



**TO:** Elizabeth Pauli, City Manager  
**FROM:** Keith Echterling, Assistant City Attorney, City Attorney's Office  
Bill Fosbre, City Attorney *B.F.*  
**COPY:** City Council and City Clerk  
**SUBJECT:** Ordinance – Amendment to Title 8.30A – Chronic Nuisance - September 18, 2018  
**DATE:** August 30, 2018

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**SUMMARY:**

Staff is proposing to amend the Chronic Nuisance code of the Tacoma Municipal Code (TMC) in response to concerns raised about the effectiveness and viability of currently available tools. The proposed amendments seek to address these concerns.

**STRATEGIC POLICY PRIORITY:**

- Strengthen and support a safe city with healthy residents.
- Encourage and promote an efficient and effective government, which is fiscally sustainable and guided by engaged residents.

**BACKGROUND:**

The Chronic Nuisance code was established in 2003 with an intent to protect the health, safety and welfare of the public. The code was most recently amended in 2010 to update the list of nuisance activities and the appeal process and added a temporary period of license suspension for non-compliance. While designed to address properties that consume a disproportionate amount of City resources because of criminal conduct and impact on neighboring properties, successful application of the code in its current form has proven either cumbersome, lengthy, or ineffective. As a result it has been used minimally over the years.

**ISSUE:**

The proposed amendments to TMC 8.30A, Chronic Nuisance include:

1. Expansion of when a property will meet the definition of a “chronic nuisance property” by adding to the current requirement of 3 nuisance activities in 60 days:
  - 4 nuisance activities in 6 months;
  - 6 nuisance activities in 12 months;
  - 2 search warrants for drug activity in 12 months; or
  - Nuisance activities that occur adjacent to a property with a demonstrated connection to the property.
2. Additional violations in the definition of a “nuisance activity” including violent criminal offenses, stay out of drug and prostitution area violations, and drug-related crimes.
3. Required Correction Agreement.
4. More enforcement options if non-compliance, including criminal penalties.
5. Streamlined administrative process that contemplates cohesive, multi-departmental approach to analysis and administration to increase efficiency.



**ALTERNATIVE:**

Maintain current enforcement options in the code. However, staff is recommending foregoing this alternative in favor of a comprehensive revision focused on improving efficiency of application.

**RECOMMENDATION:**

Staff recommends the proposed amendments to the Chronic Nuisance code creating more tools for City staff to address problematic properties in the City. The amendments will establish a stronger enforcement process and shorter timelines.

**FISCAL IMPACT:**

There is no fiscal impact.