-wide to address traffic operations issues and concerns. Typical projects include upgrading signs to new mandated standards, channelization modifications or improvements, roadway safety improvements, upgrading traffic signals for increased efficiency and safety, and new or revised street lighting.
- **[SP0149] Pedestrian and Bicycle Facilities Plan (PBF Plan) Update** is proposed for the 2026-2027 biennium to provide a comprehensive update to the current PBF Plan, last updated in 2010 from the original 1996 plan. Over time, standards have changed and new facilities have been built. Updates to the Plan will incorporate the results of the ADA Transition Plan, evaluate the use of urban street design guidelines such as the National Association of City Transportation Officials (NACTO), and identify/evaluate projects, provide a preliminary scope of work, and establish priorities of work with the intention of providing a roadmap, foundation, and timeline for future improvements.
- **[SP0137] Traffic Signal Safety Improvements.** This project proposed to install several traffic signal safety and ADA enhancements at four of the City's traffic signals, including flashing yellow arrow, new pedestrian push buttons, and reflective backplates. This project was awarded and fully funded by the WSDOT 2022 City Safety Program.

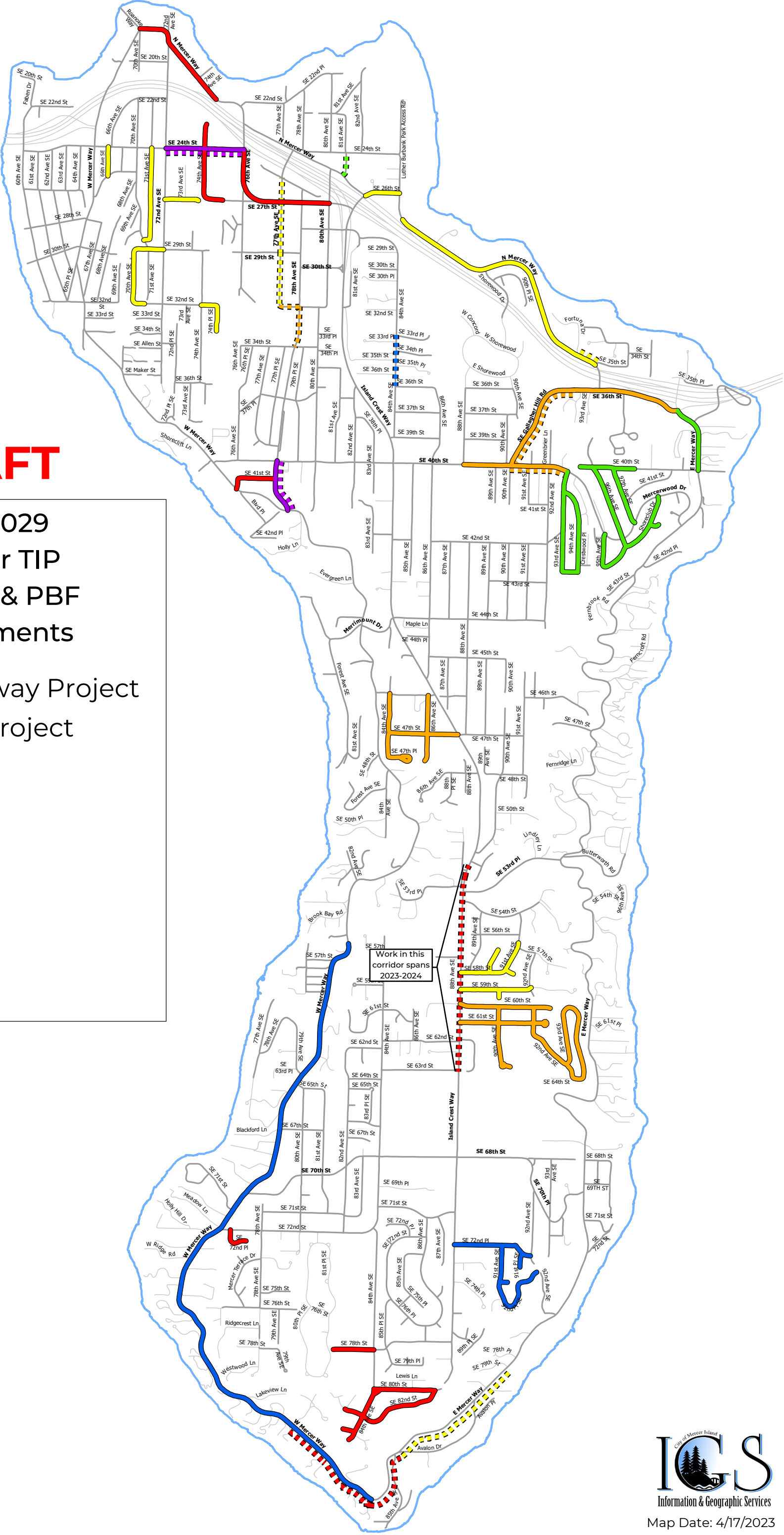
Unfunded PBF Projects – Beyond 2029

- **86th Avenue SE Sidewalk Improvements (SE 42nd Street to Island Crest Way).** This project proposes to install concrete curb, gutter, and sidewalk along the east side of 86th Ave SE to provide a walking facility where none currently exists. The project will complete a missing link in the sidewalk network and connect Island Crest Way and adjacent neighborhoods to the High School, Northwood Elementary School, the Mary Wayte Pool, and PEAK. Drainage work will be required, and road widening to provide shared space for bicycles is a potential element.
- **Merrimount Drive Sidewalk Improvements (Island Crest Way to West Mercer Way).** The project proposes to install concrete curb, gutter, and sidewalk along both sides of Merrimount Drive. The project improves walkability by providing a defined route and place for school kids to walk and wait for the school bus or walk to West Mercer Elementary.
- **92nd Avenue SE Sidewalk Improvements (SE 40th Street to SE 41st Street).** This project will build concrete curb, gutter, and sidewalk along the west side of 92nd Avenue to provide a "safe walk route" for Northwood Elementary and the High School, as well as a bus stop location for Islander Middle School. It will also complete a missing link on 92nd Avenue by connecting with sidewalks the School District constructed in 2015 along the High School frontage, creating a continuous sidewalk from SE 40th to SE 42nd Streets. This project may be eligible for TIB or SRTS Grant funding. This is a low/moderate need for the School District. City and District staff may propose this work in a future TIP.

