

## **CITY COUNCIL MEETINGS RULES – PUBLIC DECORUM**

**Strict adherence to the following rules of decorum by the public will be observed and adhered to during City Council meetings, including open forum, public comment period on legislative items, and Council deliberations:**

- 1. No Clapping!**
- 2. No Cheering!**
- 3. No Booing!**
- 4. No public outbursts!**
- 5. Three-minute time limit for comments made during open forum and public testimony on legislative items!**
- 6. No person shall be permitted to speak at open forum more often than once per month.**

**In addition, please silence your cell phones when entering the Council Chambers!**

Further, keep the following City Council Rules in mind:

### **Rule 2.2      Open Forum**

- 2.2.4 The open forum is a limited public forum and all matters discussed shall relate to affairs of the City. No person may use the open forum to speak on such matters and in such a manner as to violate the laws governing the conduct of municipal affairs. No person shall be permitted to speak on matters related to the current or advance agendas, potential or pending hearing items, or ballot propositions for a pending election. Individuals speaking during the open forum shall address their comments to the Council President and shall not make personal comment or verbal insults about any individual.
- 2.2.6 In an effort to encourage wider participation in open forum so that the Council can hear a wide array of citizen comment, no person shall be permitted to speak at open forum more often than once per month. However, this limitation has no effect on the public comment rules concerning items on the Council's current legislative agenda, special consideration items, hearing items, and other items before the City Council requiring Council action that are not adjudicatory or administrative in nature, as specified in Rules 5.3 and 5.4.

### **Rule 5.4      Public Testimony Regarding Legislative Agenda Items – Time Limits**

- 5.3.1 Members of the public may address the Council regarding items on the Council's legislative agenda, special consideration items, hearing items and other items before the City Council requiring Council action that are not adjudicatory or administrative in nature. This rule shall not limit the public's right to speak during the open forum.
- 5.3.2 No one may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet and provide his or her address as a condition of recognition. In order for a council member to be recognized by the Chair for the purpose of obtaining the floor, the council member shall either raise a hand or depress the call button on the dais until recognized by the Council President.
- 5.3.3 Each person speaking at the public microphone shall verbally identify him(her)self by name and, if appropriate, representative capacity.
- 5.3.4 Each speaker shall follow all written and verbal instructions so that verbal remarks are electronically recorded and documents submitted for the record are identified and marked by the Clerk.
- 5.3.5 In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, no modes of expression not provided by these rules, including but not limited to demonstrations, banners, applause, profanity, vulgar language, or personal insults will be permitted.
- 5.3.6 A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.
- 5.3.7 When addressing the Council, members of the public shall direct all remarks to the Council President and shall confine remarks to the matters that are specifically before the Council at that time.
- 5.3.8 When any person, including members of the public, City staff and others are addressing the Council, council members shall observe the same decorum and process, as the rules require among the members inter se. That is, a council member shall not engage the person addressing the Council in colloquy, but shall speak only when granted the floor by the Council President. All persons and/or council members shall not interrupt one another. The duty of mutual respect set forth in Rule 1.2 and the rules governing debate set forth in *Robert's Rules of Order* shall extend to all speakers before the City Council. The council president pro-tem shall be charged with the task of assisting the council president to insure that all individuals desiring to speak, be they members of the public, staff or council members, shall be identified and provided the opportunity to speak.



# THE CITY OF SPOKANE



## ADVANCE COUNCIL AGENDA

MEETING OF MONDAY, MAY 16, 2016

### MISSION STATEMENT

TO DELIVER EFFICIENT AND EFFECTIVE SERVICES  
THAT FACILITATE ECONOMIC OPPORTUNITY  
AND ENHANCE QUALITY OF LIFE.

MAYOR DAVID A. CONDON

COUNCIL PRESIDENT BEN STUCKART

COUNCIL MEMBER BREEAN BEGGS

COUNCIL MEMBER LORI KINNEAR

COUNCIL MEMBER KAREN STRATTON

COUNCIL MEMBER MIKE FAGAN

COUNCIL MEMBER CANDACE MUMM

COUNCIL MEMBER AMBER WALDREF

CITY COUNCIL CHAMBERS  
CITY HALL

808 W. SPOKANE FALLS BLVD.  
SPOKANE, WA 99201



## CITY COUNCIL BRIEFING SESSION

Council will adopt the Administrative Session Consent Agenda after they have had appropriate discussion. Items may be moved to the 6:00 p.m. Legislative Session for formal consideration by the Council at the request of any Council Member.

SPOKANE CITY COUNCIL BRIEFING SESSIONS (BEGINNING AT 3:30 P.M. EACH MONDAY) AND LEGISLATIVE SESSIONS (BEGINNING AT 6:00 P.M. EACH MONDAY) ARE BROADCAST LIVE ON CITY CABLE CHANNEL FIVE AND STREAMED LIVE ON THE CHANNEL FIVE WEBSITE. THE SESSIONS ARE REPLAYED ON CHANNEL FIVE ON THURSDAYS AT 6:00 P.M. AND FRIDAYS AT 10:00 A.M.

The Briefing Session is open to the public, but will be a workshop meeting. Discussion will be limited to Council Members and appropriate Staff and Counsel. There will be an opportunity for the expression of public views on any issue not relating to the Current or Advance Agendas during the Open Forum at the beginning and the conclusion of the Legislative Agenda.

### ADDRESSING THE COUNCIL

- No one may speak without first being recognized for that purpose by the Chair. Except for named parties to an adjudicative hearing, a person may be required to sign a sign-up sheet as a condition of recognition.
- Each person speaking at the public microphone shall print his or her name and address on the sheet provided at the entrance and verbally identify him/herself by name, address and, if appropriate, representative capacity.
- If you are submitting letters or documents to the Council Members, please provide a minimum of ten copies via the City Clerk. The City Clerk is responsible for officially filing and distributing your submittal.
- In order that evidence and expressions of opinion be included in the record and that decorum befitting a deliberative process be maintained, modes of expression such as demonstration, banners, applause and the like will not be permitted.
- A speaker asserting a statement of fact may be asked to document and identify the source of the factual datum being asserted.

**SPEAKING TIME LIMITS:** Unless deemed otherwise by the Chair, each person addressing the Council shall be limited to a three-minute speaking time.

**CITY COUNCIL AGENDA:** The City Council Advance and Current Agendas may be obtained prior to Council Meetings from the Office of the City Clerk during regular business hours (8 a.m. - 5 p.m.). The Agenda may also be accessed on the City website at [www.spokanecity.org](http://www.spokanecity.org). Agenda items are available for public review in the Office of the City Clerk during regular business hours.

**AMERICANS WITH DISABILITIES ACT (ADA) INFORMATION:** The City of Spokane is committed to providing equal access to its facilities, programs and services for persons with disabilities. The Spokane City Council Chamber in the lower level of Spokane City Hall, 808 W. Spokane Falls Blvd., is wheelchair accessible and also is equipped with an infrared assistive listening system for persons with hearing loss. Headsets may be checked out (upon presentation of picture I.D.) at the City Cable 5 Production Booth located on the First Floor of the Municipal Building, directly above the Chase Gallery or through the meeting organizer. Individuals requesting reasonable accommodations or further information may call, write, or email Christine Cavanaugh at (509) 625-6383, 808 W. Spokane Falls Blvd, Spokane, WA, 99201; or [ccavanaugh@spokanecity.org](mailto:ccavanaugh@spokanecity.org). Persons who are deaf or hard of hearing may contact Ms. Cavanaugh at (509) 625-7083 through the Washington Relay Service at 7-1-1. Please contact us forty-eight (48) hours before the meeting date.

If you have questions, please call the Agenda Hotline at 625-6350.



# BRIEFING SESSION

(3:30 p.m.)

(Council Chambers Lower Level of City Hall)

(No Public Testimony Taken)

Council Reports

Staff Reports

Committee Reports

Advance Agenda Review

Current Agenda Review

## ADMINISTRATIVE SESSION

Roll Call of Council

## CONSENT AGENDA

### REPORTS, CONTRACTS AND CLAIMS

### RECOMMENDATION

- |    |   |         |                              |
|----|---|---------|------------------------------|
| 1. | Low bid meeting specifications of Consolidated Supply (Spokane Valley, WA) for miscellaneous Fire Hydrants—\$171,594.31 (incl. tax).<br><b>Dan Kegley</b>   | Approve | OPR 2016-0393<br>BID 4239-16 |
| 2. | Technology equipment purchase from CDW Government (Vernon Hills, IL) for various departments from May 1, 2016 through December 31, 2016—\$100,000 (plus tax and shipping).<br><b>Michael Sloon</b>  | Approve | OPR 2016-0394                |
| 3. | Increase purchase limit from Washington State Department of Enterprise Services (Olympia, WA) for various Software Products from January 1, 2016 through December 31, 2016—\$50,000 increase from \$108,700 to \$158,700 (plus tax and shipping).<br><b>Michael Sloon</b> | Approve | OPR 2016-0006                |
| 4. | Contract with Accela, Inc for annual maintenance support associated with permitting and licensing software with the City from July 1, 2016 through June 30, 2018: 2016-\$171,622; 2017-\$176,771.<br><b>Michael Sloon</b>   | Approve | OPR 2016-0395                |



- |     |   |                        |                              |
|-----|---|------------------------|------------------------------|
| 5.  | Contract with Mitchell Humphrey and Company (St. Louis, MO) for annual support and upgrades of Financial Management System Software from July 1, 2016 through June 30, 2017—\$81,400.<br><b>Michael Sloon</b>   | Approve                | OPR 2016-0396                |
| 6.  | Contract Extension with XO Communications (Sandy, UT) for dial tone, off-premise extensions and long distance services from July 1, 2016 through December 31, 2016—\$58,000 (incl. tax).<br><b>Michael Sloon</b>  | Approve                | OPR 2012-0011<br>RFP 3819-11 |
| 7.  | Six-year Agreement between the City, Spokane County & Avista Corp. for the provision of Pictometry Image Library Services, software and support through 2021—Total estimated cost \$321,750 (plus tax & shipping).<br><b>Michael Sloon</b>                  | Approve                | OPR 2016-0397                |
| 8.  | Contract with Knight Construction & Supply, Inc., (Deer Park, WA) for mechanical repairs at the Waste to Energy Facility from April 2016 through April 2017—\$800,000 (excl. tax).<br><b>Chuck Conklin</b>  | Approve                | OPR 2016-0400<br>BID 4242-16 |
| 9.  | Report of the Mayor of pending:   | Approve &<br>Authorize |                              |
|     | a. Claims and payments of previously approved obligations, including those of Parks and Library, through _____, 2016, total \$_____, with Parks and Library claims approved by their respective boards. Warrants excluding Parks and Library total \$_____. | Payments               | CPR 2016-0002                |
|     | b. Payroll claims of previously approved obligations through _____, 2016: \$_____.  |                        | CPR 2016-0003                |
| 10. | City Council Meeting Minutes: _____, 2016.  | Approve All            | CPR 2016-0013                |

## EXECUTIVE SESSION

(Closed Session of Council)

(Executive Session may be held or reconvened during the 6:00 p.m. Legislative Session)

## CITY COUNCIL SESSION

(May be held or reconvened following the 3:30 p.m. Administrative Session)

(Council Briefing Center)



This session may be held for the purpose of City Council meeting with Mayoral nominees to Boards and/or Commissions. The session is open to the public.

---

## **LEGISLATIVE SESSION**

**(6:00 P.M.)**

**(Council Reconvenes in Council Chamber)**

**WORDS OF INSPIRATION**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL OF COUNCIL**

**ANNOUNCEMENTS**

**(Announcements regarding Changes to the City Council Agenda)**

**NO BOARDS AND COMMISSIONS APPOINTMENTS**

**ADMINISTRATIVE REPORT**

---

## **COUNCIL COMMITTEE REPORTS**

**(Committee Reports for Finance, Neighborhoods, Public Safety, Public Works, and Planning/Community and Economic Development Committees and other Boards and Commissions)**

---

## **OPEN FORUM**

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

**Note:** No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.6).

---

## **LEGISLATIVE AGENDA**



**NO EMERGENCY BUDGET ORDINANCE****EMERGENCY ORDINANCE**(Requires Five Affirmative, Recorded Roll Call Votes)

- ORD C35388 Of the City of Spokane, Washington, relating to the definition of a household; and declaring an emergency.

**Kevin Freibott****RESOLUTIONS & FINAL READING ORDINANCES**(Require Four Affirmative, Recorded Roll Call Votes)

- RES 2016-0045 Establishing the North Monroe Corridor Advisory Board for the City of Spokane.

**Katherine Miller**

- ORD C35375 Vacation of the south 30 feet of Rosewood Avenue from 225 feet East of the East line of Helena Street to the West line of Pittsburg Street requested by Stacy Bjordahl representing Collision Service Repair Center. (First Reading March 14, 2016)

**Eldon Brown****FIRST READING ORDINANCES**

(No Public Testimony Will Be Taken)

- ORD C35389 Relating to the building code; amending SMC sections 17F.020.080, 17F.030.010, 17F.040.010, 17F.040.030, 17F.040.040, 17F.040.105, 17F.040.130, 17F.070.010, 17F.070.250, 17F.070.260, 17F.070.300, 7F.090.010 and 17F.100.010 and repealing 17F.040.070, 17F.040.125, 17F.070.070, 17F.07.270 and 17F.070.360.

**Dean Giles**

- ORD C35390 Relating to the fire code; amending SMC sections 17F.080.010, 17F.080.030, 17F.080.070, 17F.080.090, 17F.080.110, 17F.080.120, 17F.080.150, 17F.080.270, 17F.080.370, 17F.080.380, 17F.080.390 17F.080.400, 17F.080.480 and 17F.080.490 and repealing SMC sections 17F.080.321 and 17F.080.430.

**David Kokot**

---

**NO SPECIAL CONSIDERATIONS****NO HEARINGS**

---

Motion to Approve Advance Agenda for May 16, 2016  
(per Council Rule 2.1.2)

---



## **OPEN FORUM (CONTINUED)**

This is an opportunity for citizens to discuss items of interest not relating to the Current or Advance Agendas nor relating to political campaigns/items on upcoming election ballots. This Forum shall be for a period of time not to exceed thirty minutes. After all the matters on the Agenda have been acted on, unless it is 10:00 p.m. or later, the open forum shall continue for a period of time not to exceed thirty minutes. Each speaker will be limited to three minutes, unless otherwise deemed by the Chair. If you wish to speak at the forum, please sign up on the sign-up sheet located in the Chase Gallery.

Note: No person shall be permitted to speak at Open Forum more often than once per month (Council Rule 2.2.6).

## **ADJOURNMENT**

The May 16, 2016, Regular Legislative Session of the City Council is adjourned to May 23, 2016.

---

## **NOTES**





**Agenda Sheet for City Council Meeting of:**  
05/16/2016

<b>Date Rec'd</b>	5/2/2016
<b>Clerk's File #</b>	OPR 2016-0393
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	BID #4239-16
<b>Requisition #</b>	RE#17837

<b>Submitting Dept</b>	WATER & HYDROELECTRIC SERVICES
<b>Contact Name/Phone</b>	DAN KEGLEY 625-7821
<b>Contact E-Mail</b>	DKEGLEY@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Purchase w/o Contract
<b>Agenda Item Name</b>	4100 - WATER DEPARTMENT PURCHASE OF FIRE HYDRANTS

**Agenda Wording**

Low bid meeting specifications of Consolidated Supply (Spokane Valley, WA) for miscellaneous Fire Hydrants - \$171,594.31 including tax

**Summary (Background)**

On March 7, 2016 sealed bids were opened to provide the City of Spokane Water & Hydroelectric Services Department with miscellaneous fire hydrants. Four (4) responses were received with Consolidated Supply being the lowest bidder. This purchase will result in the Water & Hydroelectric Services Department being able to provide hydrants for new construction and the replacement/rebuild of hydrants.

<b><u>Fiscal Impact</u></b>		<b><u>Budget Account</u></b>	
Expense	\$ 171,594.31	#	4100-42440-94000-56595
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	KEGLEY, DANIEL	<b><u>Study Session</u></b>	
<b><u>Division Director</u></b>	GIMPEL, KEN	<b><u>Other</u></b>	PWC 4/25/16
<b><u>Finance</u></b>	KECK, KATHLEEN	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	WHALEY, HUNT	TPRINCE	
<b><u>For the Mayor</u></b>	SANDERS, THERESA	ACLINCE	
<b><u>Additional Approvals</u></b>		TAXES & LICENSE	
<b><u>Purchasing</u></b>	PRINCE, THEA		



BID #4239-16 6" FIREHYDRANTS		HD FOWLER 6625 E SHARP AVE SPOKANE WA 99212  Craig Tanguy <a href="mailto:craigqt@hdfowler.com">craigqt@hdfowler.com</a> (509) 568-8400	FERGUSONWW 7310 E. INDIANA AVE SPOKANE VALLEY WA 99212  Scott Milford <a href="mailto:scott.milford@ferguson.com">scott.milford@ferguson.com</a> (509) 468-1899	HD SUPPLY SPOKANE 1215 N BRADLEY SPOKANE WA 99212  Bret Smith <a href="mailto:bret.smith@hdsupply.com">bret.smith@hdsupply.com</a> (509) 893-1055	CONSOLIDATEDSUPPLY 305 N LAKE SPOKANE VALLEY WA 99212  Brian Frye <a href="mailto:brian.frye@consolidatedsupply.com">brian.frye@consolidatedsupply.com</a> (509) 891-9911					
ITEM	QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL		
			M&H 929		WATEROUS PACERWB-67		MUELLERSUPERCENTURION250		WATEROUS PACERWB-67	
	36	6" FIREHYDRANTS, 5 FT BURY, NS OPENLEFT	\$ 1,676.16	\$ 60,341.76	\$ 1,445.00	\$ 52,020.00	\$ 1,539.51	\$ 55,422.36	\$ 1,437.69	\$ 51,756.84
	63	6" FIREHYDRANTS, 5.5 FT BURY, NS OPENLEFT	\$ 1,713.54	\$ 107,953.02	\$ 1,477.00	\$ 93,051.00	\$ 1,573.63	\$ 99,138.69	\$ 1,469.80	\$ 92,597.40
	9	6" FIREHYDRANTS, 6 FT BURY, NS OPENLEFT	\$ 1,750.56	\$ 15,755.04	\$ 1,510.00	\$ 13,590.00	\$ 1,607.70	\$ 14,469.30	\$ 1,500.69	\$ 13,506.21
SALES TAX - 8.7%				\$ 16,012.34		\$ 13,803.51		\$ 14,705.64		\$ 13,733.86
GRAND TOTAL				\$ 200,062.16		\$ 172,464.51		\$ 183,735.99		\$ 171,594.31
DELIVERY		30 DAYS FRO			30 DAYS FRO		45 DAYS FRO		45-60 DAYS FRO	
PAY BY CREDITCARD		NO			NO		NO		YES	
ADDITIONAL PURCHASES		NO			YES		YES - 1 YEAR		YES	



**BRIEFING PAPER**  
**Public Works Committee**  
**Water Department**  
**April 25, 2016**

---

**Subject**

Purchase using low bid meeting specifications with Consolidated Supply (Spokane Valley, WA) for 5', 5 ½' and 6' Hydrants.

