



WEEKLY REPORT TO THE CITY COUNCIL

August 9, 2018

Members of the City Council
City of Tacoma, Washington

Dear Mayor and Council Members:

ITEMS OF INTEREST

1. Attached for your information is a list of **important themes** that staff **identified while attending recent Neighborhood Council meetings**. This list does not include all issues addressed by Neighborhood Councils, nor is it a list of priority issues as selected by the Neighborhood Councils. The issues identified were selected by staff as themes that should be brought to the attention of the City Manager and City staff.

STUDY SESSION/WORK SESSION

2. The **City Council Study Session** of Tuesday, August 14, 2018, will be held in Room 16 of the Tacoma Municipal Building North, at Noon. Discussion items will include: (1) **Chronic Nuisance Code and Business License Code Updates**; (2) **Lincoln District Revitalization Project Update**; (3) **Other Items of Interest**; (4) **Committee Reports**; (5) **Agenda Review and City Manager's Weekly Report**; and, (6) **Closed Session – Labor Negotiations**.

At Tuesday's Study Session, staff will present **proposed amendments to the Chronic Nuisance and Business License Tacoma Municipal Codes to better address problem businesses and properties** that negatively affect our communities due to chronic nuisance activities, such as illegal drug activity, alcohol violations, and prostitution or noise code violations. The proposed Tacoma Municipal Code amendments are attached for your review prior to the discussion.

As a second item at Tuesday's Study Session, the City Council will be provided an **update on the Lincoln Revitalization project**. The presentation will include an overview of the revitalization model, review the original goals of the project and summarize where each goal is at this time. The update will include information on business and community development, construction, and the project wind down.

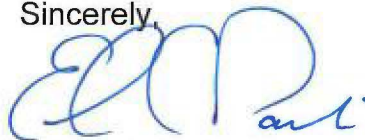
3. The updated **Tentative City Council Forecast and Consolidated Standing Committee Calendars** are attached for your information.

MARK YOUR CALENDARS

4. You have been invited to the following events:

- **Downtown Community Culminating Event related to conversations on homelessness on Thursday, August 16th**, starting at 5:30 p.m. at Tollefson Plaza, 17th and Pacific Avenue; 6:30 p.m. at the Tacoma Art Museum, 1701 Pacific Avenue; and, 9:00 p.m. at the exterior of Tacoma Art Museum, facing Pacific Avenue.
- **Mayor's Summer Reading Celebration Zoo Party on Saturday, August 18th, 11:00 a.m.**, at the Point Defiance Zoo, located at 5400 North Pearl Street.
- **Sue's Tech Kitchen VIP Launch Party Reception on Thursday, August 23rd, from 5:00-6:00 p.m.**, with the official launch at 6:00 p.m., at the Historic Tacoma Armory, located at 1001 South Yakima.
- **Forterra South Sound Luncheon on Thursday, September 27th, Noon**, at the Greater Tacoma Convention Center, located at 1500 Commerce.
- **Race and Pedagogy Conference on Thursday, September 27th through Saturday, September 29th**, at University of Puget Sound, located at 1500 North Warner Street.

Sincerely,



Elizabeth A. Pauli
City Manager

EAP:crh
Attachments

Neighborhood Council Districts

July 1-31, 2018

Neighborhood Council Districts in the City of Tacoma are assigned a liaison from the City Manager's Office. City Manager's Office Liaisons report on important issues to the Neighborhood Councils, facilitate communication between Neighborhood Councils and other City staff, and keep the City Manager informed of issues that are important to the Neighborhood Councils. Weekly updates are provided during the Weekly Agenda Review Meeting with Directors.

Listed below are important themes that were identified while attending recent Neighborhood Council meetings. This list does not include all issues addressed by Neighborhood Councils nor is it a list of priority issues as selected by the Neighborhood Councils. The issues identified below were selected as themes that should be brought to the attention of the City Manager and City staff with noteworthy agenda items indicated as such.

Neighborhood Specific Theme

Community Council (*Carol Wolfe, CED*) – *Tadd Wille*

- Presentation on the Tacoma Neighborhoods Together 501 C 3 Organization
- Review of the full audio of IPS Presentation on ADU's and DADU's with follow up discussion

Cross District Association (CDA) (*Shari Hart, CED*) – *Mike Slevin*

- CM Hunter – reviewed the success of the Barrier Relief and how they need data n special events to share with the City for evaluation of how better to support them financially.
- CED –I brought up having Jeff attend in August with Elizabeth and they liked that approach, and Ruston Pt. Defiance asked for follow up on their poles now that Ruston has their poles up
- Tacoma Creates presented and they took a vote. It was unanimous among the 6 Districts there to not support it.

Central (*Rebecca Boydston, CMO*) – *Daniel Key*

- Presentation by South Sound 911
- Expressed interest on seeing final report from Center for Dialog and Resolution on Citizens' Forum
- Critical response to UWT Livable City Year student presentations

Eastside (*Rebecca Boydston, CMO*) – *Kurtis Kingsolver*

- Update from new TPD PR specialist for feedback on communication preferences
- Laurie Jenkins took questions
- Blix graffiti conversation
- Fireworks- dismayed at enforcement

New Tacoma (*Bucoda Warren, CMO*) – *Gary Buchanan*

- The august meeting has been cancelled.
- The People's center has a new director.
- Funded a march from people's park to Wright Park by the artists for life.
- Interested in working with city regarding the Livable City Year recommendations around the neighborhood councils.

North End (*Will Suarez, CMO*) – *Bill Fosbre*

- No meeting

Northeast Tacoma (*Lynda Foster, CMO*) – *Randy Lewis*

- No meeting

South End (*Bucoda Warren, CMO*) – *Linda Stewart*

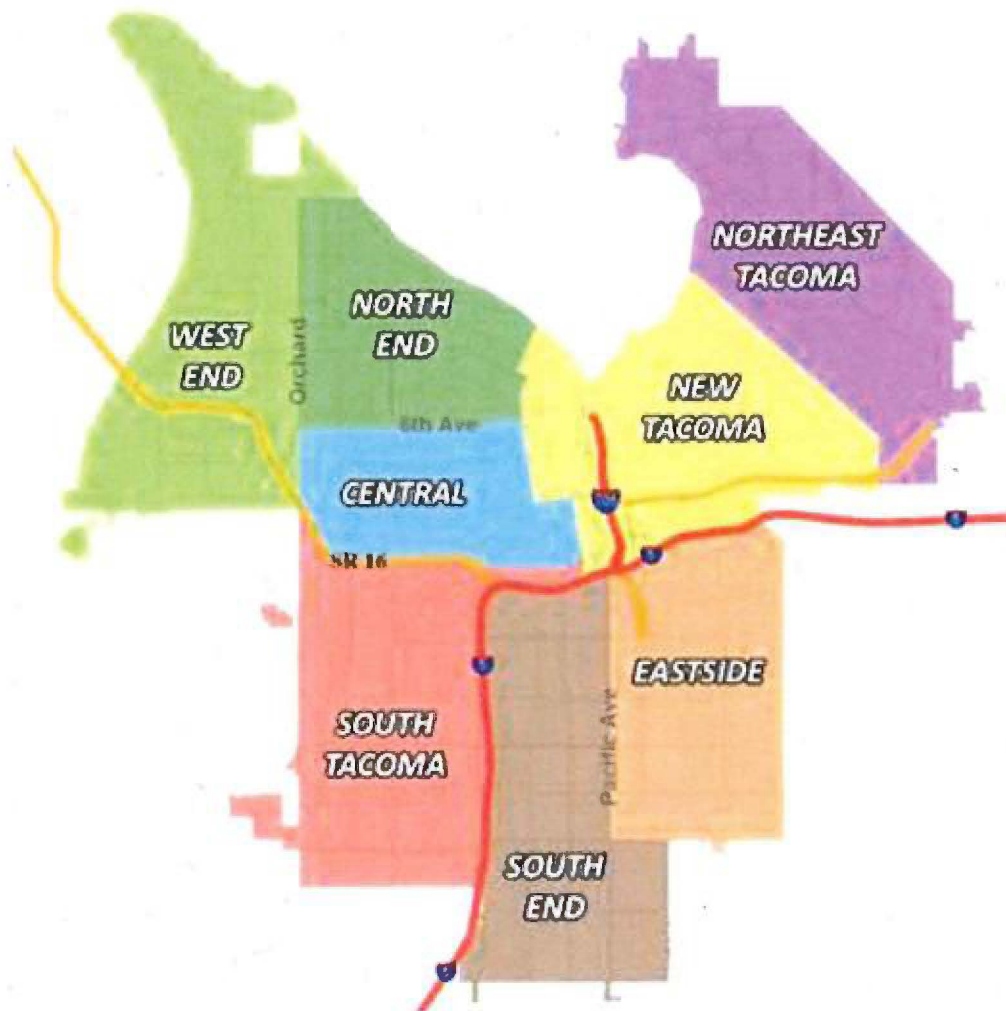
- Interested in raising money for school kids, “stuff the bus” style events. CM Hunter indicated residents should participate in the Library’s “conversations in our backyard”
- Resident came and said how there is drugs, crime, and trash in his yard and nearby because of homeless transients. CM Hunter personally connected with them during meeting.

South Tacoma (*Lynda Foster, CMO*) – *Andy Cherullo*

- Presentation from County Prosecutor Mark Lindquist, discussion involved the opioid lawsuit, marijuana, and removing racial bias from the system.
- Presentation from CM Chris Beale
- Questions about public works projects and issues surrounding homelessness raised during CMO report.

West End (*Will Suarez, CMO*) – *Peter Huffman*

- Homeless encampment on S 13th St. and S Winnifred St. reported to TPD Community Officer Jennifer Terhaar. WA Dept. of Transportation is in charge of that area, but is not cleaning up the encampment.
- Emergency preparedness is important to the West End Neighborhood Council and supplies such as hard hats, chainsaws, and food were bought with a grant and will be stored at Fire Station 16.





