

Housing Codes and Related Codes for Seattle, Washington

On July 3, 2007

City of Seattle, Washington Selected Provisions Related to Healthy Homes

See www.municode.com/Resources/gateway.asp?pid=13857&sid=47

Subtitle II Housing Code

Chapter 22.200 TITLE, PURPOSE AND SCOPE

Cases: Violations of the Seattle Housing Code are by reference made violations of the State Landlord/Tenant Act, RCW 59.18.060(1). State v. Schwab, 103 Wn.2d 542, 544, 693 P.2d 108 (1986).

Chapter 22.200

TITLE, PURPOSE AND SCOPE

22.200.010 Title.

The ordinance codified in Chapters 22.200 through 22.208 of this subtitle shall be known and may be cited as the “Housing and Building Maintenance Code” and is referred to herein as “this Code.”

22.200.020 Declaration of findings and intent.

A. It is found and declared that there exist, within the City of Seattle, buildings together with appurtenant structures and premises that are substandard, deteriorating, in danger of causing or contributing to the creation of slums or otherwise blighted areas, and hazardous to the health, safety and general welfare of the public.

B. It is further found and declared that these conditions are the result of, among other causes: inadequate original construction; dilapidation; failure to repair; lack of proper sanitary facilities and maintenance; structural defects; vacant or abandoned buildings or properties; overcrowding; electrical, mechanical and other defects increasing the hazards of fire, accidents or other calamities; uncleanliness; inadequate heating, lighting and ventilation.

C. It is further found that maintenance of the housing stock is critical to the health, safety and welfare of the general public and it is the intent of this Code to assure the preservation of the existing supply of housing in The City of Seattle by establishing minimum standards and an effective means for enforcement and by encouraging the rehabilitation and re-use of existing structurally sound buildings.

D. It is further found and declared that arbitrary eviction of responsible tenants imposes upon such tenants the hardship of locating replacement housing and provides no corresponding benefit to property owners.

E. It is further found and declared that tenants who do not respect the rights of others impose unnecessary hardship.

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F. It is the intent of this Code that relocation assistance payments required by Subtitle II of Title 22 shall be in addition to a refund from the property owner of any deposits and of other sums to which a tenant is lawfully entitled under state or federal law.

G. The express purpose of this Code is to provide for and promote the health, safety and welfare of the general public, and not to protect individuals or create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefited by the terms of this Code. The obligation of complying with the requirements of this Code and the liability for failing to do so is hereby placed upon the property owner and/or occupant or persons responsible for the condition of the buildings or premises.

22.200.030 Scope.

This Code shall apply to all buildings, appurtenant structures and premises, now in existence or hereafter constructed; provided, that:

A. The minimum standards of the Seattle Building, Mechanical, Fire, Electrical and Plumbing Codes in effect when a building, structure or premises was constructed, altered, rehabilitated or repaired shall apply to the construction, alteration, rehabilitation and repair, and shall apply to maintenance except when this Code specifically requires higher standards;

B. The minimum standards set forth in SMC Sections 22.206.010 through 22.206.140 shall be advisory only for all housing units that are owner-occupied and in which no rooms are rented or leased to others, except as provided by Section 22.202.035 for owner-requested inspections; and

C. The minimum standards of this Code shall not apply to any structure constructed and maintained in compliance with standards and procedures of the Seattle Building, Mechanical, Fire, Electrical and Plumbing Codes currently in effect.

Chapter 22.204

DEFINITIONS

22.204.010 General provisions.

A. "Basement" means any floor level below the first story in a building. See "Story."

22.204.090 "H."

A. "Habitable room" means space in a building occupied, used, designed or intended to be used for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, laundry rooms, storage or utility space, and similar areas are not habitable rooms.

B. "Hazard" means a condition that exposes any person to the risk of illness, bodily harm, or loss of or damage to possessions.

22.204.100 "I."

B. "Infestation" means the presence of insects, rodents, or other pests in or around a building, in such numbers as may be detrimental to the health, safety, or general welfare of the occupants thereof.

22.204.200 "S."

H. "Substandard building" means any building which fails to comply with the minimum standards set forth in SMC Chapter 22.206.

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- I. “Substantial rehabilitation” means extensive structural repair or extensive remodeling which requires a building, electrical, plumbing or mechanical permit, and which cannot be done with the tenant in occupancy.