**Background**

On Monday March 7, 2016 sealed bids 4239-16 were opened to provide the City of Spokane Water & Hydroelectric Services Department with an annual supply of fire hydrants. Four responses were received with Consolidated Supply being the low bidder. The estimated annual expenditure is \$171,594.31 including tax.

**Impact**

This purchase will result in the Water Department being able to provide hydrants for new construction and the replacement/rebuilding of hydrants.

**Action**

Recommend approval of the purchase of hydrants from Consolidated Supply.

**Funding**

All funding for this purchase will be from the Water Department funds





**Agenda Sheet for City Council Meeting of:**  
05/16/2016

<b>Date Rec'd</b>	5/2/2016
<b>Clerk's File #</b>	OPR 2016-0394
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	VB MASTER

<b>Submitting Dept</b>	INFORMATION TECHNOLOGY
<b>Contact Name/Phone</b>	MICHAEL SLOON 625-6468
<b>Contact E-Mail</b>	MSLOON@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Purchase w/o Contract
<b>Agenda Item Name</b>	5300 CDWG PURCHASE MASTER (2016)

**Agenda Wording**

Approval to purchase technology equipment from CDW Government (Vernon Hills, IL). May 1, 2016 through December 31, 2016 for \$100,000.00 plus tax and shipping.

**Summary (Background)**

CDW Government currently provides the City with hardware for purchase for various departments. The City of Spokane IT Department has utilized the King County Directors' Association (KCDA) Agreement #AEPA 014-E for its selection of CDW Government.




<b><u>Fiscal Impact</u></b>		<b><u>Budget Account</u></b>	
Expense	\$ 100,000.00 plus tax & shipping	#	Various Accounts
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	SLOON, MICHAEL	<b><u>Study Session</u></b>	Fin Com, May 2, 2016
<b><u>Division Director</u></b>	FINCH, ERIC	<b><u>Other</u></b>	
<b><u>Finance</u></b>	KECK, KATHLEEN	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	WHALEY, HUNT	Accounting - kkeck@spokanecity.org	
<b><u>For the Mayor</u></b>	SANDERS, THERESA	Contract Accounting - jsalstrom@spokanecity.org	
<b><u>Additional Approvals</u></b>		Legal - hwhaley@spokanecity.org	
<b><u>Purchasing</u></b>	PRINCE, THEA	Purchasing - cwahl@spokanecity.org	
		IT - itadmin@spokancity.org	
		Taxes & Licenses	
		CDWG- mikemcc@cdwg.com; danfern@cdw.com	





### KCDA Contract Information

**\*\* KCDA does not charge service fees on our vendor direct contracts \*\***

<b>Awarded Vendor:</b>	CDW-G 	
<b>KCDA Bid Number:</b>	AEPA 014-E 	
<b>Contract Expiration Date:</b>	February 28, 2017	
<b>Approved Products/Services:</b> <b>Bid Tabulation/Evaluation Available Upon Request</b>	On-line Technology Catalog	<a href="#">Award Letter</a> <a href="#">Extension Letter 2015</a> <a href="#">Extension Letter 2016</a>
<b>Primary Vendor Contact:</b>	Pricing Requests Michael McClain Phone: 866-339-4891 Email: <a href="mailto:mikemcc@cdwg.com">mikemcc@cdwg.com</a> Account Executive: Angela Gadiant Phone: 206-484-5368 Fax: 866-349-2394 Email: <a href="mailto:angehal@cdwg.com">angehal@cdwg.com</a>	
<b>Websites:</b> <b>Click on Logo</b>	 <a href="#">April Flyer</a>	
<b>Order Placement/Processing:</b>	<a href="#">Click here to order directly from CDW-G</a> Shipping and handling will be included, except for common carrier, palletization and large freight over 70 lbs.	
<b>Sustainability:</b>	<a href="#">Green Statement Flyer</a>	
<b>KCDA Contact:</b>	KCDA Purchasing Cooperative Attention: Valerie Ellefsen Phone: 425-251-8115, 800-422-5019, ext. 134 Fax: 253-395-5402 email: <a href="mailto:vellefsen@kcda.org">vellefsen@kcda.org</a>	



<b>Invitation to Bid:</b>	<u>Part A - Terms and Conditions</u> <u>Part B - Technology Catalog</u> <u>Part C - Technology Catalog Forms</u> <u>Washington Bid Advertisement</u> <u>Alaska Bid Advertisement</u> <u>Idaho Bid Advertisement</u>
<b>KCDA Authorizing Statutes:</b>	Revised Code of Washington 28A.320.080, Cooperative Purchasing. Revised Code of Washington 39.34, Interlocal Government Agreements. Oregon Revised Statute 279A.210, Joint Cooperative Procurements. Alaska Statute 36.30.700, Cooperative Purchasing Authorized. Idaho Code 67-2328, Joint Exercise of Powers. For other state statutes goto <a href="http://www.kcda.org">www.kcda.org</a> , click on the Membership tab and click on Statutory Authorizations.



**BRIEFING PAPER**  
**City of Spokane**  
**Information Technology**  
**May 2, 2016**

---

**Subject**

Approval to purchase technology equipment from CDW Government (Vernon Hills, IL).  
May 1, 2016 through December 31, 2016 for \$100,000.00 plus tax and shipping.

**Background**

CDW Government currently provides The City with hardware for purchase for various departments. The City of Spokane IT Department has utilized the King County Directors' Association (KCDA) Agreement #AEPA 014-E for its selection of CDW Government.

2014 - \$47,500.00

**Impact**

Without this Approval to Purchase, the IT Department would be required to bring any purchase over The City Purchase Limit (\$48,700) to City Council for Approval for each piece of equipment purchased.

**Action**

City IT recommends approval

**Funding**

Various Accounts



**Agenda Sheet for City Council Meeting of:**

05/16/2016

<b>Date Rec'd</b>	5/2/2016
<b>Clerk's File #</b>	OPR 2016-0006
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	VB MASTER

<b>Submitting Dept</b>	INFORMATION TECHNOLOGY
<b>Contact Name/Phone</b>	MICHAEL SLOON 625-6468
<b>Contact E-Mail</b>	MSLOON@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Purchase w/o Contract
<b>Agenda Item Name</b>	5300 WA STATE DES SOFTWARE PURCH INC (2016)

**Agenda Wording**

Approval to increase \$50,000.00 to purchase limit from Washington State Department of Enterprise Services (Olympia, WA) for various Software Products. January 1 2016 through December 31, 2016 from \$108,700.00 to \$158,700.00 plus tax and shipping.

**Summary (Background)**

Washington State DES currently provides the City of Spokane with Microsoft(T11-MST-579), Autodesk(T98-TSD-309) and Adobe(T11-COR-521) Software Products which includes Maintenance and Support Subscription/Upgrades for purchase for various City Departments. Washington State DES has already negotiated and established contracts that include pricing advantages for other government agencies to utilize. The City of Spokane IT Department utilizes this opportunity whenever possible.

<b><u>Fiscal Impact</u></b>		<b><u>Budget Account</u></b>	
Expense	\$ 50,000.00 plus tax & shipping	#	Various Accounts.
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	SLOON, MICHAEL	<b><u>Study Session</u></b>	Fin Com, May 2, 2016
<b><u>Division Director</u></b>	FINCH, ERIC	<b><u>Other</u></b>	
<b><u>Finance</u></b>	KECK, KATHLEEN	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	WHALEY, HUNT	Accounting - kkeck@spokanecity.org	
<b><u>For the Mayor</u></b>	SANDERS, THERESA	Contract Accounting - jsalstrom@spokanecity.org	
<b><u>Additional Approvals</u></b>		Legal - hwhaley@spokanecity.org	
<b><u>Purchasing</u></b>	PRINCE, THEA	Purchasing - cwahl@spokanecity.org	
		IT - itadmin@spokancity.org	
		Taxes & Licenses	
		WA State DES - mike.dombrowsky@des.wa.gov	



**BRIEFING PAPER**  
**City of Spokane**  
**Information Technology**  
**May 2, 2016**

---

**Subject**

Approval to increase \$50,000 to purchase limit from Washington State Department of Enterprise Services, (Olympia, WA) for various Software Products.

January 1, 2016 through December 31, 2016 from \$108,700.00 to \$159,700.00 plus tax & shipping.

**Background**

Washington State DES currently provides the City of Spokane with Microsoft(T11-MST-579), Autodesk(T98-TSD-309) and Adobe(T11-COR-521) Software Products which includes Maintenance and Support Subscription/Upgrades for purchase for various City Departments. Washington State DES has already negotiated and established contracts that include pricing advantages for other government agencies to utilize. The City of Spokane IT Department utilizes this opportunity whenever possible.

Current 2016 -Microsoft Est. \$45,000.00, Autodesk Est. \$38,200 & , Adobe Est \$10,000.00  
2015 - \$100,000.00

**Impact**

Without this yearly Approval to Purchase, the IT Department would be required to bring any purchase over The City Purchase Limit(\$48,700) to City Council for Approval for each piece of software purchased.

**Action**

City IT recommends approval

**Funding**

Various Accounts



**Agenda Sheet for City Council Meeting of:**

05/16/2016

<b>Date Rec'd</b>	5/2/2016
<b>Clerk's File #</b>	OPR 2016-0395
<b>Renews #</b>	
<b>Cross Ref #</b>	OPR 2006-0474
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	CR16831000

<b>Submitting Dept</b>	INFORMATION TECHNOLOGY
<b>Contact Name/Phone</b>	MICHAEL 625-6468
<b>Contact E-Mail</b>	MSLOON@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	5300 ACCELA MAINTENANCE (2016)

**Agenda Wording**

Two Year Contract with three one-year renewal options with Accela, Inc. for annual maintenance support associated with permitting and licensing software with the City of Spokane. July 1, 2016 through June 30, 2018. 2016 annual amount of \$171,622.00.

**Summary (Background)**

Accela is the City permitting, licensing and software program. The Accela system is a web-based system that is used to create and maintain permits and licenses. The system is utilized by the Building, Engineering, Planning, Development, Code Enforcement, Finance, Fire, and Police departments. The Accela system processes one-time and renewable permits and licenses. Accela also includes a Citizen Access segment which allows citizens to apply or pay for some, but not all, permits and licenses.

<b>Fiscal Impact</b>		<b>Budget Account</b>	
Expense	\$ 171,622.00 inc tax	#	5300-73300-18850-54820
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	SLOON, MICHAEL	<b>Study Session</b>	Fin Com, May 2, 2016
<b>Division Director</b>	FINCH, ERIC	<b>Other</b>	
<b>Finance</b>	KECK, KATHLEEN	<b>Distribution List</b>	
<b>Legal</b>	WHALEY, HUNT	Accounting - kkeck@spokanecity.org	
<b>For the Mayor</b>	SANDERS, THERESA	Contract Accounting - jsalstrom@spokanecity.org	
<b>Additional Approvals</b>		Legal - hwhaley@spokanecity.org	
<b>Purchasing</b>		Purchasing - cwahl@spokanecity.org	
		IT - itadmin@spokancity.org	
		Taxes & Licenses	
		Accela - cclark@accela.com	





**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

2017 annual amount of \$176,771.00.

**Summary (Background)**

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**




**BRIEFING PAPER**  
**City of Spokane**  
**Information Technology**  
**May 2, 2016**

---

**Subject**

Contract with Accela for annual maintenance support associated with permitting and licensing software. Two year contract with Three 1 Year extensions.

July 1, 2016 through June 30, 2017 for \$171,622 including tax.

July 1, 2017 through June 30, 2018 for \$176,771 including tax.

**Background**

Accela is The City permitting licensing and software program. The Accela system is a web-based system that is used to create and maintain Permits and Licenses. The system is utilized by the Building, Engineering, Planning, Development, Code Enforcement, Finance, Fire, and Police departments. The Accela system processes one-time and renewable permits and licenses. Accela also includes a Citizen Access segment which allows citizens to apply or pay for some, but not all, permits and licenses.

2016 - \$156,154.94

**Impact**

Accela created over 70,000 Permits and Licenses in 2015. There were over 10,000 permits or licenses created via Citizen Access in 2015.

**Action**

City IT recommends approval

**Funding**

5300-73300-18850-54820



Contract not available at time of Packet creation.





**Agenda Sheet for City Council Meeting of:**  
05/16/2016

<b>Date Rec'd</b>	5/2/2016
<b>Clerk's File #</b>	OPR 2016-0396
<b>Renews #</b>	
<b>Cross Ref #</b>	OPR 2015-0553
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	CR16832000

<b>Submitting Dept</b>	INFORMATION TECHNOLOGY
<b>Contact Name/Phone</b>	MICHAEL 625-6468
<b>Contact E-Mail</b>	MSLOON@SPOKANECITY.ORG
<b>Agenda Item Type</b>	Contract Item
<b>Agenda Item Name</b>	5300 MITCHELL HUMPHREY ANNUAL SUPPORT (2016)

**Agenda Wording**

Contract with Mitchell Humphrey and Company (St. Louis, MO) for annual support and upgrades of Financial Management System Software. July 1, 2016 through June 30, 2017 for \$81,400.00.

**Summary (Background)**

The City of Spokane has been using the Mitchell Humphrey & Company's Financial Management System since 1983. The Financial Management System has been continually enhanced based on the City's enterprise needs and requirements. This Financial Management System interfaces with many of the City's Enterprise Systems (HRMS, Permits, Utility Billing, etc.) and is the final repository of all City financial transactions.

<b><u>Fiscal Impact</u></b>		<b><u>Budget Account</u></b>	
Expense	\$ 81,400.00	#	5300-73300-18850-54820
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	SLOON, MICHAEL	<b><u>Study Session</u></b>	Fin Com, May 2, 2016
<b><u>Division Director</u></b>	FINCH, ERIC	<b><u>Other</u></b>	
<b><u>Finance</u></b>	KECK, KATHLEEN	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	WHALEY, HUNT	Accounting - kkeck@spokanecity.org	
<b><u>For the Mayor</u></b>	SANDERS, THERESA	Contract Accounting - jsalstrom@spokanecity.org	
<b><u>Additional Approvals</u></b>		Legal - hwhaley@spokanecity.org	
<b><u>Purchasing</u></b>		Purchasing - cwahl@spokanecity.org	
		IT - itadmin@spokancity.org	
		Taxes & Licenses	
		MH&CO - kschaefer@mitchell_humphrey.com	





**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

This contract supplies the annual maintenance on the existing systems: 1) General Ledger & related modules, 2) Budget Ledger, 3) Accounts Payable, 4) Accounts Receivable-Invoicing, 5) FMS-ONRAMP, FMS-EXEC, Test Account, FMS Productivity Suite, and 6) AP ACH Wire Transfer, Credit Card Processing, Purchasing Modules.

**Fiscal Impact**

Select      \$

**Budget Account**

#

Select      \$

#

**Distribution List**






1285 Fern Ridge Parkway  
St. Louis, Missouri 63141-4402  
800 237-0028 • 314 991-2440  
[www.mitchellhumphrey.com](http://www.mitchellhumphrey.com)

April 15, 2016

City of Spokane  
W. 808 Spokane Falls Boulevard  
Spokane, WA 99201-3344

Attn: Ms. Joan Hamilton

Reference:

Invoice No.: 10900000000015  
Terms: Net 30 Days

I N V O I C E

Annual maintenance fee for FMS Software Products for the period July 1, 2016  
through June 30, 2017

	81,400.00
Amount Due	\$81,400.00

Make check payable to Mitchell Humphrey & Co.





MITCHELL  
HUMPHREY  
*s o f t w a r e*

RECEIVED

APR 18 2016

IT DEPARTMENT  
CITY OF SPOKANE

1285 Fern Ridge Parkway  
St. Louis, Missouri 63141-4402

800 237-0028 • 314 991-2440  
[www.mitchellbumpbrey.com](http://www.mitchellbumpbrey.com)

April 15, 2016

Ms. Joan Hamilton  
City of Spokane  
West 808 Spokane Falls Boulevard  
Spokane, Washington 99201-3344

Dear Joan:

Below is the breakdown for your annual maintenance and support fee for the period July 1, 2016 through June 30, 2017.

General Ledger and related modules	\$19,090.00
Budget Ledger	8,515.00
Accounts Payable	8,115.00
Accounts Receivable-Invoicing	10,475.00
Purchasing and related modules	18,910.00
FMS-EXEC	2,420.00
Test Account	8,000.00
FMS Productivity Suite	3,675.00
AP ACH Wire Transfer	725.00
Credit Card Processing	<u>1,475.00</u>
Total Maintenance	\$81,400.00

The invoice is enclosed with this letter.

Sincerely,

Cindy Bari  
Business Manager

Enclosure



**BRIEFING PAPER**  
**City of Spokane**  
**Information Technology**  
**May 2, 2016**

---

**Subject**

Contract with Mitchell Humphrey and Company for annual support and upgrades of Financial Management System Software.

