



**CITY OF EDGEWOOD
PLANNING COMMISSION MEETING AGENDA**

Monday, January 12, 2026 – 6:00 PM ♦ City Hall – 10440 Dom Calata Way E ♦ Edgewood, WA

Virtual Meeting Via Zoom <https://zoom.us/j/97065969184>

Zoom Meeting ID: 970 6596 9184

- 1. CALL TO ORDER**
- 2. CONSENT AGENDA:** *All matters listed under Item 2, Consent Agenda, are considered routine in nature and will be enacted by one motion. Individual discussion of these items is not planned. A member, however, may remove any item to discuss as an item for separate consideration under New Business.*
 - a.** Review Planning Commission meeting minutes from December 8, 2025
- 3. CITIZEN COMMENT PERIOD** *This portion of the agenda is reserved for the public to comment on items not on the agenda. The Planning Commission may invite additional public comment on agenda items noted for discussion later in the meeting.*
- 4. DISCUSSION ITEMS**
 - a.** 2026 Annual Comprehensive Plan Amendment Process
 - b.** Special Events Code
 - c.** Introduction — Fencing Regulations
- 5. ADJOURN**

This meeting is accessible to persons with disabilities. For individuals who may require special accommodations, please contact City Hall at (253) 952.3299, 24 hours in advance.



CITY OF EDGEWOOD

PLANNING COMMISSION MEETING AGENDA SUMMARY

Monday, December 8, 2025 – 6:00 PM ♦ City Hall –10440 Dom Calata Way E ♦ Edgewood, WA

1 CALL TO ORDER

Chair Overfield called the meeting to order at 6:00pm and led attendees in the Pledge of Allegiance.

Present: Joann Overfield, Carly Guillory, Jan Furey, Lauren Roggenbuck, Carly Lenoir, Leyla Church
Absent: Tom Greene

2 CONSENT AGENDA:

- a. Planning Commission meeting minutes from November 10, 2025

Motion: As read **Action:** Approved **Moved by:** Jan Furey **Seconded by:** Leyla Church **Motion Passed 6-0**

3 CITIZEN COMMENT PERIOD

There were no citizen comments.

4 ACTION ITEMS

- a. EMC 18.80.080 Amendments (Interim Zoning Ordinance 25-0676)

Motion: As read **Action:** Approved **Moved by:** Carly Guillory **Seconded by:** Lauren Roggenbuck **Motion Passed 6-0**

- b. Public Works Standards and Code Updates

Motion: As read **Action:** Approved **Moved by:** Jan Furey **Seconded by:** Carly Guillory **Motion Passed 6-0**

5 DISCUSSION ITEMS

- a. Special Event Code

Staff presented a draft Special Events Code intended to clarify permitting requirements for special events, provide an alternative to the Temporary Use Permit process, and allow for establishment of a separate permit fee. The proposal is based on a WCIA model ordinance and examples from neighboring jurisdictions and would apply to events on private property and in the public right-of-way.

6 STAFF UPDATES/BOARD MEMBER COMMENTS

Public Works Director Metzler reminded the commissioners about the OPMA/PRA training requirement.

7 ADJOURN

Chair Overfield adjourned the meeting at 6:35pm.



**CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM**

Date: January 12, 2026
Title: 2026 Annual Comprehensive Plan Amendment Preliminary Docket
Attachments: N/A
Submitted By: Jeremy Metzler, P.E. – Community Development Director

Background Information:

Annual Comprehensive Plan Amendments are regulated under Edgewood Municipal Code (EMC) Chapter 18.60. The planning commission shall have the authority to hold the public hearing on any proposed comprehensive plan amendment(s), and to provide a recommendation to the city council (EMC 18.60.120(A)). Any interested person, including citizens, hearing examiners, staff of other agencies, planning commission and city council members, may suggest an amendment to the comprehensive plan (EMC 18.60.130(B)). Applications for amendments to the city's comprehensive plan may not be considered more frequently than once every year (EMC 18.60.130(C)), and all applications for comprehensive plan amendments shall be submitted to the planning director by December 31st (EMC 18.60.130(D)).

The planning director is responsible for maintaining a preliminary docket, reviewing the suggested amendments, and preparing a staff report pursuant to EMC 18.60.140. Following a public hearing with the Planning Commission, they shall prepare a report and recommendation to the City Council for consideration (EMC 18.60.160).

Current Discussion:

The Preliminary Docket currently includes the following requests:

Applicant Requests:

1. 25-001-Comp Plan: West Valley Highway East Comprehensive Plan Map Amendment and Rezone
2. 25-002-Comp Plan: Schober Comprehensive Plan Map Amendment and Rezone

Staff Requests:

1. Lot splitting development regulations amendments for consistency with HB 1096
2. Binding site plan development regulations amendments for consistency with SB 5611
3. Childcare centers development regulations amendments for consistency with SB 5509
4. Revision to EMC 18.60 Amendments to the Comprehensive Plan and Development Regulations.

Staff is preparing to schedule a Public Hearing to solicit input on the Preliminary Docket before a potential recommendation is made to the City Council.

Staff Recommendation:

Hold a discussion on the proposed Preliminary Docket and provide any feedback and direction to staff in preparation for the Public Hearing to be held at the Planning Commission's February 9, 2026 meeting.



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: January 12, 2026
Title: Special Events Code
Attachments: Attachment A - DRAFT Ordinance 26-0xxx
Submitted By: Jeremy Metzler, PE – Community Development Director

Background Information:

Edgewood Municipal Code (EMC) currently requires a Temporary Use Permit for special events. EMC 18.50.070(A) states:

The provisions of this section are designed to provide standards and criteria for temporary relief to situations resulting from strict application of this title. Provisions authorizing temporary uses are intended to permit occasional temporary uses, activities and structures when consistent with the purpose of this title and when compatible with the general vicinity and adjacent uses.

EMC 18.50.070(B) proceeds to list various temporary uses and activities that might be considered special events, including but not limited to:

- Circuses, carnivals, rodeos, fairs or similar transient amusement or recreational activities,
- Indoor or outdoor art and craft shows and exhibits,
- Indoor or outdoor special sales, including swap meets, flea markets, parking lot and sidewalk sales, warehouse sales or similar activities, limited to locations on nonresidential lots in commercial or industrial districts, and when operated not more than 10 days in the same month, unless otherwise permitted by the city,
- Seasonal retail sales of agricultural or horticultural products raised or produced on individual farms, and
- Neighborhood or community garage sales, moving sales and similar activities for the sale of personal belongings when operated not more than three days in the same week or more than twice in the same calendar year.

While this section of code provides reasonable guidance for temporary uses in general, staff has found in practice that it lacks clarity relating to special events and only pertains to the regulations contained in Title 18. The attached draft code provides more clarity for special events without confusing or overburdening the temporary use code provisions, developed by using the model ordinance from the City's insurance pool, as well as considering example codes from other nearby jurisdictions.

Furthermore, the application review fee for a Temporary Use Permit is currently \$500, while review fees for special event permits in neighboring jurisdictions are significantly lower, possibly in an effort to

recognize the economic development and community value these events provide. Creating a new section of code specific to special event permitting will allow for a new fee to be established.

