



TO: Elizabeth Pauli, City Manager
FROM: Lisa Wojtanowicz, Division Manager, Neighborhood & Community Services
Linda Stewart, Interim Director, Neighborhood & Community Services
Shawn Gustason, Assistant Chief, Tacoma Police Department
Don Ramsdell, Chief, Tacoma Police Department
COPY: City Council and City Clerk
SUBJECT: Ordinance Amending TMC 11.05.231 (for June 22, 2017 CVS Committee)
DATE: June 15, 2017

SUMMARY:

Neighborhood & Community Services, after careful consultation with Tacoma Police Department, is requesting to make changes to Tacoma Municipal Code 11.05.231, which prohibits vehicle habitation in the City of Tacoma. Vehicle habitation may present a health and safety hazard for both the vehicle inhabitants and the surrounding residents and business, especially in light of concerns such as inadequate sanitation and littering. These changes are being recommended to improve enforcement capability as well as reflect the evolving efforts to address the homelessness crisis in the City of Tacoma.

STRATEGIC POLICY PRIORITY:

- Strengthen and support a safe city with healthy residents.

BACKGROUND:

In March 2016, the City Council amended TMC 11.05.231 to provide a clearer definition of “habitation.” Additionally, the City extended the prohibition period from 24 hours to seven days in order to allow for more outreach efforts to connect individuals with available services. Since then, the City has identified some challenges with enforcement, especially with regards to the time limitations and addressing unoccupied vehicles.

ISSUE:

In order to provide greater clarity for both enforcement personnel and those impacted by the ordinance, staff is recommending several changes. These changes do the following:

- Specifies enforcement efforts relate to the improper use of a vehicle, as opposed to penalizing the person. This provides greater clarity for law enforcement and other personnel.
- Incorporates a presumption that the registered owner is responsible for the improper use of the vehicle, which will assist on-scene enforcement efforts if a vehicle is unattended.
- Reduces the time permitted for use at any one location from 7 days to 72 hours. This is intended to lessen the impact on the surrounding communities, as opposed to the current time frame.
- Adds a minimum distance required for an unlawful vehicle to be moved from spot of violation, specifically one-half (1/2) of a mile. This change helps resolve the challenges of an inherent permanent ban, which is impracticable for enforcement purposes.
- Reduces the severity of the penalty from a Class 1 to a Class 3 civil infraction (a reduction from \$250 to \$50), in recognition of the financial burdens created by a monetary penalty. This also helps further the City’s equity objectives.

ALTERNATIVES:

Council could choose to accept all of the proposed changes, some of the proposed changes, or none.



RECOMMENDATION:

Staff recommends the Council adopt the proposed changes in order to provide more clarity and consistency regarding enforcement, to lessen the financial impact on individuals and to continue to provide a safe and healthy City for all of our residents.

FISCAL IMPACT:

There is no fiscal impact.