July 1, 2016 through June 30, 2017 for \$81,400

**Background**

The City of Spokane has been using the Mitchell Humphrey & Company's Financial Management System since 1983. The Financial Management System has been continually enhanced based on the City's enterprise needs and requirements. This Financial Management System interfaces with many of the City's Enterprise Systems (HRMS, Permits, Utility Billing, etc.) and is the final repository of all City financial transactions.

This contract supplies the annual maintenance on the existing systems:

- 1) General Ledger & related modules
- 2) Budget Ledger
- 3) Accounts Payable
- 4) Accounts Receivable-Invoicing
- 5) FMS-ONRAMP, FMS-EXEC, Test Account, FMS Productivity Suite
- 6) AP ACH Wire Transfer, Credit Card Processing, Purchasing Modules

2015 - \$80,720

**Impact**

Without this yearly maintenance contract, the Financial Management System used by The City of Spokane would not be supported by the vendor and the City would not be able to benefit from future enhancements and upgrades.

**Action**

City IT recommends approval

**Funding**

5300-73300-18850-54820 Software Maintenance



Contract not available at time of Packet creation.



**Agenda Sheet for City Council Meeting of:**

05/16/2016

**Date Rec'd**

5/2/2016

**Clerk's File #**

OPR 2012-0011

**Renews #****Submitting Dept**

INFORMATION TECHNOLOGY

**Contact Name/Phone**

MICHAEL 625-6468

**Contact E-Mail**

MSLOON@SPOKANECITY.ORG

**Agenda Item Type**

Contract Item

**Agenda Item Name**

5300 XO COMM 6MO EXT (2016)

**Cross Ref #****Project #****Bid #**

RFP 3819-11

**Requisition #**

CR16833000

**Agenda Wording**

One six (6) month Extension to Contract OPR2012-0011 with XO Communications (Sandy, UT) for dial tone, off-premise extensions and long distance services. July 1, 2016 through December 31, 2016 for \$58,000.00 including tax.

**Summary (Background)**

Voice services at all City locations are provided by Cisco VoIP systems and are connected via a combination of City owned fiber and telephone carrier circuits. Some lines would include transmission of data as well as voice. An RFP will be created in 2016 for new phone services which will be starting on January 1, 2017.

**Fiscal Impact**

Expense \$ 58,000.00 inc tax

Select \$

Select \$

Select \$

**Budget Account**

# 5300-73200-18880-54301

#

#

#

**Approvals****Dept Head**

SLOON, MICHAEL

**Division Director**

FINCH, ERIC

**Finance**

KECK, KATHLEEN

**Legal**

WHALEY, HUNT

**For the Mayor**

SANDERS, THERESA

**Council Notifications****Study Session**

Fin Com, May 2, 2016

**Other****Distribution List**

Accounting - kkeck@spokanecity.org

Contract Accounting - jsalstrom@spokanecity.org

Legal - hwhaley@spokanecity.org

Purchasing - cwahl@spokanecity.org

IT - itadmin@spokanecity.org

Taxes &amp; Licenses

XO Comm - stacy.standy@xo.com



**BRIEFING PAPER**  
**City of Spokane**  
**Information Technology**  
**May 2, 2015**

---

**Subject**

One 6 Month Extension to Contract OPR 2012-0011 with XO Communications (Sandy, UT) for dial tone, off-premise extensions and long distance services.

July 1, 2016 through December 31, 2016 for \$58,000.00 including tax.

**Background**

Voice services at all City locations are provided by Cisco VoIP systems and are connected via a combination of City owned fiber and telephone carrier circuits. Some lines would include transmission of data as well as voice. An RFP will be created in 2016 for new phone services which will be starting on January 1, 2017

2015 - \$134,000.00

**Impact**

With this extension, The City will be able to provide voice services to all City locations.

**Action**

City IT recommends approval

**Funding**

5300-73200-18880-54301 Telephone



Contract not available at time of Packet creation.



**Agenda Sheet for City Council Meeting of:**

05/16/2016

**Date Rec'd**

5/2/2016

**Clerk's File #**

OPR 2016-0397

**Renews #****Submitting Dept**

INFORMATION TECHNOLOGY

**Contact Name/Phone**

MICHAEL 625-6468

**Contact E-Mail**

MSLOON@SPOKANECITY.ORG

**Agenda Item Type**

Contract Item

**Agenda Item Name**

5300 AVISTA &amp; COUNTY PICTOMETRY (2016)

**Cross Ref #****Project #****Bid #****Requisition #****Agenda Wording**

Six(6)year Agreement between Spokane County, City of Spokane & Avista Corp. for the provision of Pictometry Image Library svcs, software and support. The City of Spokane & Avista have partnered with Spokane County for cost sharing of pictometry svcs.

**Summary (Background)**

This agreement includes Pictometric Licenses Images, Community Images, Neighborhood Images, Image Sector, Geographic Metadata, Electronic Field Study, Pictometry Licenses Software, Image Warehouse, Digital Elevation Model and Licenses Documentation. The City of Spokane IT Department has agreed to provide funding for a portion of the costs.

**Fiscal Impact**

Expense \$ 42,139.00

Expense \$ 15,000.00

Select \$

Select \$

**Budget Account**

# 5300-41630-18850-54820

# 1630-35210-22551-54820

#

#

**Approvals****Dept Head**

SLOON, MICHAEL

**Division Director**

FINCH, ERIC

**Finance**

KECK, KATHLEEN

**Legal**

WHALEY, HUNT

**For the Mayor**

SANDERS, THERESA

**Council Notifications****Study Session**

Fin Com, May 2, 2016

**Other****Distribution List**

Accounting - kkeck@spokanecity.org

Contract Accounting - jsalstrom@spokanecity.org

Legal - hwhaley@spokanecity.org

Purchasing - cwahl@spokanecity.org

IT - itadmin@spokancity.org

Taxes &amp; Licenses

**Additional Approvals****Purchasing**





## Continuation of Wording, Summary, Budget, and Distribution

### Agenda Wording

Agreement term is 2016 though 2021 for a total estimate of \$321,750.00 plus tax and shipping. The City of Spokane IT Department has agreed to provide funding for a portion of the costs: 2016 - \$52,566 est. - First Flight 2017 - \$52,566 est. 2018 - \$53,600 est. - Second Flight 2019 - \$53,600 est. 2020 - \$54,500 est. - Third Flight 2021 - \$54,500 est.

### Summary (Background)

Fiscal Impact	
Select	\$
Select	\$

Budget Account
#
#

### Distribution List

Spokane County - ivonessen@spokanecounty.org	
Avista - russ.feist@avistacorp.com	



**BRIEFING PAPER**  
**City of Spokane**  
**Information Technology**  
**May 2, 2016**

---

**Subject**

6 Year Agreement between Spokane County, City of Spokane & Avista Corp. for the provision of Pictometry Image Library svcs., software & support. The City of Spokane & Avista have partnered with Spokane County for cost sharing of pictometry svcs. 2016 through 2021 for \$321,750.00 plus tax & shipping.

**Background**

This agreement includes Pictometric Licenses Images, Community Images, Neighborhood Images, Image Sector, Geographic MetaData, Electronic Field Study, Pictometry Licenses Software , Image Warehouse, Digital Elevation Model and Licenses Documentation. The City of Spokane IT Department have agreed to provide funding for a portion of the costs.

2016 - \$52,566 est. - First Flight  
2017 - \$52,566 est  
2018 - \$53,600 est. - Second Flight  
2019 - \$53,600 est.  
2020 - \$54,500 est. - Third Flight  
2021 - \$54,500 est.

**Impact**

The aerial photography services software and support would not be provided or updated.

**Action**

City IT recommends approval

**Funding**

\$42,139 est. 5300-41630-18850-54820  
\$15,000.00 1630-35210-22551-54820



Contract not available at time of Packet creation.



**Agenda Sheet for City Council Meeting of:**

05/16/2016

<b>Date Rec'd</b>	4/26/2016
<b>Clerk's File #</b>	OPR 2016-0400
<b>Renews #</b>	

<b>Submitting Dept</b>	SOLID WASTE DISPOSAL	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	CHUCK 625-6524	<b>Project #</b>	
<b>Contact E-Mail</b>	CCONKLIN@SPOKANECITY.ORG	<b>Bid #</b>	4242-16
<b>Agenda Item Type</b>	Contract Item	<b>Requisition #</b>	CR 16818
<b>Agenda Item Name</b>	4490 CONTRACT WITH KNIGHT CONSTRUCTION FOR MECHANICAL REPAIRS AT		

**Agenda Wording**

Contract with Knight Construction & Supply, Inc., Deer Park, for mechanical repairs at the Waste to Energy Facility. April 2016 through April 2017, \$800,000.00 excluding taxes.

**Summary (Background)**

The necessary scheduled and emergency maintenance work at the WTE requires specialized millwright skills. Request for Bids #4242-16 was issued to solicit bids from contractors qualified to perform grate module replacement and grate module inspections and repairs on Von Roll Type R-10046 grates, and a Combustion Engineering Continuous Ash Discharge Spreader Stoker, in accordance with the manufacturers' recommendations.

<b>Fiscal Impact</b>		<b>Budget Account</b>	
Expense	\$ 800,000.00	#	4490-44100-37148-54201
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	CONKLIN, CHUCK	<b>Study Session</b>	PWC 4/25/16
<b>Division Director</b>	GIMPEL, KEN	<b>Other</b>	
<b>Finance</b>	KECK, KATHLEEN	<b>Distribution List</b>	
<b>Legal</b>	PICCOLO, MIKE	ttauscher@spokanecity.org	
<b>For the Mayor</b>	SANDERS, THERESA	jsalstrom@spokanecity.org	
<b>Additional Approvals</b>		tprince@spokanecity.org	
<b>Purchasing</b>	PRINCE, THEA	kkeck@spiokanecity.org	





**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

On April 11, 2016, sealed bids were received. It was determined that Knight Construction & Supply, Inc., was the lowest cost bidder per the comprehensive Scope of Work outlined in the request for bids. The only other bidder was found to have no experience on key pieces of equipment.

<b>Fiscal Impact</b>		<b>Budget Account</b>
Select	\$	#
Select	\$	#
<b><u>Distribution List</u></b>		



**BRIEFING PAPER**  
**Public Works Committee**  
**Solid Waste Disposal**  
**April 25, 2016**

---

**Subject**

Contract with Knight Construction & Supply, Inc., Deer Park, for mechanical repairs at the Waste to Energy Facility.

**Background**

The necessary scheduled and emergency maintenance work at the WTE requires specialized millwright skills. Request for Bids #4242-16 was issued to solicit bids from Contractors qualified to perform grate module replacement and grate module inspections and repairs on Von Roll Type R-10046 grates, and a Combustion Engineering Continuous Ash Discharge Spreader Stoker, in accordance with the manufacturers' recommendations.

Contract term is April 2016 through April 2017, for \$800,000.00 excluding taxes where applicable.

On April 11, 2016, sealed bids were received. WTE staff with the assistance of purchasing first determined that Knight Construction & Supply, Inc., was the only responsible bidder per the comprehensive Scope of Work outlined in the request for bids. The only other bidder was found to have no experience on key pieces of equipment. Additionally, Knight's bid was the lowest cost.

**Impact**

This contract will allow the WTE to continue operating. Having a well-qualified contractor to complete the needed maintenance will help minimize the costs and downtime.

**Action**

Recommend approval.

**Funding**

Funding for this contract is included in the 2016 operations budget.



## C O N T R A C T

THIS CONTRACT is between the CITY OF SPOKANE, a Washington State municipal corporation, as "City", and KNIGHT CONSTRUCTION & SUPPLY, INC., whose address is 28308 North Cedar Road, Deer Park, Washington 99006, as "Contractor".

The parties agree as follows:

1. PERFORMANCE. The Contractor will do all work, furnish all labor, materials, tools, construction equipment, transportation, supplies, supervision, organization, and other items of work and costs necessary to for WASTE TO ENERGY MECHANICAL REPAIRS, in accordance with the attached Contractor's bid.
2. CONTRACT DOCUMENTS. This Contract, the request for bid, other than as expressly excepted to in the Contractor's bid bid, and the Contractor's bid constitute the contract documents and are complementary. Federal and state requirements and the terms of this Contract, respectively, supersede other inconsistent provisions. These contract documents are on file with the Solid Waste Disposal Department, 2900 South Geiger Boulevard, Spokane, Washington 99224, and are incorporated into this Contract by reference as if they were set forth at length.
3. TIME OF PERFORMANCE. The Contract shall begin upon signature by both parties and run through April 17, 2017, unless terminated earlier.
4. TERMINATION. The City may, without cause, terminate this Contract at any time. In the event of such termination, the Contractor shall be entitled to receive payment for work performed and costs incurred up to the date of termination.
5. COMPENSATION. The City will pay EIGHT HUNDRED THOUSAND AND NO/100 DOLLARS (\$800,000.00), the amount in the Contractor's quote, as full compensation for everything furnished and done under this Contract, subject to allowable additions and deductions as provided.
6. TAXES. Retail sales tax where applicable shall be added to the amounts due and the Contractor shall be responsible for making payment of the tax to Washington State. The City reserves the right to claim any exemption authorized by law.
7. PAYMENT. The Contractor will send its applications for payment to the Director of Solid Waste Disposal, 2900 South Geiger Boulevard, Spokane, Washington 99224. Payment will be made within thirty (30) days after receipt of the Contractor's application except as provided in RCW 39.76. Five percent (5%) of the Contract price may be



retained by the City, in accord with RCW 60.28 for a minimum of forty five (45) days after final acceptance, as a trust fund for the protection and payment of: the claims of any person arising under the Contract; and the State with respect to taxes imposed pursuant to Titles 50, 51 and 82 RCW which may be due from the Contractor.

8. INDEMNIFICATION. The Contractor agrees to defend, indemnify and hold the City harmless from any and all claims, demands, losses and liabilities to or by third parties arising from, resulting from or connected with services performed or to be performed under this Contract by the Contractor, its agents or employees to the fullest extent permitted by law. The Contractor's duty to indemnify the City shall not apply to liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the sole negligence of the City, its agent or employees. The Contractor's duty to indemnify the City for liability for damages arising out of bodily injury to persons or damage to property caused by or resulting from the concurrent negligence of (a) the City or its agents or employees, and (b) the Contractor or its agents or employees, shall apply only to the extent of negligence of the Contractor or its agents or employees. The Contractor's duty to defend, indemnify and hold the City harmless shall include, as to all claims, demands, losses and liability to which it applies, the City's personnel-related costs, reasonable attorneys' fees, court costs and all other claim-related expenses. **The Contractor waives immunity under Title 51 RCW to the extent necessary to protect the City's interests under this indemnification. This provision has been specifically negotiated.**

9. BONDS. The Contractor may not commence work until it obtains all insurance, permits and bonds required by the contract documents and applicable law. This includes the execution of a performance bond and a payment bond on the forms attached, each equal to one hundred percent (100%) of the contract price, and written by a corporate surety company licensed to do business in Washington State.

10. INSURANCE. During the term of the Contract, the Contractor shall maintain in force at its own expense, the following insurance coverages:

- A. Worker's Compensation Insurance in compliance with RCW 51.12.020, which requires subject employers to provide workers' compensation coverage for all their subject workers;
- B. General Liability Insurance on an occurrence basis, with a combined single limit of not less than \$1,500,000 each occurrence for bodily injury and property damage. It shall include contractual liability coverage for the indemnity provided under this Contract. It shall provide that the City, its officers and employees are additional insureds but only with respect to the Contractor's services to be provided under this Contract;
  - i. Acceptable supplementary Umbrella insurance coverage, combined with the Contractor's General Liability insurance policy must be a *minimum* of \$1,500,000, in order to meet the insurance coverages required under this Contract;



- C. Property insurance if materials and supplies are furnished by the contractor. The amount of the insurance coverage shall be the value of the materials and supplies of the completed value of improvement. Hazard or XCU (explosion, collapse, underground) insurance should be provided if any hazard exists; and
- D. Automobile Liability Insurance with a combined single limit, or the equivalent of not less than \$1,000,000 each accident for bodily injury and property damage, including coverage for owned, hired and non-owned vehicles.

There shall be no cancellation, material change, reduction of limits or intent not to renew the insurance coverage(s) without thirty (30) days written notice from the Contractor or its insurer(s) to the City.

As evidence of the insurance coverages required by this Contract, the Contractor shall furnish an acceptable Certificate of Insurance (COI) to the City at the time it returns the signed Contract. The COI shall specify all of the parties who are additional insured, and include applicable policy endorsements and the deductible or retention level, as well as policy limits. Insuring companies or entities are subject to City acceptance and must have a rating of A- or higher by A.M. Best. Copies of all applicable endorsements shall be provided. The Contractor shall be financially responsible for all pertinent deductibles, self-insured retentions, and/or self-insurance.

11. CONTRACTOR'S WARRANTY. The Contractor guarantees all work, labor and materials under this Contract for one (1) year following final acceptance. If any unsatisfactory condition or defect develops within that time, the Contractor will immediately place the work in a condition satisfactory to the City and repair all damage caused by the condition or defect. The Contractor will repair or restore to the City's satisfaction, in accordance with the contract documents and at its expense, all property damaged by its performance under this Contract. This warranty is in addition to any manufacturer's or other warranty in the contract documents.

12. WAGES. The Contractor and all subcontractors will submit a "Statement of Intent to Pay Prevailing Wages" certified by the industrial statistician of the Department of Labor and Industries, prior to any payments. The "Statement of Intent to Pay Prevailing Wages" shall include: (1) the Contractor's registration number; and (2) the prevailing wages under RCW 39.12.020 and the number of workers in each classification. Each voucher claim submitted by the Contractor for payment on a project estimate shall state that the prevailing wages have been paid in accordance with the "Statement(s) of Intent to Pay Prevailing Wages" on file with the City. Prior to the payment of funds held under RCW 60.28, the Contractor and subcontractors must submit an "Affidavit of Wages Paid" certified by the industrial statistician.