Finally, in 2024 the City Council adopted EMC Section 12.10.045, Government sponsored or co-sponsored events in city parks. This was a stop-gap measure to more appropriately administer special events on city-owned park property, but it does not address special events held on private property or in public right-of-way.

Current Discussion:

Staff presents the attached draft ordinance for review and consideration by the PC. Taking the model ordinance provided by WCIA, staff's intent is to formalize a more accessible and comprehensive alternative to the Temporary Use Permit process for special events. Per last month's discussion, staff has updated the draft ordinance to incorporate some suggested provisions from other agency examples and strike conflicting provisions from the temporary use regulations under Title 18. Staff is seeking any further input from the PC before scheduling a public hearing.

Staff Recommendation:

Following tonight's conversation with the PC, staff recommends moving forward with scheduling a public hearing on this item. To allow adequate time for review and consideration of any public comments received, a formal recommendation to City Council may be considered at a subsequent PC meeting.

ORDINANCE NO. 26-0xxx

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EDGEWOOD, PIERCE COUNTY, WASHINGTON, CREATING EDGEWOOD MUNICIPAL CODE CHAPTER 5.12, SPECIAL EVENTS PERMITTING; AMENDING EDGEWOOD MUNICIPAL CODE SECTION 18.50.070, TEMPORARY USE PERMITS; PROVIDING FOR SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, there has been express interest in community events, such as parades, fun runs, and other organized events, within the City of Edgewood; and

WHEREAS, while the City has regulations for temporary use permits, it currently lacks a special events permitting ordinance to ensure the appropriate public services (such as traffic control) are available for such events; and

WHEREAS, the City Council of the City of Edgewood finds it in the interest of the public health and safety to amend the Edgewood Municipal Code to provide for clear, uniform policies and procedures for Special Events permitting;

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

Section 1. New EMC Ch. 5.12, Special Events Permitting, Adopted. The City of Edgewood Municipal Code (EMC) is hereby amended by adoption of a new EMC Chapter 5.12, Special Events Permitting, to read in the form included on Exhibit A, attached hereto and incorporated by reference.

Section 2. EMC Section 18.50.070 Amended. In order to ensure clarity and consistency, EMC Section 18.50.070, Temporary use permits, is hereby amended as detailed in Exhibit B, attached hereto and incorporated by reference.

~~Section 2.~~ **Section 3.** Corrections. Upon the approval of the city attorney and/or the city clerk, the code publisher is authorized to make any necessary technical corrections to this ordinance, including but not limited to the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers, and any reference thereto.

~~Section 3.~~ **Section 4.** 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.~~**Section 5.** Effective Date. A summary of this Ordinance consisting of its title shall be published in the official newspaper of the City and shall take effect and be in full force five (5) days after publication as provided by law.

PASSED BY THE CITY COUNCIL ON THE XTH DAY OF XXXXXXXXXXXXXXX, 2026

Dave Olson, Mayor

ATTEST/AUTHENTICATED:

Jill Schwerzler-Herrera, CMC
City Clerk

APPROVED AS TO FORM:

Maili C. Barber, City Attorney

Date of Publication: **Friday**

Effective Date: **Following Wednesday**

**NEW Chapter 5.12
SPECIAL EVENTS PERMITTING**

5.12.010 Purpose and intent.

The purpose of this chapter is to provide reasonable supervision of any movement of persons or vehicles within the limits of the city by way of runs, parades, street dances, and special events, for the protection of persons and property. The intent of this chapter is to allow community-based organizations to sponsor special events on public thoroughfares and in parks, and to provide guidelines that protect the public's health, safety and welfare.

5.12.020 Definitions.

“Applicant” means any person or organization who seeks a Special Event permit from the City to conduct or sponsor a Special Event governed by this section. An Applicant must be 18 years of age or older.

“City” means the City of Edgewood.

“Event Sponsor” means the Person responsible for the Special Event to be held.

“Person” means any person, firm, partnership, association, corporation, company, or organization of any kind.

“Significant Impact on City Services” means a material increase in the amount, scope, or level of necessary fire, police, traffic control, crowd control, or other public services above those that would normally be required without the Special Event. With respect to police resources, significant impact on City services means resources for crowd management or traffic control required for the Special Event over and above the normal deployment of police in that geographic area of the City at the time of day during which the Special Event will occur.

“Significant Impact on Public Property” means a Special Event would preclude in whole or in substantial part the public's normal and customary use of such public property, including but not limited to, public rights-of-way.

“Special Event(s)” include any activity which is to be conducted on public property (including a public right-of-way); any event held on private property which would have a direct significant impact on traffic congestion, or traffic flow to and from the event over public streets or rights-of-way; or which would cause a Significant Impact on Public Property near the event; or which would require a Significant Impact on City Services, such as police, fire, or medical aid. Any event on private property which involves an open invitation to the public to attend or events where the attendance is by private invitation of 100 or more people are each presumed to be an event that will have a Significant Impact on Public Property or Significant Impact on City Services. Special Events include but are not limited to: fun runs/walks, athletic competitions, auctions, bike-a-thons, public fundraisers, parades, carnivals, festivals, shows or exhibitions, film/movie events, circuses, block parties and fairs.

“Special Events Protected Under the First and/or Fourteenth Amendments” include any event involving political or religious activity intended primarily for the communication or expression of ideas.

“Use” shall mean to construct, erect, or maintain in, on, over or under any street, right-of-way, park or other public place, any building, structure, sign, equipment or scaffolding, to deface any public right-of-way by painting, spraying or writing on the surface thereof, or to otherwise occupy in such a manner as to obstruct the normal public use of any public street, right-of-way, park or other public place within the City, including a use related to Special Events.

5.12.030 Permit required.

A. A Special Event permit is required for any Special Event. A safety plan is required to be submitted with an application for a Special Event permit and the appropriate application fee set forth in the City's fee schedule. Such Special Event permit and safety plan shall be in addition to any street or park use, or any other regular permits as may be required by ordinance.

B. For Special Events Protected Under the First and/or Fourteenth Amendments, the Special Event permit application shall be processed reasonably promptly, without charging a fee, and without imposing conditions that impermissibly infringe upon constitutionally protected rights.

C. Exemptions: A Special Event permit will not be required for the following:

1. Special Events that occur exclusively on City property and are sponsored or conducted in full by the City of Edgewood.
2. Funeral and wedding processions;
3. Groups required by law to be so assembled;
4. Gatherings of 30 or fewer people in a City park, unless merchandise or services are offered for sale or trade;
5. Temporary sales conducted by businesses, such as holiday sales, grand opening sales, or anniversary sales;
6. Garage sales and rummage sales; and
- ~~7. The exhibition of films or motion pictures; and~~
- ~~8.7. Other similar events and activities which do not directly affect or use City services or public property.~~

D. Any person desiring to sponsor a Special Event must apply for a Special Event permit by filing an application with the City at least thirty (30) days, but no more than 365 days, prior to the date on which the event is to occur, unless a shorter timeframe is permitted by this Chapter.

