



## ORDINANCE NO. 28908

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AN ORDINANCE relating to public safety; amending Chapter 8.30A of the Tacoma Municipal Code relating to Chronic Public Nuisance by amending Section 8.30A.020, entitled “Definitions,” to add multiple state law crimes and to include violations of the City’s Rental Housing Code to the definition of a “Nuisance activity,” and by amending Section 8.30A.040, entitled “Correction agreement,” to add an execution deadline.

WHEREAS the City currently defines “nuisance activity” in the context of the Chronic Public Nuisance code at Tacoma Municipal Code (“TMC”) Section 8.30A.020 to include various violations of state and City law, and

WHEREAS a property can be deemed a chronic nuisance property when it amasses a specified number of nuisance activities within a defined timeframe, and

WHEREAS the current list of qualifying nuisance activities does not adequately capture or include certain criminal conduct that otherwise affects and impacts the surrounding community, and

WHEREAS the current list of qualifying nuisance activities also does not include violations of the City’s Rental Housing Code at TMC Chapter 1.95, and

WHEREAS while Chapter 8.30A of the TMC requires a correction agreement to be entered when a property is deemed a chronic nuisance property, the code does not currently require a specified execution deadline for such agreement, and

WHEREAS specifically requiring a deadline for when a required correction agreement must be entered will strengthen the administrative efficiency and application of this code provision, and



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WHEREAS amending the Chronic Public Nuisance code to expand the list of qualifying nuisance activities will help facilitate application of this code to properties that may currently fall outside the purview of the code's reach, and

WHEREAS the City Council intends that City staff continue, to the extent possible, to work in concert with chronic nuisance property owners and managers to provide any education, resources, community contacts, and assistance that is available, feasible, and relevant, to the extent possible, to attempt to assist the chronic nuisance property owners and managers in ameliorating the conditions that did or could give rise to declaring a property a chronic nuisance property; Now, Therefore,

**BE IT ORDAINED BY THE CITY OF TACOMA:**

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

Section 2. That Chapter 8.30A of the Tacoma Municipal Code is hereby amended, as set forth in the attached Exhibit "A."



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

Passed \_\_\_\_\_

\_\_\_\_\_  
Mayor

Attest:

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

Approved as to form:

\_\_\_\_\_  
Deputy City Attorney



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**EXHIBIT "A"**

**CHAPTER 8.30A  
CHRONIC PUBLIC NUISANCE**

Sections:

- 8.30A.010 Scope and purpose.
- 8.30A.020 Definitions.
- 8.30A.030 Declaration of chronic nuisance property and procedures.
- 8.30A.040 Correction agreement.
- 8.30A.050 Enforcement.
- 8.30A.060 Additional remedies.
- 8.30A.070 Appeals to the Hearing Examiner.
- 8.30A.080 Successive owners liable.
- 8.30A.090 Joint and several liability.
- 8.30A.100 Severability.

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**8.30A.020 Definitions.**

\* \* \*

F. "Nuisance activity" includes a violation for any of the following:

\* \* \*

33. Weapons, TMC 8.66;

34. Possession of stolen vehicle, RCW 9A.56.068;

35. Possessing stolen property, RCW 9A.56.140 – RCW 9A.56.170;

36. Possessing a stolen firearm, RCW 9A.56.310;

37. Trafficking in stolen property in the first degree, RCW 9A.82.050;

38. Trafficking in stolen property in the second degree, RCW 9A.82.055;

39. Rental Housing Code, TMC 1.95;

40~~34~~. Any similar violation of the RCW or the United States Code;

41~~35~~. Any attempt to commit and/or conspiracy to commit any of the above activities, behaviors, or conduct shall also be considered a nuisance activity.

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**8.30A.040 Correction agreement.**

A. When an owner of a chronic nuisance property or person in control thereof, if different, responds to a notice of violation as required by this chapter and agrees to abate the chronic nuisance activity, a correction agreement shall be entered into wherein the owner or person in control, if different, agrees to promptly take all reasonable actions, as set forth in the correction agreement, to abate the nuisance activities within specific time frames and according to specified conditions. The agreement shall be signed by the owner and the person in control, if different, [within 30 days of the required initial meeting under TMC 8.30A.030\(B\)\(4\).](#)

B. The correction agreement shall include the following:

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