[PROPOSED DRAFT – August 14, 2018]

Chapter 8.30A CHRONIC PUBLIC NUISANCE

Sections:

8.30A.010 Scope.

8.30A.020 Purpose.

8.30A.030 Chronic nuisance property defined.

8.30A.040 Definitions.

8.30A.050 Violation.

8.30A.060 Process.

8.30A.070 Administrative reviews by the Director.

8.30A.080 Appeals to the Hearing Examiner.

8.30A.090 Abatement.

8.30A.100 Judicial action.

8.30A.110 Additional relief.

8.30A.120 Summary closure.

8.30A.130 Collection of judgments.

8.30A.131 Successive owners liable.

8.30A.132 Chronic nuisance does not become legal by prescription.

8.30A.140 Severability.

8.30A.010 Scope.

This chapter addresses chronic nuisance properties that are in violation of various chapters of the Tacoma Municipal Code (“TMC”) and continue to be unresolved by normal compliance methods therefore resulting in the necessary enactment of the provisions of this chapter. Chronic nuisance properties present grave health, safety, and welfare concerns, which the property owners or persons in charge of such properties have failed in taking corrective action to abate the nuisance condition. Chronic nuisance properties have a tremendous negative impact upon the quality of life, safety, and health of the neighborhoods where they are located. This chapter is enacted to remedy nuisance activities that repeatedly occur or exist at chronic nuisance properties by providing a process for abatement; and this remedy is not exclusive. Any remedy available under any state or local laws may be used in lieu of or in conjunction with the remedies under this chapter.

Also, chronic nuisance properties are a financial burden to the City by the repeated calls for service to the properties because of the nuisance activities that repeatedly occur or exist on such properties, and this chapter is a means to ameliorate those conditions and hold responsible the owners or persons in charge of such properties.

8.30A.020 Purpose.

The purpose of this chapter is to protect the health, safety, and welfare of the residents of the general public by:

A. Establishing standards for reducing criminal activity and improving building condition.

B. Working in cooperation with property owners to develop a plan of action to accomplish these goals.

C. Monitoring a plan of action to ensure the reduction of calls for service and building conditions improvements are sustained.

D. Establishing due process by which property owners can appeal decisions if necessary.

E. Establishing civil penalties for failure to comply with the plan of action.

F. Establishing a judicial process to abate properties if necessary.



[PROPOSED DRAFT – August 14, 2018]

8.30A.030 Chronic nuisance property defined.

A chronic nuisance property exists as a result of a property owner omitting to perform a duty or permitting an action or condition to occur or exist which intrudes on the ability of neighbors or citizens to use or enjoy their properties or public property adjacent to where the nuisance occurs. Such chronic nuisance properties include, but are not limited to:

A. Properties on which three or more nuisance activities occur or exist within any 60-day period. Nuisance activities include, but are not limited to, violation of the following laws and regulations:

TMC 3.12 Fireworks;

TMC 8.12 Disorderly Conduct;

TMC 8.13 Obstructing Pedestrians or Traffic;

TMC 8.20 Intoxicating Liquor;

TMC 8.28 Narcotics;

TMC 8.29 Drug Paraphernalia;

TMC 8.30 Nuisances;

TMC 8.32 Indecent Acts;

TMC 8.33 Urinating in Public;

TMC 8.46 Prostitution;

TMC 8.60 Unlawful Assembly;

TMC 8.66 Weapons;

TMC 8.67 Firearms;

TMC 8.72 Drug-related Loitering;

TMC 8.100 Gambling;

TMC 8.105 Domestic Violence;

TMC 8.106 Harassment;

TMC 8.108 Parking in Congested Areas;

TMC 8.109 Curfew Hours for Minors;

TMC 8.120 Graffiti;

TMC 8.122 Noise;

TMC 8.140 Regulation of Purchase/Sale of Ephedrine;

TMC 12.09 Solid Waste, Recycling and Hazardous Waste;

TMC 17 Animal Control;

International Fire Code;

Any similar violation of the Revised Code of Washington or the United States Code;

Gang-related activity, as defined in RCW 59.18.030; and

Alcoholic beverage control violations, as defined in RCW 66.44.

Any attempt to commit and/or conspiracy to commit any of the above activities, behaviors, or conduct shall also be considered a nuisance activity.



[PROPOSED DRAFT – August 14, 2018]

8.30A.040 Definitions.

For purposes of this chapter, the following words or phrases shall have the meaning prescribed below:

1. "Abate" means to repair, replace, remove, destroy, or otherwise remedy a condition which constitutes a violation of this chapter by such means and in such a manner and to such an extent as the applicable City department director, or designee, determines is necessary in the interest of the general health, safety, and welfare of the community.
2. "Control" means the ability to regulate, restrain, dominate, counteract, or govern property or conduct that occurs on a property.
3. "Director" shall include, but not be limited to, the chiefs of the Police Department or Fire Department, or directors of the Public Works Department, Finance Department, or Health Department. The director of the department may designate an individual to act in his or her stead.
4. "Drug-related activity" means any unlawful activity at a property which consists of the unlawful manufacture, delivery, sale, storage, possession, or giving away of any controlled substance, as defined in RCW 69.50; illegal drug, as defined in RCW 69.41; precursor drug, as defined in RCW 69.43; or imitation controlled substances, as defined in RCW 69.52.
5. "Landlord" means the owner, lessor, or sublessor of the dwelling unit or the property of which it is a part, and, in addition, means any person designated as a representative of the landlord.
6. "Owner" means any person having any interest in the real estate in question as indicated in the records of the office of the Pierce County Assessor, or who establishes, under this chapter, their ownership interest therein.
7. "Person" means natural person, joint venture, partnership, association, club, company, corporation, business trust, or organization or the manager, lessee, agent, officer, or employee of any of them. "Person associated with a property" means any person who, on the occasion of a nuisance activity, has entered, patronized, or visited, or attempted to enter, patronize, or visit, or waited to enter, patronize, or visit a property or a person present on property, including, without limitation, any officer, director, customer, agent, or employee, or any independent contractor of a property; or a person in charge of or owner of a property.
8. "Person in charge" of a property means any person, in actual or constructive possession of a property, including, but not limited to, an owner, occupant, agent, or property manager of a property under his or her control.
9. "Premises" and "property" may be used by this chapter interchangeably and means any building, lot, parcel, dwelling, rental unit, real estate, or land, or portion thereof, including property used as residential or commercial property.
10. "Receiver" is a person appointed by a court or judicial officer to take charge of a property during the pending of a civil action or proceeding, or upon a judgment, decree, or order therein, and to manage and/or dispose of it as the court or officer may direct.
11. "Rental unit" means any structure or that part of a structure, including, but not limited to, a single family home, room, or apartment that is rented to another and used as a home, residence, or sleeping place by one or more persons.

8.30A.050 Violation.

A. Any property within the City that is a chronic nuisance property is in violation of this chapter and subject to its remedies.

B. Any owner or person in charge of a chronic nuisance property shall be in violation of this chapter and subject to its remedies. The person in charge and the owner are jointly liable for any chronic nuisance. Both the owner and person in charge are subject to the provisions and remedies of this chapter.



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Application of this chapter against one party does not preclude application to another party who is an owner or person in charge of a chronic nuisance property.

8.30A.060 Process.

A. The appropriate City department shall confirm the presence of a chronic nuisance property. If it is determined that the site is not a chronic nuisance, the case will be closed.

B. If it is determined that the site is a chronic nuisance, a Notice of Violation will be sent to the owner of the property and the person in charge of the property. The Notice of Violation shall contain:

1. The street address or a legal description sufficient for identification of the property;

2. A concise description of the nuisance activities that exist or that have occurred on the property;

3. A request that the owner or person in charge respond to the appropriate department within ten calendar days of service of the Notice of Violation to discuss the nuisance activities and create a plan to abate the chronic nuisance;

4. An offer to the owner or person in charge of an opportunity to abate the nuisance activities giving rise to the violation; and

5. A statement describing that if the owner and/or person in charge fails to develop or comply with a plan of action the property is subject to abatement and the owner and/or person in charge is responsible for civil penalties up to \$250 per day and that the owner and/or person in charge is responsible for the costs of municipal services after the Notice of Violation of the chronic nuisance property is received.

C. Such Notice of Violation shall be either (a) personally served or (b) delivered by first class mail and certified mail, return receipt requested, to the person in charge of the property. If the person in charge of the property is not the owner, then a copy shall be served on the owner at the address indicated by the Pierce County Assessor in the manner described above.

D. If the owner or person in charge responds, as required by the Notice of Violation, and agrees to abate the nuisance activity, the appropriate department and the person in charge and/or property owner may work out an agreed upon plan of action which would abate the nuisance activity. If the owner and person in charge are different persons or entities, then both the owner and person in charge are required agree to the plan. If an agreed upon plan of action does not result in the abatement of the nuisance activities or if no agreement concerning abatement is reached, the owner and/or person in charge of the property is subject to civil penalties, suspension or revocation of his or her business license and registration, and any other remedy provided in this chapter. Up to three community stakeholders may be called upon by the appropriate director to participate in the review, negotiation, and monitoring of the action plan. One of the community stakeholders may be recommended by the property owner.

E. The plan of action may include, but not be limited to, items such as education for the owner or person in charge of the property, physical improvements for crime prevention, security for the property, and other items necessary to abate the chronic nuisance property. The plan must include specific time frames in which items will be completed.

F. The monetary penalties for violations of this chapter shall be as follows:

1. First civil penalty \$125

2. Second and subsequent civil penalties \$250

Civil penalties will continue to accumulate until the plan of action is in place or the nuisance conditions are abated. Civil penalties may be imposed when a plan of action is in place if the owner and/or person in charge fails to adhere to the plan of action or if the chronic nuisance continues.