E. Waiver of Application Deadline. Upon a showing of good cause or at the discretion of the City, the City shall consider an application that is filed after the filing deadline if there is sufficient time to process and investigate the application and obtain police and other City services for the Special Event. Good cause can be demonstrated by the Applicant showing that the circumstance that gave rise to the permit application did not reasonably allow the participants to file within the time prescribed, and the event is a Special Event Protected Under the First and/or Fourteenth Amendments.

F. Issuance of a Special Event permit under this chapter does not obligate or require the City to provide services, equipment, or personnel in support of a Special Event.

5.12.040 Grounds for denial of application.

A. The City may deny an application for a Special Event permit if:

1. The Applicant provides false or misleading information;
2. The Applicant fails to complete the application or to supply other required information of documents or the Applicant declares or shows an unwillingness or inability to comply with the reasonable terms or conditions contained in the proposed permit;
3. The proposed Special Event would conflict with another proximate Special Event, interfere with construction or maintenance work in the immediate vicinity, or unreasonably infringe upon the rights of abutting property;
4. The proposed Special Event would unreasonably disrupt the orderly or safe circulation of traffic and would present an unreasonable risk of injury or damage to the public; or
5. There are not sufficient safety personnel or other necessary City staff to accommodate the Special Event.

B. In the event either subsection (3) or (4) above applies, the City shall offer the applicant the opportunity to submit an alternative date, time, or place for the proposed Special Event before denying the application.

5.12.050 Permit conditions.

A. The City may condition the issuance of a Special Event permit by imposing reasonable requirements concerning the time, place, and manner of the event, and such requirements as are necessary to protect the safety and rights of persons and property, and the control of traffic. The City may apply the following conditions to all Special Event permits:

1. Alteration of the time, place, and manner of the Special Event proposed on the application;
2. Conditions concerning the area of assembly and disbanding of an event occurring along a route; and/or
3. Conditions concerning accommodation of pedestrians or vehicular traffic, including restricting the Special Event to only a portion of the street or right-of-way.

B. Further, conditions that may be applied to all Special Events that are not Special Events Protected Under the First and/or Fourteenth Amendments include, but are not limited to:

1. Requirements for the use of traffic cones or barricades;
2. Requirements for the provision of first aid and/or sanitary facilities;
3. Requirements for use of event monitors and providing notice of permit conditions to event participants;
4. Restrictions on the number and type of vehicles, animals, or structures at the event, and inspection and approval of floats, structures, and decorated vehicles for fire safety;
5. Compliance with animal protection ordinances and laws;
6. Requirements for use of garbage containers, cleanup, and restoration of City property;
7. Restrictions on the use of amplified sound and compliance with noise ordinance, regulations, and laws;
8. Notice to [affected](#) residents and/or businesses regarding any activity which would require a street closure [or may otherwise impede reasonable access to their homes and/or businesses no less than 10 days before the event, including the date, time, and general purpose of said event;](#)
9. Restrictions on the sale and/or consumption of alcohol;
10. Elimination of an activity which cannot be mitigated to a point as to ensure public safety and welfare, or which causes undue liability risk to the City;
11. Requirements regarding the use of City personnel and equipment;
12. Requirements for liability insurance and additional insured endorsement naming the City as an additional insured;
13. Requirements for a City of Edgewood business license endorsement pursuant to EMC 5.050.40;
14. Compliance with any other applicable federal, state, or local law or regulation; and/or
15. Payment of Special Event fees.

5.12.060 Appeal procedure.

A. The Applicant shall have the right to appeal the denial of a Special Event permit or a permit condition. The Applicant shall also have the right to appeal the amount of fees or clean-up deposits imposed, or a determination by the City that the submitted insurance does not comply with the requirements specified within this Chapter.

B. An ~~Administrative-written Notice of~~ Appeal shall be filed with the City Clerk within three (3) business days after receipt of a notice of denial or permit conditions from the City. The ~~written Notice of~~ Appeal shall set forth the specific grounds for the appeal and attach any relevant documents for consideration. It shall also be accompanied by the requisite appeal fee, as set by the City's fee schedule. The City Clerk shall forward the ~~Notice of~~ Appeal to the ~~Mayor~~ City Hearing Examiner, who shall hear the appeal on the record provided from the designated City official. The hearing shall be scheduled no later than thirty (30) days after receipt of a timely and proper ~~Notice of~~ Appeal.

5.12.070 Special events protected under the First and/or Fourteenth Amendments.

No fee, indemnification agreement, or insurance requirement shall be imposed when prohibited by the First and/or Fourteenth Amendment to the United States Constitution. Special Events for political or religious activity intended primarily for the communication or expression of ideas shall be presumed to be Special Events Protected Under the First and/or Fourteenth Amendments. Nonexclusive factors that may be considered in evaluating whether or not an event is a Special Event Protected Under the First and/or Fourteenth Amendments: the nature of the event, the extent of commercial activity, such as the sales of food, goods, and services, product advertising or promotion, or other business participation in the event, the use or application of any funds raised, if part of any annual tradition or series, previous events in the sequence, and the public perception of the event.

5.12.080 Indemnification agreement.

Prior to the issuance of a permit for a Special Event that is not a Special Event Protected Under the First and/or Fourteenth Amendments, the Event Sponsor must agree to reimburse the City for any costs incurred by it in repairing damage to City property and indemnify, defend, and hold the City, its officers, employees, volunteers and agents harmless from all causes of action, claims, or liabilities occurring in connection with the permitted event, except those which occur due to the City's sole negligence. Such indemnification agreement must be in a form acceptable to the City Attorney and the City's Risk Manager.

5.12.090 Insurance.

Insurance with limits and scope of coverage as determined appropriate by the City's Risk Manager shall be required for all Special Events for which doing so is not prohibited by the First and/or Fourteenth Amendments. Written proof of such insurance shall be provided prior to permit issuance. The insurance policy shall be written on an occurrence basis, shall name the City as an additional insured using ISO form CG 20 26, or coverage at least as broad, shall be written for a period not less than twenty-four (24) hours prior to the event and extending for a period not less than twenty-four (24) hours following the completion of the event. The Applicant and/or Event Sponsor shall provide the City and all Additional Insureds for the Special Event with written notice of any policy cancellation within two business days of their receipt of such notice.

5.12.100 Fees for city services.

A. Upon approval of an application for a permit for a Special Event that is not a Special Events Protected Under the First and/or Fourteenth Amendments, the ~~Risk Manager~~ City shall provide the Applicant with an estimated cost of providing City personnel and equipment for the Special Event. The Applicant/Event Sponsor shall prepay these estimated costs no later than ten (10) days prior to the Special Event. City services and equipment may include, but are not limited to: the use of police officers and public employees for traffic and crowd control, pickup and delivery of traffic control devices, picnic tables, extraordinary street sweeping, and any other needed, requested, or required City services and the cost of operating the equipment to provide such services.

B. If the actual cost for City services and equipment on the date (s) of the Special Event is less than the estimated cost, the City will refund the difference to the Applicant/Event Sponsor in a timely manner. If the actual cost for City services and equipment on the date(s) of the Special Event is greater than the estimated cost, the Applicant/Event Sponsor will be billed for the difference.