22.204.230 “V.”

- C. “Vent shaft” means an open, unobstructed passage or duct used to ventilate a bathroom, toilet compartment, kitchen or utility or other service room.

Chapter 22.206

HABITABLE BUILDINGS

Minimum Space and Occupancy

22.206.020 Floor area.

- A. Every dwelling unit shall have at least one (1) habitable room which shall have not less than one hundred twenty (120) square feet of floor area.
- B. No habitable room except a kitchen may be less than seven feet (7') in any floor dimension.
- C. Every room used for sleeping purposes, including an SRO unit, shall have not less than seventy (70) square feet of floor area. Every room, except an SRO unit, which is used for both cooking and living or both living and sleeping quarters shall have a floor area of not less than one hundred thirty (130) square feet if used or intended to be used by only one (1) occupant, or of not less than one hundred fifty (150) square feet if used or intended to be used by two (2) occupants. Where more than two (2) persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of fifty (50) square feet for each occupant in excess of two (2).
- D. In a dormitory, minimum floor area shall be sixty (60) square feet per single or double bunk, and aisles not less than three feet (3') in width shall be provided between the sides of bunks and from every bunk to an exit. The requirements of this subparagraph shall not apply to SRO units.
- E. The required floor area square footage of all dwelling units, dormitories, and SRO units shall not include built-in equipment which extends from the floor to thirty inches (30") above the floor, including but not limited to wardrobes, cabinets, and kitchen sinks or appliances.

22.206.040 Light and ventilation.

- A. Every habitable room in a housing unit shall have a window or windows with an area of not less than ten percent (10%) of the floor area of the room, but in no event shall such area be less than ten (10) square feet; provided, that an approved system of artificial light may be used in lieu of the window or windows required in kitchens by this section.
- B. Every habitable room in a housing unit and every laundry room shall have natural ventilation from an exterior opening with an area not less than two and one-half percent (2.5%) of the floor area of the room but in no event less than two and one half (2-1/2) square feet. In lieu of required exterior openings for natural ventilation in all habitable rooms and in laundry rooms, a mechanical ventilating system may be provided. Such system shall comply with the requirements of the Seattle Energy Code in effect on the date of installation and applicable requirements of the Mechanical Code.
- C. Every bathroom and water closet compartment shall be provided with natural ventilation by means of exterior openings with an area not less than five percent (5%) of the floor area of the room, but in no event shall such area be less than one and one half (1-1/2) square feet; provided, that in lieu of required exterior openings for natural ventilation, a mechanical ventilating system or vent shafts may be provided. Such system shall comply with the requirements of the Seattle

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Energy Code in effect on the date of installation and applicable requirements of the Seattle Mechanical Code. If a mechanical ventilation system is provided in laundry rooms or similar rooms, it shall be connected to the outside.

- D. For the purpose of determining light and ventilation requirements, any room may be considered a portion of an adjoining room if one-half (1/2) of the area of the common wall is open and unobstructed and provides an opening of not less than one-tenth (1/10) of the floor area of the interior room or twenty-five (25) square feet, whichever is greater.
- E. Required exterior openings for natural light or natural ventilation shall open directly onto a street or public alley, or a yard or court adjacent to the required exterior opening; provided, that required exterior openings may open onto a roofed porch where the porch:
 - 1. Abuts a street, yard or court; and
 - 2. Has a ceiling height of not less than six feet, eight inches (6'8"); and
 - 3. Is at least sixty-five percent (65%) open and unobstructed for its length, or is open at both ends.
- F. Every yard, court, street or alley having required windows facing thereon shall be not less than three feet (3') in width and unobstructed to the sky.