3. If the total assessed penalties exceed \$1,000, a Certificate of Complaint may be recorded with the Pierce County Auditor to be attached to the title of the property. A copy of the Certificate of Complaint shall be sent to the property owner and parties of interest if different from the owner.



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4. If over \$1,000 in civil penalties are levied or if the property owner or person in charge fails to agree to or adhere to a plan of action, the full costs of municipal services may be charged to the owner.

G. If an owner or person in charge fails to develop or implement a plan of action or if the chronic nuisance continues, his or her business license may be suspended as follows:

1. If chronic nuisance activities continue or no plan of action is developed or implemented for thirty (30) days or more after a person is served with a notice of chronic nuisance, the person's business license and registration may be suspended for seven (7) days.

2. If chronic nuisance activities continue or no plan of action is developed or implemented for sixty (60) days or more after a person is served with a notice of chronic nuisance, the person's business license and registration may be suspended for fourteen (14) days.

3. If chronic nuisance activities continue or no plan of action is developed or implemented for ninety (90) days or more after a person is served with a notice of chronic nuisance, the person's business license and registration may be suspended for thirty (30) days.

4. If chronic nuisance activities continue or no plan of action is developed or implemented for one hundred eighty (180) days or more after a person is served with a notice of chronic nuisance, the person's business license and registration may be suspended for one (1) year.

5. Civil penalties may continue to accumulate during the periods of suspension.

H. Each day that a property or person is not in compliance with the provisions of this chapter is a separate violation of this chapter.

I. The remedies of this chapter are not exclusive and do not affect any other enforcement actions taken by the City under another section of the municipal code or law or enforcement actions taken by a different jurisdiction.

8.30A.070 Administrative reviews by the Director.

A. General. A person, firm, or corporation to whom a Notice of Violation for a chronic nuisance(s) or a civil penalty is assessed may request an administrative review of the Notice of Violation or the civil penalty.

B. How to Request an Administrative Review. A person, firm, or corporation may request an administrative review of the Notice of Violation or for a civil penalty by filing a written request with the director of finance or his or her designee within ten calendar days of the notification date of violations or the date the civil penalty is assessed. The request shall state, in writing, the reasons the director should review the Notice of Violation or the issuance of the civil penalty. Failure to state the basis for the review, in writing, shall be cause for dismissal of the review. Upon receipt of the request for administrative review, the director shall review the information provided.

C. Decision of the Director. After considering all of the information provided, the director shall, within three business days of the request for administrative review, determine whether a violation has occurred and shall affirm, vacate, suspend, or modify the Notice of Violation for the nuisance(s) or the amount of any monetary penalty assessed. The director's decision shall be either (a) personally served or (b) delivered by first class mail and certified mail, return receipt requested, to the person requesting the review, with a copy mailed to the owner or person in charge, if different from the person requesting review.

8.30A.080 Appeals to the Hearing Examiner.

A. Appeals of the director's decision shall be made in writing to the Hearing Examiner within ten calendar days of the mailing or personal service of the director's decision. The written appeal must set forth the grounds for the appeal. Failure to state the basis for the review in writing shall be cause for dismissal of the review. Upon receipt of a properly filed appeal, the Hearing Examiner shall set a hearing date and the appellant shall be notified of the hearing date by either (a) personal service or (b) delivery by



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first-class mail and certified mail, return receipt requested, to the appellant, with a copy mailed to the owner at the address indicated by the Pierce County Assessor if different than the appellant.

B. Hearings shall be conducted in accordance with TMC 1.23 and the Hearing Examiner's Rules of Procedure.

C. The Hearing Examiner shall issue a Findings of Fact and Order based on the hearing, in writing, delivered to the appellant by first-class mail and certified mail, return receipt requested.

8.30A.090 Abatement.

After an enforcement action is taken and civil penalties have been assessed in excess of \$1,000, the property is subject to abatement by the City in the manner authorized by law.

8.30A.100 Judicial action.

A. The City Attorney may initiate legal action on the chronic nuisance property and seek abatement of the nuisance in Pierce County Superior Court.

B. In determining whether a property shall be deemed a chronic nuisance property and subject to the court's jurisdiction, the City shall have the initial burden of proof to show, by a preponderance of the evidence, that the property is a chronic nuisance property. The failure to prosecute an individual, or the fact no one has been convicted of a crime, is not a defense to a chronic nuisance action.

C. Once the court determines the property to be a chronic nuisance under this chapter, the court may order any relief deemed appropriate to abate the chronic nuisance activity.

D. If the court determines the property to be a chronic nuisance property, the court may order the property to be abated by the City or may order the property into a receivership, in accordance with RCW 7.60.

E. Once a determination has been made by the court that the chronic nuisance property is subject to abatement, the court may authorize the City to physically abate the property. Costs for such abatement shall be submitted to the court for review. Reasonable costs of abatement may be assessed against the property owner. The City shall file a formal lis pendens notice when an action for abatement is filed in the Pierce County Superior Court.

F. If the court orders the property into a receivership, the court shall appoint a receiver and shall define the terms of the receivership based on the recommendations provided by the City.

G. Pierce County Superior Court shall retain jurisdiction during any period of closure or abatement of the property.

8.30A.110 Additional relief.

The director may seek any legal or equitable relief, such as utilization of RCW 9.66, 7.48, or 7.48A, or Chapter 8.30 TMC at any time to mitigate violations referenced in TMC 8.30A.030. The director of finance may also suspend or revoke the business license of the property owner, person in charge, or both.

8.30A.120 Summary closure.

Nothing in this chapter prohibits the City from taking any emergency action for the summary closure of such property when it is necessary to avoid an immediate threat to public health or safety. The City may take summary action to close the property without complying with the notification provisions of TMC 8.30A.030, but shall provide such notice as is reasonable under the circumstances.

8.30A.130 Collection of judgments.

If the person cited fails to pay a penalty imposed pursuant to this chapter, the penalty costs and costs for municipal services may be referred to a collection agency. The cost to the City for the collection services will be assessed as costs, at the rate agreed upon between the City and the collection agency, and added to the judgment. Alternatively, the City may pursue collection in any other manner allowed by law.



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8.30A.131 Successive owners liable.

Every successive owner of property, or person in charge, who neglects to abate a continuing chronic nuisance upon, or in the use of such property caused by a former owner, is liable therefor in the same manner as the one who first created it.

8.30A.132 Chronic nuisance does not become legal by prescription.

No lapse of time can legalize a chronic nuisance.

8.30A.140 Severability.

If any portion of this ordinance, or its application to any person or circumstances, is held invalid, the validity of the ordinance as a whole, or any other portion thereof, or the application of the provision to other persons or circumstances is not affected.

Sections:

8.30A.010 Scope and purpose.

8.30A.020 Definitions.

8.30A.030 Declaration of chronic nuisance property and procedures.

8.30A.040 Owner cooperation.

8.30A.050 Correction agreement.

8.30A.060 Enforcement.

8.30A.070 Additional remedies.

8.30A.080 Appeals to the Hearing Examiner.

8.30A.090 Successive owners liable.

8.30A.100 Joint and several liability.

8.30A.110 Severability.

8.30A.010 Scope and purpose.

Chronic nuisance properties present grave health, safety, and welfare concerns and have a tremendous negative impact upon the quality of life, safety, and health of their neighborhoods and on those persons that live, work, visit, engage in commerce, or otherwise seek to enjoy property rights therein. Such properties are a financial burden to the City and the necessary services rendered to and at such properties often result in a disproportionate consumption of City resources. Therefore, any chronic nuisance property located in the City is in violation of this chapter and subject to its remedies. This chapter is enacted to remedy nuisance activities that repeatedly occur or exist at chronic nuisance properties by providing a process for lawfully reducing or eliminating said activities. While the City seeks to promote cooperative and voluntary compliance, the remedies provided herein are not exclusive and the City may pursue any available option in law or equity to remedy a chronic nuisance property.

The purpose of this chapter is to protect the health, safety, and welfare of the general public by:

A. Establishing standards and recommendations for reducing criminal activity and improving building conditions;

B. Working in cooperation with property owners to accomplish these goals; and

C. Establishing a framework of judicial and administrative processes against which the City can seek to alleviate chronic nuisance conditions.

8.30A.020 Definitions.

A. "Abate" means to repair, replace, remove, destroy, or otherwise remedy a condition which constitutes a violation of this chapter by such means and in such a manner, and to such an extent, as the applicable City department director or designee determines is necessary in the interest of the general health, safety, and welfare of the community.