13. STATEMENT OF INTENT TO PAY PREVAILING WAGES TO BE POSTED. The Contractor and each subcontractor required to pay the prevailing rate of wages shall post in a location readily visible at the job site: (1) a copy of a "Statement of Intent to Pay Prevailing Wages" approved by the industrial statistician of the State Department of Labor and Industries; and (2) the address and telephone number of the industrial statistician of



the Department of Labor and Industries where a complaint or inquiry concerning prevailing wages may be made.

14. FEES. Reimbursement for the fees paid by the Contractor for the approval of “Statements of Intent to Pay Prevailing Wages” and certification of “Affidavits of Wages Paid” by the industrial statistician of the State Department of Labor and Industries will be added to the amounts due the Contractor. The Contractor will remain responsible for the actual submittal of the documents to the industrial statistician. In order to receive this reimbursement the Contractor will be required to submit to the City, prior to final acceptance of the work, a list of its subcontractors at all tiers and have their “Statements of Intent to Pay Prevailing Wages” on file with the City.

15. SUBCONTRACTOR RESPONSIBILITY.

- A. The Contractor shall include the language of this section in each of its first tier subcontracts, and shall require each of its subcontractors to include the same language of this section in each of their subcontracts, adjusting only as necessary the terms used for the contracting parties. Upon request of the City, the Contractor shall promptly provide documentation to the City demonstrating that the subcontractor meets the subcontractor responsibility criteria below. The requirements of this section apply to all subcontractors regardless of tier.
- B. At the time of subcontract execution, the Contractor shall verify that each of its first tier subcontractors meets the following bidder responsibility criteria:
  - 1. Have a current certificate of registration in compliance with chapter 18.27 RCW, which must have been in effect at the time of subcontract bid submittal;
  - 2. Have a current Washington Unified Business Identifier (UBI) number;
  - 3. If applicable, have:
    - a. Have Industrial Insurance (workers’ compensation) coverage for the subcontractor’s employees working in Washington, as required in Title 51 RCW;
    - b. A Washington Employment Security Department number, as required in Title 50 RCW;
    - c. A Washington Department of Revenue state excise tax registration number, as required in Title 82 RCW;
    - d. An electrical contractor license, if required by Chapter 19.28 RCW;
    - e. An elevator contractor license, if required by Chapter 70.87 RCW.



4. Not be disqualified from bidding on any public works contract under RCW 39.06.010 or 39.12.065 (3).
16. NONDISCRIMINATION. No individual shall be excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment in the administration of or in connection with this Contract because of age, sex, race, color, religion, creed, marital status, familial status, sexual orientation including gender expression or gender identity, national origin, honorably discharged veteran or military status, the presence of any sensory, mental or physical disability, or use of a service animal by a person with disabilities. The Contractor agrees to comply with, and to require that all subcontractors comply with, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act, as applicable to the Contractor.
17. ASSIGNMENTS. The Contractor may not assign, transfer or sublet any part of the work under this Contract, or assign any monies due, without the written approval of the City, except as may be required by law. In the event of assignment of accounts or monies due under this Contract, the Contractor specifically agrees to give immediate written notice to the City Administrator, no later than five (5) business days after the assignment.
18. ANTI-KICKBACK. No officer or employee of the City of Spokane, having the power or duty to perform an official act or action related to this Contract shall have or acquire any interest in the Contract, or have solicited, accepted or granted a present or future gift, favor, service or other thing of value from or to any person involved in the Contract.
19. COMPLIANCE WITH LAWS. Each party shall comply with all applicable federal, state, and local laws and regulations that are incorporated herein by reference.
20. DISPUTES. This Contract shall be performed under the laws of the State of Washington. Any litigation to enforce this Contract or any of its provisions shall be brought in Spokane County, Washington.
21. SEVERABILITY. In the event any provision of this Contract should become invalid, the rest of the Contract shall remain in full force and effect.
22. AUDIT / RECORDS. The Contractor and its subcontractors shall maintain for a minimum of three (3) years following final payment all records related to its performance of the Contract. The Contractor and its subcontractors shall provide access to authorized City representatives, at reasonable times and in a reasonable manner to inspect and copy any such record. In the event of conflict between this provision and related auditing provisions required under federal law applicable to the Contract, the federal law shall prevail.
23. BUSINESS REGISTRATION REQUIREMENT. Section 8.01.070 of the Spokane Municipal Code states that no person may engage in business with the City without first having obtained a valid annual business registration. The Contractor shall be responsible for contacting the State of Washington Business License Services at



<http://bls.dor.wa.gov> or 1-800-451-7985 to obtain a business registration. If the Contractor does not believe it is required to obtain a business registration, it may contact the City's Taxes and Licenses Division at (509) 625-6070 to request an exemption status determination.

24. CONSTRUAL. The Contractor acknowledges receipt of a copy of the contract documents and agrees to comply with them. The silence or omission in the contract documents concerning any detail required for the proper execution and completion of the work means that only the best general practice is to prevail and that only material and workmanship of the best quality are to be used. This Contract shall be construed neither in favor of nor against either party.

25. MODIFICATIONS. The City may modify this Contract and order changes in the work whenever necessary or advisable. The Contractor will accept modifications when ordered in writing by the Director of Solid Waste Disposal, and the Contract time and compensation will be adjusted accordingly.

26. INTEGRATION. This Contract, including any and all exhibits and schedules referred to herein set forth the entire Agreement and understanding between the parties pertaining to the subject matter and merges all prior agreements, negotiations and discussions between them on the same subject matter.

27. FORCE MAJEURE. Neither party shall be liable to the other for any failure or delay in performing its obligations hereunder, or for any loss or damage resulting therefrom, due to: (1) acts of God or public enemy, acts of government, riots, terrorism, fires, floods, strikes, lock outs, epidemics, act or failure to act by the other party, or unusually severe weather affecting City, Contractor or its subcontractors, or (2) causes beyond their reasonable control and which are not foreseeable (each a "Force Majeure Event"). In the event of any such Force Majeure Event, the date of delivery or performance shall be extended for a period equal to the time lost by reason of the delay.

Dated: \_\_\_\_\_

CITY OF SPOKANE

By: \_\_\_\_\_

Title: \_\_\_\_\_

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney



Dated: \_\_\_\_\_

KNIGHT CONSTRUCTION &  
SUPPLY, INC.

Email Address: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Title: \_\_\_\_\_

Attachments that are a part of  
this Contract:

Payment Bond  
Performance Bond

16-104



## PAYMENT BOND

We, KNIGHT CONSTRUCTION & SUPPLY, Inc., as principal, and, \_\_\_\_\_ as surety, are held and firmly bound to the City of Spokane, Washington, in the sum of EIGHT HUNDRED THOUSAND AND NO/100 DOLLARS (\$800,000.00) for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a Contract with the City of Spokane, Washington, to do all work and furnish all materials for WASTE TO ENERGY MECHANICAL REPAIRS. If the principal shall:

- A. pay all laborers, mechanics, subcontractors, material suppliers and all person(s) who shall supply such person or subcontractors;
- B. pay all taxes and contributions, increases and penalties as authorized by law including payment of all taxes incurred on the Contract under title 50 and 51 Revised Code of Washington (RCW) and all taxes imposed on the principal under Title 82 RCW; and
- C. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the Contract or this bond, shall be conclusive against the principal and the Surety, as to the amount of damages, and their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on \_\_\_\_\_.

KNIGHT CONSTRUCTION  
& SUPPLY, INC., AS PRINCIPAL

By: \_\_\_\_\_

Title: \_\_\_\_\_

A valid POWER OF ATTORNEY  
for the Surety's agent must  
accompany this bond.

\_\_\_\_\_  
AS SURETY

By: \_\_\_\_\_  
Its Attorney in Fact



STATE OF WASHINGTON )  
 ) .ss  
County of \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
 \_\_\_\_\_ signed this document; on oath  
 stated that he/she was authorized to sign the document and acknowledged it as the agent  
 or representative of the named surety company which is authorized to do business in the  
 State of Washington, for the uses and purposes mentioned in this document.

DATED on \_\_\_\_\_.

Signature of Notary

My appointment expires \_\_\_\_\_

Approved as to form:

Assistant City Attorney



PERFORMANCE BOND

We, KNIGHT CONSTRUCTION & SUPPLY, Inc., as principal, and, \_\_\_\_\_ as surety, are held and firmly bound to the City of Spokane, Washington, in the sum of EIGHT HUNDRED THOUSAND AND NO/100 DOLLARS (\$800,000.00) for the payment of which, we bind ourselves and our legal representatives and successors, jointly and severally by this document.

The principal has entered into a Contract with the City of Spokane, Washington, to do all work and furnish all materials for WASTE TO ENERGY MECHANICAL REPAIRS. If the principal shall:

A. promptly and faithfully perform the Contract, and any contractual guaranty and indemnify and hold harmless the City from all loss, damage or claim which may result from any act or omission of the principal, its agents, employees, or subcontractors; and

B. comply with all applicable federal, state and local laws and regulations;

then this obligation shall be null and void; otherwise it shall remain in full force and effect.

The Surety for value received agrees that no change, extension of time, alteration or addition to the terms of the Contract, the specifications accompanying the Contract, or to the work to be performed under the Contract shall in any way affect its obligation on this bond, except as provided herein, and waives notice of any change, extension of time, alteration or addition to the terms of the Contract or the work performed. The Surety agrees that modifications and changes to the terms and conditions of the Contract that increase the total amount to be paid the Principal shall automatically increase the obligation of the Surety on this bond and notice to Surety is not required for such increased obligation. Any judgment obtained against the City, which relates to or is covered by the Contract or this bond, shall be conclusive against the principal and the Surety, not only as to the amount of damages, but also as to their liability, if reasonable notice of the suit has been given.

SIGNED AND SEALED on \_\_\_\_\_

KNIGHT CONSTRUCTION  
& SUPPLY, INC., AS PRINCIPAL

By: \_\_\_\_\_

Title: \_\_\_\_\_

A valid POWER OF ATTORNEY  
for the Surety's agent must  
accompany this bond.

\_\_\_\_\_  
AS SURETY

By: \_\_\_\_\_  
Its Attorney in Fact



STATE OF WASHINGTON )  
 ) .ss  
County of \_\_\_\_\_ )

I certify that I know or have satisfactory evidence that \_\_\_\_\_  
 \_\_\_\_\_ signed this document; on oath  
 stated that he/she was authorized to sign the document and acknowledged it as the agent  
 or representative of the named surety company which is authorized to do business in the  
 State of Washington, for the uses and purposes mentioned in this document.

DATED on \_\_\_\_\_.

Signature of Notary

My appointment expires \_\_\_\_\_

Approved as to form:

Assistant City Attorney



**Agenda Sheet for City Council Meeting of:**

05/16/2016

**Date Rec'd**

5/3/2016

**Clerk's File #**

ORD C35388

**Renews #****Submitting Dept**

PLANNING &amp; DEVELOPMENT

**Contact Name/Phone**

KEVIN 625-6184

**Contact E-Mail**

KFREIBOTT@SPOKANECITY.ORG

**Agenda Item Type**

Emergency Ordinance

**Agenda Item Name**

0650 - SMC 17A ORDINANCE

**Cross Ref #****Project #****Bid #****Requisition #****Agenda Wording**

A Zoning Ordinance of the City of Spokane, Washington, relating to the definition of a household; and declaring an emergency.

**Summary (Background)**

An Emergency Ordinance modifying the definition of SMC 17A.020.080(P) "Household", to clarify that the City does not limit the number of foster children allowed to reside in a given dwelling. This Ordinance will make permanent the interim changes to SMC 17A.020.080(P) adopted by Ordinance C35329, passed by the City Council November 30, 2015, and will terminate that interim ordinance. These changes are proposed solely for the purpose of clarifying that the SMC does not limit foster children.

**Fiscal Impact**

Neutral \$

Select \$

Select \$

Select \$

**Budget Account**

#

#

#

#

**Approvals****Dept Head**

KEY, LISA

**Division Director**

MALLAHAN, JONATHAN

**Finance**

KECK, KATHLEEN

**Legal**

RICHTMAN, JAMES

**For the Mayor**

SANDERS, THERESA

**Council Notifications****Study Session****Other**

CHE 5/2/16

**Distribution List**

fperkins@spokanecity.org

jrichman@spokanecity.org

lkey@spokanecity.org

kfreibott@spokanecity.org

**Additional Approvals****Purchasing**





**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

The SMC already stated this, but misinterpretation was possible. The proposed changes eliminate the potential for misinterpretation of the code.

<b>Fiscal Impact</b>		<b>Budget Account</b>
Select	\$	#
Select	\$	#
<b><u>Distribution List</u></b>		



## ORDINANCE NO. C35388

A ZONING ORDINANCE OF THE CITY OF SPOKANE, WASHINGTON, RELATING TO THE DEFINITION OF A HOUSEHOLD; AND DECLARING AN EMERGENCY.

WHEREAS, Federal housing laws prohibit discrimination in all aspects of housing because of familial status; and

WHEREAS, familial status is defined as having one or more individuals under 18 years of age who reside with a parent or another person with responsibility for care and legal custody of that individual (including foster children) or with the designee of that parent or other person with legal custody; and

WHEREAS, foster children who are legally placed in a home meet the definition of “familial status” under the Fair Housing Act (42 U.S.C. Section 3602(k)) and, consequently, are protected by the Fair Housing Act from discrimination on the basis of familial status (*Gorski v. Troy*, 929 F.2d 1183 (7<sup>th</sup> Cir. 1991)); and

WHEREAS, enforcing zoning regulations in a manner that discriminates on the basis of familial status is unlawful and it is also a violation of fair housing laws for neighbors or other members of the community to harass or otherwise imply that residents are unwelcome because of their familial status; and

WHEREAS, pursuant to Chapter 1.06 of the Spokane Municipal Code, the City Council has previously found that discrimination based on familial status poses a substantial threat to the health, safety and general welfare of the citizens of Spokane, and that discrimination means different or unequal treatment because of familial status, which the SMC 1.06.030(G) defines as the relationship between two or more individuals, at least one of whom has not attained the age of eighteen years of age and is domiciled with a parent or person having legal custody, or the designee, with written permission of a parent or person having legal custody; and

WHEREAS, in November 2015 the City’s Interim Planning Director issued an interpretation of Section 17A.020.080(P) of the City’s zoning code, concluding that it does not limit the number of foster children who may reside with their state-licensed foster parents; a group appealed the Planning Director’s interpretation to the City’s Hearing Examiner (the “Appeal”); and

WHEREAS, as outlined in the Briefing Paper re: Definition of “Household,” dated November 30, 2015 and attached and incorporated into Ordinance C35329, it is clear that the City of Spokane, through its zoning code or otherwise, intends to treat families with foster children the same as families with other children, whether related by blood, adoption, or guardianship, and that the City has never intended to place a limit on



the number of foster children that can live in a state-licensed foster family home; and

WHEREAS, based on the arguments raised in the Appeal, the City Council adopted Ordinance C35329 as an interim ordinance amending the definition of “household” with the intent of eliminating any argument about whether or not the City intends to, by its zoning code, regulate the number of foster children that can live with their foster parents in a state-licensed foster family home (the “Interim Zoning Ordinance”); and

WHEREAS, the Interim Zoning Ordinance took effect November 30, 2015 and will expire May 30, 2016 (six months later); and

WHEREAS, the City Council finds that adopting the definition of “household” set forth in the Interim Zoning Ordinance on a permanent basis is necessary for the protection of the public health, safety, property or peace; and

WHEREAS, pursuant to WAC 197-11-880, the adoption of this ordinance is exempt from the requirements of a threshold determination under the State Environmental Policy Act; and

WHEREAS, the City Council adopts the foregoing as its findings of fact justifying its adoption of this ordinance;

NOW, THEREFORE, the City Council of the City of Spokane, Washington, does ordain:

Section 1. Zoning Ordinance Adopted Regarding Definition of Household. Spokane Municipal Code Section 17A.020.080(P) is hereby amended, on a permanent basis, as follows:

P. Household.

A housekeeping unit consisting of:

1. an individual;
2. two or more (~~((persons related by blood or marriage))~~) related persons as defined in SMC 17A.020.180(M);
3. a group of two or more disabled residents protected under the Federal Fair Housing Amendment Act of 1988;
4. adult family homes as defined under Washington State law; or
5. a group living arrangement where six or fewer residents receive support services such as counseling, foster care or medical supervision at the dwelling unit by resident or non-resident staff; and



6. up to six residents not related by blood or marriage who live together in a single-family dwelling, or in conjunction with any of the above individuals or groups, ((may occupy a dwelling unit)) shall also be considered a household. ((For purposes of this section, minors living with parent or legal guardian shall not be counted as part of the maximum number of residents.))
7. For purposes of this section, minors living with parent, legal custodian (including a foster parent), or legal guardian shall not be counted as part of the maximum number of residents.
8. Any limitation on the number of residents resulting from this definition shall not be applied in a manner inconsistent with the Fair Housing Amendment Act of 1988, 42 U.S.C. 360, et seq., the Washington law Against Discrimination, Chapter 49.60 RCW, and/or the Washington Housing Policy Act, RCW 46.63.220.

Section 2. Purpose. The purpose of amending the foregoing definition on a permanent basis is to clarify the treatment of foster children under the SMC and to avoid any possible future misunderstanding or error in interpretation.

Section 3. Severability. If any section, sentence, clause or phrase of this Ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this Ordinance.

Section 4. Declaration of Emergency, Effective Date, and Termination of Interim Zoning Ordinance. This ordinance, passed by a majority plus one of the whole membership of the City Council as a public emergency ordinance necessary for the protection of the public health, public safety, public property, or public peace, shall be effective immediately upon its passage. The Interim Zoning Ordinance C35329 is hereby terminated as of the date that this Ordinance takes effect.

ADOPTED BY THE CITY COUNCIL ON \_\_\_\_\_, 2016.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney



\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



**Attachment**

**Briefing Paper re: Definition of “Household”**



**BRIEFING PAPER**  
Definition of “Household”  
April 4, 2016

---

**Subject**

An Ordinance modifying the definition of a “Household” SMC 17A.020.080(P) to clarify that the City does not limit the number of foster children allowed to reside in a given dwelling. This Ordinance will make permanent the interim changes to SMC 17A.020.080(P) adopted by Ordinance C35329, passed by the City Council November 30, 2015.

