



ORDINANCE NO. 28980

1 AN ORDINANCE relating to the Building Code; amending Title 2 of the Tacoma
2 Municipal Code, relating to the Building and Development Code, by adding
3 a new Chapter 2.23, entitled “Tower Crane Code”, and amending various
4 chapters, to comply with changes to the Revised Code of Washington,
5 effective January 1, 2025.

6 WHEREAS changes in the Revised Code of Washington (“RCW”) have
7 created a new requirement for local governments to issue permits for tower
8 cranes, and

9 WHEREAS Washington State House Bill 2022 (“HB 2022”) concerning
10 construction crane safety, and Washington State Senate Bill 5290 (“SB 5290”)
11 concerning consolidating local permit review process have both been signed into
12 law, and

13 WHEREAS changes to the Tacoma Municipal Code (“TMC”) Title 2 are
14 required to comply with and clarify the applicability of changes to the RCW, and

15 WHEREAS HB 2022 creates RCW 36.70B.270 which requires local
16 governments develop permitting procedures for the assembly, disassembly, and
17 reconfiguration of tower cranes that includes street closures and notice to
18 impacted residents and occupants, and a new TMC Chapter 2.23 Tower Crane
19 Code has been written to comply with this new state requirement, and

20 WHEREAS SB 5290 creates permitting deadlines for project permits, which
21 includes subdivisions, conditional use permits, and other permits regulated by
22 TMC Title 13, the Land Use Regulatory Code, and

23 WHEREAS staff believe the changes to RCW 36.70B may create confusion
24 on the applicability of the deadlines to development permits regulated by TMC
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Title 2, Building and Development Code, and has thereby proposed amendments to the following codes: Chapters 2.02 Building Code, 2.06 Plumbing Code, 2.07 Mechanical Code, 2.09 Fee Code, 2.19 Site Development Code, and 2.22 Right-of-Way Development Code to clarify that RCW 36.70B.060 through RCW 36.70B.090 and 36.70B.110 through 36.70B.130 are not applicable to those permits; Now, Therefore,

BE IT ORDAINED BY THE CITY OF TACOMA:

Section 1. That the City Council hereby adopts the Recitals of this Ordinance as its formal legislative findings.

Section 2. That Title 2 of the Tacoma Municipal Code is hereby amended, effective January 1, 2025, as set forth in the attached Exhibit "A."



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Section 3. That the City Clerk, in consultation with the City Attorney, is authorized to make necessary corrections to this ordinance, including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any references thereto.

Passed _____

Mayor

Attest:

City Clerk

Approved as to form:

Chief Deputy City Attorney



EXHIBIT "A"

**TITLE 2
BUILDING AND DEVELOPMENT CODE**

Sections:

[Chapter 2.23 Tower Crane Code](#)

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**CHAPTER 2.02
BUILDING CODE**

2.02.015 Administrative Provisions.

A. The Director of Planning and Development Services, with input from the Tacoma Permit Advisory Group or any other City Council appointed permitting advisory body then in existence, shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

A1. Public notifications.

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

B2. Project Meetings.

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor's activities.

C3. Construction Nuisances.

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

D4. Adjacent Properties.

No person engaged in work regulated by this chapter may utilize the neighboring properties for parking, materials storage, staging, access, or any other activity without the consent of the owner.

B. Violations of TMC 2.02 or any provision as required by the Director of Planning and Development Services under TMC 2.02.015 shall be administered as outlined in TMC 1.82 - Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

C. As authorized by RCW 36.70B.140 permits issued under this section are exempt from the timeline provisions of RCW 36.70B.060 through RCW 36.70B.090 and 36.70B.110 through 36.70B.130.

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**CHAPTER 2.06
PLUMBING CODE**

2.06.015 Administrative Provisions.

A. The Director of Planning and Development Services shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

A1. Public notifications.

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

B2. Project Meetings.

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor's activities.

C3. Construction Nuisances.

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.



~~D~~4. Adjacent Properties.

No person engaged in work regulated by this chapter may utilize the neighboring properties for parking, materials storage, staging, access, or any other activity without the consent of the owner.

B. Violations of TMC 2.06 or any provision as required by the Director of Planning and Development Services under TMC 2.06.015 shall be administered as outlined in TMC 1.82 – Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

C. [As authorized by RCW 36.70B.140 permits issued under this section are exempt from the timeline provisions of RCW 36.70B.060 through RCW 36.70B.090 and 36.70B.110 through 36.70B.130.](#)

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**CHAPTER 2.07
MECHANICAL CODE**

2.07.015 Administrative Provisions.

A. The Director of Planning and Development Services shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

~~A~~1. Public notifications.

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

~~B~~2. Project Meetings.

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor’s activities.