22.206.050 Sanitation.

- A. Dwelling Units. Every dwelling unit shall contain a toilet, a lavatory, and a bathtub or shower in a separate room or rooms which shall be accessible from inside the dwelling unit. The only access from a bedroom to the only bathroom shall not be through another bedroom. No toilet shall be located in any room or space used for the preparation of food, nor shall a room containing a toilet open directly into any such room or space unless the toilet room has a tight-fitting door.
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- D. Kitchens. Every dwelling unit shall have a kitchen. Every kitchen shall have an approved kitchen sink, hot and cold running water, counter work-space, and cabinets for storage of cooking utensils and dishes. A kitchen shall also have approved cooking appliances and refrigeration facilities or adequate space and approved gas or electric hookups for their installation. All cooking appliances and refrigeration facilities shall be maintained in a safe and good working condition by the owner or furnisher of the appliance. Unapproved cooking appliances shall be prohibited. Splash backs and countertops shall have an impervious surface.
- E. Fixtures. All plumbing fixtures shall be trapped and vented and connected to an approved sanitary sewer or to an approved private sewage disposal system. All toilets shall be flush type and in good working order. Every discharge opening of the spout of a water supply outflow (faucet) shall be not less than one inch (1") above the flood rim of the fixture into which it discharges.
- F. Water Supply. There shall be an approved system of water supply, providing both hot and cold running water. Hot water for the required sink, lavatory, and bathtub or shower shall be provided at a temperature of not less than one hundred degrees Fahrenheit (100° F.) at all times at the fixture outlet, to be attained within approximately two (2) minutes after opening the fixture outlet. Prior to a new tenant occupying of a housing unit in which hot water is supplied from an accessible, individual water heater, the water heater shall be set by the owner at a temperature not higher than one hundred twenty degrees Fahrenheit (120 F.°) or the minimum setting on any water heater which cannot be set at one hundred twenty degrees Fahrenheit (120° F.); provided, that buildings, other than dwellings, in which hot water is supplied by a central water-heater system need not comply with this requirement.

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- G. Maintenance. All sanitary facilities, fixtures, equipment, structures, and premises, including gas piping, shall be maintained in a safe and sanitary condition, and in good working order.
- H. Fuel Shutoff Valves. An approved accessible shutoff valve shall be installed in the fuel-supply piping outside of each appliance and ahead of the union connection thereto, and in addition to any valve on the appliance. Shutoff valves shall be within three feet (3') of the appliance. Shutoff valves may be located immediately adjacent to and inside or under an appliance when placed in an accessible and protected location and when such appliance may be removed without removal of the shutoff valve.

Minimum Structural Standards

22.206.060 General.

Roofs, floors, walls, chimneys, fireplaces, foundations and all other structural components of buildings shall be reasonably decay-free and shall be capable of resisting any and all normal forces and loads to which they may be subjected.

22.206.070 Shelter.

Every building shall be protected so as to provide shelter for the occupants against the weather. Every basement used for human habitation shall be dry; and habitable rooms therein shall conform to all requirements of size, lighting and ventilation. No portion of a basement, or building used for human habitation shall have dirt floors.

22.206.080 Maintenance.

- A. Every foundation, roof, exterior wall, door, skylight, window, and all building components shall be reasonably weathertight, watertight, damp-free and rodentproof, and shall be kept in a safe, sound and sanitary condition and in good repair.
- B. All appurtenant structures, floors, floor coverings, interior walls and ceilings shall be kept in a safe, sound and sanitary condition and in good repair.
- C. Any repair or removal of asbestos materials shall comply with regulations of the Environmental Protection Agency and the Puget Sound Air Pollution Control Agency.
- D. Underfloor areas other than basements shall have adequate ventilation. The ventilation opening shall be provided in exterior walls and shall be screened. The total ventilation opening shall be at least equal to one-tenth (1/10) of one percent (1%) of the underfloor area. Ventilation openings shall be located so as to insure a cross-current of air. These openings may be equipped with an approved, thermally operated damper device.
- E. An attic access opening shall be provided in the ceiling of the top floor of buildings with combustible ceiling or roof construction. The opening shall be readily accessible, and shall have dimensions of not less than twenty inches (20") by twenty-four inches (24").
- F. Toxic paint and other toxic materials shall not be used in areas readily accessible to children.
- G. All exterior wood surfaces, other than decay-resistant woods, shall be protected from the elements and decay by paint or other approved protective covering or treatment.
- H. All premises shall be graded and drained, and all premises and structures shall be free of standing water and maintained in a safe condition.
- I. All additions, alterations or repairs, including but not limited to additions, alterations or repairs made in response to a notice of violation, shall comply with the provisions of the Seattle Building, Electrical and Mechanical Codes in effect at the time of the work unless a different standard is expressly permitted by this Code.