B. "Chronic nuisance property" means a property:

1. on which three or more nuisance activities as defined herein exist or have occurred during any 60-day period; or



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2. on which four or more nuisance activities as defined herein exist or have occurred during any six-month period; or
- 1 3. on which six or more nuisance activities as defined herein exist or have occurred during any 12-month
2 period; or
- 3 4. that, upon request for execution of a search warrant, has been the subject of a determination by a court two or
4 more times within a 12-month period that probable cause exists that illegal possession, manufacture, or delivery
5 of a controlled substance or related offenses, as defined in Revised Code of Washington ("RCW") 69.50, has
6 occurred on the property; or
- 7 5. that the City can demonstrate by a preponderance of the evidence is the cause of nuisance activities that are
8 occurring on other property adjacent to or in proximity to the property itself, where such nuisance activities
9 occurring on such other property meet the definition of (1), (2), (3), or (4) above.
- 10 C. "Correction agreement" means a contract between the City and the owner and, if different than the owner,
11 the person in control of the chronic nuisance property, in which such person(s) agrees to promptly take all
12 reasonable actions, which shall be set forth in the agreement, to abate the nuisance activities within a
13 specified time and according to specified conditions.
- 14 D. "Director" means any City of Tacoma Department Director, or designee.
- 15 E. "Landlord" means the owner, lessor, or sublessor of the dwelling unit or the property of which it is a part
16 and, in addition, means any person designated as a representative of the landlord.
- 17 F. "Nuisance activity" includes a violation for any of the following:
- 18 1. A "most serious offense," as defined in RCW 9.94A;
- 19 2. "Drug-related activity," including unlawful manufacture, delivery, sale, storage, possession, or giving
20 away of any controlled substance, as defined in RCW 69.50; illegal drugs, as defined in RCW 69.41;
21 precursor drugs, as defined in RCW 69.43; or imitation controlled substances, as defined in RCW 69.52;
- 22 3. "Gang-related activity," as defined in RCW 59.18.030;
- 23 4. "Drive-by shooting," as defined in RCW 9A.36.045;
- 24 5. "Reckless endangerment," as defined in RCW 9A.36.050;
- 25 6. "Alcoholic beverage control violations," as defined in RCW 66.44;
- 26 7. Violation of the Minimum Building and Structures Code, Tacoma Municipal Code ("TMC") Chapter 2.01;
8. Fireworks, TMC 3.12;
9. Tax and License Code, TMC Title 6;
10. Disorderly Conduct, TMC 8.12;
11. Obstructing Pedestrians or Traffic, TMC 8.13;
12. Narcotics, TMC 8.28;
13. Drug Paraphernalia, TMC 8.29;
14. Public Nuisances, TMC 8.30;
15. Indecent Acts, TMC 8.32;
16. Urinating in Public, TMC 8.33;
17. Prostitution, TMC 8.46;
18. Unlawful Assembly, TMC 8.60;
19. Weapons, TMC 8.66;
20. Firearms, TMC 8.67;
21. Drug-related Loitering, TMC 8.72;
22. Assault in the Fourth Degree, TMC 8.76;
23. Harassment, TMC 8.80;
24. Gambling, TMC 8.100;
25. Domestic Violence, TMC 8.105;



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26. Curfew Hours for Minors, TMC 8.109;

27. Graffiti, TMC 8.120;

28. Noise Enforcement, TMC 8.122;

29. Regulation of Purchase/Sale of Ephedrine, TMC 8.140;

30. Stay Out of Drug Areas ("SODA") Orders, TMC 8.160;

31. Stay Out of Areas of Prostitution ("SOAP") Orders, TMC 8.170;

32. Solid Waste, Recycling and Hazardous Waste, TMC 12.09;

33. Animal Control TMC Title 17;

34. Fire Prevention Code, TMC 3.02;

35. Any similar violation of the RCW or the United States Code;

36. Any attempt to commit and/or conspiracy to commit any of the above activities, behaviors, or conduct shall also be considered a nuisance activity.

G. "Owner" means any person having any interest in the real estate in question as indicated in the records of the office of the Pierce County Assessor, or whose ownership interest is otherwise established.

H. "Person" means natural person, joint venture, partnership, association, club, company, corporation, business trust, or organization or the manager, lessee, agent, officer, or employee of any of them.

I. "Person in control" of a property means any person in actual or constructive possession of a property including, but not limited to, an owner, occupant, agent, business owner, business manager, or property manager of a property under the person's control.

J. "Property" means any building, lot, tax parcel, dwelling, rental unit, real estate, or land, or portion thereof, including property used as residential or commercial property.

K. "Service by mail" shall be deemed complete upon the third day following the day upon which the notice of violation is placed in the mail, unless the third day falls on a Saturday, Sunday or legal holiday, in which event service shall be deemed complete on the first day other than a Saturday, Sunday or legal holiday following the third day.

L. "Violation" means a criminal conviction, civil judgment, issuance of a civil penalty, issuance of a notice of violation, or any act or conduct which the City can establish by a preponderance of the evidence exists or has occurred regardless of whether such act resulted in a criminal charge or civil penalty. Copies of police incident reports, reports of other City departments documenting nuisance activities, evidence of a property's general reputation, and the reputation of persons residing in or frequenting the property shall be admissible in proceedings under this chapter. A civil infraction or criminal charge which is deferred or subject to pretrial diversion, or a verdict of not guilty on a criminal charge, may be counted as a violation if the violation is proved by a preponderance of the evidence; provided, however, that a finding of not committed on a civil infraction precludes use of that act as a basis for a violation under this chapter.

8.30A.030 Declaration of chronic nuisance property and procedures.

A. If the Director determines a property is a chronic nuisance property, the City shall send a notice of violation and proposed correction agreement to the owner of the property, and to the person in control of the property, if different. The notice of violation and proposed correction agreement shall be sent by first-class mail or personally served, and a copy shall be sent by certified mail. The City may also elect to post an additional copy of the notice of violation and proposed correction agreement in a conspicuous place on or at the property.

B. The notice of violation shall include the following:

1. The street address or a legal description sufficient for identification of the property;

2. A statement that the property has been determined to be a chronic nuisance property and a concise description of the chronic nuisance activities that exist or that have occurred on the property;

3. A copy of the proposed correction agreement;

4. A requirement that the owner or person in control of the property, if different, shall respond to the Director within ten calendar days of the date of service of the notice of violation and meet at the designated time.

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unless otherwise agreed to by the City, to discuss the nuisance activities and the proposed correction agreement in order to abate the chronic nuisance; and

5. A notice that if the owner of the property, or person in control of the property, if different, does not respond to the Director as required by this chapter, or does not voluntarily correct the chronic nuisance, the City may initiate legal action to abate the chronic nuisance property.

8.30A.050 Correction agreement.

A. When an owner of a chronic nuisance property, or person in control thereof, if different, responds to a notice of violation as required by this chapter and agrees to abate the chronic nuisance activity, a correction agreement shall be entered into wherein the owner or person in control, if different, agrees to promptly take all reasonable actions, as set forth in the correction agreement, to abate the nuisance activities within specific time frames and according to specified conditions. The agreement shall be signed by the owner and the person in control, if different.

B. The correction agreement shall include the following:

1. The name and address of the owner and/or person in control of the property;

2. The street address or a description sufficient for identification of the property, building, structure, or land upon or within which the nuisance is occurring;

3. A concise description of the chronic nuisance activities existing or which have occurred;

4. The necessary corrective action to be taken, and a date or time by which correction must be completed;

5. An agreement by the person in charge that the City may inspect the property, as may be necessary, to determine compliance with the correction agreement;

6. An agreement by the owner and person in control of the property, if different, to promptly take all acts and pursue all remedies requested by the Director;

7. An agreement for a compliance review period to assure the property remains in compliance for a certain period of time after the actions in the correction agreement have been completed.

8.30A.060 Enforcement.

A. Upon the failure of an owner or person in control to correct the chronic nuisance violations in accordance with the notice of violation or the correction agreement, the City may initiate an action in a court of competent jurisdiction to abate a chronic nuisance property, or may seek alternative remedies under local and state law, including, but not limited to, a receivership pursuant to RCW 7.60, or condemnation of blighted property proceedings as authorized under RCW 35.80A.

B. In an action by the City before a court of competent jurisdiction to abate the chronic nuisance property in accordance with this chapter, the City shall have the initial burden of proof to show, by a preponderance of the evidence, that the property is a chronic nuisance property and is in violation, as defined herein.

C. Once the court determines the property to be a chronic nuisance property under this chapter, the court may order any relief deemed appropriate to abate the chronic nuisance activity consistent with RCW 7.48, including issuing a warrant of abatement, and assessing the costs of abatement against the owner or the property consistent with local and state law.

D. Where a Director has sent a notice of violation and correction agreement to the owner or person in control of a chronic nuisance property, the Director, or designee, shall review the status of that property within 30 days of sending such notice of violation and correction agreement to determine whether additional enforcement actions should be taken, or if the matter as to that property has been successfully resolved.

8.30A.070 Additional remedies.

A. At any time after the City initiates a chronic nuisance action, the City may record a Certificate of Complaint with the Pierce County Auditor, to be attached to the title of the property. A copy of the Certificate of Complaint shall be sent to the property owner.

B. If an owner, or person in the control of the property, if different, fails to comply with this section, the business license may be suspended until compliance with this chapter is achieved. Revocation or suspension of a business license may be appealed as provided in TMC 6B.10.140.



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C. Any violation of this chapter is a gross misdemeanor and may be punished by a fine up to \$5,000 and up to 364 days in jail, or both.

D. The remedies of this chapter are not exclusive and do not affect any other enforcement actions taken by the City under another section of the TMC or state law, or enforcement actions taken by a different jurisdiction.

8.30A.080 Appeals to the Hearing Examiner.

A. A person to whom a notice of violation has been issued may request a hearing before the Hearing Examiner to appeal the Director's determination of the property as a chronic nuisance property within ten calendar days of the issuance of the notice of violation. The request for hearing shall be in writing and shall be filed with the Office of the Hearing Examiner, with a copy served on the Director who issued the original notice of violation.

B. The appeal hearing shall be conducted in accordance with TMC 1.23 and the Hearing Examiner's Rules of Procedure for Hearings. The City shall have the burden of proof to establish, by a preponderance of the evidence, that the property is a chronic nuisance property and that the proposed corrective action is reasonable.

C. The Hearing Examiner shall determine whether the City has established, by a preponderance of the evidence, that the property is a chronic nuisance property and that the proposed corrective action is reasonable. The Hearing Examiner shall affirm, modify, or vacate the Director's decision regarding the alleged violation and the proposed correction agreement.

8.30A.090 Successive owners liable.

Every successive owner of property, or person in control, who neglects to abate a continuing chronic nuisance upon, or in the use of, such property caused by a former owner, is liable therefor in the same manner as the one who first created it.

8.30A.100 Joint and several liability.

Any owner or person in control of a chronic nuisance property shall be in violation of this chapter and subject to its remedies. The person in control and the owner are jointly liable for any chronic nuisance. Both the owner and person in control are subject to the provisions and remedies of this chapter. Application of this chapter against one party does not preclude application to another party who is an owner or person in control of a chronic nuisance property.