5.12.110 Cleanup deposits.

A. The Applicant/Event Sponsor of a Special Event that is not a Special Event Protected Under the First and/or Fourteenth Amendments, involving the sale of food or beverages for immediate consumption, erection of structures, horses or other large animals, water aid stations, or any other event likely to create a substantial need for cleanup, shall be required to provide a cleanup deposit prior to the issuance of a Special Event permit. The amount of the deposit will be established by condition of the permit.

B. The cleanup deposit will be returned after the Special Event if the area used for the permitted Special Event has been cleaned and restored to the same condition as existed prior to the Special Event.

C. If the property used for the Special Event has not been properly cleaned or restored, the Applicant/Event Sponsor shall be billed for the actual cost by the City for cleanup and restoration. The cleanup deposit shall be applied toward the payment of the bill.

5.12.120 Revocation of permits.

Any permit issued under this chapter may be summarily revoked by the City at any time when, by reason of disaster, public calamity, riot or other emergency or exigent circumstances, the City determines the safety of the public or property requires such immediate revocation. The City may also summarily revoke any permit issued pursuant to this ordinance if the City finds that the permit has been issued based upon false information, when the permittee exceeds the scope of the permit or fails to comply with any condition of the permit, or when the Special Event is being conducted in violation of any law. Notice of such action revoking a permit shall be delivered in writing to the permittee via personal service, electronic mail, or hard copy mail to the address provided in the permit application.

5.12.130 Violation – Penalty.

A. It shall be unlawful for any person to sponsor or conduct a Special Event in violation of this Chapter or the terms and conditions of any permit.

B. Any person or organization violating the provisions of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a penalty of a fine of not more than five hundred dollars or by imprisonment of not more than ninety days, or both such fine and imprisonment. In addition, each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by any person constitutes a separate offense.

5.12.140 Rules and regulations.

The Mayor, or designee, is authorized to promulgate additional rules and regulations that are consistent with and that further the terms and requirements set forth within this chapter and the provisions of law that pertain to the conduct and operation of a Special Event.

Chapter 18.50
DISCRETIONARY PERMITS AND ADMINISTRATIVE DECISIONS – REVIEW CRITERIA

...

18.50.070 Temporary use permits.

A. The provisions of this section are designed to provide standards and criteria for temporary relief to situations resulting from strict application of this title. Provisions authorizing temporary uses are intended to permit occasional temporary uses, activities and structures when consistent with the purpose of this title and when compatible with the general vicinity and adjacent uses. [Special events are further defined and regulated under EMC Chapter 5.12.](#)

B. The following types of temporary uses, activities and associated structures [that are not otherwise classified as Special Events](#) may be authorized, subject to specific limitations in this section and such additional conditions as may be established by the community development director or designee:

1. Model homes or apartments and related real estate sales and display activities located within the subdivision or residential development to which they pertain.
2. Contractor's office, storage yard and equipment parking and servicing on the site of an active construction project.
- ~~3. Circuses, carnivals, rodeos, fairs or similar transient amusement or recreational activities.~~
- ~~4. Indoor or outdoor art and craft shows and exhibits.~~
- ~~5.3.~~ Christmas tree sales lots limited to location on nonresidential lots in Commercial, Business Park or Industrial zoning districts.
- ~~6.4.~~ Mobile home residences used for occupancy by supervisory and security personnel on the site of an active construction project.
- ~~7. Indoor or outdoor special sales, including swap meets, flea markets, parking lot and sidewalk sales, warehouse sales or similar activities, limited to locations on nonresidential lots in commercial or industrial districts, and when operated not more than 10 days in the same month, unless otherwise permitted by the city.~~
- ~~8.5.~~ Temporary use of mobile trailer units or similar portable structures for nonresidential purposes, located in districts where the intended use is permitted.
- ~~9.6.~~ Seasonal retail sales of agricultural or horticultural products raised or produced on individual farms.
- ~~10. Neighborhood or community garage sales, moving sales and similar activities for the sale of personal belongings when operated not more than three days in the same week or more than twice in the same calendar year.~~
- ~~11.7.~~ The community development director or designee may authorize additional temporary uses not listed in this subsection when it is found that the proposed uses are in compliance with the requirements and findings of this section.
- ~~12.8.~~ Temporary Housing Unit. A temporary housing unit may be placed on a lot or tract of land in any zone for occupancy during the period of time necessary to construct a permanent use or structure on the same lot or tract or abutting property leased or owned by the applicant. Existing dwelling units may be converted to a temporary housing unit. A temporary housing unit is subject to the following:

Exhibit B – EMC Section 18.50.070 Amendments
Ordinance 26-0xxx, Special Events Permitting
January 12, 2026

- a. The unit shall be removed from the site within 60 days after final inspection of the project, or within one year from the date the unit is first moved to the site, whichever may occur sooner. The unit is not located in any required yard.
- b. A temporary permit shall be issued by the building division prior to occupancy of the unit on the construction site.

~~13-9.~~ 9. Temporary Housing Units – Relatives. Temporary housing units are permitted in all zones as follows:

- a. A temporary housing permit for a temporary housing unit may be issued by the building division if the applicant can satisfy the criteria set forth in subsection (B)(~~913~~)(9)(b) of this section and attests by affidavit that:
 - i. The information furnished with the application is true and correct.
 - ii. The standards and conditions set forth in the permit will remain satisfied as long as the temporary housing unit remains on the site.
- b. The following are the minimum standards applicable to temporary housing units:
 - i. The temporary housing unit shall be occupied by not more than two individuals who are close relatives of the occupants of the principal dwelling.
 - ii. An occupant of the temporary housing unit because of age, disability, prolonged infirmity, or other similar incapacitation is unable to independently maintain a separate type of residence without human assistance.
 - iii. The temporary housing unit must bear the Housing and Urban Development (HUD) 3280 seal.
 - iv. In the event the health department requires the installation of separate water supply and/or sewerage disposal systems, said requirements shall not at a later time constitute grounds for the continuance or permanent location of a temporary housing unit beyond the length of time authorized in the permit or renewal of said permit.
 - v. Prior to the issuance of a temporary housing permit, the city shall review the application and may require the installation of such fire protection/detection equipment as may be deemed necessary as a condition to the issuance of the temporary housing permit.
 - vi. The temporary housing unit shall be removed from the lot or tract of land not more than 60 days from the date the temporary permit expires or occupancy ceases.
- c. Renewals. Temporary housing permits shall be valid for the period of time the parent or close relative resides in the temporary housing unit; provided, that after obtaining initial approval, annual renewals of the temporary housing permit must be obtained from the building code official or designee. When obtaining a renewal, the building code official or designee shall confirm by affidavit from the applicant that the requirements specified herein are satisfied. Application for renewals must be made 60 days before the expiration of the current permit. Renewals of said permits shall be automatically granted if the applicant is in compliance with the provisions herein and no notice of such renewal is required.

~~14-10.~~ 10. Hosting the homeless by a religious organization is permitted for a total of six (6) months during a year, with a three (3) month separation required between continuous hosting terms of a maximum of four (4) months at any one (1) time in compliance with RCW 35.21.915 and RCW 36.01.290.