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Minimum Mechanical Standards

22.206.090 Heating.

- A. Minimum Heating Equipment. Every housing unit shall have permanently installed, functioning heating facilities and an approved power or fuel supply system which are capable of maintaining an average room temperature of at least sixty-five degrees Fahrenheit (65°) measured at a point three feet (3') above the floor in all habitable rooms, baths and toilet rooms, when the outside temperature is twenty-four degrees Fahrenheit (24° F.) or higher. When the outside temperature is less than twenty-four degrees Fahrenheit (24° F.), the permanently installed, functioning heating facility and approved power or fuel supply system must be capable of maintaining an average room temperature of at least fifty-eight degrees Fahrenheit (58° F.), measured at a point three feet (3') above the floor, in all habitable rooms, baths and toilet rooms.
- B. Heating Devices. All heating devices and appliances, including but not limited to furnaces, fireplaces, electric baseboard heaters and water heaters, shall be of an approved type, in good and safe working order, and shall meet all installation and safety codes. Approved, unvented portable oil-fueled heaters may be used as a supplemental heat source provided that such heaters shall not be located in any sleeping room or bathroom, as provided by SMC Chapter 22.400 Section 807(a). Ventilation for rooms and areas containing fuel-burning appliances shall be adequate for proper combustion.

22.206.100 Ventilation equipment.

Ventilating equipment or shafts shall be of an approved type and maintained in a safe manner. Where mechanical ventilation is provided in lieu of the natural ventilation pursuant to Section 22.206.040, the mechanical system shall be safe and shall be maintained in good working order during the occupancy of any building.

22.206.120 Maintenance.

All mechanical facilities, fixtures, equipment and structures shall be maintained in a safe condition and in good operating order.

Duties of Owners and Tenants

22.206.150 General.

Notwithstanding the provisions of any rental agreements or contracts to the contrary, there are hereby imposed on owners and tenants certain duties with respect to the use, occupancy, and maintenance of buildings.

22.206.160 Duties of owners.

- A. It shall be the duty of all owners, regardless of any lease provision or other agreement that purports to transfer the owner's responsibilities hereunder to an operator, manager or tenant, to:
1. Remove all garbage, rubbish and other debris from the premises;
 2. Secure any building which became vacant against unauthorized entry as required by Section 22.206.200 of this Code;
 3. Exterminate insects, rodents and other pests which are a menace to public health, safety or welfare. Compliance with the Director's Rule governing the extermination of pests shall be deemed compliance with this subsection 3;
 4. Remove from the building or the premises any article, substance or material imminently hazardous to the health, safety or general welfare of the occupants or the public, or which

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may substantially contribute to or cause deterioration of the building to such an extent that it may become a threat to the health, safety or general welfare of the occupants or the public;

5. Remove vegetation and debris as required by SMC Section 10.52.030;
 6. Lock or remove all doors and/or lids on furniture used for storage, appliances, and furnaces which are located outside an enclosed, locked building or structure;
 7. Maintain the building and equipment in compliance with the minimum standards specified in Sections 22.206.010 through 22.206.140 and in a safe condition, except for maintenance duties specifically imposed in Section 22.206.170 on the tenant of the building; provided that this subsection 7 shall not apply to owner-occupied dwelling units in which no rooms are rented to others;
 8. Affix and maintain the street number to the building in a conspicuous place over or near the principal street entrance or entrances or in some other conspicuous place. This provision shall not be construed to require numbers on either appurtenant buildings or other buildings or structures where the Director finds that the numbering is not appropriate. Numbers shall be easily legible, in contrast with the surface upon which they are placed. Figures shall be no less than two inches (2") high;
 9. Maintain the building in compliance with the requirements of Section 104(d) of the Seattle Building Code;
 10. Comply with any emergency order issued by the Department of Construction and Land Use; and
 11. Furnish tenants with keys for the required locks on their respective housing units and building entrance doors.
- B. It shall be the duty of all owners of buildings that contain rented housing units, regardless of any lease provision or other agreement that purports to transfer the owner's responsibilities hereunder to an operator, manager or tenant, to:
1. Maintain in a clean and sanitary condition the shared areas, including yards and courts, of any building containing two (2) or more housing units;
 2. Supply enough garbage cans or other approved containers of sufficient size to contain all garbage disposed of by such tenants;
 3. Maintain heat in all occupied habitable rooms, baths and toilet rooms at an inside temperature, as measured at a point three feet (3') above the floor, of at least sixty-five degrees Fahrenheit (65° F.) between the hours of seven a.m. (7:00 a.m.) and ten-thirty p.m. (10:30 p.m.) and fifty-eight degrees Fahrenheit (58° F.) between the hours of ten-thirty p.m. (10:30 p.m.) and seven a.m. (7:00 a.m.) from September 1st until June 30th, when the owner is contractually obligated to provide heat;
 4. Install smoke detectors on the ceiling or on the wall not less than four inches (4") nor more than twelve inches (12") from the ceiling at a point or points centrally located in a corridor or area in each housing unit and test smoke detectors when each housing unit becomes vacant;
 5. Make all needed repairs or replace smoke detectors with operating detectors before a unit is reoccupied; and
 6. Instruct tenants as to the purpose, operation and maintenance of the detectors.
- C. Just Cause Eviction.