8.30A.110 Severability.

If any portion of this ordinance, or its application to any person or circumstances, is held invalid, the validity of the ordinance as a whole, or any other portion thereof, or the application of the provision to other persons or circumstances is not affected.

Chapter 6A.10

GENERAL TAX PROVISIONS

Sections:

- 6A.10.010 Purpose.
- 6A.10.015 Application of chapter.
- 6A.10.020 Tax definitions.
- 6A.10.021 Definition – References to Chapter 82.32 RCW
- 6A.10.030 Registration/license requirements.
- 6A.10.040 When due and payable – Reporting periods – Monthly, quarterly, and annual returns – Threshold provisions or relief from filing requirements – Computing time periods – Failure to file returns.
- 6A.10.050 Payment methods – Mailing returns or remittances – Time extension – Deposits – Recording payments – Payment must accompany return – NSF checks.
- 6A.10.060 Records to be preserved – Examination – Estoppel to question assessment.
- 6A.10.070 Accounting methods.
- 6A.10.080 Public work contracts – Payment of fee and tax before final payment for work.
- 6A.10.090 Underpayment of tax, interest, or penalty – Interest.
- 6A.10.095 Time in which assessment may be made.
- 6A.10.100 Overpayment of tax, penalty, or interest – Credit or refund – Interest rate – Statute of limitations.
- 6A.10.110 Late payment – Disregard of written instructions – Evasion – Penalties.
- 6A.10.120 Cancellation of penalties.
- 6A.10.125 Voluntary registration.
- 6A.10.130 Taxpayer quitting business – Liability of successor.
- 6A.10.140 Administrative appeal.
- 6A.10.150 Judicial review.
- 6A.10.160 Director to make rules.
- 6A.10.170 Ancillary allocation authority of Director.
- 6A.10.180 Mailing of notices.
- 6A.10.190 Tax declared additional.
- 6A.10.200 Public disclosure – Confidentiality – Information sharing.
- 6A.10.210 Tax constitutes debt.
- 6A.10.220 Unlawful actions – Violation – Penalties.
- ~~6A.10.230 Suspension or revocation of business registration.~~
- 6A.10.240 Closing agreement provisions.
- 6A.10.250 Charge-off of uncollectible taxes.
- 6A.10.260 Severability.

~~6A.10.230 – Suspension or revocation of business registration.~~

~~A. The Director shall have the power and authority to suspend or revoke any registration or license issued under the provisions of Title 6. The Director shall notify such licensee in writing by certified mail of the suspension or revocation of his or her license and the grounds therefor. Any license issued under Title 6 may be suspended or revoked based on one or more of the following grounds:~~

- ~~1. The registration was procured by fraud or false representation of fact.~~
- ~~2. The licensee has failed to comply with any provisions of this title.~~
- ~~3. The licensee has failed to comply with any provisions of the TMC.~~
- ~~4. The licensee is in default in any payment of any license fee or tax under Title 6.~~
- ~~5. The licensee or employee has been convicted of a crime involving the business.~~

~~B. Any licensee may, within 10 days from the date that the suspension or revocation notice was mailed to the licensee, appeal from such suspension or revocation by filing a written notice of appeal ("petition") setting forth the grounds therefor with the City Clerk. A copy of the petition must be provided by the licensee to the Director and the~~

City Attorney on or before the date the petition is filed with the City Clerk. The hearing shall be conducted in accordance with the procedures for hearing contested cases set out in TMC 1.23. The Hearing Examiner shall set a date for hearing said appeal and notify the licensee by mail of the time and place of the hearing. After the hearing thereon the Hearing Examiner shall, after appropriate findings of fact and conclusions of law, affirm, modify, or overrule the suspension or revocation and reinstate the registration, and may impose any terms upon the continuance of the registration.

No suspension or revocation of a registration issued shall take effect until 10 days after the mailing of the notice thereof by the Director and, if appeal is taken as herein prescribed, the suspension or revocation shall be stayed pending final action by the Hearing Examiner. All registrations which are suspended or revoked shall be surrendered to the City on the effective date of such suspension or revocation.

The decision of the Hearing Examiner shall be final. The licensee and/or the Director may seek review of the decision by the Pierce County Superior Court within 21 days from the date of the decision. If review is sought as herein prescribed, the suspension or revocation shall be stayed pending final action by the Superior Court.

Upon revocation of any license as provided in this title, no portion of the license fee shall be returned to the licensee.

(Ord. 27297 § 1; passed Nov. 23, 2004)

Chapter 6B.10

GENERAL LICENSE PROVISIONS

Sections:

- 6B.10.010 Subtitle designated as License Code.
- 6B.10.020 Application of chapter.
- 6B.10.030 License definitions.
- 6B.10.040 License required.
- 6B.10.045 Exemptions for preapproval.
- 6B.10.050 Separate licenses – When required.
- 6B.10.060 Application for license—Approval or denial—Appeal.
- 6B.10.070 Term of license.
- 6B.10.075 Director to make rules.
- 6B.10.080 Due date.
- 6B.10.090 Late payment – Renewal of license
- 6B.10.095 Cancellation of penalties.
- 6B.10.100 Method of payment.
- 6B.10.105 Advertising unlicensed premises.
- 6B.10.110 Posting or carrying of license.
- 6B.10.115 Hours of operation – Massage.
- 6B.10.117 Unlicensed practice – Massage – Penalties.
- 6B.10.120 Mailing of notices.
- 6B.10.130 Failure to file.
- 6B.10.140 Suspension or revocation – Appeal.
- 6B.10.145 Summary suspension – Appeal.
- 6B.10.150 Statute of limitations – Unlicensed licensees.
- 6B.10.160 Refund of license fee.
- 6B.10.170 ~~Grounds for disqualification of licensees.~~
- 6B.10.180 Inspection.
- 6B.10.190 Investigations and background checks.
- 6B.10.200 Death of licensee – Continuation of license.
- 6B.10.210 ~~Notice of right to suspend or revoke.~~
- 6B.10.220 Assignment of licenses.
- 6B.10.230 Licenses subject to specific controls.

- ~~6B.10.240 Engaging in activity without license Penalty.~~
6B.10.245 License constitutes debt.
6B.10.250 Separate offenses.
6B.10.255 Charge-off of uncollectible fees.
6B.10.257 Closing agreement provisions.
6B.10.260 Violations – Penalties.
6B.10.262 Cancellation of civil penalties.
6B.10.265 Administrative reviews by the director of Notice of Penalty – Appeal.
6B.10.268 Additional relief.
6B.10.270 Severability.

6B.10.030 License definitions

The following definitions apply to each section in this subtitle of the TMC:

“Alcohol” means those alcoholic substances controlled by the Liquor Control Board.

“Annual business license” means a license for the privilege of doing business with the City or within the City as required by the provisions of this chapter of the License Code of the City Subtitle 6B of the TMC. ~~The annual business license certificate issued by the Department is required to be displayed at the place of business by all persons operating a business under the provisions of Title 6.~~

“Calendar year” means January 1 through December 31 of each year.

~~“Certificate” means “registration certificate” as defined below.~~

“Charitable organization” means any organization recognized as a nonprofit corporation under the provisions of Chapter 24.03 RCW and exempt from the Washington State business and occupation tax pursuant to RCW 82.04.3651.

“City” means the City of Tacoma and all its departments, including Tacoma Public Libraries and Tacoma Public Utilities. It does not include the Metropolitan Park District of Tacoma, Port of Tacoma, Tacoma School District, or Tacoma Housing Authority, which are separate municipal corporations.

“Department” means the Tax and License Division of the Finance Department of the City or any successor department.

“Director” means the Director of the Finance Department of the City or any officer, agent, or employee of the City designated to act on the Director’s behalf.

“Door-to-door sales” means the carrying of merchandise for sale from place to place, and the making of sales and delivery of merchandise sold at the same time and place.

“Engaging in business” shall be as defined in TMC 6A.30.

“Gambling” means any activity included in the provisions of RCW 9.46.0237.

“Gross income” means the value proceeding or accruing by reason of the transaction of business engaged in and includes gross proceeds of sales, compensation for the rendition of services, gains realized from trading in stocks, bonds, or other evidence of indebtedness, interest, discount, rents, royalties, fees, commissions, dividends, and other emoluments, however designated, all without any deduction on account of the cost of tangible property sold, the cost of materials used, labor costs, interest, discount, delivery costs, taxes, or any other expense whatsoever paid or accrued without any deduction on account of losses.

“Gross receipts” has the same meaning as gross income.

“Home-based business” means a business, profession, occupation, or trade conducted for gain or support and located entirely within a residential building or a building accessory thereto, which use is accessory, incidental, and secondary to the use of the building for dwelling purposes and does not change the essential residential character or appearance of such building. The intent of this definition is to maintain consistency with home occupations as defined in Tacoma Municipal Code (“TMC”) 13.06.105, the City’s Zoning Code.

“In this City” or “within this City” includes all federal areas lying within the corporate city limits of the City.

"License" means ~~any regulatory~~ license required under the provisions of Subtitle 6B of the TMC.

"License certificate" means ~~a non-transferable certificate issued by the Department required to be displayed at the place of business by all persons operating a business under the provisions of Title 6. the certificate issued by the Department pursuant to Subtitle 6B of the TMC.~~

"License code" means Subtitle 6B of the TMC.

"License fee" means the amount charged by the City for the issuance of ~~any regulatory~~ license required under the provisions of Subtitle 6B. ~~These Regulatory license~~ fees are intended solely to cover all costs of administering the required license.

"Licensee" means any person required to be licensed ~~or applying to be licensed~~ under Subtitle 6B.

