



TO: T.C. Broadnax, City Manager
FROM: Jean Hayes, Deputy City Attorney, City Attorney's Office
Elizabeth A. Pauli, City Attorney *EAP*
COPY: City Council and City Clerk
SUBJECT: Ordinance – Amending Title 8 of the Tacoma Municipal Code – July 1, 2014
DATE: June 11, 2014

SUMMARY:

Amending Title 8 of the Tacoma Municipal Code by amending, repealing and/or reenacting existing chapters and adding new chapters thereto to include crimes not previously adopted, amend criminal ordinances to adopt current state laws and references thereto, and to adopt state laws recently enacted to allow for enforcement within the City of Tacoma.

BACKGROUND:

Engrossed Substitute House Bill (ESHB) 1383, which became effective on July 28, 2013, created a “stalking protection order.” This is a civil and criminal protection order available to victims of stalking who do not qualify for domestic violence protection orders. In order for the Tacoma Municipal Court to issue and enforce these orders, the state statute needs to be adopted by the City of Tacoma. The statute also amends and references other state laws that have not yet been adopted by the City of Tacoma. It is necessary to amend numerous sections of Title 8 to ensure compatibility with state law and enable enforcement within the City of Tacoma.

ISSUE:

The City is unable to enforce stalking protection orders until such time that they are included in the Tacoma Municipal Code.

ALTERNATIVES:

If Title 8 of the Tacoma Municipal Code is not amended, the City will be unable to enforce changes in state law. Additionally, the TMC will not be compatible with state law.

RECOMMENDATION:

The City Attorney's Office recommends passage of the proposed amendments to Title 8 of the Tacoma Municipal Code in order to assist with enforcement and ensure compatibility with state law.

FISCAL IMPACT:

There is no fiscal impact.