**Background**

On November 10, 2015, the Planning Director issued an administrative interpretation of the City’s Zoning Code as it relates to the definition of a household, specifically SMC 17A.020.080(P), indicating that the City’s zoning code does not limit the number of foster children that may reside in a foster family home. On November 23, on behalf of several neighbors, an attorney appealed the decision to the City’s Hearing Examiner. Prior to a hearing on that appeal, the City Council adopted Interim Zoning Ordinance C35329, stating that foster children do not count towards the maximum number of allowed residents under the definition of “household.”

State and Federal housing laws forbid discrimination in all aspects of housing against families with children, including adopted and foster children, unless the housing is for older persons. In particular, Federal housing laws prohibit discriminatory housing practices based on handicap and familial status, and foster children who are legally placed in a foster home meet the definition of “familial status” under the Fair Housing Act (42 U.S.C. Section 3602(k)). Consequently, foster parents and foster children are protected by the Fair Housing Act from discrimination on the basis of familial status. *Gorski v. Troy*, 929 F.2d 1183 (7<sup>th</sup> Cir. 1991). Zoning regulations that discriminate on the basis of familial status are unlawful. It is also a violation of fair housing laws for neighbors or other members of the community to harass or otherwise imply that residents are unwelcome because of their familial status.

In addition, pursuant to chapter 1.06 of the Spokane Municipal Code, the City Council has previously found that discrimination based on familial status poses a substantial threat to the health, safety, and general welfare of the citizens of Spokane, and that discrimination means different or unequal treatment because of familial status, which SMC 1.06.030(G) defines as the relationship between two or more individuals, at least one of whom has not attained the age of eighteen years of age and is domiciled with a parent or person having legal custody, or the designee, with written permission of a parent or person having legal custody. Specifically, SMC 1.06.090(A)(d) provides that is a violation of the City of Spokane’s law against discrimination for any person to discriminate by attempting to discourage the sale of any real property to a purchaser.

With respect to foster care and foster children specifically, Washington State law defines a “group-care facility” as an agency, other than a foster-family home, which is maintained and operated for the care of a group of children on a twenty-four hour basis. RCW 74.15.020(1)(f). Similarly, Washington State regulations define a “staffed residential home” as a licensed facility that provides twenty-four hour care to six or fewer children who require more supervision than can be provided in a foster home. (WAC 388-145-1305).



By contrast, State law defines a “Foster-family home” as an agency which regularly provides care on a twenty-four hour basis to one or more children, expectant mothers, or persons with developmental disabilities in the family abode of the person or persons under whose direct care and supervision the child, expectant mother, or person with developmental disability is placed. RCW 74.15.020(1)(e). Similarly, Washington regulations define “foster home or foster family home” as a person(s) licensed to regularly provide twenty-four hour care in their home to children. WAC 388-148-1305.

### **Action**

Because the City’s zoning regulations pertaining to the definition of “household” and the treatment of families with foster children are open to interpretation, the City will amend the existing regulations in a manner that ensures no misinterpretation is possible. The proposed action would approve the attached Zoning Ordinance and make permanent the changes made on an interim basis by Ordinance C35329.

The changes proposed in the original Interim Zoning Ordinance are repeated in the permanent Zoning Ordinance now being considered by the City. No changes are proposed, nor are any required in order to conform to federal, state, or local laws or regulations.





**Agenda Sheet for City Council Meeting of:**  
05/16/2016

<b>Date Rec'd</b>	5/2/2016
<b>Clerk's File #</b>	RES 2016-0045
<b>Renews #</b>	

<b>Submitting Dept</b>	PLANNING & DEVELOPMENT	<b>Cross Ref #</b>	
<b>Contact Name/Phone</b>	KATHERINE 625-6338	<b>Project #</b>	
<b>Contact E-Mail</b>	KEMILLER@SPOKANECITY.ORG	<b>Bid #</b>	
<b>Agenda Item Type</b>	Resolutions	<b>Requisition #</b>	
<b>Agenda Item Name</b>	0650 - NORTH MONROE CORRIDOR		

**Agenda Wording**

A resolution establishing the North Monroe Corridor Advisory Board for the City of Spokane.

**Summary (Background)**

The City will be making improvements along North Monroe starting north of Indiana Avenue to Kiernan Street. The goal is to improve pedestrian safety while supporting traffic volumes and business vitality. Major improvements include a three-lane section with center turn lane, pedestrian lighting, benches, new sidewalks and pavement rebuild. The project will require input from community stakeholders to identify what types of specific elements the community desires within the defined project

<b>Fiscal Impact</b>		<b>Budget Account</b>	
Neutral	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b>Approvals</b>		<b>Council Notifications</b>	
<b>Dept Head</b>	KEY, LISA	<b>Study Session</b>	
<b>Division Director</b>	MALLAHAN, JONATHAN	<b>Other</b>	Public Works 3/28/16 &
<b>Finance</b>	KECK, KATHLEEN	<b>Distribution List</b>	
<b>Legal</b>	RICHMAN, JAMES	fperkins@spokanecity.org	
<b>For the Mayor</b>	SANDERS, THERESA	kemiller@spokanecity.org	
<b>Additional Approvals</b>		mfeist@spokanecity.org	
<b>Purchasing</b>		bblankenagel@spokanecity.org	
		mdavis@spokanecity.org	
		lkey@spokanecity.org	
		jmallahan@spokanecity.org	





**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

**Summary (Background)**

boundaries. The Advisory Board will work to obtain this input to help finalize the project scope.

<b>Fiscal Impact</b>		<b>Budget Account</b>
Select	\$	#
Select	\$	#
<b>Distribution List</b>		
aworlock@spokanecity.org		
bborisov@spokanecity.org		



## RESOLUTION NO. 2016-0045

A resolution establishing the North Monroe Corridor Advisory Board for the City of Spokane.

WHEREAS, the City of Spokane received two grants from The Highway Safety Improvement Program and WA State Bicycle and Pedestrian Safety Program totaling \$4.1 million in 2014; and

WHEREAS, the goals of the project is to improve safety and pedestrian access, enhance the streetscape, create a cohesive business area, support economic development and vitality of the corridor, and support current traffic volumes; and

WHEREAS, the project will include improvements along North Monroe starting just north of the intersection of NW Blvd./Indiana to Keirnan Street to the north; and

WHEREAS, the project calls for an enhanced pedestrian environment to include a three-lane section with a center turn lane, decorative pedestrian lighting, benches, transit shelters, new sidewalks, street trees, pavement rebuild, stormwater management and three to four pedestrian islands; and

WHEREAS, the project elements are supported by the Emerson-Garfield Neighborhood plan which was adopted City Council resolution in 2015; this planning process drew from a large pool of stakeholders including neighborhood residents, North Monroe businesses, and public agencies; and

WHEREAS, the neighborhood plan is aspirational and conceptual in nature while the North Monroe Corridor project will require additional participation to finalize the scope and look more specifically within the defined project boundaries as a supplement to the work already done by the neighborhood; and

WHEREAS, North Monroe Corridor Advisory Board is established as a temporary committee to assist the City of Spokane in the implementation of improvements along N. Monroe by providing objective information to the public and creating an accessible process to engage the broader diversity of the community; and

WHEREAS, the Advisory Board will work to inform the public and stakeholders on funding requirements, overall project parameters and goals and involve the public by soliciting meaningful input that will affect the defined specifics of the project; and

WHEREAS, the Advisory Board will be representative of the affected stakeholders and will possess the necessary skill sets that ultimately result in the successful implementation of the N. Monroe project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SPOKANE that a temporary advisory board is hereby created to assist the City of Spokane in implementing the North Monroe Corridor Project; and

BE IT FURTHER RESOLVED that the North Monroe Advisory Board shall consist of seven to nine members; members will be selected by the City Council with



one at large member selected by the Mayor. City Council members from district three will serve on the Board as non-voting members.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
City Clerk

Approved as to form:

\_\_\_\_\_  
Assistant City Attorney



**BRIEFING PAPER**  
**Public Works Committee**  
**North Monroe Corridor Advisory Board**  
**May 9<sup>th</sup>, 2016**

---

**Subject:**

A resolution creating the North Monroe Corridor Advisory Board. The Board will assist the City in finalizing the scope for N. Monroe Improvements by creating an accessible process to engage the broader community and solicit input.

**Background:**

A major project to improve safety, enhance the streetscape, and reconfigure traffic is planned for the North Monroe Corridor starting north of Indiana to Keirnan Street. The project will improve pedestrian access and create a more cohesive business area, while continuing to support traffic volumes. The City received two grants totaling \$4.1 million to improve pedestrian safety along Monroe from north of Indiana to Cora Ave. The proposed project calls for an enhanced pedestrian environment to include a three-lane section with a center turn lane, decorative pedestrian lighting, benches, transit shelters, new sidewalks, street trees, pavement rebuild, and stormwater management, among other things. Project elements are supported by the Emerson-Garfield Neighborhood Plan which was adopted via resolution by City Council in 2015.

Integrated Capital Management, in coordination with Planning, is developing a public outreach program to supplement the work already done by the neighborhood. While the neighborhood plan is aspirational, this project is in the implementation phase. Additional public participation is needed to fine-tune ideas and look at the area specifically within project boundaries. Input on construction scheduling also is important, as is assistance for businesses in “surviving construction.”

With a target of delivering the project to the design team early in the first quarter of 2017, outreach and engagement needs to begin this spring with most outreach work concluded by the end of the year. Construction is scheduled to begin in early 2018.

In support this work, staff first is proposing the creation of a citizen advisory board to assist the City with outreach to interested stakeholders and the public and developing final recommendations for the project. The board should include representatives from businesses and property owners along the project, neighborhood representatives, and others. It is recommended that the North Monroe Advisory Board shall consist of seven to nine members; members will be selected by the City Council with one at large member selected by the Mayor. City Council members from district three will serve on the Board as non-voting members.

To deliver project timely, public outreach and engagement on large projects will occur during this final concept and scoping phase, allowing design to move forward more efficiently. This plan for North Monroe is consistent with that approach.

**Action:**

Recommend Council approval of the resolution creating the North Monroe Corridor Advisory Board.



**Agenda Sheet for City Council Meeting of:**

05/16/2016

**Date Rec'd**

5/3/2016

**Clerk's File #**

ORD C35375

**Renews #****Submitting Dept**

DEVELOPMENT SERVICES CENTER

**Cross Ref #****Contact Name/Phone**

ELDON BROWN 625-6305

**Project #****Contact E-Mail**

EBROWN@SPOKANECITY.ORG

**Bid #****Agenda Item Type**

Final Reading Ordinance

**Requisition #****Agenda Item Name**

4700 - ROSEWOOD AVENUE STREET VACATION

**Agenda Wording**

Vacation of the south 30 feet of Rosewood Avenue from 225 feet east of the east line of Helena Street to the west line of Pittsburg Street requested by Stacy Bjordahl representing Collision Service Repair Center.

**Summary (Background)**

City Council passed the vacation ordinance on March 14, 2016 subject to conditions. Since that time the conditions have been completed.

**Fiscal Impact****Budget Account**

Neutral \$

#

Select \$

#

Select \$

#

Select \$

#

**Approvals****Council Notifications****Dept Head**

BECKER, KRIS

**Study Session****Division Director**

MALLAHAN, JONATHAN

**Other**

PED 1/25/16

**Finance**

KECK, KATHLEEN

**Distribution List****Legal**

RICHTMAN, JAMES

fperkins@spokanecity.org

**For the Mayor**

SANDERS, THERESA

ebrown@spokanecity.org

**Additional Approvals**

jrichtman@spokanecity.org

**Purchasing**

edjohnson@spokanecity.org

sbishop@spokanecity.org



## TRANSMITTAL OF FIRST READING ORDINANCE

DATE: March 29, 2016

TO: Erik Johnson  
Engineering Services

Clerk's File No.  
ORD C35375

FROM: Terri Pfister, City Clerk

RE: Vacation of the south 30 feet of Rosewood Avenue beginning 225 feet east of the east line of Helena Street, to the west line of Pittsburg Avenue.

---

Attached is a copy of Ordinance C35375 for the vacation of:

Vacation of the south 30 feet of Rosewood Avenue beginning 225 feet east of the east line of Helena Street, to the west line of Pittsburg Avenue.


This ordinance was read for the first time on March 14, 2016, and will be read for the final time when the necessary conditions have been met and this transmittal, signed and dated by the Engineering Services Director, is returned to the City Clerk's Office.

  
\_\_\_\_\_  
City Clerk

3/29/16  
\_\_\_\_\_  
Date

---

Precedent conditions have been met and Ordinance C35375 is hereby returned for Final Reading.

  
\_\_\_\_\_  
Principal Engineer – Developer Services

Dated: 4/8/16  
\_\_\_\_\_



## **BRIEFING PAPER**

### **City of Spokane**

#### **PED**

1/25/2016

---

#### **Subject**

Street vacation of the South 30 feet of Rosewood Avenue beginning 225 east of the east line of Helena St. to the west line of Pittsburg St. as requested by Stacy Bjordahl representing one of the two owners along this side of the right-of-way.

#### **Background**

The City has received a petition for the vacation of the South 30 feet of Rosewood Avenue beginning 225 east of the east line of Helena St. to the west line of Pittsburg St.

In 2014, the City vacated the north half of this portion of the right-of-way through a non-user statute described below. At that time attempts were made to contact the owners of the south portion of the right-of-way however the attempts were unsuccessful. Now those same owners wish to vacate their half of the right-of-way.

This vacation is not typical as explained below.

Applicant's attorney states Rosewood has occurred as a matter of law and should be recognized by the City through the vacation process to make it part of city's public records. The following information was provided to support attorney's statement and has been verified by the City's Attorney.

A previous version of a non-user statute (Laws of 1889, Chapter 19, Section 32, p. 603, adopted by the legislature in 1889, provided:

Any county road, or part thereof, which has heretofore been or may hereafter be authorized, which remains unopened for public use for the space of five years after the order is made or authority granted for opening the same, shall be and the same is hereby vacated, and the authority for building the same barred by lapse of time.

This statute was in place until amended in 1909 that it no longer applied to platted streets and alleys.



Rosewood was dedicated in 1890 as part of the Gunn's Addition Plat to Spokane Falls, Washington, which the plat was located in the unincorporated Spokane County.

To the best of the City's knowledge and understanding, Rosewood has never been improved as a public street and opened for public use between 1890 thru 1895.

Rosewood and the areas surrounding it were annexed into the City of Spokane in 1994 by the Calkin's Annexation, more than five years after Rosewood was dedicated.

Based on the information provided above, it is the City Staff's recommendation is to initiate by resolution the vacation of this portion of Rosewood Ave at no cost.

**Impact**

There are no city public utilities in Rosewood and no Departments are impacted by this vacation.

**Action**

The City Council's approval to initiate a Resolution for the Vacation of Rosewood Avenue per Chapter 35.79.020 RCW to provide public notice and set time and date for public hearing during normal legislative season of City Council.

**Attached:**

- Draft Resolution
- Map of Area to be Vacated



City of Spokane  
Department of Engineering Services  
808 West Spokane Falls Blvd.  
Spokane, WA 99201-3343  
(509) 625-6700

## ORDINANCE NO. C35375

An ordinance vacating the south 30 feet of Rosewood Avenue beginning 225 feet east of the east line of Helena Street, to the west line of Pittsburg Avenue;

WHEREAS, a petition for the vacation of the south 30 feet of Rosewood Avenue, located in the Southwest Quarter of Section 28, Township 26 North, Range 43 East, Willamette Meridian, Spokane, Washington, beginning 225 feet east of the east line of Helena Street, to the west line of Pittsburg Avenue has been filed with the City Clerk representing 100% of the abutting property owners, and a hearing has been held on this petition before the City Council as provided by RCW 35.79; and

WHEREAS, a previous version of a non-user statute (RCW 36.87.090), adopted by the legislature in 1889, provided:

Any county road, or part thereof, which has heretofore been or may hereafter be authorized, which remains unopened for public use for the space of five years after the order is made or authority granted for opening the same, shall be and the same is hereby vacated, and the authority for building the same barred by lapse of time.

WHEREAS, Rosewood Avenue was dedicated in 1890 as part of the Gunn's Addition to Spokane Falls Wash plat, which plat was located in unincorporated Spokane County; and

WHEREAS, to the best of the City's knowledge and understanding, Rosewood Avenue has never been improved as a public street and opened for public use; and

WHEREAS, Rosewood Avenue and the areas surrounding it were annexed into the City of Spokane in 1994 by the Calkin's Annexation, more than five years after Rosewood Avenue was dedicated; and

WHEREAS, due in part to the fact that Rosewood Avenue has never been improved or used as a public street, various private improvements encroach into Rosewood Avenue; and



WHEREAS, by virtue of the RCW quoted above, the Spokane City Council has found that the public use, benefit and welfare will best be served by the vacation of said public way; -- NOW, THEREFORE,

The City of Spokane does ordain:

Section 1. That the south 30 feet of Rosewood Avenue, located in the Southwest Quarter of Section 28, Township 26 North, Range 43 East, Willamette Meridian, Spokane, Washington, beginning 225 feet east of the east line of Helena Street, to the west line of Pittsburg Avenue is hereby vacated. Parcel number not assigned.

Section 2. That no compensation for the assessed value of the area herein vacated shall be required by virtue of the previous version of the non-user statute (RCW 36.87.090) which vacated Rosewood Avenue by operation of law many years ago.

Passed the City Council \_\_\_\_\_

\_\_\_\_\_  
Council President

Attest: \_\_\_\_\_  
City Clerk

Approved as to Form:

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

Date: \_\_\_\_\_

Effective Date: \_\_\_\_\_



# P1505771VACA - Site Map



## Right of Way Description:

The south 30 feet of Rosewood Ave  
beginning 225 feet east of the east line of Helena St.  
to the west line of Pittsburg St.

Disclaimer: This is not a legal document. The information shown on this map is compiled from various sources and is subject to revision. This map should not be used to determine the location of facilities in relationship to property lines, sections lines, streets, etc.  
Not suitable for design purposes.