DRAFT

2024-2029
Six - Year TIP
Roadway & PBF
Improvements

- Roadway Project
- PBF Project
- 2024
- 2025
- 2026
- 2027
- 2028
- 2029



Map Date: 4/17/2023

2024_to_2029_TIP&PBF.mxd

DRAFT

Current Pedestrian & Bicycle Facilities (PBF)
on the Mercer Ways

- Paved Roadside Shoulder
- Sidewalks or Paths
- No Facility

May 2023

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Disclaimer: No warranties of any sort including accuracy, fitness or merchantability accompany this map.

WMW Phase 4
Proposed for 2024

EMW Phase 11
Proposed for 2026



Map Date: 4/17/2023
2023MercerWaysPBF_Facilities.mxd



2023 PLANNING SCHEDULE

Item 8.

Please email the City Manager & City Clerk when an agenda item is added, moved, or removed.

Items are not listed in any particular order. Agenda items & meeting dates are subject to change.

MAY 16, 2023		DD	FN	CA	Clerk	CM
ABSENCES:		5/5	5/8	5/8	5/9	5/9
ITEM TYPE TIME TOPIC				STAFF		
STUDY SESSION						
SPECIAL BUSINESS						
CONSENT AGENDA						
--	AB 6266: May 5, 2023 Payroll Certification			Ali Spietz/Nicole Vannatter		
--	AB 6267: Public Display of Fireworks Permit Issuance – Summer Celebration			Ben Lane/Jeromy Hicks		
--	AB 6268: Luther Burbank Park Docks and Waterfront 1% for Art in Public Places			Jason Kintner/Paul West/Sarah Bluvas		
--	AB 6271: Safe Boating and Paddling Week, Proclamation No. 309			Mayor Nice/Andrea Larson/Chad Schumacher		
REGULAR BUSINESS						
15	AB 6269: Financial Status Update for the First Quarter 2023 and Budget Amending Ordinance (Ord. No. 23-06)			Matt Mornick/Ben Schumacher		
30	AB 6270: Development Code Amendment – Business Zone Permitted Uses			Jeff Thomas/Alison Van Gorp		
30	AB 6265: Aubrey Davis Park Trail Safety Improvements 30% Design Recommendation			Jason Kintner/Clint Morris/Paul West		
EXECUTIVE SESSION						

MAY 23, 2023 MID YEAR PLANNING SESSION 1-5PM			DD	FN	CA	Clerk	CM
ABSENCES:			5/12	5/15	5/15	5/16	5/16
ITEM TYPE TIME TOPIC					STAFF		
REGULAR BUSINESS							
	AB 6256: 2023-2024 Work Plan Update				Jessi Bon/Amanda Keverkamp		
	AB 6257: Recap of 2023 Legislative Session – Work Plan Impacts (i.e. Town Center Parking Study, Residential Development Standards Report).				Jessi Bon		
	AB 6259: CPD Docket Preview				Jeff Thomas		
	AB 6255: Financial Update				Matt Mornick		
	AB 6254: 2022 Community Member of the Year Nomination				Ali Spietz/Andrea Larson		