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22.206.170 Duties of tenants.

It shall be the duty of every tenant to:

- A. Maintain in a clean and sanitary condition the part or parts of the building and the premises occupied or controlled by the tenant;
- B. Store and dispose of all garbage and rubbish in a clean, sanitary and safe manner in garbage cans or other approved containers provided by the owner;
- C. Comply with reasonable requests of the owner for the prevention or elimination of infestation, including granting reasonable access for extermination or preventive measures by the owner;
- D. Exercise reasonable care in the use and operation of electrical and plumbing fixtures and maintain all sanitary facilities, fixtures and equipment in a clean and sanitary condition;
- E. Within a reasonable time, repair or pay for the reasonable cost of repair of all damage to the building caused by the negligent or intentional act of the tenant or the invitees or licensees of the tenant;
- F. Grant reasonable access to the owner of the building for the purpose of inspection by the Director, or maintenance or repairs by the owner in the performance of any duty imposed on the owner by this Code;
- G. Refrain from placing or storing in the building or on the premises thereof any article, substance or material imminently dangerous to the health, safety or general welfare of any occupant thereof or of the public, or which may substantially contribute to or cause deterioration of the building; and
- H. Test according to manufacturer's recommendations and keep in good working condition all smoke detectors in the dwelling unit required by law.

22.206.180 Prohibited acts by owners

- A. Except as otherwise required or allowed by this Code or by the Residential Landlord Tenant Act, Chapter 59.18 RCW, it is unlawful for any owner to:
 1. Change or temper with any lock or locks on a door or doors used by the tenant; or
 2. Remove any door, window, fuse box, or other equipment, fixtures, or furniture; or
 3. Request, cause or allow any gas, electricity, water or other utility service supplied by the owner to be discontinued; or
 4. Remove or exclude a tenant from the premises except pursuant to legal process; or
 5. Evict, increase rent, reduce services, increase the obligations of a tenant or otherwise impose, threaten or attempt any punitive measure against a tenant for the reason that the tenant has in good faith reported violations of this Code to the Department of Design, Construction and Land Use or to the Seattle Police Department, or otherwise asserted, exercised or attempted to exercise any legal rights granted tenants by law and arising out of the tenant's occupancy of the building; or
 6. Enter a tenant's housing unit or premises except:
 - a. At reasonable times with the tenant's consent, after giving the tenant:
 - i. At least two (2) days' notice of intent to enter for the purpose of inspecting the premises, making necessary or agreed repairs, alterations or improvements, or supplying necessary or agreed services; or
 - ii. At least one (1) day's notice for the purpose of exhibiting the dwelling unit to prospective or actual purchasers, mortgagees, tenants, workers or contractors; or

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- b. In an emergency; or
 - c. In case of abandonment as defined by state law; or
7. Prohibit a tenant or the tenant's authorized agent or agents, if accompanied by the tenant, from engaging in the following activities when related to building affairs or tenant organizations:
- ...

Chapter 10.09 PUBLIC NUISANCES

Sections:

[10.09.010 Definitions.](#)

[10.09.020 Enforcement.](#)

[10.09.030 Public nuisance defined.](#)

[10.09.040 Public nuisances enumerated.](#)

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[10.09.110 Abatement by the City.](#)

10.09.120 Severability.

10.09.030 Public nuisance defined.

For purposes of this chapter a "public nuisance" is a condition which wrongfully annoys, injures, or endangers the comfort, repose, health or safety of others, or unlawfully interferes with, obstructs or tends to obstruct, or render dangerous for passage, any public park, square, street or highway, or any other public place; or in any way renders other persons insecure in life, or in the use of property, and which affects equally the rights of an entire community or neighborhood, although the extent of damage may be unequal.