~~C~~3. Construction Nuisances.

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

~~D~~4. Adjacent Properties.

No person engaged in work regulated by this chapter may utilize the neighboring properties for parking, materials storage, staging, access, or any other activity without the consent of the owner.

B. Violations of TMC 2.07 or any provision as required by the Director of Planning and Development Services under TMC 2.07.015 shall be administered as outlined in TMC 1.82 – Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

C. [As authorized by RCW 36.70B.140 permits issued under this section are exempt from the timeline provisions of RCW 36.70B.060 through RCW 36.70B.090 and 36.70B.110 through 36.70B.130.](#)

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**CHAPTER 2.09
FEE CODE**

2.09.175 Special fees.

A. Preapplication services.

For inspection of existing buildings made at the request of the owner, tenant, mortgage company, or realty firm, to determine compliance with applicable City ordinances, or when inspections are requested of a structure for which a permit is only contemplated or for any special application review conducted by the Fire Department, an hourly fee shall be charged for review and/or inspection in accordance with the PDS Fee Schedule. This shall also include review and inspection of Adult Family Homes that are exempt from building permits.

B. Expedited Plan Review Fees.

Where requested by the applicant and approved by the Director of Planning and Development Services or designee, expedited permit fees may be paid to shorten the review time for a permit application. Expedited plan review fees shall be paid in accordance with the PDS Fee Schedule and shall be in addition to all other permit and plan review fees for the permit application.

C. Project services.



1 Planning and Development Services may require a contract for outside services to meet specific project or permit needs. Additional fees shall be charged for the actual cost of said services and shall be added to all other permit and/or plan review fees, including all administrative and overhead costs.

2 D. Special inspection fees.

3 When, in the opinion of the Building Official, special inspections are necessary to review or evaluate the correction of noted violations for buildings or structures, the Building Official shall charge inspection fees in accordance with the PDS Fee Schedule.

4 E. E-Permits.

5 E-permits are a type of permit of limited scope that does not require a plan review and can be applied for and issued online. Additional charges for Dedicated Funds in accordance with this chapter or other applicable taxes, charges, and fees for other agencies shall be applied to E-permits.

6 F. Alternate method or modification request:

7 Whenever a building owner or other responsible party proposes to use an alternate material or method to meet the intent or requirement of the Building Code or Fire Code, the responsible party shall pay an hourly fee in accordance with the PDS Fee Schedule for field inspection, research and analysis performed by City staff to evaluate the proposal.

8 GF. Noise variance.

9 Fees for review and inspection of projects submitting a noise variance shall be charged an hourly fee in accordance with the PDS Fee Schedule.

10 HG. Floodplain development review.

11 FEMA defines “development” as any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials. For any development, as defined by FEMA, in a floodplain regulated by Chapter 2.02 of this code, and where the work is exempt from a building or site development permit, fees for plan review and inspection shall be charged an hourly fee in accordance with the PDS Fee Schedule for this development.

12 IH. Appearance as a witness or to provide testimony.

13 A fee may be required in accordance with the PDS Fee Schedule for civil interviews with City staff. A civil interview shall include any conversation with City employees regarding the employee’s knowledge regarding a referenced incident or generalized knowledge relating to expert testimony and written exchange, including, but not limited to, informal interviews, depositions, court testimony, arbitrations and similar hearings, and requests to review and/or sign documents. Determination of whether a fee will be required will be made by the Director of Planning and Development Services, or designee.

14 J. Other services and permits.

15 Where a service or permit is provided and fees have not been specifically addressed in Chapter 2.19 of this code, hourly fees may be charged in accordance with the PDS Fee Schedule for the services provided.

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17 CHAPTER 2.19

18 SITE DEVELOPMENT CODE

19 2.19.015 Administrative Provisions.

20 A. The Director of Planning and Development Services shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

21 A1. Public notifications.

22 Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

23 B2. Project Meetings.

24 Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor’s activities.

25 C3. Construction Nuisances.

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Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

~~D4.~~ Adjacent Properties.

No person engaged in work regulated by this chapter may utilize the neighboring properties for parking, materials storage, staging, access, or any other activity without the consent of the owner.

B. Violations of TMC 2.19 or any provision as required by the Director of Planning and Development Services under TMC 2.19.015 shall be administered as outlined in TMC 1.82 - Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

C. As authorized by RCW 36.70B.140 permits issued under this section are exempt from the timeline provisions of RCW 36.70B.060 through RCW 36.70B.090 and 36.70B.110 through 36.70B.130.

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CHAPTER 2.22 RIGHT-OF-WAY DEVELOPMENT CODE

2.22.015 Administrative Provisions.

A. The Director of Planning and Development Services shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

A1. Public notifications.