130 65 0 130 260 Feet



**COSGIS**  
City of Spokane GIS



Vacation Area



**Agenda Sheet for City Council Meeting of:**

05/16/2016

**Date Rec'd**

5/2/2016

**Clerk's File #**

ORD C35389

**Renews #****Submitting Dept**

DEVELOPMENT SERVICES CENTER

**Contact Name/Phone**

DEAN GILES 625-6121

**Contact E-Mail**

DGILES@SPOKANECITY.ORG

**Agenda Item Type**

First Reading Ordinance

**Agenda Item Name**

4700 - ORDINANCE REVISING SMC 17F

**Cross Ref #****Project #****Bid #****Requisition #****Agenda Wording**

An ordinance relating to the building code: amending SMC sections 17F.020.080, 17F.030.010, 17F.040.010, 17F.040.030, 17F.040.040, 17F.040.105, 17F.040.130, 17F.070.010, 17F.070.250, 17F.070.260, 17F.070.300, 17F.090.010 and 17F.100.010 and repealing

**Summary (Background)**

These changes are necessary due to the State adoption of the 2015 editions of the Model Codes and State Amendments. The modifications generally are of three varieties: updating reference numbers, deleting duplicate language that is already contained in the State Code and deleting sections that are less restrictive than the State Code. Some changes were made for clarification purposes as well.

**Fiscal Impact**

Neutral \$

Select \$

Select \$

Select \$

**Budget Account**

#

#

#

#

**Approvals****Dept Head**

BECKER, KRIS

**Division Director**

MALLAHAN, JONATHAN

**Finance**

KECK, KATHLEEN

**Legal**

PICCOLO, MIKE

**For the Mayor**

SANDERS, THERESA

**Council Notifications****Study Session****Other****Distribution List**

fperkins@spokanecity.org

dgiles@spokanecity.org

kbecker@spokanecity.org

dkokot@spokanecity.org

bwilliams@spokanecity.org

jhappy@spokanecity.org

**Additional Approvals****Purchasing**





**Continuation of Wording, Summary, Budget, and Distribution**

**Agenda Wording**

17F.040.070, 17F.040.125, 17F.070.070, 17F.07.270 and 17F.070.360

**Summary (Background)**

**Fiscal Impact**

Select      \$

Select      \$

**Budget Account**

#

#

**Distribution List**




## ORDINANCE NO. C35389

An ordinance relating to the building code; amending SMC sections 17F.020.080, 17F.030.010, 17F.040.010, 17F.040.030, 17F.040.040, 17F.040.105, 17F.040.130, 17F.070.010, 17F.070.250, 17F.070.260, 17F.070.300, 17F.090.010 and 17F.100.010 and repealing 17F.040.070, 17F.040.125, 17F.070.070, 17F.07.270 and 17F.070.360.

The City of Spokane does ordain:

Section 1. That SMC section 17F.020.080 is amended to read as follows:

### **17F.020.080 Requirements during Construction**

International Fire Code chapter ((14)) 33, Fire Safety During Construction and Demolition ((of a Building)), requires approval of safety precautions during construction. These precautions shall include the following for mixed-use residential buildings being constructed in accordance with the provisions of this title:

- A. To minimize the size of fire and control radiant heat that could threaten buildings in close proximity:
  - 1. assure that apparatus set-up areas are available to direct master streams on exposures in the event of a fire. Access to all exterior exposures shall not exceed one hundred fifty feet from the fire truck setup locations;
  - 2. activate sprinklers as soon as practical.
- B. To control fire spread to other buildings, horizontal openings within twenty feet of other buildings will be provided with a minimum of three-quarter-inch plywood; these openings may remain open during work hours, but are required to be closed after hours. Care shall be taken to use appropriate materials and/or weather protection considering the stage of exposure to the weather.

Section 2. That SMC section 17F.030.010 is amended to read as follows:

### **17F.030.010 Adoption of Standard Codes**

- A. Boiler and pressure vessels installed within the city of Spokane shall comply with Sections I, II (Parts A, B, C and D), IV, V, VI, VII, VIII Divisions 1, 2, 3, IX, X, XII and PVHO-1 of the ASME Boiler and Pressure Vessel Code, current edition, together with the addenda thereto. Boilers and pressure vessels shall comply with the editions of the code in effect at the time the equipment was manufactured. (Reference WAC 296-104-200).
- B. The National Board Inspection Code, ((2011)) 2015 Edition, with current addenda applies to the alteration, inspection and repair of boilers, unfired pressure vessels and appurtenances in the city.



- C. NFPA 85 Boiler and Combustion Systems Hazards Code current edition (for use with boilers with fuel input ratings of twelve million five hundred thousand BTU per hour or greater. (Reference WAC 296-104-200)
- D. These codes as modified by the additions, deletions and amendments set forth in this chapter, are the boiler and pressure vessel code of the City.
- E. The basis for SMC 17F.030 is WAC 296-104 with the exclusion of the unique administrative and fee items unique to Washington State inspectors and their inspection process.

Section 3. That SMC section 17F.040.010 is amended to read as follows:

#### **17F.040.010 Adoption of Building Codes and Related Washington State Codes**

- A. There is adopted the Washington State Building Code (chapter 19.27 RCW and chapter 19.27A RCW) as modified by chapter 51-50 WAC. Specifically, the code includes the:
  - 1. International Building Code (IBC), ~~((2012))~~ 2015 Edition, as published by the International Code Council, including Washington State amendments, ICC/ANSI A117.1 ~~((2003))~~ 2009, and ~~((appendices C, E, G, J, and))~~ the ~~((2012))~~ 2015 International Existing Building Code;
  - 2. International Residential Code, ~~((2012))~~ 2015 Edition (except Part IV – Energy Efficiency, Part VII – Plumbing, and Part VIII – Electrical) as published by the International Code Council, and chapter 51-51 WAC;
  - 3. International Energy Conservation Code, ~~((2012))~~ 2015 Edition, chapter 51-11C and 51-11R WAC.
- B. The codes, standards, and regulations adopted in subsection (A) of this section, as amended by this chapter, constitute the building code of the City of Spokane.

Section 4. That SMC section 17F.040.030 is amended to read as follows:

#### **17F.040.030 Historic Buildings**

In order for a building to be considered historic under ~~((IBC Section 3407))~~ IEBC Section 202, the landmarks commission must have placed the building on the Spokane Register of Historic Places. Other buildings, even though on state or federal registers, do not qualify.

Section 5. That SMC section 17F.040.040 is amended to read as follows:

#### **17F.040.040 Affordable Housing**

“Affordable housing” is defined as housing that has a rental rate at or below thirty percent of fifty percent of area median income adjusted for family size, and which is



committed to such rental rate for a period of at least ten years by means of a recorded regulatory agreement between the owner(s) and the City, enforceable by the occupants of the housing.

((

- A. ~~While the codes adopted in chapters 17F.030, 17F.040, 17F.050, 17F.060, 17F.070, 17F.080, 17F.090 and 17F.100 SMC remain the basic codes, in issuing permits and certificates of occupancy for the redevelopment, rehabilitation or renovation of structures for the purpose of affordable housing, the building official has discretion to waive or modify substantive and procedural code requirements when the deviation will not unreasonably increase the health or safety risks of those who occupy the residences.~~
- 
- B. ~~The discretion of the building official under this section includes, but is not necessarily limited to, those items identified in IBC Section 3403 (otherwise applicable to historic buildings) and chapter 17F.070 SMC (existing building code).~~
- 
- C. ~~The building official may require, as an offset to waiver or modification of other code requirements, installation of a fire sprinkler system (not otherwise required), a fire alarm system with central reporting, passive fire/smoke containment and such other items as appropriate to provide for reasonable levels of health and safety risk.))~~

Section 6. That SMC section 17F.040.070 is repealed:

### **~~((17F.040.070 Permits~~**

~~Section 105 of the IBC and IRC are amended to read as follows:~~

- A. ~~Section 105.1 — Permits Required.~~  
~~No person may erect, construct, enlarge, alter, repair, move, improve, remove, convert, or demolish any building or structure subject to this code without first obtaining a separate permit for each building or structure from the department of building services.~~
- 
- B. ~~Section 105.2 — Exempted Work.~~  
~~A building permit is not required for:~~
- ~~1. one-story detached accessory structures used as tool and storage sheds, playhouses, and similar uses, so long as the floor area does not exceed two hundred square feet for both residential and commercial properties;~~
  - ~~2. window awnings supported by an exterior wall, which do not project more than fifty-four inches from the exterior wall and do not require additional support of Group R-3 and Group U occupancies;~~



3. ~~movable cases, counters, and partitions not over five feet nine inches high;~~
4. ~~oil derricks;~~
5. ~~painting, papering, tiling, carpeting, countertops, and similar finish work;~~
6. ~~sidewalks and driveways not more than thirty inches above grade, which are not part of an accessible route of travel;~~
7. ~~prefabricated swimming pools less than twenty four inches deep;~~
8. ~~temporary motion picture, television, and theater stage sets and scenery;~~
9. ~~water tanks supported directly upon grade if the capacity does not exceed five thousand gallons and the ratio of height to diameter on width does not exceed two to one;~~
10. ~~retaining walls, which are not over four feet in height, measured from the bottom of the footing to the top of the wall, unless supporting a surcharge or impounding Class I, II, III-A liquids;~~
11. ~~shade cloth structures constructed for nursery or agricultural purposes and not included service systems;~~
12. ~~swings and playground equipment accessory to detached one- and two-family dwellings;~~
13. ~~decks not exceeding two hundred square feet in area that are not more than thirty inches above grade at any point, are not attached to a dwelling and do not serve the exit door required by section R311.4-~~

~~Unless specifically exempted elsewhere, the foregoing activities exempted from the requirement of a building permit by Section 105.2 are not exempt from the requirements of this code for electrical, mechanical, and plumbing permits. Exemption from a permit requirement is not exemption from other requirements of this code and other municipal code requirements for heights and setbacks.))-~~

Section 7. That SMC section 17F.040.105 is amended to read as follows:

### **17F.040.105 Design Criteria**

Table R301.2(1) is modified as follows to identify the design criteria associated with our geographical area:

TABLE R301.2(1)											
Ground Snow Load*	Wind Speed (((Gust ))) (ult)	Seis mic Desi gn Cate gory	SUBJECT TO DAMAGE FROM				Wint er Desi gn Tem p	Ice Barrier Underlay ment Required	Flood Hazar ds	Air Freezi ng Index	Mean Annu al Temp
			Weath ering	Frostlin e Depth	Ter mite s	Dec ay					



39 lbs/ft <sup>2</sup>	((85)) <u>110</u> mph	((B)) <u>C</u>	Severe	24"	Slight to Moderate	None to Slight	10°F	Yes	2006 1992 FIRM	1232	47.2°F
*Minimum roof snow load: 30 lbs/ft <sup>2</sup>											

Section 8. That SMC section 17F.040.125 is repealed.

### **~~((17F.040.125 Alternating Tread Devices~~**

~~Section 1009.13 of the 2012 IBC is amended to read as follows:~~

~~Alternating tread devices are limited to an element of means of egress in buildings of:~~

- ~~A. Groups F, H and S from a mezzanine not more than two hundred fifty square feet (23m<sup>2</sup>) in area and which serves not more than five occupants;~~
- ~~B. Group I-3 from a guard tower, observation station or control room not more than two hundred fifty square feet (23m<sup>2</sup>) in area.)~~

Section 9. That SMC section 17F.040.130 is amended to read as follows:

### **17F.040.130 Special Skywalk Provisions**

The special provisions of this section apply to the skywalk system.

#### **A. Definitions.**

1. "Skywalk area" is those areas within a building through which pedestrians may pass when en route from any skywalk bridge or vertical circulation point to another skywalk bridge or vertical circulation point.
  - a. On single-tenant floors this includes the entire floor.
  - b. On multi-tenant floors this includes all areas which are not separated from the pedestrian routes by walls, doors, windows, chain gates, rolling grilles or other devices.
2. "Skywalk bridge" is any elevated bridge-like structure connecting two buildings and primarily designed for pedestrian use.
3. "Skywalk system" is the entirety of the central business district interconnecting above the street-level pedestrian circulation system.

#### **B. Required Separations.**

1. Required building separations must be in accordance with IBC Section ((302.1.)) 707. Openings for the purpose of interconnecting the skywalk areas of buildings may occur so long as they be protected as required by



IBC Section ((302.1.1.1)) 707 for area separation walls. The protection may be provided by any labeled fire door assembly of the proper rating.

2. Exceptions:

- a. Protection of openings in walls between buildings of like construction types need not be provided if the buildings are sprinklered on the floors upon which the openings occur.
- b. Protection of openings in walls between buildings of unlike construction types may be reduced from the required three-hour rating to a two-hour rating and from a one-and-one-half-hour rating to a one-hour rating if the buildings are sprinklered on the floors upon which the openings occur.

C. Exits.

1. Each building connected to the skywalk system by opening(s) or skywalk bridge(s) must have exits as required by the IBC.

2. Exceptions:

After business hours skywalk areas and tenant areas within a building may be closed off from each other or the rest of the building by security devices, but:

- a. Skywalk areas must be served by at least one exit at all times, and
- b. Tenant spaces must be served by at least one exit at all times. This exit may be into the skywalk area, but openings with closures other than leaf-type doors are not considered as exits after business hours. Proper separation of exits must be maintained in cases where two exits are required.

D. Corridors.

1. Skywalk areas within buildings are treated as corridors subject to the requirements of IBC Section ((1018)) 1020.

2. Exceptions:

- a. When thirty feet or more in width, such areas are not treated as corridors.
- b. When the skywalk area is fully sprinklered and smoke alarms are installed, the corridor walls may be of noncombustible construction instead of one-hour construction so long as sprinklers are installed on both sides of the corridor wall. Openings in the wall must be equipped with self-closing or automatic-closing (IBC Section 716) doors with gaskets in the frames. Only openings glazed with safety glazing or wire glass are permitted but there is no limit on the amount of glazing.
- c. When the skywalk areas and the tenant space opening onto it are both fully sprinklered and smoke alarms are installed, no corridor walls or doors are required. If walls are provided, they must be of noncombustible construction.

3. In no case are partitions, rails, counters and similar space dividers construed to form corridor walls.



Section 10. That SMC section 17F.070.010 is amended to read as follows:

**Section 17F.070.010 In General**

- A. Generally, this title does not apply retroactively so as to require owners of buildings to replace, alter, or retrofit portions of buildings or systems within buildings to comply fully with the current code standards. As stated in the International Building Code ((Section 3403)), the Washington State Amendments, and the International Existing Building Code, only new work of addition, alteration, repair, and new installations need comply with the current codes so long as:
  - 1. the work complied with the codes in effect at the time;
  - 2. the building, equipment, and devices have been maintained in a safe and sanitary condition;
  - 3. there is no change in use, occupancy, or load as would violate the current codes; and
  - 4. the building or premises or part thereof has not become dangerous.
- B. Conversely, every owner and occupant of premises is under a continuous obligation to prevent the property from becoming a nuisance and to maintain property in a reasonably safe condition.
- C. It is the purpose of this chapter, therefore, to:
  - 1. specify the minimum maintenance and rehabilitation standards for all buildings and properties necessary to prevent blight and such environmental degradation as would jeopardize the health and safety of occupants and the community, as authorized by chapter 35.80 RCW and the general police power of the City; and
  - 2. adopt specific retroactive requirements necessary to provide reasonable safety to the occupants of buildings, which present special hazards; namely, apartment and hotel buildings over two stories in height.
- D. It is further the policy of the City to put vacant buildings to use, especially residences, by encouraging the rehabilitation of usable structures and to demolish those that are beyond repair so that new development can occur.

Section 11. That SMC section 17F.070.070 is repealed:

**~~((17F.070.070 Efficiency Dwelling Unit Defined~~**



~~An "efficiency dwelling unit" is a room having cooking facilities used for combined living, dining and sleeping purposes.))~~

Section 12. That SMC section 17F.070.250 is amended to read as follows:

#### **17F.070.250 Light and Ventilation Requirements**

IBC subsection ~~((1203.4))~~ 1203.5 provides for natural ventilation and subsection 1205 applies to all existing buildings except that the building official may approve artificial light, in lieu of natural light, in guestrooms, dormitories, and other habitable rooms.

Section 13. That SMC section 17F.070.260 is amended to read as follows:

#### **17F.070.260 Sanitation Requirements**

In addition to IBC subsection 2902.1 and Washington State Amendments Table 2902.1 ~~((and section 2903.1))~~:

- A. splash backs and drain boards must have an impervious surface;
- B. every plumbing fixture must be connected to either a public sanitary sewer system or an approved private sewage disposal system;
- C. all plumbing fixtures must be connected to an approved water supply system and must be provided with hot and cold water, except that water closets need have only cold water;
- D. all plumbing fixtures must be of glazed earthenware or other similar approved nonabsorbent material and must be installed in accordance with the plumbing code;
- E. all sanitary facilities must be installed and maintained in a safe and sanitary condition.

Section 14. That SMC section 17F.070.270 is repealed:

#### **~~((17F.070.270 Yards and Courts~~**

~~IBC Section 1205.3 allows artificial light. Every required window must face on a yard, court, street, or alley at least three feet wide and unobstructed to the sky.))~~

Section 15. That SMC section 17F.070.300 is amended to read as follows:

#### **17F.070.300 Fire Alarm Systems**



Every existing apartment and hotel building over two stories in height must have an approved Type 2A alarm system, as provided in IFC Section Chart #((4007)) 907, and such system must be maintained as provided in SMC 17F.080.250.