10.09.040 Public nuisances enumerated.

A. Public nuisances shall include, but not be limited to the following:

1. Every property or premises not licensed under State law where any intoxicating liquors are kept for unlawful use, sale or distribution; or
2. Every property or premises where there exists an environment which causes, encourages or allows individuals or groups of individuals to commit one (1) or more of the following acts on the property, premises or adjacent public place, including but not limited to:
 - a. Illegally consume intoxicating liquor;
 - b. Publicly urinate or defecate;
 - c. By physical action, intentionally cause or attempt to cause another person reasonably to fear imminent bodily injury or the commission of a criminal act upon their person or upon property in their immediate possession;
 - d. Engage in acts of violence, including fighting amongst themselves;
 - e. Discharge a firearm or explosive in violation of Seattle Municipal Code Section 12A.28.050;
 - f. Create unreasonable noise which disturbs others;

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- g. Intentionally obstruct pedestrian or vehicular traffic; or
- h. Solicit acts of prostitution.

B. If the Chief finds a public nuisance to exist, the Chief shall order it abated in accordance with this chapter.

Chapter 10.34 RODENT CONTROL

Sections:

[10.34.010 Chapter purpose.](#)

[10.34.020 Buildings to be rodentproofed--Inspection.](#)

[10.34.030 Preventive measures to be taken.](#)

[10.34.040 Violation--Penalty.](#)

10.34.010 Chapter purpose.

It is the purpose of this chapter to prevent the spread of infectious and contagious diseases and especially the disease known as "Bubonic Plague" by rats, mice, and other rodents.

10.34.020 Buildings to be rodentproofed--Inspection.

It shall be unlawful for the owner or occupant to fail to reconstruct or repair all storerooms, grain elevators, warehouses, docks, and slaughterhouses, and other buildings, including residences, by the use of screens, nets, cement or other materials approved by the Director of Public Health as to sufficiency, for the purpose of preventing rats, mice, or other rodents from gaining entrance thereto; and it shall also be unlawful for the owner of any food or other products or of any goods, wares, and merchandise in such buildings to fail to adequately protect the same to prevent such rodents from gaining access to or coming in contact therewith. Such buildings shall at all times be kept free from such rodents; and the Director of Public Health, or his representative, may at any reasonable hours inspect such buildings for the purpose of ascertaining the presence of such rodents; and if found to be present, the owner or occupant of the premises shall apply such reasonable measures for their eradication as shall be approved by the Director and shall thereafter continue such reasonable measures likewise approved to keep such buildings free therefrom.

(Ord. 74182 § 2, 1945.)

10.34.030 Preventive measures to be taken.

All premises and places shall be maintained free from rats, mice, and other rodents; and it shall be unlawful for the owner or occupant thereof to fail to take such reasonable preventive and remedial measures for such purpose as shall be prescribed by the Director of Public Health.

(Ord. 74182 § 3, 1945.)

10.34.040 Violation--Penalty.

The violation of or failure to comply with, any of the provisions of this chapter shall be punishable by a fine of not to exceed Three Hundred Dollars (\$300.00), or by imprisonment in the City Jail for not to exceed ninety (90) days, or by both such fine and imprisonment.

10.54.100 Protection of the public--Notification of occupant.

A. The Director shall prohibit any fumigation when, in his/her judgment, such action is necessary to protect the public health and safety.

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- B. No person shall remain in any building, vessel or enclosed space during the period of fumigation thereof; provided, that where the part to be fumigated is locked and warning signs posted as elsewhere herein provided, persons may remain in other parts when deemed by the Director to be safe. At least twenty-four (24) hours prior to fumigation, the certified fumigator shall notify in writing every occupant of the premises to be fumigated and every person within any surrounding area in which human life may be endangered by the fumigation of the time of fumigation. The fumigator shall, immediately prior to fumigation, cause a careful examination to be made of all parts of the place to be fumigated and of the surrounding area in which human life may be endangered by the fumigation to see that no persons remain.
- C. The Director may require the use of five-percent (5%) chloropicrin or any warning gas in conjunction with a fumigant.