JUNE 6, 2023 ABSENCES:				DD 5/26	FN 5/26	CA 5/26	Clerk 5/30	CM 5/30
ITEM TYPE TIME TOPIC						STAFF		
STUDY SESSION								

SPECIAL BUSINESS		
CONSENT AGENDA		
--	AB xxxx: May 19, 2023 Payroll Certification	Ali Spietz/Nicole Vannatter
--	AB xxxx: Pride Month Proclamation No. xxx	Mayor Nice/Merrill Thomas-Schadt
--	AB xxxx: Development Code Amendment – Business Zone Permitted Uses	Jeff Thomas/Alison Van Gorp
--	AB xxxx: 2018 Street Projects Closeouts	Jason Kintner/Clint Morris
--	AB xxxx: 2023 Residential Street Overlays Bid Award	Jason Kintner/Clint Morris/Ian Powell
--	AB xxxx: Roadside Shoulder Improvements, WMW Phase 3 Project Closeout	Jason Kintner/Clint Morris/George Fletcher
REGULAR BUSINESS		
30	AB xxxx: 2023 Board & Commission Annual Appointments (Res. No. xxxx)	Mayor Nice/Deputy Mayor Rosenbaum/Andrea Larson
30	AB xxxx: Adoption of 2024-2029 Six-Year Transportation Improvement Program (Public Hearing Continued From May 2 Meeting and Adoption)	Jason Kintner/Patrick Yamashita/Lia Klein
10	AB xxxx: AWC Business Meeting Voting Delegate	Mayor Nice/Andrea Larson
30	AB xxxx: Ordinance Related to Use and Possession of Certain Controlled Substances (Ord. No. 23C-07)	Bio Park/Ed Holmes
EXECUTIVE SESSION		

JUNE 20, 2023 ABSENCES:			DD 6/9	FN 6/12	CA 6/12	Clerk 6/13	CM 6/13
ITEM TYPE TIME TOPIC					STAFF		
STUDY SESSION							
30	AB xxxx: Financial Management Software Implementation Update				Matt Mornick/Gracie Liu		
SPECIAL BUSINESS							
CONSENT AGENDA							
--	AB xxxx: June 2, 2023 Payroll Certification				Ali Spietz/Nicole Vannatter		
--	AB xxxx: 2023 Water System Improvements Bid Award				Jason Kintner/Clint Morris/George Fletcher		
REGULAR BUSINESS							
EXECUTIVE SESSION							

JULY 4, 2023 – POTENTIALLY CANCELED		DD	FN	CA	Clerk	CM
ABSENCES:		6/23	6/26	6/26	6/27	6/27
ITEM TYPE TIME TOPIC				STAFF		

STUDY SESSION		
SPECIAL BUSINESS		
CONSENT AGENDA		
--	AB xxxx: June 16, 2023 Payroll Certification	Ali Spietz/Nicole Vannatter
--	AB xxxx: Parks & Recreation Month, Proclamation No. xxx	Jason Kintner/Ryan Daly
REGULAR BUSINESS		
30	Town Center Parking Study – “Quick Wins” Implementation Update	Jason Kintner/Ed Holmes/Jeff Thomas/Sarah Bluvas
EXECUTIVE SESSION		

JULY 18, 2023		DD	FN	CA	Clerk	CM
ABSENCES:		7/7	7/10	7/10	7/11	7/11
ITEM TYPE TIME TOPIC				STAFF		
STUDY SESSION						
SPECIAL BUSINESS						
15	AB xxxx: Public hearing and first reading of Ordinance No. 23C-xx (renews Ordinance No. 21C-23) on interim regulations in MICC 19.16.010 related to emergency shelters and housing, transitional housing, and permanent supportive housing in response to E2SHB 1220			Jeff Thomas/Alison Van Gorp		
CONSENT AGENDA						
--	AB xxxx: June 30, 2023 Payroll Certification			Ali Spietz/Nicole Vannatter		
--	AB xxxx: Interlocal Agreement with MISD for Mental Health Counseling Services			Ali Spietz/Tambi Cork		
--	AB xxxx: Basin 40 Cured-In-Place-Pipe (CIPP) Sewer Lining, Phase 2 Bid Award			Jason Kintner/Clint Morris/Chris Marks		
REGULAR BUSINESS						
EXECUTIVE SESSION						

AUGUST 1, 2023				DD	FN	CA	Clerk	CM
ABSENCES:				7/21	7/24	7/24	7/25	7/25
ITEM TYPE TIME TOPIC						STAFF		
STUDY SESSION								
SPECIAL BUSINESS								

CONSENT AGENDA		
REGULAR BUSINESS		
EXECUTIVE SESSION		