"Massage" or "Massage therapy" means a health care service involving the external manipulation or pressure of soft tissue for therapeutic purposes. Massage therapy includes techniques such as tapping, compressions, friction, reflexology, Swedish gymnastics or movements, gliding, kneading, shaking, and fascial or connective tissue stretching, with or without the aids of superficial heat, cold, water, lubricants, or salts. Massage therapy does not include diagnosis or attempts to adjust or manipulate any articulations of the body or spine or mobilization of these articulations by the use of a thrusting force, nor does it include genital manipulation.

"Massage business" means the operation of a business where massages are given.

"Peddling" means the same as door-to-door sales.

"Person" means any individual, receiver, administrator, executor, assignee, trustee in bankruptcy, trust, estate, firm, co-partnership, joint venture, club, company, joint stock company, business trust, municipal corporation, political subdivision of the state of Washington, corporation, limited liability company, association, society, or any group of individuals acting as a unit, whether mutual, cooperative, fraternal, nonprofit, or otherwise, and the United States or any instrumentality thereof.

"Public official" means any official designated by the City Manager, or his or her designee, authorized to enforce this chapter, including, but not limited to, officials of the Police Department, Fire Department, Public Works Department, Finance Department, or the Tacoma-Pierce County Health Department charged with the enforcement of a particular portion of this chapter.

"Records" means the books of accounts and other business-related records of a licensee subject to the City's Tax Code or License Code. Such records include ledgers; subsidiary ledgers; invoices; receipts; registration and incorporation documents; federal, state and local tax returns; and any other records necessary to establish the amounts due under the provisions of the City's Code.

"Registration" or to "register" means an identification of real properties owned by a person, for which they use, or intend to use, as rental property.

~~"Registration certificate" means a non-transferable certificate issued by the Department required of all persons operating a business under the provisions of Title 6.~~

"Successor" means any person to whom a licensee quitting, selling out, exchanging, or disposing of a business sells or otherwise conveys, directly or indirectly, in bulk and not in the ordinary course of business of the licensee's business, any part of the materials, supplies, merchandise, inventory, fixtures, or equipment of the licensee. Any person obligated to fulfill the terms of a contract shall be deemed a successor to any contractor defaulting in the performance of any contract as to which such person is a surety or guarantor.

"Taxpayer" means any person subject to the provisions of Title 6A, regardless of whether they owe or have previously paid taxes to the City.

"Vendor" means any person who exhibits goods or services for sale for the purpose of selling, bartering, trading, exchanging, or advertising such goods or services.

(Ord. 28401 Ex. A; passed Dec. 6, 2016; Ord. 28207 Ex. A; passed Mar. 18, 2014; Ord. 27588 Ex. A; passed Feb. 20, 2007; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.10.060 Application for license—~~Approval or denial—Appeal.~~

No license required hereunder shall be issued except upon application therefor made on forms prescribed by the City. Each application shall be accompanied by the license fee prescribed herein. Upon approval of the application, the license shall be issued by the City and delivered to the applicant. ~~The Director shall approve or deny all applications for licenses required hereunder and any applicant denied a license, or any person objecting to the issuance of any such license, shall, within 10 days after the issuance or denial of such license, appeal said ruling by filing a written notice of appeal, clearly stating the grounds that the appeal is based on, with the City Clerk, and the City Clerk shall set a date for the hearing of such appeal before the Hearing Examiner of the City, which appeal shall be governed by TMC 1.23, and shall notify the applicant in the case of a denial, and the objector and applicant in the case of issuance, by mail, of the time and place of hearing.~~

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.10.070 Term of license.

All licenses issued pursuant to the provisions of this subtitle, except as to those licenses for which a ~~shorter~~ different term is herein specified, shall be effective as of the first day of the month of issuance regardless of the actual date of issue, and shall expire 1 year from the effective date thereof ~~unless sooner revoked or suspended in a~~ manner provided in this chapter.

(Ord. 27297 § 1; passed Nov. 23, 2004)

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.10.140 ~~Suspension~~ Denial or revocation – Appeal.

~~A. The Director shall have the power and authority to suspend or revoke any registration or license issued under the provisions of Title 6. The Director shall notify such licensee in writing by certified mail or hand delivery of the suspension or revocation of his or her license or registration and the grounds therefor. Any license or registration issued under this title may be suspended or revoked based on one or more of the following grounds:~~

- ~~1. The registration was procured by fraud or false representation of fact, including, but not limited to, the existence of owners who were not identified on the application.~~
- ~~2. The licensee has failed to comply with any provisions of this title.~~
- ~~3. The licensee has failed to comply with any provisions of the TMC.~~
- ~~4. The licensee is in default in any payment of any license fee or tax under Title 6.~~
- ~~5. The licensee or employee has been convicted of a crime involving the business.~~
- ~~6. Licensee's continued conduct of the business for which the license or registration was issued will result in a danger to the public health, safety, or welfare by reason of any of the following:~~
 - ~~a. The licensee, his/her employee or agent has committed a crime or other violation of law, which bears a direct relationship to the conduct of the business under the license or registration issued pursuant to this title. The Director may consider any relevant violation of law regardless of whether the same act was charged as a civil infraction or crime or resulted in a finding of committed or conviction or if it is deferred or subject to pretrial diversion. If a licensee appeals such a suspension, revocation, or denial of a license or registration under this subsection, the violation must be proved by a preponderance of the evidence. Provided, however, that a finding of not committed on a civil infraction or a verdict of not guilty on a criminal charge precludes use of that act as a basis for a violation under this chapter.~~
 - ~~b. The licensee, or his/her agents or employees, have in the conduct of the business, violated any local, state, or federal law relating to public health or safety.~~
 - ~~c. The conduct of the business for which the license or registration was issued has resulted in the creation of a public nuisance as defined in the TMC or in state law.~~
 - ~~d. The tolerance of a public nuisance or criminal activity, as defined in local, state, or federal law, for which the business owner or operator can reasonably control or prevent.~~
- ~~7. For any reason that would justify denial or disqualification of a license under Section 6B.10.170.~~

B. Any licensee may, within 10 days from the date that the suspension or revocation notice was mailed to the licensee, appeal such suspension or revocation by filing a written notice of appeal ("petition") setting forth the grounds therefor with the City Clerk. A copy of the petition must be provided by the licensee to the Director and the City Attorney on or before the date the petition is filed with the City Clerk. The hearing shall be conducted in accordance with the procedures for hearing contested cases set out in TMC 1.23. The Hearing Examiner shall set a date for hearing said appeal and notify the licensee by mail of the time and place of the hearing. After the hearing thereon the Hearing Examiner shall, after appropriate findings of fact and conclusions of law, affirm, modify, or overrule the suspension or revocation and reinstate the license or registration, and may impose any terms upon the continuance of the registration.

No suspension or revocation, under this subsection, of a license or registration issued shall take effect until 10 days after the mailing or hand delivery of the notice thereof by the Director and, if appeal is taken as herein prescribed, the suspension or revocation shall be stayed pending final action by the Hearing Examiner. All licenses or registrations which are suspended or revoked shall be surrendered to the City on the effective date of such suspension or revocation.

The decision of the Hearing Examiner shall be final. The licensee and/or the Director may seek review of the decision by the Superior Court of Washington in and for Pierce County within 21 days from the date of the decision. If review is sought as herein prescribed, the suspension or revocation shall be stayed pending final action by the Superior Court.

Upon revocation of any license or registration as provided in this subchapter, no portion of the license fee shall be returned to the licensee.

(Ord. 28401 Ex. A; passed Dec. 6, 2016; Ord. 28207 Ex. A; passed Mar. 18, 2014; Ord. 28007 Ex. A; passed Jul. 26, 2011; Ord. 27588 Ex. A; passed Feb. 20, 2007; Ord. 27297 § 1; passed Nov. 23, 2004)

A. Reasons for denial or revocation.

The Director may deny an application for, or revoke any license issued under the provisions of Title 6 based on one or more of the following grounds:

1. The license application contained fraudulent or false representation of fact, including, but not limited to, the existence of owners who were not identified on the application.
2. The licensee has failed to comply with any provisions of this title.
3. The licensee has failed to comply with any provisions of the TMC related to the operation of the business.
4. The licensee is in default ~~in~~of any payment of any license fee or tax under Title 6.
5. The licensee or employee has been convicted of a crime involving the business.
6. The licensee is a minor under 18 years of age.
7. The licensee's regulatory license has been revoked.
8. The licensee is not qualified under any specific provision of this subtitle for a particular license for which application is made.
9. The Director has reasonable grounds to believe the licensee to be dishonest, desires such license to practice some illegal act or some act injurious to the public health or safety, or the continued conduct of the business for which the license was issued will result in a danger to the public health, safety, or welfare.
10. The licensee, his/her employee or agent has committed a crime or other violation of law, which bears a relationship to the conduct of the business under the license issued pursuant to this subtitle. The Director may consider any relevant violation of law regardless of whether the same act was charged as a civil infraction or crime or resulted in a finding of committed or conviction or if it is deferred or subject to pretrial diversion. If a licensee appeals such a suspension, revocation, or denial of a license under this subsection, the violation must be proved by a preponderance of the evidence; provided, however, that a finding of not committed on a civil infraction or a verdict of not guilty on a criminal charge precludes use of that act as a basis for a violation under this chapter.
11. The licensee, or his/her agents or employees, have in the conduct of the business violated, or the Director reasonably concludes the licensee will not comply with, any local, state, or federal law requirements relating to

public health or safety. The Director may consider any relevant matter, including illegal activity associated with the licensee's operation of a current business or previously operated business, or the conduct of the licensee's patrons or employees, inside or outside a current or previously operated business, including tolerance of a public nuisance, for which the licensee can reasonably control or prevent.

12. The conduct of the business has resulted in the creation of a public nuisance as defined in the TMC or in state law.

13. The licensee or the property owner where the business is located is subject to a Chronic Nuisance action under TMC 8.30A.