C. Application and Authorization.

1. A temporary use permit is a Process I application type and subject to all the procedural requirements applicable to this application type.
2. Complete applications for temporary use permits shall be filed with the community development department. Application shall be made at least 15 days prior to the requested date for commencement of the temporary use.
3. A temporary use authorized pursuant to this section shall be subject to all of the applicable standards of subsection (D) of this section, and shall not be exempted or relieved from compliance with any other ordinance, law, permit or license applicable to such use, except where specifically noted.

D. Standards for Temporary Use.

1. Each site occupied by a temporary use shall be left free of debris, litter or other evidence of temporary use upon completion or removal of the use.
2. A temporary use conducted in a parking facility shall not occupy or remove from availability more than 20 percent of the spaces required for the permanent use.
3. Each site occupied by a temporary use must provide or have available sufficient off-street parking and vehicular maneuvering area for customers. Such parking need not comply with the development requirements of EMC 18.90.130, Parking, but must provide safe and efficient interior circulation and ingress and egress from the public right-of-way.
4. No temporary use shall occupy or use public rights-of-way, parks or other public lands in any manner unless specifically approved by the city council.
5. No temporary use shall occupy a site or operate within the city for more than 90 days within any calendar year, except as follows:
 - a. When authorized by the community development director or designee, a temporary use may operate an additional 90 days if it is found that such an extension will be consistent with the requirements of Chapter 18.80 EMC, Land Use Zones, and this subsection (D).
 - b. A temporary use may be given an additional extension if unique circumstances exist that necessitate a longer use such as construction office or security housing for an active construction site and such an extension will be consistent with the requirements of Chapter 18.80 EMC, Land Use Zones, and this subsection (D), or can be consistent, subject to conditions of approval.
6. All signs shall comply with the requirements of Chapter 18.97 EMC, Sign Code, except as otherwise specified in this section.
7. All temporary uses shall obtain all required city permits, licenses or other approvals, prior to occupancy of the site.
8. The community development director or designee may establish such additional conditions as may be deemed necessary to ensure land use compatibility and to minimize potential impacts on nearby uses. These include, but are not limited to, time and frequency of operation, setbacks, special yards, and spaces; control of points of vehicular ingress and egress, temporary arrangements for parking, loading and traffic circulation, requirements for screening or enclosure, site maintenance during use, and guarantees for site restoration and cleanup following temporary use.

Exhibit B – EMC Section 18.50.070 Amendments
Ordinance 26-0xxx, Special Events Permitting
January 12, 2026

E. A temporary use permit shall only be granted when the community development director or designee, after consultation and coordination with all other applicable city departments and other agencies, has determined that:

1. The temporary use will be compatible with uses in the general vicinity and on adjacent properties.
2. The temporary use will not create a material adverse effect on the livability or appropriate development of abutting properties and the surrounding community.
3. The temporary use will not impair the normal, safe and effective operation of a permanent use on the same site.
4. The temporary use will comply with the requirements of the zone within which it is proposed.
5. The temporary use shall comply with all applicable standards of the Pierce County health department.
6. In applying temporary use criteria and determination of appropriate conditions, consideration shall be given, but not limited to:
 - a. The harmony and scale, bulk, coverage, and density;
 - b. The availability of public facilities and utilities;
 - c. The harmful effect, if any, upon a desirable neighborhood character;
 - d. The generation of traffic and the capacity of surrounding streets and roads;
 - e. The creation of noise, vibration, odors, or other similar nuisances; and
 - f. Any other relevant impact on the peace, quiet, comfort, and enjoyment by and of the abutting properties and the surrounding community.



CITY OF EDGEWOOD
STAFF REPORT
PLANNING COMMISSION AGENDA ITEM

Date: January 12, 2026

Title: Fencing Regulations

Attachments: Attachment A. Amarok Electric Guarddog Brochure
Attachment B. EMC 18.90.060 Fences, bulkheads, and retaining walls
Attachment C. HB 1688

Submitted By: Josh Kubitza, AICP – Planning Manager

Background Information:

The City Council was contacted by a local business owner in late 2023 seeking a solution to ongoing theft and security issues being experienced on their property along West Valley Highway. The Edgewood Police Department met with the business owner in December 2023, where suggestions were made for how vehicles and equipment are stored on the site. While some improvement was experienced due to these changes, theft and security concerns remain. The business owner is interested in a perimeter security solution, such as the Electric Guarddog by Amarok (Attachment A) or similar device.

Edgewood Municipal Code (EMC) 18.90.060 (Attachment B) contains regulations regarding fences and “artificially constructed barriers”. While the proposed perimeter security solution is clearly an “artificially constructed barrier”, the term “fence” is not explicitly defined, so it is not clear if the requested security device meets the definition of a fence as currently described in the code, and therefore unclear if the device would qualify as an “electric fence”. EMC 18.20.220 does define a “*security barrier*” as “*a wall, fence, or berm that has the purpose of securing a wireless telecommunications facility’s wireless service facility from unauthorized entry or trespass,*” which is a very narrowly defined scope.

On September 9, 2024, staff introduced this topic to the Planning Commission. However, further discussion on this item was delayed due to the 2024 Comprehensive Plan Periodic Update and associated required development regulation updates. You can view the previous Planning Commission introduction [here](#).

Since staff’s introduction in 2024, the state has completed an [Electric Security Alarm System Report](#) to the Legislature that led to the state legislature passing Engrossed Substitute House Bill 1688 in 2025 (Attachment C). HB 1688 establishes statewide standards for installing and operating electric security alarm systems where local governments have not adopted alternative regulations. This bill includes new

definitions, requires two public hearings for any development regulation update that includes electric security systems, and some basic regulations.

Lastly, staff would like to provide additional amendments to EMC 18.90.060 to address outdated language and fence height restrictions within building setback areas.

Current Discussion:

Staff will compare the city's existing fencing code to that of City's of Tacoma, Sumner, and Auburn fencing codes and HB 1688 and provide code revisions for discussion in later planning commission meetings.

Planning Commission Discussion: Does the Planning Commission have any specific regulations or guidance that staff should consider as it relates to the electric security alarm system or fencing regulations?

Staff Recommendation:

The Planning Commission is invited to review the attached materials and provide feedback.

ABOUT US

We are a perimeter security solution for businesses located on commercial, manufacturing, and industrial sites whose needs include the **protection of outdoor assets.**

7,000+
INSTALLATIONS
IN THE USA

3,000+
JURISDICTIONS
IN THE USA

TYPICAL CUSTOMERS

- Trucking & Logistics
- Distribution
- Metal Recycling
- Landscaping
- Collision & Automotive Repair
- Auto Auctions & Dismantlers
- Equipment Rental
- Truck Sales & Service



THERE ARE **4 STRATEGIC SEGMENTS** IN OUR RESPONSE TO COMMON CRITICAL TACTICS

DETER

Deterrence begins at the perimeter with **physical infrastructure and multilingual warning signs**, discouraging a criminal from attempting a breach at all.



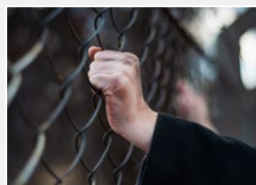
Deterrence is a psychological battle, and when EGD wins, **crime is stopped before it happens.**

DEFEND

Stop unauthorized entry!

