



INFORMATIONAL MEMORANDUM

TO: Public Safety Committee
FROM: Jack Pace, DCD Director
BY: Nora Gierloff, Deputy DCD Director
CC: Mayor Ekberg
DATE: April 24, 2017
SUBJECT: Code Enforcement Update

ISSUE

Update the Committee on current Code Enforcement activities and status.

BACKGROUND

The Code Enforcement team had a number of significant transitions in 2016. Code Enforcement supervision changed from the Building Official to the Deputy DCD Director in May and in June, longtime Officer Kathy Stetson retired. Hoa Mai became the lead on the Rental Housing program when Kathy left and Lauri Dunning filled Kathy's position in mid-October. The vacancy along with another member's extended medical leave has required ongoing cross training to maintain coverage.

In December rental licensing requirements were expanded to include documentation of an integrated pest management program by each property owner or manager with two or more units. The temporary half-time rental housing support position was made permanent in the 2017-18 budget and a new team member was hired for this position in January.

In response to these experiences, the Code Enforcement team has focused on reviewing our processes and developing an updated training and procedure manual. This has been an opportunity to standardize procedures and expectations between the three officers and the two support staff.

DISCUSSION

Following are brief summaries of current code enforcement actions.

Rental Housing Program Renewals

The 595 rental license renewals were due no later than February 28th. As of April 24, 86% of owners were current on their licensing. After sending multiple notices, we have charged the new late fees to 39 owners. Rental housing inspections for this year's quadrant are due by September 30th. Over the past year we inspected 141 properties and received 175 reports from private inspectors.

Integrated Pest Management (IPM)

Staff researched Integrated Pest Management and developed an IPM Documentation Worksheet to capture details of a property's IPM program while also offering helpful tips that promote successful implementation, see Attachment A. Of the 151 properties impacted by the addition of the IPM requirements 45 have submitted worksheets to date (30% compliance rate). Staff continues to provide IPM training opportunities, resources and materials through the City's Rental Program website including:

- IPM Guide for Affordable Housing (available in English and Spanish);

- City of Tukwila – IPM handout (available in English and Spanish);
- Managing Pests in Multi-Family Housing video; and
- StopPests’ IPM Coordinator Training video.

Additionally, hardcopy handouts and guides have been distributed as needed. The Code Enforcement team has also sent a survey to landlords to gauge interest in a city-sponsored IPM workshop. Code Enforcement has established working relationships with representatives from BeyondPesticides.org and the Northeastern IPM Center at Cornell University including a local partner with the Urban IPM and Pesticide Safety Education Program with Washington State University.

Code Enforcement Case Backlog

In 2017 the team decided to emphasize resolving case files older than one year. Since January we have reduced the number of cases in each category and reduced those open for more than 3 years by 61%. Overall, we opened 116 cases in the first quarter of 2017 and closed 152.

OPEN CODE ENFORCEMENT CASES BY DURATION

	< 30 DAYS	30 - 90 DAYS	90 - 180 DAYS	180 DAYS - 1 YEAR	1 - 3 YEARS	> 3 YEARS	TOTAL
January 17, 2017	14	45	32	43	40	41	215
February 14, 2017	40	28	42	46	22	17	195
March 15, 2017	26	35	28	35	26	17	167
April 14, 2017	32	41	25	35	27	16	176
Reduced by		9%	22%	19%	32%	61%	18%

Abatements

Code Enforcement has closed 3 abatement cases in 2017. We're continuing to work to resolve the remaining exterior violations on the Lee property at 15026 42nd Ave S. The City Attorney plans to issue an Assessment of Penalties for non-compliance with the Notices and Orders issued on November 20, 2016 to the Dempere properties at 13217 40th Ave S and 4033 S 128th St.

Case Study - Blue Nile Trucking (12677 E Marginal Way S)

This is the former Becker/Wells Trucking property which has contained a non-conforming truck terminal on land zoned C/LI and LDR since the 1980s. In October 2016 the city received several complaints for issues including semi-trucks parking and doing truck maintenance along 128th St, oil spills, noise from idling trucks, late night truck operations, air quality concerns, weeds, and litter.

It turns out that a new owner, Blue Nile Trucking, purchased the property in late 2016 and started consolidating junk vehicles, truck repair parts, rubbish, boats, trailers, and automotive repair activities from their other Seattle area properties onto this site. In January City staff met with Blue Nile representatives to explain the limitations of their non-conforming use and develop a timeline for compliance. This has been highly successful and as of April 11th the code violations on site have been corrected and plans are in place to minimize truck parking and idling along 128th Street through city traffic control measures and policy changes by Blue Nile staff. See Attachment B for before and after pictures of the site.