Section 16. That SMC section 17F.070.360 is repealed:

**~~((17F.070.360 Stair Construction~~**

~~To be allowed, a stairway serving dwelling units must have:~~

- ~~A. a minimum run of nine inches;~~  
~~—~~
- ~~B. a maximum rise of eight inches;~~  
~~—~~
- ~~C. a minimum width, exclusive of handrail(s), of thirty inches;~~  
~~—~~
- ~~D. at least one handrail;~~  
~~—~~
- ~~E. a landing having a minimum horizontal dimension of thirty inches at each point of access to the stairway.))~~

Section 17. That SMC section 17F.090.010 is amended to read as follows:

**17F.090.010 Adoption of International Mechanical Code**

- ~~A. The International Mechanical Code (IMC) and the International Fuel Gas Code (IFGC),(( 2012)) 2015 Editions, published by the International Code Council, as modified by chapter 51-52 WAC and the additions, deletions, and amendments set forth in this chapter, are the mechanical code of the City.~~  
~~((~~
- ~~B. There are adopted as standards to supplement the International Mechanical Code:~~
  - ~~1. The standards for liquefied petroleum gas installations shall be the 2006 Edition of NFPA 58 (liquefied petroleum Gas Code) and the 2009 Edition of ANSI Z223.1/NFPA 54 (National Fuel gas Code.) as noted in the Washington State Amendment to section 101.2 of the IMC.~~
  - ~~2. 1. NFPA No. 31, 2006 Edition, Standard for the Installation of Oil Burning Equipment.~~
  - ~~3. 2. HVAC Standards Book, 1996 Edition, published by the Inland Northwest Heating, Ventilation and Air Conditioning Association.))~~

Section 18. That SMC section 17F.100.010 is amended to read as follows:

**17F.100.010 Adoption of Uniform Plumbing Code**



- A. The Uniform Plumbing Code (UPC),((2012)) 2015 Edition, and related standards published by the International Association of Plumbing and Mechanical Officials, as modified by chapter 51-56 WAC and the additions, deletions, and amendments set forth in this chapter, is the plumbing code of the City.
- B. Portions of the UPC not adopted are:
1. Chapters 12 and 15;
  2. Combustion air and venting of appliances in Chapter 5; and
  3. Portions of the Code addressing building sewers.
- C. Appendices A, B, and I of the UPC are adopted as part of the code.

PASSED by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date



## Background:

The International Codes that are enforced in the City of Spokane are adopted by the State of WA. By state law, local jurisdictions may adopt more stringent provisions of the Codes, but cannot reduce the requirements of the code adopted by the State.

The current edition of the International Building Code has 13 Appendices. The purpose of the Appendices is to provide guidance and details to some provisions identified in the body of the adopted Code. Over the years, the State has chosen not to adopt all of the Appendices of the various Codes, but rather, leave the determination to do so to local jurisdictions. Many of the larger jurisdictions in WA and around the US have adopted the Appendices as written, in their entirety. Others, including Spokane, have modified some provisions of the Appendices and adopted them as local provisions.

No changes are proposed to adopted Appendices, or to which Appendices are adopted.

Below is a list of the Appendices:

1. **Building Code** in 2013, Spokane adopted 4 Appendices; C, E, G and J.

Appendix A – Employee Qualifications

Appendix B – Board of Appeals

Appendix C – Group U- Agricultural Buildings

Appendix D – Fire Districts

Appendix E – Supplementary Accessibility Requirements

Appendix F - Rodentproofing

Appendix G – Flood-Resistant Construction

Appendix H - Signs

Appendix I – Patio covers

Appendix J - Grading

Appendix K – Administrative Provisions

Appendix L – Earthquake Recording Instrumentation

Appendix M – Tsunami-Generated Flood Hazard

2. **Residential Code** in 2013, Spokane adopted Appendices F and G

Appendix A – Sizing And Capacities Of Gas Piping

Appendix B – Sizing Of Venting Systems Serving Appliances Equipped With Draft Hoods, Category I Appliances And Appliances Listed For Use With Type B Vents

Appendix C – Exit Terminals Of Mechanical Draft And Direct Vent Venting Systems

Appendix D – Recommended Procedure For Safety Inspection Of An Existing Appliance Installation

Appendix E – Manufactured Housing Used As Dwellings

Appendix F – Radon Control Methods

Appendix G – Swimming Pools, Spas and Hot Tubs

Appendix H – Patio Covers



Appendix I – Private Sewage Disposal

Appendix J – Existing Buildings And Structures

Appendix K – Sound Transmission

Appendix L –Permit Fees

Appendix M– Home Day Care – R-3 Occupancy

Appendix N –Venting Methods

Appendix O – Automatic Vehicular Gates

Appendix P – Sizing Of Water Piping System

3. **Existing Building Code** Spokane adopted no Appendices

Appendix A – Guidelines for the seismic retrofit of existing buildings

Appendix B – Supplementary Accessibility Requirements for Existing Buildings and Facilities

Appendix C – Guidelines for the Wind Retrofit of Existing Buildings

## **Proposed Changes to Locally Adopted Building Codes**

### 17F.030.010 Adoption of the Boiler and Pressure Vessel Code

- Changed the adopted version from 2012 to 2015

### 17F.040.010 Adoption of the Building Code

- Changed the adopted version from 2012 to 2015
- Deleted references to adopted Appendices in this section

Discussion: the Appendices are adopted by 17F.040.020

### 17F.040.030 Historic Buildings

- Changed the code reference

Discussion: reference was to a section of the IBC that was removed in the 2015 edition. The relevant reference found in the IEBC

### 17F.040.040 Affordable Housing

- Deleted parts A, B and C.

Discussion: these sections grant the building official discretion to waive or modify code requirements “when the deviation will not unreasonable increase health or safety risks..”. The adopted Building Code clearly states that the Building Official has authority to clarify and interpret codes but cannot waive requirements specifically provided for in the code.

### 17F.040.070 Permits Required

- Deleted entire section.

Discussion: both part A and part B are redundant: items listed here are already listed in the adopted Codes, Section 105.



#### 17F.040.105 Table R301.2(1)

- Revised wind speed to match IRC and IBC format of ultimate wind speed vs 3 second gust values.  
Discussion: a conversion chart returns identical design requirements
- Changed seismic design category from B to C  
Discussion: consistent with City website, County data and USGS map data.

#### 17F.040.125 Alternating Tread Devices

- Requirement listed are redundant; already found in IBC 1011.14

#### 17F.040.130 Special Skywalk Provisions

- Corrected the code reference number to match IBC 2015 edition

#### 17F.070.010 In General

- Deleted the code reference number; reference was to a section of the IBC that was removed in the 2015 edition

#### 17F.070.070 Efficiency Dwelling Unit Defined

- Deleted entire section.  
Discussion: section is redundant: definition is found in Amendments to 2015 IBC

#### 17F.070.250 Light and Ventilation Requirements

- Corrected the code reference number to match IBC 2015 edition

#### 17F.070.260 Sanitation Requirements

- Deleted a code reference number  
Discussion: number was a relic; did not exist in current or previous Code

#### 17F.070.270 Yards and Courts

- Deleted entire section.  
Discussion: section is redundant: requirements are found in Section 1205 of 2015 IEBC

#### 17F.070.360 Stair Construction

- Deleted entire section.  
Discussion: listing specific requirements can be less restrictive than adopted codes. In an existing building, the Building Official has the authority to allow existing non-compliant stairs when it is technically infeasible to construct to current standards.

#### 17F.090.010 Adoption of International Mechanical Code

- Changed the adopted version from 2012 to 2015
- Deleted additional list of adopted Standards  
Discussion: Standards are already adopted by Mechanical Code

#### 17F.100.010 Adoption of Uniform Plumbing Code

- Changed the adopted version from 2012 to 2015





**Agenda Sheet for City Council Meeting of:**  
05/16/2016

<b>Date Rec'd</b>	5/2/2016
<b>Clerk's File #</b>	ORD C35390
<b>Renews #</b>	
<b>Cross Ref #</b>	
<b>Project #</b>	
<b>Bid #</b>	
<b>Requisition #</b>	

<b>Submitting Dept</b>	FIRE
<b>Contact Name/Phone</b>	DAVID KOKOT 625-7056
<b>Contact E-Mail</b>	DKOKOT@SPOKANECITY.ORG
<b>Agenda Item Type</b>	First Reading Ordinance
<b>Agenda Item Name</b>	1970 - 2015 FIRE CODE ADOPTION

**Agenda Wording**

An ordinance relating to the fire code; amending SMC sections 17F.080.010, 030, 070, 090, 110, 120, 150, 270, 370, 380, 390, 400, and 490 and repealing 17F.080.321 and 430.

**Summary (Background)**

The State Adopted Fire Code (2015 International Fire Code - IFC) is required to be adopted by local jurisdictions by July 1, 2016. Local jurisdictions can provide additional changes as long as the changes are more restrictive. This ordinance will amend the existing Spokane Fire Code (17F.080) to be consistent with the State adopted version and provides clarification for some sections with minor edits.

<b><u>Fiscal Impact</u></b>		<b><u>Budget Account</u></b>	
Neutral	\$	#	
Select	\$	#	
Select	\$	#	
Select	\$	#	
<b><u>Approvals</u></b>		<b><u>Council Notifications</u></b>	
<b><u>Dept Head</u></b>	SCHAEFFER, BRIAN	<b><u>Study Session</u></b>	3/31/2016
<b><u>Division Director</u></b>	SCHAEFFER, BRIAN	<b><u>Other</u></b>	PSAF 4/18/2016, PLAN CM
<b><u>Finance</u></b>	KECK, KATHLEEN	<b><u>Distribution List</u></b>	
<b><u>Legal</u></b>	PICCOLO, MIKE		
<b><u>For the Mayor</u></b>	SANDERS, THERESA		
<b><u>Additional Approvals</u></b>			
<b><u>Purchasing</u></b>			



## 2015 Spokane Fire Code Adoption Summary

### Background:

The International Fire Code that is enforced in the City of Spokane is adopted by the State of WA. By state law, local jurisdictions may adopt more stringent provisions of the Fire Code, but cannot reduce the requirements of the fire code adopted by the State.

The model Fire Code is adopted at the State Level with amendments under the State Building Code Council. There is a considerable process in review of model code language and proposals at the State level. These are reviewed by Technical Action Groups assigned to each Code and then the proposals are open to comment at two public hearings. All of the meetings are open to the public.

The current edition of the International Fire Code has 13 Appendices. An additional Appendix is adopted by the State for a total of the State Fire Code of 14. The purpose of the Appendices is to provide guidance and details to some provisions identified in the body of the adopted Fire Code. Over the years, the State has chosen not to adopt the Appendices of the Fire Code, but rather, leave the determination to do so to local jurisdictions. Many of the larger jurisdictions in WA and around the US have adopted the Appendices as written, in their entirety. Others, including Spokane, have modified some provisions of the Appendices and adopted them as local provisions.

Below is a list of the Appendices. Spokane adopts 10 Appendices and has made local modifications to 3 of the 10, Appendix B, C, and D. The purpose of each Appendix is listed in Attachment B.

Appendix A - Board of Appeals

Appendix B - Fire-Flow Requirements for Buildings – amended

Appendix C - Fire Hydrant Locations and Distribution - amended

Appendix D - Fire Apparatus Access Roads – amended

Appendix E - Hazard Categories

Appendix F - Hazard Ranking

Appendix G - Cryogenic Fluids - Weight and Volume Equivalents

Appendix H - Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions

Appendix I - Fire Protection Systems-Noncompliant Conditions

Appendix J – Building Information Sign

The other 4 appendices are not recommended for adoption as they would be more restrictive or would require additional resources to implement them:

Appendix K – Construction Requirements for Existing Ambulatory Care Facilities

Appendix L – Requirements for fire Fighter Air Replenishment Systems

Appendix M – High-Rise Buildings – Retroactive Automatic Sprinkler Requirement

Appendix N – Wildland Urban Interface Code



The Fire Department has reviewed the provisions of the locally adopted Appendices to evaluate possible changes that would not substantially cause a negative impact on public safety, but could provide some greater flexibility in development of Business. While there is not a large number of proposed changes, and even though many locations around the State and country will not make language changes to the Appendices due to Risk exposure, we believe these can be safely modified.

There are also several sections of the appendices in the SMC where new language is necessary to clarify the intent of the provisions.

Attached are the recommended changes to the Fire code and an explanation of each proposal.

### **Proposed Changes to Locally Adopted 2015 International Fire Code Sections**

#### 17F.080.010 Adoption of International Fire Code

- A – Changed the adopted version from 2012 to 2015
- B.7 and B.8 – Revised reference
- B.10 – Added clarification of the intent of the amendment is not to replace the paragraph, but to add to it.
- B.12, B13, and B14 – Revised reference
- B.13 – Removed first part of amended sentence to accommodate change to model language
- B15, B.16, B17, B18 – Revised reference

#### Discussion:

The changes made to this appendix are not significant and reflect more of the reorganization of the code.

#### 17F.080.030 Appendices Adopted

- Appendix B – Deleted amendment

#### Discussion:

Removed local amendment in favor of the model code language that is less restrictive.

- Appendix C – Revise Table numbers to match model code changes; remove the sentence in C.1 for maximum distance of 750 feet; removed the model code reference for footnote g.

#### Discussion:

This change revises the reference numbers for Table C105.2.1 to match the revisions done to the model code.

The removal of the sentence regarding the seven hundred fifty feet distance is made to accommodate the model code now using the same dimension. Previously the model code restricted the distance to 500 feet and we had amended it to 750. The model code now is the same as what we have adopted locally.



Footnote g of Table C102.1 is revised to be consistent with what we have been doing with local projects, and we are less restrictive than the model code which only allows a 25% increase in spacing.50%

- SMC 17F.080.070. Flammable or Combustible Liquids: Revise reference section number.

Discussion:

The referenced section number changed in the model code.

- SMC 17F.080.090. Additional Definitions – Section 202: Remove definition of “guest room”.

Discussion:

The definition is now in the model code.

- SMC 17F.080.110. Fire Alarm System Requirements: Revisions to Chart 907:

Discussion:

There are several changes to the table to match the State amendments for fire alarm. In addition, B.2 has been revised as the description of the travel distance was not the same as in the model code.

- SMC 17F.080.150. Installation Requirements: Change reference of Chapter 47 to 80.

Discussion:

Corrects the reference to the new Chapter due to the reorganization of the code.

- SMC 17F.080.270. Fire Equipment Servicer Registration: Added “Private Fire Hydrants”.

Discussion:

We have been for some time requiring that contractors conducting testing for private fire hydrants to be registered with the Fire Department. It was recently discovered that it had not been codified. This corrects that oversight.

- SMC 17F.080.321. Fire Hydrant Proximity to Residential Infill Properties: Section is repealed.

Discussion:

The language of the ordinance is not included in the model code.

- SMC 17F.080.370, 380, 390: Revised reference to title of the Director of Water and Wastewater.

Discussion:



Corrected the title for the Director of Water and Wastewater to be consistent with the current organizational structure.

- SMC 17F.080.400. Inspection Reports of Private Hydrants: Revised language for responsibility of hydrant report submission.

Discussion:

Language has been revised to address an issue in which we have not been receiving the reports. The owner is responsible for verifying that the reports are submitted, even if it is to be done by a contractor.

- SMC 17F.080.480. Combined Standpipes: Revised language further clarifying the threshold for when fire pumps would be required for buildings.

Discussion:

The original language refers to the threshold at 5 floors. We have come across some buildings with high floors, so the actual height exceeded the capacity of fire apparatus to get water to that level with adequate pressure. The distance of 55 feet is inserted to be able to address that condition.

- SMC 17F.080.490. Licensed Marijuana Processor Extraction Requirements: Revise the title to better match the industry name and revise language in B to accommodate changes to the cannabis industry.

Discussion:

The revisions are made to facilitate the changing industry and how they are creatively extracting the hash oil from the plant. There are several methods of extraction that do not need review and inspection. This revision supports both the non-hazardous and hazardous systems.



**Attachment B**  
**Purpose of Fire Code Appendices**

Below is a short explanation of the purpose of each Appendix:

Appendix A - Board of Appeals – This appendix contains criteria for administrative procedures of the board of appeals and board member qualifications.

Appendix B - Fire-Flow Requirements for Buildings – This appendix establishes the City's policy on fire flow to provide a consistent way of choosing the appropriate fire flow for buildings throughout the City.

Appendix C - Fire Hydrant Locations and Distribution – This appendix establishes the City's methodology for determining fire hydrant locations and spacing for new buildings, additions and change of use situations.

Appendix D - Fire Apparatus Access Roads – This appendix establishes criteria for basic access requirements to structures.

Appendix E - Hazard Categories – This appendix contains guidance in the classifying of hazardous materials so proposed designs can be evaluated accurately.

Appendix F - Hazard Ranking – This appendix is intended to be a companion to the specific requirements of Chapters 51 through 67 of the Fire Code which regulates the storage, handling and use of hazardous materials and it lists the various hazardous materials categories that are defined in the Fire Code.

Appendix G - Cryogenic Fluids - Weight and Volume Equivalents – This appendix is intended to be a companion to the provisions of Chapter 55 of the Fire Code and to provide a ready reference tool for the conversion of the liquid weight and volume of cryogenic fluid to their corresponding volume of gas and vice versa.

Appendix H - Hazardous Materials Management Plan (HMMP) and Hazardous Materials Inventory Statement (HMIS) Instructions – This appendix is intended to be a companion to IFC sections 407.5 and 407.6 which provide the requirements for HMMPs and HMISs.

Appendix I - Fire Protection Systems-Noncompliant Conditions – This appendix is intended to identify unsafe and non-compliant conditions for fire protection systems.

Appendix J - Emergency Responder Radio Coverage – This appendix includes design, construction, maintenance and testing criteria for emergency responder communications systems required by the Fire Code.



## ORDINANCE NO. C35390

An ordinance relating to the fire code; amending SMC sections 17F.080.010, 17F.080.030, 17F.080.070, 17F.080.090, 17F.080.110, 17F.080.120, 17F.080.150, 17F.080.270, 17F.080.370, 17F.080.380, 17F.080.390 17F.080.400, 17F.080.480 and 17F.080.490 and repealing SMC sections 17F.080.321 and 17F.080.430.