Physical Deterrent

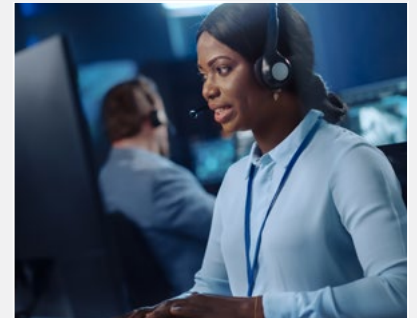
Built **ONLY** inside the existing non electrified perimeter barrier



If someone touches our system, they are trespassing

DETECT

Audible & monitored alarm system which activates when trespass is detected. System includes remote access to arm/ disarm.



DEPLOY

If an activated alarm is **confirmed to be a trespasser**, responders are then contacted and deployed to examine.



MEDICALLY SAFE

Pulses: every 1.3 seconds

Duration: less than 0.0003 seconds



“The pulses emitted from AMAROK’s electric security alarm systems, while unpleasant, are not dangerous.”

— Mark Kröll, Ph.D.

Served on committees for ANSI standards, IEC standards, and ASTM standards

Adjunct Professor of Biomedical Engineering at the University of Minnesota and Cal Poly at San Luis Obispo (Emeritus)

INTERNATIONALLY APPROVED

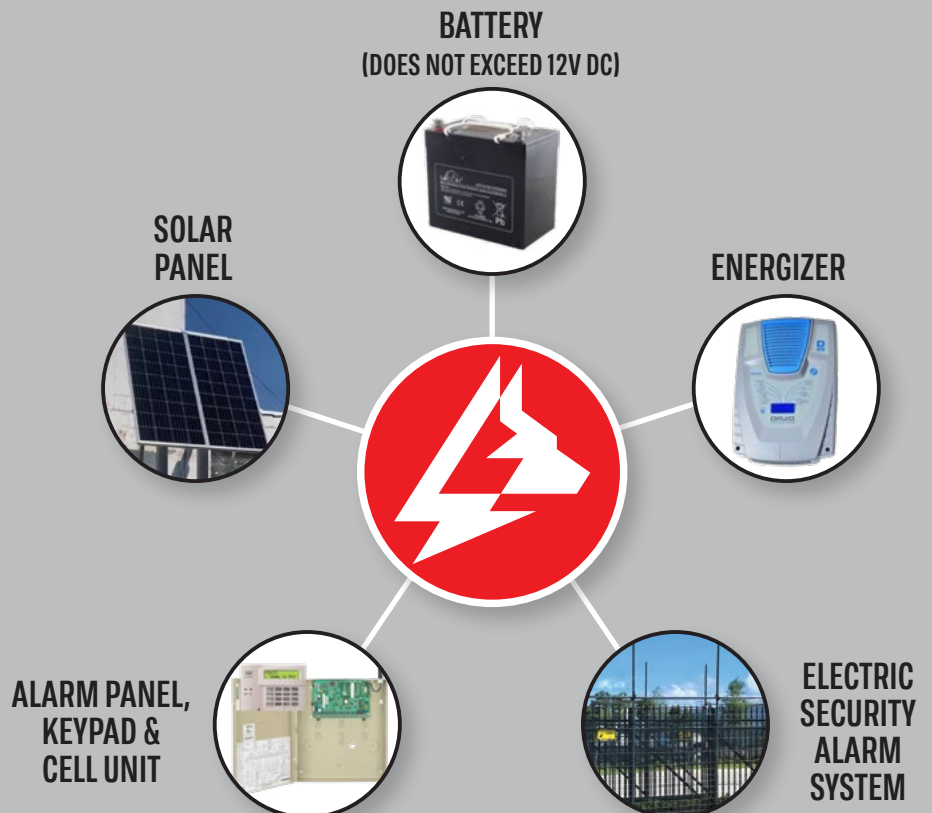
We meet standards set by the International Electrotechnical Commission (IEC 60335-2-76), ASTM (F3296-19), and CAN/CSA C22.2 No. 60335-1:16.



THE ELECTRIC GUARDDOG™ POWERED BY AMAROK

HOW IT WORKS: CORE COMPONENTS

AMAROK OWNS AND MAINTAINS THE ELECTRIC SECURITY ALARM SYSTEM



GREEN SECURITY

The system is powered by a 12-volt battery that is recharged by a solar panel, which is effective as well as **environmentally friendly; carbon neutral.**



GREAT ADDITION TO GREEN STRATEGY

NOT AFFECTED BY POWER FAILURES

NOT CONNECTED TO MAIN POWER

OSHA[®] Occupational Safety and Health Administration

We are certified compliant by a USA Nationally Recognized Testing Laboratory

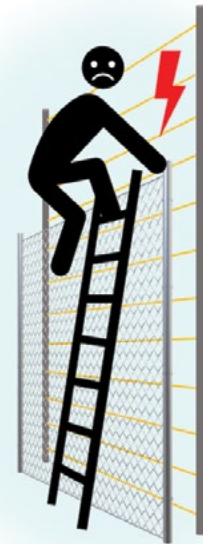
“Nationally Recognized Testing Laboratories (NRTL) are third-party organizations recognized by OSHA (Occupational Safety and Health Administration) as having the capability to provide product safety testing and certification services ...”

NRTL certified means, “... the product met the requirements of an appropriate consensus-based product safety standard either by successfully testing the product itself, or by verifying that a contract laboratory has done so ...”

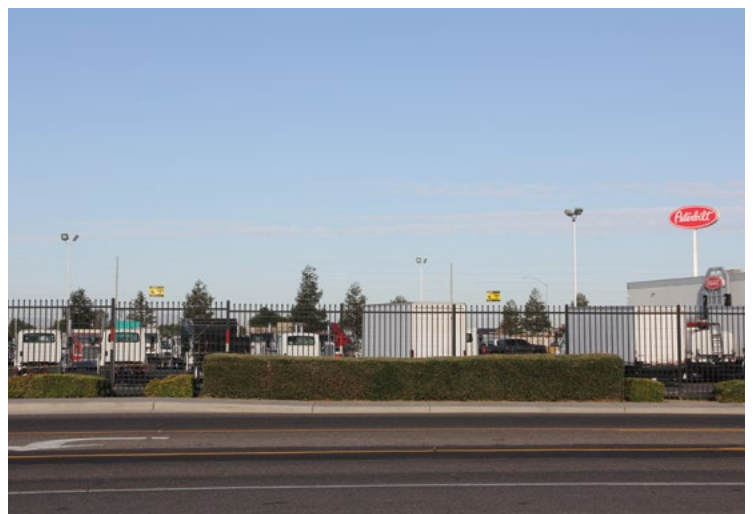
FAQ: WHY MUST OUR SYSTEM BE TALLER?



SAME HEIGHT AS EXISTING FENCE



TALLER THAN EXISTING FENCE



18.90.060 Fences, bulkheads, and retaining walls.

A. Artificially constructed barriers to enclose, screen, or separate areas may be erected within required setbacks as follows, provided fences or other barriers:

1. Do not obstruct the sight distance of a driveway, private street, or public street;
2. Within the interior and rear setbacks do not exceed a maximum height of six feet;
3. Within the front yard setbacks do not exceed a maximum height of four feet:
 - a. Except the back half of a front yard setback on a corner lot, the rear lot line and the rear of the structure may be enclosed with a maximum six-foot-high fence, and
 - b. Except that within the required front yard setback of a lot fronting on a principal arterial street, the maximum height shall be six feet;
4. Razor wire, embedded glass, or other similar materials construction not to include electric fences or barbed wire, or anti-entry techniques, which may cause injury, shall not be permitted.