This excellent outcome required staff from several departments to work together including: Code Enforcement officers, the Urban Environmentalist, Police Traffic Division officers, the Public Works

NPDES (National Pollutant Discharge Elimination System) Inspector, and the City Engineer. In addition, Washington State Department of Ecology has been on-site to ensure on-going compliance with the existing Restrictive Covenant for environmental monitoring requirements.

Case Study - Rebuilding Together Seattle project (48XX S 124th)

This property has a large accumulation of rubbish, a junk vehicle, and an unpermitted cargo container stored in the back yard. Human Services staff connected the homeowner with the non-profit group Rebuilding Together Seattle for a rehab project which should resolve the code violations. The elderly homeowner will receive new flooring, accessibility upgrades throughout her home, and an extensive property cleanup on a two-day volunteer project scheduled for April 28/29th, 2017. This is an example of how the City can connect homeowners with resources to achieve code compliance that they would not be able to accomplish on their own.

Case Study - Orchard Trailer Park (4011 S. 146th Street)

In July 2016 Code Enforcement met with the new property owner, West Coast Mobile Home Parks, and discussed ways to work together to clean up the park and bring it up to code. There were several unpermitted additions, a dangerous structure, junk vehicles, accumulation of rubbish and indoor refrigerators, washers and freezers being used outside. With the help of the residents the new owner removed 10 40-yard drop box containers of rubbish from the park and addressed the other violations, significantly improving the appearance and safety of the site.

The only remaining violations are the 11 indoor rated hot water tanks being used outside. Code Enforcement worked with the Building Official to create the Hot Water Tank Flyer, see Attachment E. This is also available in Spanish and was distributed to all residents. We have not red tagged the houses using these tanks because it will put the residents at risk of eviction. We continue to seek resources to help these low income residents address this violation.

Future Actions

Historically our Code Enforcement Officers received a limited commission from the Police Department and used a police ticket book to write infractions (fines) for code violations that they had been unsuccessful in resolving through other means. This is cumbersome for Code Enforcement, confusing for the public who receive what looks like a traffic ticket in the mail and required that these infractions pass through the Police Department before moving to the Court. The Police Department would like to move away from this system and Code Enforcement has been working with the Prosecutor and City Attorney to develop a more streamlined and effective process. When we have a proposed solution we will bring the necessary code amendments back to Council for review.

We are currently working with the City Attorney on updating our residential use definitions to make sure that there are no gaps or overlaps in the different terms used in our Building, Rental Housing and Zoning Codes. This will assist us in enforcing our regulations for boarding houses, dwelling units with multiple kitchens and Air B&B rentals.

Code Enforcement would like to explore ways to spread the word about common code violations in order to improve neighborhood conditions. Approximately 40% of code cases involve garbage, rubbish, or parking. Staff has developed the flyers at Attachments C and D to help explain Tukwila's requirements in these areas. They could be distributed at community events, Night Out Against Crime, or printed in the Tukwila Reporter.

FINANCIAL IMPACT

No budget changes requested.

RECOMMENDATION

Information Only.

ATTACHMENTS

- A. IPM Documentation Worksheet
- B. Blue Nile Before and After Pictures
- C. Parking Flyer
- D. Garbage Flyer
- E. Hot Water Tank Flyer



INTEGRATED PEST MANAGEMENT (IPM) PROGRAM

BRIEF AND WORKSHEET

Integrated Pest Management (IPM) Code Overview for Multi-family Rental Properties

National Healthy Housing Standards (NHHS) 1.1.2. *The owner shall maintain the building and premises to keep pests from entering the building and dwelling units, inspect and monitor for pests, and eliminate pest infestation in accordance with integrated pest management methods.*

TMC 5.06.040 Residential Rental Business License Requirement. *Multi-family dwelling units with **2 or more units** are required to include documentation of an ongoing integrated pest management (IPM) program.*

TMC 8.28.020 2015 International Property Maintenance Code (IPMC) adopted and TMC 8.28.020.B.15 - 309.7 Multifamily building. *A certified pest management professional or other personnel who has training or certification in integrated pest management shall develop the integrated pest management program for a multifamily building.*

IPM Program Documentation Worksheet

Complete this form and submit along with your rental license renewal application.

Property Owner Name _____ Rental License #: _____

Rental Property Address: _____

A. Complete this section if you currently have a contract with a pest management professional.

Contracted Pest Management Professional Certified in IPM _____

**If contracted with a pest management company please attach copy of the service contract.*

Contract attached?

Yes

No

B. Complete this section if you do not have a contract with a pest management professional.

Name of trained IPM program contact _____ Contact # _____

Describe any training in Integrated Pest Management that the assigned IPM program administrator has acquired.

Did you know: *IPM training sessions help ensure an understanding of the roles you and your tenants play in the property's pest management program.*

At your property, do you implement a pest management program that focuses more on controlling insect and rodent problems as they happen, or on preventing pest problems before they occur?