14. The applicant or licensee has had a license revoked, denied or suspended three times pursuant to subtitle 6 or by any other administrative authority.

B. Application for new license after denial, revocation or suspension.

If the City denies, revokes or suspends a license, the licensee or person in control of the business, may not apply for an annual business license within 12 months after the denial, revocation, or suspension unless it was due to:

1. the applicant being a minor,
2. a violation of a regulatory license in subtitle 6 and the violation has since been remedied,
3. nonpayment of taxes or license fees pursuant to subtitle 6 that have since been paid, or
4. not having a required local, state or federal license, but which has since been obtained.

C. Notice.

1. The Director shall notify such licensee in writing by first class mail or hand delivery of the denial or revocation of the license and the grounds therefor.

2. Denial of a license application under this subsection shall take effect immediately upon the mailing or hand delivery of the denial notice, as if no license was issued.

3. Revocation of a license issued shall not take effect until 10 days after the mailing or hand delivery of the revocation notice and, if appeal is taken as outlined, the revocation shall be stayed pending final action by the Hearing Examiner. A licensee shall surrender all licenses issued by the City on the effective date of such revocation.

D. Conditional License.

The Director has the discretion to issue a conditional license after a license has been revoked or denied, if the Director reasonably concludes the licensee is likely able to operate the business in compliance with local and state laws, and if the licensee agrees to comply with conditions imposed by the City. The conditions imposed must be directed at remedying the violations in this subsection or taking proactive measures to prevent the violations from occurring in the future. The licensee may appeal the conditions as provided in subsection below. If the licensee fails to comply with the imposed conditions, the Director may revoke the license.

E. Appeal.

Any licensee may, within 10 days from the date that the denial, revocation, or conditional license notice was delivered to the licensee, appeal such notice by filing a written notice of appeal setting forth the grounds of the appeal with the City Clerk. The hearing shall be conducted in accordance with the procedures for hearings as set out in TMC 1.23. The Hearing Examiner shall set a date for hearing said appeal and notify the licensee by mail of the time and place of the hearing. After the hearing, the Hearing Examiner shall, after appropriate findings of fact and conclusions of law, affirm, modify, or overrule the denial, revocation, or conditional license, or reinstate the license, and may impose any conditions upon the continuance of the license.

The decision of the Hearing Examiner shall be final. The licensee or the Director may seek review of the decision by the Superior Court of Washington in and for Pierce County within 21 days from the date of the decision. If review is sought as herein prescribed, a revocation shall be stayed pending final action by the Superior Court.

6B.10.145 Summary suspension – Appeal.

A. Where conditions exist that are deemed hazardous to life or property, or where the owner or his or her employee or agent has knowingly permitted a violation of the uniform controlled substances act, a violation of any law against

gambling, or a violation of any law against prostitution within the business, the public official in charge is authorized to immediately stop such hazardous conditions that are in violation of this code, up to and including closing the business operation. Such order and demand may be oral or written.

B. At the time the Director notifies the licensee of the summary suspension, either by mail or hand delivery, the Director shall also schedule a hearing to be held within 3 business days from the date of the notice of summary suspension. Where an oral summary suspension is ordered or demanded by a public official the Director shall schedule a hearing to be held within 3 business days from the date of the summary suspension and the licensee will be notified by mail, facsimile, email, personal service or hand delivery. Such notices shall state the time and place of the hearing.

The decision of the Director shall be final. The licensee may, within 10 days from the date of the Director's decision, appeal such suspension or revocation by filing a written notice of appeal ("petition") setting forth the grounds therefor with the City Clerk. A copy of the petition must be provided by the licensee to the Director and the City Attorney on or before the date the petition is filed with the City Clerk. The hearing shall be conducted in accordance with the procedures for hearing contested cases set out in TMC 1.23. The Hearing Examiner shall set a date for hearing said appeal and notify the licensee by mail of the time and place of the hearing. After the hearing thereon the Hearing Examiner shall, after appropriate findings of fact and conclusions of law, affirm, modify, or overrule the summary suspension and reinstate the license or registration, and may impose any terms upon the continuance of the license.

The decision of the Hearing Examiner shall be final. The licensee and/or the Director may seek review of the decision by the Superior Court of Washington in and for Pierce County within 21 days from the date of Hearing Examiner's decision.

(Ord. 28207 Ex. A; passed Mar. 18, 2014; Ord. 28007 Ex. A; passed Jul. 26, 2011; Ord. 27588 Ex. A; passed Feb. 20, 2007)

A. The Director or public official in charge is authorized to immediately stop hazardous conditions that are in violation of the Tacoma Municipal Code, up to and including closing the business operation.

At the order of the public official occupants shall be required to immediately vacate the building and cease all activity at the site. Such order and demand may be oral or written.

Failure to comply with the orders of the City of Tacoma official is a misdemeanor. .

B. Such hazardous conditions include but may not be limited to:

1. Conditions that exist that are deemed hazardous to life or property.
2. The owner or his or her employee or agent has knowingly permitted a violation:
 - a. of the uniform controlled substances act;
 - b. of any law against gambling;
 - c. of any law against sales or distribution of firearms and dangerous weapons; or
 - d. of any law against prostitution within the business.
3. Unlicensed operations or unlawful occupancy.

C. Conditional License. The Director has the discretion to issue a conditional license, if the Director reasonably concludes the licensee is likely able to operate the business in compliance with local and state laws and if the licensee agrees to comply with conditions imposed by the City. The conditions imposed must be directed at remedying the violations in this subsection or taking proactive measures to prevent the violations in this subsection from occurring in the future. The licensee may appeal the conditions as provided in subsection below. If the licensee fails to comply with the imposed conditions, the Director shall revoke the license.

D. Hearing Notice. At the time the Director or public official notifies the licensee of the summary suspension, either by mail, hand delivery, or by posting the notice of summary suspension in a prominent location on the premises, the Director shall also schedule a hearing to be held within 3 business days from the date of the notice of summary suspension. Where an oral summary suspension is ordered by a public official, the Director shall schedule a hearing to be held within 3 business days from the date of the summary suspension and the licensee will be notified of the

summary suspension and hearing by mail, facsimile, email, personal service, or hand delivery. Such notices shall state the time and place of the hearing.

The decision of the Director shall be final. The licensee may, within 10 days from the date of the Director's decision, appeal such suspension by filing a written notice of appeal setting forth the grounds of the appeal with the City Clerk. The hearing shall be conducted in accordance with the procedures for hearings as set out in TMC 1.23. The Hearing Examiner shall set a date for hearing said appeal and notify the licensee by mail of the time and place of the hearing. After the hearing thereon the Hearing Examiner shall, after appropriate findings of fact and conclusions of law, affirm, modify, or overrule the summary suspension and reinstate the license, and may impose any terms upon the continuance of the license.

The decision of the Hearing Examiner shall be final. The licensee and/or the Director may seek review of the decision by the Superior Court of Washington in and for Pierce County within 21 days from the date of Hearing Examiner's decision.

6B.10.160 Refund of license fee.

A. Revocation. Upon revocation, suspension or denial of any license as provided in this chapter, no portion of the license fee shall be returned to the licensee.

B. License application withdrawn. Upon licensee request to withdraw their initial application, the fee paid shall be returned to the applicant by the City, together with notice that the application has been withdrawn; provided that no refund shall be made where the applicant has engaged in the business activity for which the license was intended, or where inspection has been performed by any City department to review said license application.

~~C. Overpayment. If, upon request by a licensee for a refund or upon an examination of the records of any licensee, it is determined by the Director that a fee has been paid in excess of that properly due, the excess amount paid shall be credited to the licensee's account or shall be refunded to the licensee. No refund or credit shall be allowed with respect to any payment made to the Director more than four years before the date of such request or examination.~~
C. No renewal license fee shall be refunded to a licensee or credited to a licensee's account.

(Ord. 28207 Ex. A; passed Mar. 18, 2014; Ord. 27588 Ex. A; passed Feb. 20, 2007; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.10.170—Grounds for disqualification of licensees.

Pursuant to the provisions of this subtitle, no license shall be issued to the following persons:

A. Any minor under 18 years of age.

B. Any person who, if licensed, is likely to present a danger to the public health, safety, or welfare by reason of any of the following:

1. The applicant or his or her employee or agent has committed a crime or other violation of law which bears a direct relationship to the conduct of the business under the license issued pursuant to this title. The Director may consider any relevant violation of law regardless of whether the same act was charged as a civil infraction or crime or resulted in a finding of committed or conviction or if it is deferred or subject to pretrial diversion. If a licensee appeals such a denial of a license under this subsection, the violation must be proved by a preponderance of the evidence. Provided, however, that a finding of not committed on a civil infraction or a verdict of not guilty on a criminal charge precludes use of that act as a basis for a violation under this chapter.

2. The applicant has had a similar license revoked or suspended pursuant to the provisions of Section 6B.10.140 above or has had a similar license revoked or suspended by any other administrative authority.

3. The Director has reasonable grounds to believe applicant to be dishonest or to desire such license to enable applicant to practice some illegal act or some act injurious to the public health or safety.

C. Any person who is not qualified under any specific provision of this subtitle for any particular license for which application is made.

D. The Director may deny a license if:

1. The applicant or his or her employee or agent has committed a series of crimes or other violations of law that show a disregard for the law and the Director reasonably concludes, based on this conduct, that the applicant will not

comply with the provisions of this title or other applicable laws applicable to the operation of the business. The Director may consider any relevant violation of law, regardless of whether the same act was charged as a civil infraction or crime or resulted in a conviction or finding of committed, or if it is deferred or subject to pretrial diversion. If a licensee appeals such a denial of a license under this subsection, the violation must be proved by a preponderance of the evidence. Provided, however, that a finding of not committed on a civil infraction or a verdict of not guilty on a criminal charge precludes use of that act as a basis for a violation under this chapter.