B. Bulkheads and Retaining Walls. Any structure constructed and erected between lands of different elevations which is used to resist the lateral displacement of any material, control erosion, or protect structures may be placed within required setbacks to a maximum height of four feet on front property lines and eight feet on side and rear property lines, provided all applicable site distance requirements and building permit requirements are met.

C. Access control shall be applied, at the discretion of the community development director or designee, to all street frontages to minimize traffic conflicts and, where appropriate, to preserve on-street parking and promote nonmotorized modes. (Ord. 15-448 § 2 (Exh. A); Ord. 03-203 § 1).

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1688

Chapter 67, Laws of 2025

69th Legislature
2025 Regular Session

ELECTRIC SECURITY ALARM SYSTEMS

EFFECTIVE DATE: July 27, 2025

Passed by the House March 6, 2025
Yeas 97 Nays 0

LAURIE JINKINS

**Speaker of the House of
Representatives**

Passed by the Senate April 4, 2025
Yeas 45 Nays 3

DENNY HECK

President of the Senate

Approved April 16, 2025 10:52 AM

BOB FERGUSON

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1688** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 16, 2025

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE HOUSE BILL 1688

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By House Local Government (originally sponsored by Representatives Parshley, Duerr, Reed, Ormsby, Hill, and Timmons)

READ FIRST TIME 02/18/25.

1 AN ACT Relating to electric security alarm systems; adding a new
2 section to chapter 35.21 RCW; adding a new section to chapter 35A.21
3 RCW; adding a new section to chapter 36.01 RCW; and creating a new
4 section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature finds that recent changes
7 in alarm system technology can be beneficial for protecting property
8 owners from ongoing theft, and may help to minimize the demand on
9 local government policing and judicial resources. The legislature
10 further finds that state and local codes may not currently regulate
11 electric security alarm systems, and that, in such cases, the
12 application of a statewide standard for installation of such systems
13 would be beneficial to industrial and commercial property owners
14 statewide. It is, therefore, the intent of the legislature to
15 establish a statewide standard for the installation and operation of
16 electric security alarm systems in circumstances in which local
17 governments have not provided alternative regulations.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 35.21
19 RCW to read as follows:

1 (1) Cities and towns that have not adopted an ordinance, land use
2 regulation, or local code related to the regulation of electric
3 security alarm systems shall allow electric security alarm systems
4 consistent with the following:

5 (a) Electric security alarm systems may not be considered a fence
6 and may not be regulated by fence codes which do not reference and
7 regulate electric security alarm systems.

8 (b) Electric security alarm systems must be allowed on any
9 allowed or legally nonconforming outdoor storage property. This
10 subsection (1)(b) does not apply to properties zoned for mixed use
11 that are not an outdoor storage property as defined in this section.

12 (c) The installation of electric security alarm systems must meet
13 the following requirements:

14 (i) The electric security alarm is powered by an energizer that
15 is driven by a battery of no more than 12 volts of direct current and
16 that does not produce an electric charge on contact that exceeds
17 energizer characteristics set forth in IEC 60335-2-76, as of January
18 1, 2025;

19 (ii) The electric security alarm is marked with conspicuous
20 warning signs that are located on the system at not more than 30-foot
21 intervals that read "Warning: Electric Fence.";

22 (iii) The electric security alarm is 10 feet in height, or two
23 feet higher than the perimeter barrier, fence, or wall, whichever is
24 greater; and

25 (iv) The electric security alarm includes a device that enables
26 first responders to deactivate the electric security alarm system in
27 response to an emergency, if utilized by a city and town.

28 (d) A minimum five foot tall perimeter barrier, fence, or wall,
29 is located around the exterior of the electric security alarm system.
30 If the perimeter barrier is an existing fence or wall, the fence or
31 wall must have been installed in compliance with the fence code at
32 the time of installation. The city may require a permit for the
33 installation of a new perimeter fence or wall and may require the new
34 perimeter fence or wall be consistent with the local fence code. The
35 city may not require any additional conditions or improvements
36 appurtenant to the installation of an electric security alarm system.

37 (e) The city or town may require an alarm system operator license
38 or permit in the same manner as is required for any other security
39 alarm.

1 (f) Nothing in this section limits the ability of a city to
2 otherwise regulate outdoor storage properties.

3 (2)(a) A city or town that has, whether before or after the
4 effective date of this section, adopted an ordinance, land use
5 regulation, or local code that regulates or prohibits electric
6 security alarm systems is not subject to subsection (1) of this
7 section.

8 (b) If a city or town adopts an ordinance, land use regulation,
9 or local code that regulates or prohibits electric security alarm
10 systems after the effective date of this section, the city or town
11 shall include "electric security alarm" in the title of the ordinance
12 and shall hold two public hearings on the regulation prior to final
13 adoption.

14 (c) Any system installed prior to the effective date of an
15 ordinance adopted in (a) of this subsection may continue to operate
16 if it complies with the requirements in subsection (1) of this
17 section.

18 (3) For the purposes of this section:

19 (a) "Electric security alarm system" means an outdoor alarm
20 system that connects a wire structure to an alarm system and
21 transmits a signal intended to detect and alert the property owner of
22 an intrusion by utilizing an electric charge.

23 (b) "Outdoor storage property" means a manufacturing, commercial,
24 or industrial property that does not abut an existing K-12 school, in
25 which all or part of the lot is used for keeping vehicles, vessels,
26 aircraft, equipment, raw materials, freight, or utility
27 infrastructure in an outdoor yard or unenclosed building, provided
28 that the lot does not include any existing residential or hospitality
29 uses. "Outdoor storage property" does not include property with
30 outdoor displays of items or objects for immediate sale when such
31 displays are incidental or accessory to activity conducted in an
32 enclosed structure and that such displays do not exceed 10 percent of
33 the net lot area.

34 (4) Nothing in this section shall apply to a burglar alarm system
35 as defined in RCW 18.170.010(4) or a fire alarm as defined in RCW
36 48.19.540(3)(c).

37 NEW SECTION. **Sec. 3.** A new section is added to chapter 35A.21
38 RCW to read as follows:

1 (1) Code cities that have not adopted an ordinance, land use
2 regulation, or local code related to the regulation of electric
3 security alarm systems shall allow electric security alarm systems
4 consistent with the following:

5 (a) Electric security alarm systems may not be considered a fence
6 and may not be regulated by fence codes which do not reference and
7 regulate electric security alarm systems.

8 (b) Electric security alarm systems must be allowed on any
9 allowed or legally nonconforming outdoor storage property. This
10 subsection (1)(b) does not apply to properties zoned for mixed use
11 that are not an outdoor storage property as defined in this section.

