




TO: Elizabeth Pauli, City Manager
FROM: Andy Cherullo, Finance Director, 
Linda Stewart, Neighborhoods and Community Services Director and
Chief Ramsdell, Police Department
COPY: Community Vitality and Safety Committee
PRESENTER: Danielle Larson, Finance and Keith Echterling, City Attorney's Office
SUBJECT: Chronic Nuisance and Business License Code Amendments
DATE: May 24, 2018

PRESENTATION TYPE:
Request for Ordinance

SUMMARY:

Staff is proposing to amend the Chronic Nuisance and Business License codes 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. Staff is seeking a recommendation to take the proposed amendments to the full council for consideration.

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, 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. Similarly, the Business License code reasons for revocation and suspension of a license have been too limiting in some situations, not allowing the City to take action that would resolve the issue. In addition the code does not allow the City to issue a conditional business license.

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:
 - 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.



The proposed amendments to TMC 6B.10 include:

1. Combining the revocation and denial reasons into one section providing clearer guidance and treating denial and revocation of a license similarly.
2. New “conditional business license” option.
3. Licensee cannot apply for a new license if the licensee had a license revoked or denied in the previous 12 months.
4. Added reason for denial if licensee has had three previous licenses revoked or suspended.

ALTERNATIVES:

Maintain current enforcement options in one or both provisions of the code. However, staff is recommending foregoing these alternatives in favor of a comprehensive revision focused on improving efficiency of application.

FISCAL IMPACT:

There is no fiscal impact.

RECOMMENDATION:

The proposed amendments to Chronic Nuisance and Business License codes would create more tools for City staff to address problematic properties in the City. The amendments will establish a stronger enforcement process and shorter timelines. Next steps include a scheduled presentation at Study Session and First Reading at City Council, both on June 12th.