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

B2. Project Meetings.

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor's activities.

C3. Construction Nuisances.

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

~~D4.~~ Adjacent Properties.

No person engaged in work regulated by this chapter may utilize the neighboring properties for parking, materials storage, staging, access, or any other activity without the consent of the owner.

B. Violations of TMC 2.22 or any provision as required by the Director of Planning and Development Services under TMC 2.22.015 shall be administered as outlined in TMC 1.82 - Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

C. As authorized by RCW 36.70B.140 permits issued under this section are exempt from the timeline provisions of RCW 36.70B.060 through RCW 36.70B.090 and 36.70B.110 through 36.70B.130.

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CHAPTER 2.23
TOWER CRANE CODE

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Sections:

- 2.23.010 General.
- 2.23.015 Administrative Provisions.
- 2.23.020 Definitions.
- 2.23.030 Tower Crane Permit Requirements.

2.23.010 General.

A. Scope and Intent:

This chapter provides permitting requirements for the assembly, disassembly, and reconfiguration of Tower Cranes as required by 36.70B RCW.

B. Authority.

The provisions of this chapter are under the authority of the Director of Planning and Development Services, or their designee.

C. Referenced codes and standards.

The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. To the extent any differences exist between the provisions of this code and the referenced standards, the most restrictive shall apply as determined by the Director of Planning and Development Services, or their designees.

2.23.015 Administrative Provisions.

A. The Director of Planning and Development Services shall have the authority to develop rules, policies, and administrative procedures for, but not limited to, the following items:

1. Public notifications.

Notices may be required for any permits issued under this chapter. When required, the notices shall be completed prior to the start of construction.

2. Project Meetings.

Permittees, contractors, and others associated with a permit may be required to attend Project Meetings related to permit requirements, to address neighborhood impacts such as dust and construction noise or other neighborly issues that arise from the contractor's activities.

3. Construction Nuisances.

Additional requirements may be imposed on project construction activities that impact the surrounding neighborhood, such as public safety, dust and construction noises. Identification of these issues may be by a complaint, City and/or other regulatory inspection. A project meeting may be called to address the impacts.

4. Adjacent Properties.

No person engaged in work regulated by this chapter may utilize the neighboring properties for parking, materials storage, staging, access, or any other activity without the consent of the owner.

B. Violations of TMC 2.19 or any provision as required by the Director of Planning and Development Services under TMC 2.19.015 shall be administered as outlined in TMC 1.82 - Uniform Enforcement Code, and/or Chapter 2.02.130 of this code.

C. As authorized by RCW 36.70B.140 permits issued under this section are exempt from the timeline provisions of RCW 36.70B.060 through RCW 36.70B.090 and 36.70B.110 through 36.70B.130.

2.23.020 Definitions.

ASSEMBLY, DISASSEMBLY, OR RECONFIGURATION: As defined in RCW 49.17.400

ASSEMBLY/DISASSEMBLY WORK ZONE: As defined in RCW 49.17.400

PUBLIC NOTIFICATIONS: A mechanism to inform the public regarding the scope and status of a project.

RIGHT-OF-WAY: As defined in TMC 10.22.

2.23.030 Tower Crane Permit Requirements.

A. Permit Requirements.



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The assembly, disassembly, and reconfiguration of a Tower Crane shall require a permit as outlined in this Chapter and TMC 10.22.050.

B. Permit Expiration.

At any time during the permitting process: application, plan review, or construction; a permit will expire if no applicant activity within the specific process occurs within 180 days. The City will notify the applicant of its intent to cancel the permit at the end of 180 days. Upon notification, the applicant may request an extension of their permit in writing.

C. Application.

An application for a Tower Crane Permit shall be accompanied by a site plan showing a graphical representation of the assembly/disassembly work zone and traffic control plans as described in the City of Tacoma Right-of-Way Design Manual.

D. Bonds.

The City may require bonds in such form and amounts as may be deemed necessary to assure that any elements of the right of way damaged during the assembly, disassembly, and reconfiguration of the tower crane will be corrected to eliminate hazardous conditions.

In lieu of a surety bond, the applicant may file a cash bond or assignment of funds with the City in an amount equal to that which would be required in the surety bond.

E. Right-of-way Closure.

Right-of-way within the assembly/disassembly work zone must be closed during tower crane assembly, disassembly, or reconfiguration. All right-of-way closures shall be in accordance with TMC 10.22.050. The City may place restrictions on dates and/or times the right-of-way may be closed.

F. Public Notification.

Prior to tower crane assembly, disassembly, or reconfiguration the developer shall provide notice to all owners, tenants, and residents within the assembly/disassembly work zone. Separate public notification will be required at tower crane assembly, disassembly, and each reconfiguration.