Did you know: *Effective pest management programs take a proactive approach to help prevent pest problems before they begin.*

(see back of page for additional questions)

Describe the proactive exclusion methods (e.g., sealing cracks and crevices, installing weather-stripping, replacing window screens, maintaining positive air pressure) used at your property to control pests.

Did you know: *Effective IPM programs call for the use of every nonchemical strategy available before chemical treatments are even considered and only used as a last resort.*

Briefly describe your sanitation plan/guidelines for routine inspections and cleaning areas that are vulnerable to pests (such as dumpster/recycling collection areas). How often are the most vulnerable areas of the property cleaned?

Did you know: *Detailed, written sanitation plans should be included as a component of the IPM program to help prevent pests by restricting their access to food and water. The most vulnerable areas of your property should be cleaned as often as possible to prevent pest problems from becoming established in hard-to-see and hard-to-reach areas.*

Describe the IPM methods used at your property when an infestation is detected.

Did you know: *Pests and pesticides can each create health risks for people. IPM helps reduce exposure to both.*

Describe the pest control service documentation that your IPM program administrator maintains. The documentation should include pest activity log, corrective action reports, pesticide usage data, bait/ trap maps, and dates of service.

Did you know: *IPM programs are dependent upon the sanitation, facility maintenance, and documentation activities that you or your staff handle on a daily basis. Reviewing this information regularly will help inform you of the effectiveness of your IPM program.*

I certify by my signature below that all information contained herein and any included attachments are true and complete to the best of my knowledge as of the date indicated below.

Signature _____

Date _____

BLUE NILE TRUCKING 12677 E MARGINAL WAY S (CASE #CE16-0350)
COMPLAINTS: JUNK VEHICLES, RUBBISH ACCUMULATION, ZONING VIOLATIONS, NOISE

BEFORE:
OCTOBER 2016

AFTER:
MARCH 2017



Note repair work occurring outside of a building, leaking oil

Attachment B

BEFORE:
JANUARY 2017



AFTER:
APRIL 2017



View into site from property shown above (homeowner granted access)





PARKING

TUKWILA MUNICIPAL CODE 8.25

Parking on grass or dirt is not allowed. All vehicles must be parked on approved durable uniform surface such as two inches of gravel, concrete, or blacktop.

Recreational vehicles, boats, and trailers must also be parked on an approved surface.

If grass or weeds have grown through the current parking area the area must be regraded to be considered an approved surface.

No more than 50% of the front yard or 800 square feet, whichever is smaller, may be used for parking. (Call 206-431-3670 – to learn about exceptions)

No more than 6 vehicles are to be parked on a single-family residential property of 13,000 sqft or less outside of a carport or enclosed garage.



Safe, healthy, attractive neighborhoods don't happen by chance.

It's a shared responsibility.

Garbage and rubbish accumulation is unsightly, attracts pests, creates a breeding ground for bacteria and is a violation of the Tukwila Municipal Code.

Do your part

- ♻️ Keep your property free of debris.
- ♻️ Avoid letting garbage or rubbish accumulate.
- ♻️ Have waste removed regularly.
- ♻️ Make sure garbage and rubbish is stored in appropriate containers with tight-fitting lids and that there are enough containers to hold all waste properly until it is removed.

Let's work together to promote a safe, healthy, and attractive community.

For information on waste removal services contact Waste Management at 1-855-885-9452 or visit their website <http://wmnorthwest.com/tukwila/>

Not sure how to dispose of certain items? Check out King County's "What do I do with...?" website <http://your.kingcounty.gov/solidwaste/wdidw/index.asp>



HOT WATER TANKS MUST COMPLY WITH CITY CODES.

All homes that have their “made for indoor use” hot water tank being stored outside their home must comply with the following:

1. Place the Hot water tank on a concrete pad.
2. Place the Hot water tank in an enclosure that is insulated and heated to 40 degrees. The enclosure must represent a habitable space, an indoor space that is 40 degrees.
3. The Hot water tank must be hooked up and installed by a licensed electrician.
 - a. An exterior electrical disconnect box is required.
 - b. Exterior electrical outlet wiring required.
 - c. An electrical permit is required from the City of Tukwila.

Some of the options are:

- A. Buy an enclosure that is insulated and heated to 40 degrees to put tank in.
- B. Build an enclosure that is insulated and heated to 40 degrees to put tank in.
 - a. The enclosure must have a lid that is weatherproof with overhang – Must keep the water out.
- C. Buy an outdoor hot water tank,
- D. Put hot water tank back inside the home.
- E. Provide another option that complies with the above requirements.



Samples of an exterior electrical box.



Sample of an enclosure on a concrete pad. Can be metal or wood. Roof must be weatherproof.



Attachment E