



City of Tacoma

City Council Action Memorandum

TO: City Manager Elizabeth Pauli
FROM: Chief Avery Moore, Tacoma Police Department; Deputy Chief Paul Junger, Tacoma Police Department.
COPY: City Council and City Clerk
SUBJECT: Ordinance Amending Chapter 8.30A of the Tacoma Municipal Code – Chronic Public Nuisance.
DATE: August 8, 2023

SUMMARY AND PURPOSE:

An ordinance amending Chapter 8.30A of the Tacoma Municipal Code [TMC], titled Chronic Public Nuisance, to add to the definition of “Nuisance activity” under TMC 8.30A.020(F) additional crimes under state law and violations of the Rental Housing Code under TMC Chapter 1.95, and to require an execution date for the mandated Correction Agreement for properties deemed Chronic Nuisances under the code.

BACKGROUND:

This Department’s Recommendation is Based On: The Chronic Nuisance Code was overhauled in 2018 and was most recently updated to remove domestic violence as a qualifying nuisance activity in 2020. City staff have utilized the Chronic Nuisance Code to declare two separate properties as Chronic Nuisances under the new code. Additionally, a coalition of City staff also regularly meets to discuss emerging property issues and consider how best to remedy complaints, including nuisance violations. Staff have considered the application of this tool in a multitude of other contexts, though have often leveraged other resources to resolve such cases, including the summary suspension of business license process.

Currently, TMC 8.30A.020(F) lists what qualifies as a “Nuisance activity” for chronic nuisance purposes. A property can be deemed a chronic nuisance property under TMC Chapter 8.30A when it amasses a specific number of nuisance activities in a given timeframe. The current list does not include crimes such as possessing stolen vehicles or trafficking in stolen property, for example. However, these and related criminal violations, can and do impact surrounding properties. Additionally, the code requires a Correction Agreement to be entered into following the designation of a property as a chronic nuisance property, but it does not currently provide a deadline for execution of this document. To strengthen and update this code, staff is recommending adding the specified nuisance violations which will allow for consideration of chronic nuisance application under expanded circumstances. Further, staff is recommending adding a deadline for execution of the required correction agreement, which will provide clarity and timeliness for administration of any chronic nuisance case.

On February 9, 2023, City staff provided an informational briefing to the Community Vitality and Safety Committee regarding the Chronic Nuisance code and then followed up with a recommendation for amending the code at a presentation to the Community Vitality and Safety Committee on June 8, 2023. There, staff recommended adding additional state law crimes, as well as violations of the Rental Housing Code, to the definition of nuisance activity under the Chronic Public Nuisance code. Additionally, staff recommended adding a Correction Agreement execution deadline. On June 8, 2023 the Community Vitality Safety Committee voted to move these recommendations forward to the full City Council with inclusion of language addressing the Committee’s intent to achieve education and compliance and connect property owners with resources to help remedy nuisance conditions in this context



COMMUNITY ENGAGEMENT/ CUSTOMER RESEARCH:

This proposal would amend an existing Tacoma Municipal Code provision and be applicable throughout the City of Tacoma.

2025 STRATEGIC PRIORITIES:

Equity and Accessibility: (Mandatory)

This proposal would amend the Tacoma Municipal Code at TMC Chapter 8.30A, Chronic Public Nuisance and would apply through the City of Tacoma.

Livability: Equity Index Score: Moderate Opportunity

Increase positive public perception of safety and overall quality of life.

Explain how your legislation will affect the selected indicator(s).

The legislation proposed would expand the application capabilities of the Chronic Public Nuisance code and would assist in leveraging this tool to help ameliorate conditions at properties that may otherwise currently fall outside of the code’s purview. Additionally, the legislation will help streamline the administration and application of this code.

ALTERNATIVES:

Presumably, your recommendation is not the only potential course of action; please discuss other alternatives or actions that City Council or staff could take. Please use table below.

Alternative(s)	Positive Impact(s)	Negative Impact(s)
1. Maintain current status of law.	Current status of cooperative interdepartmental analysis and efforts remains unchanged and no additional analytical adjustments need be made.	Without the added violations as qualifying nuisance activities and without a specified correction agreement execution date, effective application and administration of the code could continue to be impacted.
2.		
3.		

EVALUATION AND FOLLOW UP:

Success can be measured by effective application of this tool whereby chronic nuisance properties, and properties impacting the community but currently outside the purview of the code, are more rapidly and efficiently ameliorated than under current code provisions. Staff can provide Council any updates related to application as directed.

STAFF/SPONSOR RECOMMENDATION:

Staff recommends that the City Council adopt the recommendations contained herein to add additional nuisance activities to TMC Chapter 8.30A and require a Correction Agreement execution deadline.



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FISCAL IMPACT:

There will be staff time associated with this request, but we do not expect it to exceed the current capacity of staff responsibilities. Thus, the additional responsibilities will not significantly change workloads and the Department therefore estimates a minimal fiscal impact, if any.

ATTACHMENTS:

Ordinance