12 (c) The installation of electric security alarm systems must meet
13 the following requirements:

14 (i) The electric security alarm is powered by an energizer that
15 is driven by a battery of no more than 12 volts of direct current and
16 that does not produce an electric charge on contact that exceeds
17 energizer characteristics set forth in IEC 60335-2-76, as of January
18 1, 2025;

19 (ii) The electric security alarm is marked with conspicuous
20 warning signs that are located on the system at not more than 30-foot
21 intervals that read "Warning: Electric Fence.";

22 (iii) The electric security alarm is 10 feet in height, or two
23 feet higher than the perimeter barrier, fence, or wall, whichever is
24 greater; and

25 (iv) The electric security alarm includes a device that enables
26 first responders to deactivate the electric security alarm system in
27 response to an emergency, if utilized by a code city.

28 (d) A minimum five foot tall perimeter barrier, fence, or wall,
29 is located around the exterior of the electric security alarm system.
30 If the perimeter barrier is an existing fence or wall, the fence or
31 wall must have been installed in compliance with the fence code at
32 the time of installation. The code city may require a permit for the
33 installation of a new perimeter fence or wall and may require the new
34 perimeter fence or wall be consistent with the local fence code. The
35 code city may not require any additional conditions or improvements
36 appurtenant to the installation of an electric security alarm system.

37 (e) The code city may require an alarm system operator license or
38 permit in the same manner as is required for any other security
39 alarm.

1 (f) Nothing in this section limits the ability of a code city to
2 otherwise regulate outdoor storage properties.

3 (2)(a) A code city that has, whether before or after the
4 effective date of this section, adopted an ordinance, land use
5 regulation, or local code that regulates or prohibits electric
6 security alarm systems is not subject to subsection (1) of this
7 section.

8 (b) If a code city adopts an ordinance, land use regulation, or
9 local code that regulates or prohibits electric security alarm
10 systems after the effective date of this section, the code city shall
11 include "electric security alarm" in the title of the ordinance and
12 shall hold two public hearings on the regulation prior to final
13 adoption.

14 (c) Any system installed prior to the effective date of an
15 ordinance adopted in (a) of this subsection may continue to operate
16 if it complies with the requirements in subsection (1) of this
17 section.

18 (3) For the purposes of this section:

19 (a) "Electric security alarm system" means an outdoor alarm
20 system that connects a wire structure to an alarm system and
21 transmits a signal intended to detect and alert the property owner of
22 an intrusion by utilizing an electric charge.

23 (b) "Outdoor storage property" means a manufacturing, commercial,
24 or industrial property that does not abut an existing K-12 school, in
25 which all or part of the lot is used for keeping vehicles, vessels,
26 aircraft, equipment, raw materials, freight, or utility
27 infrastructure in an outdoor yard or unenclosed building, provided
28 that the lot does not include any existing residential or hospitality
29 uses. "Outdoor storage property" does not include property with
30 outdoor displays of items or objects for immediate sale when such
31 displays are incidental or accessory to activity conducted in an
32 enclosed structure and that such displays do not exceed 10 percent of
33 the net lot area.

34 (4) Nothing in this section shall apply to a burglar alarm system
35 as defined in RCW 18.170.010(4) or a fire alarm as defined in RCW
36 48.19.540(3)(c).

37 NEW SECTION. **Sec. 4.** A new section is added to chapter 36.01
38 RCW to read as follows:

1 (1) Counties that have not adopted an ordinance, land use
2 regulation, or local code related to the regulation of electric
3 security alarm systems shall allow electric security alarm systems
4 consistent with the following:

5 (a) Electric security alarm systems may not be considered a fence
6 and may not be regulated by fence codes which do not reference and
7 regulate electric security alarm systems.

8 (b) Electric security alarm systems must be allowed on any
9 allowed or legally nonconforming outdoor storage property. This
10 subsection (1)(b) does not apply to properties zoned for mixed use
11 that are not an outdoor storage property as defined in this section.

12 (c) The installation of electric security alarm systems must meet
13 the following requirements:

14 (i) The electric security alarm is powered by an energizer that
15 is driven by a battery of no more than 12 volts of direct current and
16 that does not produce an electric charge on contact that exceeds
17 energizer characteristics set forth in IEC 60335-2-76, as of January
18 1, 2025;

19 (ii) The electric security alarm is marked with conspicuous
20 warning signs that are located on the system at not more than 30-foot
21 intervals that read "Warning: Electric Fence.";

22 (iii) The electric security alarm is 10 feet in height, or two
23 feet higher than the perimeter barrier, fence, or wall, whichever is
24 greater; and

25 (iv) The electric security alarm includes a device that enables
26 first responders to deactivate the electric security alarm system in
27 response to an emergency, if utilized by a county.

28 (d) A minimum five foot tall perimeter barrier, fence, or wall,
29 is located around the exterior of the electric security alarm system.
30 If the perimeter barrier is an existing fence or wall, the fence or
31 wall must have been installed in compliance with the fence code at
32 the time of installation. The county may require a permit for the
33 installation of a new perimeter fence or wall and may require a new
34 perimeter fence or wall be consistent with the local fence code. The
35 county may not require any additional conditions or improvements
36 appurtenant to the installation of an electric security alarm system.

37 (e) The county may require an alarm system operator license or
38 permit in the same manner as is required for any other security
39 alarm.

1 (f) Nothing in this section limits the ability of a county to
2 otherwise regulate outdoor storage properties.

3 (2)(a) A county that has, whether before or after the effective
4 date of this section, adopted an ordinance, land use regulation, or
5 local code that regulates or prohibits electric security alarm
6 systems is not subject to subsection (1) of this section.

7 (b) If a county adopts an ordinance, land use regulation, or
8 local code that regulates or prohibits electric security alarm
9 systems after the effective date of this section, the county shall
10 include "electric security alarm" in the title of the ordinance and
11 shall hold two public hearings on the regulation prior to final
12 adoption.

13 (c) Any system installed prior to the effective date of an
14 ordinance adopted in (a) of this subsection may continue to operate
15 if it complies with the requirements in subsection (1) of this
16 section.

17 (3) For the purposes of this section:

18 (a) "Electric security alarm system" means an outdoor alarm
19 system that connects a wire structure to an alarm system and
20 transmits a signal intended to detect and alert the property owner of
21 an intrusion by utilizing an electric charge.

22 (b) "Outdoor storage property" means a manufacturing, commercial,
23 or industrial property that does not abut an existing K-12 school, in
24 which all or part of the lot is used for keeping vehicles, vessels,
25 aircraft, equipment, raw materials, freight, or utility
26 infrastructure in an outdoor yard or unenclosed building, provided
27 that the lot does not include any existing residential or hospitality
28 uses. "Outdoor storage property" does not include property with
29 outdoor displays of items or objects for immediate sale when such
30 displays are incidental or accessory to activity conducted in an
31 enclosed structure and that such displays do not exceed 10 percent of
32 the net lot area.

33 (4) Nothing in this section shall apply to a burglar alarm system
34 as defined in RCW 18.170.010(4) or a fire alarm as defined in RCW
35 48.19.540(3)(c).

Passed by the House March 6, 2025.
Passed by the Senate April 4, 2025.
Approved by the Governor April 16, 2025.
Filed in Office of Secretary of State April 16, 2025.

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