The City of Spokane does ordain:

Section 1. That SMC section 17F.080.010 is amended to read as follows:

### **17F.080.010 Adoption of International Fire Code**

- A. The Washington State amended version of the ((2012)) 2015 International Fire Code (IFC) and related standards, published by the International Code Council, as modified by this title, is the fire code of the City of Spokane except as otherwise provided.
- B. The following amendments are made to the International Fire Code:
  - 1. Section 101.1 is modified to read as follows:
    - a. Title.  
These regulations shall be known as the fire code of the City of Spokane, hereinafter referred to as “this code.”
  - 2. Section 109.4 is modified to read as follows:
    - a. 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 provisions of this code shall be subject to the provisions of chapter 1.05 SMC.
  - 3. Section 111.4 is modified to read as follows:
    - a. Failure to Comply.  
Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be subject to penalties identified in chapter 1.05 SMC.
  - 4. IFC Sections 503.1.1, 503.1.2, 503.1.3, 503.2, 503.3, and 503.4 are adopted as published.
  - 5. Chapter 56 is amended with chapter 10.33A SMC.
  - 6. Section 903.2.11.5 is revised to read:



- a. A wet chemical suppression system shall be installed in a commercial kitchen exhaust hood and duct system to meet the compliance of Section 904.
7. Section 904.2.~~((4))~~2 is revised to read:
  - a. Each required commercial kitchen exhaust hood and duct system required by Section 609 to have a Type 1 hood shall be protected with a wet chemical suppression system installed in accordance with this code.
8. Section 904.1~~((4))~~2.  
Replace the first paragraph and the five types to read:
  - a. 904.1~~((4))~~2 – Commercial Cooking Systems.  
The automatic fire extinguishing system for commercial cooking systems shall be a wet-chemical type system. The wet-chemical system shall be tested in accordance with UL 300 and listed and labeled for the intended application. The system shall be installed in accordance with this code, its listing, and the manufacturer's installation instructions. Wet-chemical extinguishing systems shall be installed in accordance with NFPA 17A.
9. Section 904.1~~((4))~~2 – Exception; Section 904.1~~((4))~~2.1 – Exception; Section 904.1~~((4))~~2.3; Section 904.112.4 are not adopted.
10. Section 905.1 – Add the following to end of the paragraph:  
Class II and Class III standpipes are not allowed for new construction in the City of Spokane. All requirements for Class II and Class III shall be Class I and references to one- and one-half inch outlets shall be changed to two and one-half inches. There are no requirements for two and one-half inch hose to be provided (i.e., stages).
11. 906.1.1.  
Revise exception to read as follows:
  - a. Exception.  
Portable fire extinguishers are not required for residential buildings that do not have an interior or exterior common space, such as townhouses.
12. Section 10~~((09))~~11.1~~((3))~~4.  
Remove “and for access to unoccupied roofs” from last sentence.
13. Section 10~~((09))~~11.1~~((6))~~2  
Remove the last sentence (~~((In buildings without an occupied roof, access to the roof from the top story shall be permitted to be by an alternating tread device((-))~~))
14. Section 102~~((0-2))~~3.~~((8))~~9.  
Revise the second sentence to read as follows:  
“. . . the story of, the number of floors above grade (if it is different from the story number), and the direction . . .”
15. Section 5704.2.9.6.1.  
Remove the last part of the last sentence “(See Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page ~~((v))~~xxi).”
16. Section 5706.2.4.4.



- Remove the last part of the last sentence “(See Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page ((v))xxi).”
17. Section 5806.2.  
Remove the last part of the last sentence “(See Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page ((v))xxi).”
  18. Section 6104.2.  
Remove the last part of the last sentence “(See Section 3 of the Sample Ordinance for Adoption of the International Fire Code on page ((v))xxi).”

Section 2. That SMC section 17F.080.030 is amended to read as follows:

### **17F.080.030 Appendices Adopted**

The following appendices of the International Fire Code are adopted as part of the fire code of the City:

A. Appendix A – Board of Appeals.

~~((B. Appendix B – Fire flow Requirements for Buildings.~~

- ~~1. B105.2 – Exception: Revise to read:
 
  - a. A reduction in fire flow of up to fifty percent, as approved, is allowed when the building is provided with an automatic sprinkler system installed.))~~

~~((G))B. Appendix C – Fire Hydrant Locations and Distribution.~~

- ~~2. Table C1052.1 – Revise the column for ‘Maximum distance from any point on street or road frontage to a hydrant’ to be five hundred feet for each row. ((For a fully fire sprinklered building, the maximum distance shall be no more than seven hundred fifty feet.))~~
3. Table C10((5))2.1 – Footnote b is not adopted.
4. Table C102.1 – Revise the sentence to read: “ A 50% increase shall be . . . “.

~~((D))C. Appendix D – Fire Apparatus Access Roads.~~

Provided, fire department access will be in conformance to Appendix D with the following exceptions:

1. D103.1.  
Access roads with hydrants shall have a minimum width of twenty-eight feet along the twenty feet prior to and twenty feet after the hydrant.
2. D103.3.  
The minimum external turning radius will be fifty feet and minimum internal turning radius will be twenty-eight feet.



3. Table D103.4.  
The cul-de-sac diameter shall be one hundred feet. Width of road for length of five hundred one feet to seven hundred fifty feet will be twenty-eight feet.
4. Figure D103.1.  
The ninety-six feet diameter cul-de-sac is revised to one hundred feet diameter.
5. D103.5.1.  
Revise wording to the following:
  - a. The minimum gate width shall be twenty feet (six thousand ninety-six millimeters) unless reviewed and accepted by the fire official or designated representative.
6. D103.6.1.  
Revise road width from twenty-six feet to twenty-eight feet unless reviewed and accepted by the fire department.
7. D103.6.2.  
Revise road width from twenty-six feet to twenty-eight feet. Revise road width of thirty-two feet to thirty-six feet unless reviewed and accepted by the fire department.
8. D103.7.1.  
Residential Driveways. Driveways used as fire lanes for single family and two-family dwellings can be reduced to an unobstructed width of twelve feet wide as long as there is a code compliant fifty foot radius turn-around or approved hammerhead within one hundred fifty feet of all points around the dwelling.
9. D103.7.2.  
Fire access roads can be designed in accordance with SMC 17H.010.140, Emergency Vehicle Access and Staging Areas, as an approved alternative with the approval of the fire official for residential access roads.

((E)). D. Appendix E – Hazardous Categories.

((F)) E. Appendix F – Hazard Ranking.

((G)) E. Appendix G – Cryogenic Fluids – Weight and Volume Equivalents.

((H)) G. Appendix H – Hazardous Materials Management Plan (HMMO) and Hazardous Materials Inventory Statement (HMIS) Instructions.



((I)) H. Appendix I – Fire Protection Systems – Noncompliant Conditions; and

((J)) I. Appendix J – Building Information Sign.

Section 3. That SMC section 17F.080.070 is amended to read as follows:

#### **17F.080.070 Flammable or Combustible Liquids**

Section 105.6.1((6))7 of the IFC is amended to read: Flammable or combustible liquids or critical materials: See chapter ((34))57 and the City's aquifer protection ordinance (chapter 17E.010 SMC). An operational permit is required.

Section 4. That SMC section 17F.080.090 is amended to read as follows:

#### **17F.080.090 Additional Definitions – Section 202**

There are added to IFC Section 202 the following definitions:

- A. "Cellar" is that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling, provided the space does not meet the definition of a basement as defined in the International Building Code.
- B. "Central business district" or "CBD" is that portion of downtown Spokane so designated on the comprehensive plan.
- C. "Central reporting system" is an approved system or group of systems, the operation of which is signaled to, recorded in, maintained, and supervised from an approved central station in which there are competent and experienced observers and operators in attendance at all times whose duty it shall be, upon receipt of a signal, to call the fire department and to take such action as shall be required under the rules established for their guidance. Such systems shall be controlled and operated by a person, firm, or corporation whose principal business is the furnishing and maintaining of supervised protective signaling service and who has no interest in the protected properties. Such approved system must be listed with Underwriters Laboratories.
- ~~D. "Guest room" is any room or rooms used or intended for use by a guest for sleeping purposes. Every one hundred square feet of superficial floor area in a dormitory is regarded as one guest room.~~
- ~~—~~
- ((E)) D. "Performance certificate" is a statement by the installer certifying that a system has been installed as approved by the fire official and tested in accordance with manufacturer's specifications.



((F))E. "Registered servicer" is a natural person possessing a current license as provided in SMC 17F.080.270(A) and SMC 10.29.060(A).

((G)) F. "Special areas to be protected" are the following areas of a building, which present a special need for fire detection whether the space is provided with fire sprinklers or not:

1. Boiler and furnace rooms.
2. Community kitchens.
3. Community laundries.
4. Custodial rooms.
5. Locker rooms.
6. Machine rooms.
7. Parking garages.
8. Public or community restrooms,
9. Smoking rooms.
10. Storage rooms.
11. Supply rooms.
12. Tool and shop areas.
13. Trash rooms.
14. Vertical shafts and adjacent spaces which convey fire.
15. Public waiting areas.
16. Mechanical and equipment rooms.
17. Electrical rooms; and
18. Other rooms or spaces as the fire official may designate.

Section 5. That SMC section 17F.080.110 is amended to read as follows:

#### **17F.080.110 Fire Alarm System Requirements**

- A. The following Chart 907 depicts the minimum fire alarm system requirements for the City of Spokane. These requirements supplement the International Fire Code.
- B. Where heights are noted, they are from the lowest level of fire department apparatus access to the floor elevation of the highest occupied level.
- C. Existing fire alarm systems will be allowed to be used and repaired without upgrade as long as they are properly maintained. Buildings that are altered or additions exceeding fifty percent of the building area will require the fire alarm system to be upgraded to the current requirements.
- D. Smoke detectors will be the primary means of detection. Where environmental conditions warrant (rooms with moisture potential, outdoors, etc.) heat detectors are allowed. Smoke detectors in restrooms and janitor closets are discouraged.



CHART 907	
OCCUPANCY	REQUIREMENTS FOR FIRE ALARM
All Except R3 and U	<p>Atriums connecting more than two floors.</p> <p>Lowest level of structure greater than sixty feet below grade.</p> <p>Covered mall buildings.</p> <p>Retroactive – IFC 1103.7.</p> <p>Fire sprinkler monitoring for systems with twenty or more sprinklers.</p> <p>Smoke detection required in common areas and interior corridors used for required exits in occupancies required to have automatic fire alarm.</p> <p>Heat detectors are not required in spaces provided with quick response sprinklers in occupancies required to have automatic fire alarm.</p> <p>Special areas to be protected are required to have fire alarm in occupancies required to have automatic fire alarm – See SMC 17F.080.090.</p> <p>Central monitoring is required. A minimum of one notification device, one manual pull station, and one smoke detector is required.</p>
High Rise (greater than fifty-five to floor)	<p>Tenant spaces exceeding one thousand square feet.</p> <p>Voice notification is required.</p>
Daycares	<p>Less than or equal to <del>((thirty))</del> <u>fifty</u> children – Single station smoke detection is required.</p> <p>Greater than <del>((thirty))</del> <u>fifty</u> children – Automatic.</p> <p>Manual pull stations required at all exits of state licensed facilities.</p>
A1, A2, A3, A4, A5	<p>Automatic if greater than or equal to three hundred people.</p> <p>Voice notification is required if occupancy is greater than or equal to one thousand people.</p> <p>No manual pull stations required if fully sprinklered.</p>
B	<p>Automatic if greater than or equal to five hundred people.</p> <p>Automatic if greater than or equal to one hundred people above or below exit level.</p> <p>No manual pull stations required if fully sprinklered.</p> <p>Area contains Group B Ambulatory health care.</p>
E	<p><del>((Thirty))</del> <u>Fifty</u> one or more occupants.</p> <p>Voice notification is required if more than <del>((thirty))</del> <u>ninety-nine</u> occupants.</p> <p>Exception for manual pulls (907.2.3).</p>
F1, F2	<p>Automatic if greater than five hundred persons above or below exit level.</p> <p>No manual pull stations required if fully sprinklered.</p> <p>Automatic is required when occupancy is two or more stories in height.</p>



H1, H2, H3, H4	Not required unless other requirements apply.
H5	Manual. Automatic for highly toxic gases, organic peroxides and oxidizers.
I1, I2, I3, I4	Automatic. Manual pulls may be at staff-attended location. Sleeping areas required to have single or multiple station smoke detection. Manual pull stations required at all exits of State Licensed I4.
M	Automatic if greater than or equal to five hundred people. Automatic if greater than or equal to one hundred people above or below exit level. Automatic if greater than twelve thousand square feet (SMC). No manual pull stations required if fully sprinklered.
R1, R2	Automatic – Five or more units/guest rooms. Not required for less than three levels with each unit having independent (not shared) direct exit to exterior. One manual pull station per exit stair required if not fully sprinklered. ADA Type A units will be provided with accessible communications features. ADA Type B units will be pre-wired for building notification.
R3	Single station smoke detection in sleeping areas and in hallways outside of sleeping areas.
S1, S2	None required unless other requirements apply.

Section 6. That SMC section 17F.080.120 is amended to read as follows:

#### **17F.080.120 Elevator Shafts, Equipment Rooms, Machine Spaces, and Lobbies**

- A. Elevator shafts and elevator equipment rooms are not required to be provided with automatic sprinklers only if:
1. they are of non-combustible construction; and
  2. they meet the fire resistance ratings required by the International Building Code.
- B. Elevator shafts, lobbies, machine space, and elevator equipment rooms shall be provided with smoke detection that will:
1. notify the building's fire alarm system; and
  2. activate the recall operation of the elevator(s). Existing elevators having a travel distance of ((less)) more than twenty-five feet and with recall capabilities in buildings with a fire alarm system will be connected to the building fire alarm system to



activate the recall function. At a minimum, Phase 1 recall is required to be provided with primary and alternate recall floors.

Section 7. That SMC section 17F.080.150 is amended to read as follows:

#### **17F.080.150 Installation Requirements**

A person is required to install every fire alarm system in accordance with recognized standards mentioned in chapter ((47)) 80 of the International Fire Code.

Section 8. That SMC section 17F.080.270 is amended to read as follows:

#### **17F.080.270 Fire Equipment Servicer Registration**

A person proposing to engage in the occupation of installation, repair and maintenance of fire department regulated equipment or systems is required to pay the fee prescribed in SMC 8.02.0226 and obtain from the fire official the appropriate registrations as follows:

- A. Portable extinguisher.
- B. Range hood/extinguishing system.
- C. Sprinkler system.
- D. Standpipe system.
- E. Underground tank decommission.
- F. Underground tank install (install, upgrade or repair); and
- G. Underground tank test.
- H. Private Fire Hydrants

Section 9. That SMC section 17F.080.321 is repealed.

#### ~~Section 17F.080.321 Fire Hydrant Proximity to Residential Infill Properties~~

~~The distance from a fire hydrant to a single-family (including duplexes and townhouses)-residential infill property is allowed to be five hundred feet in locations in which the property is within an established area that has been developed to include paved streets and utilities for at least fifteen years. The distance to the fire hydrant shall be along an acceptable path of travel for fire apparatus.~~

Section 10. That SMC section 17F.080.370 is amended to read as follows:

#### **17F.080.370 Private Hydrants – Inspection – Installation**



All private hydrants are subject to inspection and approval by the City water and ~~((hydroelectric services))~~ wastewater department at the time of installation. A fee for inspection or other City services is charged as set forth in SMC 8.02.034.

Section 11. That SMC section 17F.080.380 is amended to read as follows:

#### **17F.080.380 Private Hydrants – Regulations**

The fire official, with the assistance of the director of water and ~~((hydroelectric services))~~ wastewater, is authorized to establish regulations and design standards for private hydrants. These officials have the authority to interpret and apply the regulations and standards and to make rulings and orders consistent with the purpose of this chapter.

Section 12. That SMC section 17F.080.390 is amended to read as follows:

#### **17F.080.390 Private Hydrants – Semi-annual Inspection**

Property owners with private hydrants are responsible to obtain semi-annual, satisfactory inspection of their private hydrant(s) from a qualified inspector. Inspection procedures and forms for inspection by the City or others are set by the fire official with the assistance of the director of water and ~~((hydroelectric services))~~ wastewater. The fire official may order additional inspections as deemed necessary.

Section 13. That SMC section 17F.080.400 is amended to read as follows:

#### **17F.080.400 Inspection Reports of Private Hydrants**

Inspection reports of private hydrants are the responsibility of the owner and must be submitted to the fire department within five working days ~~((by the servicing inspector))~~.

Section 14. That SMC section 17F.080.430 is repealed.

~~Section 17F.080.430 Private Hydrants—Access~~

~~Roads and access to the fire hydrant must be provided in accordance with the IFC sections 503 and 507.~~

Section 15. That SMC section 17F.080.480 is amended to read as follows:

#### **17F.080.480 Combined Standpipes**

Where combined standpipes are used for both wet or dry sprinklers and Class I or III hose outlets, the outlet pressure at the top of the riser shall be not less than one hundred PSI.

Exception:



Buildings up to and including five floors above grade (not to exceed 55 feet) will be pressurized by the fire apparatus upon arrival to the site and are not required to provide one hundred PSI at the top outlet of the riser.

Section 16. That SMC section 17F.080.490 is amended to read as follows:

**17F.080.490 Licensed Marijuana Cannabis Processor Extraction Requirements**

- A. It shall be unlawful for any person to process or manufacture ~~((marijuana))~~ cannabis concentrate in the City of Spokane in a manner authorized by WAC 314-55-104 who is not a processor licensed by the Washington State Liquor Control Board. Such processors shall be required to use in their processing/manufacturing process a closed loop system that utilizes equipment specifically listed for such use by a nationally recognized testing and certification company, and which has been approved and inspected by Fire Department officials to ensure compliance with all fire safety regulations and codes within the State of Washington and City of Spokane
- B. Licensed processors shall acquire an annual operating permit from the City of Spokane Fire Department for the use and maintenance of cannabis extraction system~~((s))~~ that ~~((do not))~~ use ~~((just water))~~ hazardous or dangerous products as the medium of extraction.

PASSED by the City Council on \_\_\_\_\_.

\_\_\_\_\_  
Council President

Attest:

Approved as to form:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Assistant City Attorney

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Effective Date