2. For any reason that would justify denial of the license under Section 6B.10.140 or Section 6B.10.145;

3. When the Director reasonably concludes that the applicant will not comply with the provisions of this title or other applicable local, state, or federal laws applicable to the operation of the business or that the operation of the business is likely to endanger public health or safety. The Director may consider any relevant matter, including illegal activity associated with the applicant's operation of another business, or the conduct of the applicant's patrons or employees inside or outside a similar business operated by the applicant, if

(Ord. 28401 Ex. A; passed Dec. 6, 2016; Ord. 28007 Ex. A; passed Jul. 26, 2011; Ord. 27297 § 1; passed Nov. 23, 2004)

6B.10.210 — Notice of right to suspend or revoke.

Every license issued pursuant to the provisions of this subtitle shall state thereon, in substance, that such license is issued in consideration of the fee paid therefor and that the same is subject to suspension or revocation in the manner provided in this chapter.

(Ord. 27297 § 1; passed Nov. 23, 2004)

6B.10.240 — Engaging in activity without license — Penalty.

Unlicensed operations and unlawful occupancy shall be subject to summary suspension. At the order and demand of the City of Tacoma official occupants shall be required to immediately vacate the building and cease and desist all activity at the site. Failure to comply with the orders of the City of Tacoma official may result in a criminal citation being issued to the responsible party or parties. Such order and demand may be oral or written.

Any person engaging in any activity for which a license is required pursuant to the provisions of this subtitle, without making an application for a license at the time of the commencement of said activity, shall pay, in addition to the license fees set forth herein, the penalty as set forth in Section 6B.10.090 and shall be subject to such further penalties as set forth herein.

The mere filing of an application for a license shall not give the applicant any right to engage in the activity covered thereby.

(Ord. 27588 Ex. A; passed Feb. 20, 2007; Ord. 27297 § 1; passed Nov. 23, 2004)

**City of Tacoma 2018
City Council Forecast Schedule**

Date	Meeting	Subject	Department	Background
August 14, 2018	Study Session (TMBN 16, Noon)	Chronic Nuisance Code and Business License Code Updates	FIN-T&L/CAO	Staff will present proposed amendments to the Chronic Nuisance and Business License Codes to better address problems in the City.
		Lincoln District Revitalization Project Update	CED	Review the original goals of the Lincoln Revitalization Project and summary of where each goal is at this time. The update will include information on business and community development, construction, and the project wind down.
		Closed Session - Labor Negotiations	Legal	
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
August 21, 2018	Joint Council/Public Utility Board Study Session (TMBN 16, Noon)	Click! Broadband Partnership	TPU	The City Council and Public Utility Board will continue their discussion on the proposals for the Click! Broadband Partnership.
		Executive Session - Pending Litigation	Legal	
	Special Meeting Committee of the Whole (TMBN 16, 3:00 PM)			
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
August 28, 2018	City Council Study Session (TMBN 16, Noon) (TMBN 16, Noon)	Health and Medicine Academy at Stadium High	TPS	Presentation on the Tacoma School District's Health and Medicine Academy at Stadium High School. Tacoma Health Careers Collaborative provides students with equitable access to world-class learning focused on medical careers.
		Workforce Connect Project	TPU	
		Other Items of Interest - Diversity in Hiring Process	HR/OEHR	City's hiring process to ensure diverse hiring pools, diverse hiring panels and outreach methods to reach diverse candidates.
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
September 4, 2018	CANCELLED			

**City of Tacoma 2018
City Council Forecast Schedule**

Date	Meeting	Subject	Department	Background
September 11, 2018	City Council City Council Study Session (TMBN 16, Noon)	Tacoma Dome Link Extension (TDLE)	PDS/Sound Transit	Update regarding the Tacoma Dome Link Expansion (TDLE) project, which is the planned extension of Central Link light rail service from Federal Way to the Tacoma Dome area. The alternatives analysis process is underway and the potential options for both the East Tacoma and Tacoma Dome station locations will be narrowed down over the next few months.
		Impact Fees	Fire/PW	Presentation on Fire and Transportation Impact Fees, which are fees authorized by Washington State Law enabling jurisdictions to collect revenue to help pay for needs related to new development.
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
September 18, 2018	Joint Council/Public Utility Board Study Session (TMBN 16, Noon)	Carbon Tax/Clean Energy	TPU	
		Legislative Policies and Statement	GG & TPU	Discussion on GG & TPU Legislative Policies & draft Legislative Policy Statement for 2019-2020, which is a policy document to cover issues of interest to the City that come up in any given legislative session.
	Special Meeting Committee of the Whole (TMBN 16, 3:00 PM)			
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
September 25, 2018	City Council Study Session (TMBN 16, Noon)	Tacoma Maritime Air Emissions Progress Briefing	NWSA/Port of Tacoma	Port of the Tacoma and Northwest Seaport Alliance updated their air emissions inventory for calendar year 2016. Results demonstrate significant emission reductions for Tacoma based port operations (Port of Tacoma and NWSA South Harbor), as well as Puget Sound wide.
		Tideflats Interim Regulations	PDS	Review findings of fact supporting the renewal of the current interim regulations, and potential modifications to the interim regulations.
	City Council Meeting (TMB Council Chambers, 5:00 PM)			

**City of Tacoma 2018
City Council Forecast Schedule**

Date	Meeting	Subject	Department	Background
October 2, 2018	City Council Study Session (TMB Council Chambers, Noon)	2019/2020 Proposed Biennial Budget Presentation	City Manager	
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
October 9, 2018	City Council Study Session (TMB Council Chambers, Noon)	General Government Budget Presentation	TBD	
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
October 16, 2018	City Council Study Session (TMB Council Chambers, Noon)	Joint Public Utility Board Study Session - TPU Proposed 2019-2020 Biennial Budget presentation.	TPU	
	City Council Study Session (TMB Council Chambers, Noon)	Environmental Service Budget Presentation	ESD	
	Special Meeting Committee of the Whole (TMBN 16, 3:00 PM)			
	City Council Meeting (TMB Council Chambers, 5:00 PM)			
October 23, 2018	City Council Study Session (TMB Council Chambers, Noon)	General Government Budget Presentation	TBD	
	City Council Meeting (TMB Council Chambers, 5:00 PM)	Public Hearing Interim Tideflats Regulations Extension	PDS	Public Hearing on the proposed 6-month extension of and any modifications to the current Interim Tideflats regulations
October 30, 2018	City Council Study Session (TMB Council Chambers, Noon)	General Government Budget Presentation	TBD	
		Tideflats Interim Regulations	PDS	Review public testimony related to the Interim Tideflats Regulations and provide guidance on any Ordinance modifications.
	City Council Meeting (TMB Council Chambers, 5:00 PM)	Tideflats Interim Regulations First Ordinance First Reading	PDS	

Community Vitality and Safety

Committee Members: Blocker (Chair), Beale, Camarata, Ushka, Alternate-Hunter Executive Liaison: Linda Stewart; Staff Support - Will Suarez		2nd and 4th Thursdays 4:30 p.m. Room 248	CBC Assignments: • Citizen Police Advisory Committee • Human Services Commission • Human Rights Commission • Housing Authority • Commission on Disabilities • Library Board • Tacoma Community Redevelopment Authority
August 9, 2018	Tacoma Area Commission on Disabilities Interviews	Clerk's Office	4 vacancies
	Tenants Rights (informational briefing)	ChiQuata Elder, Landlord-Tenant/Crime Free Housing Coordinator, Office of Equity and Human Rights; Debra Casparian, Deputy City Attorney, City Attorney's Office	A presentation on regulations related to rental agreements continued from June 28.
	Relocation Assistance (informational briefing)	Pam Duncan, Human Services Division Manager, Neighborhood and Community Services; M'Balu Bangura, Risk Analyst/Civil Rights Investigator, Office of Equity and Human Rights	Continued from June 28.
FUTURE:			
August 23, 2018			
September 13, 2018			

Economic Development Committee			
Committee Members: McCarthy (Chair), Hunter, Ushka, Woodards, Alternate-Beale Executive Liaison: Tadd Wille; Staff Support - Lynda Foster		2nd, 4th, and 5th Tuesdays 10:00 a.m. Room 248	CBC Assignments: •Tacoma Arts Commission •Greater Tacoma Regional Convention Center Public Facilities District •Foss Waterway •City Events and Recognition Committee
August 14, 2018	Downtown retail study results and recommendations	David Schroedel, BIA Manager and Ben Mauk, UWT Real Estate Manager	Presentation on outcomes of a retail study commissioned by the City of Tacoma from Downtown Works, and proposed BIA & City Partnership.
	Traditional fuel eco-system in Tacoma	Cameron Proudfoot, President & CEO of US Oil & Refining Co.	Presentation on demands of traditional fuels (jet, Gas, Diesel, asphalt) in the state and our county, and how the fuels get to market
FUTURE:			
August 28, 2018	Innovation Partnership Zone proposal	Jim Parvey, Environmental Services Division Manager, ES	Staff will share the proposal requested at the May 22 "Green jobs" presentation.
	Issuance of Industrial Revenue Bonds for the expansion of Tool Gauge by the Economic Development Corporation of Pierce County: 4336 S Adams Street	Pat Beard, Project Manager, CEDD - Private Capital Division	Staff will request consideration of a supporting resolution related to an expansion of aerospace components manufacturer Tool Gauge. The resolution is required in order for the Economic Development Corporation of Pierce County to issue tax exempt financing for the project
September 11, 2018	Office of Arts and Cultural Vitality Update/Tacoma Arts Month	Amy McBride	
	Spaceworks Update	Amy McBride	

Government Performance and Finance Committee			
Committee Members: Ibsen (Chair), Blocker, Hunter, Mello, Alternate-Camarata Executive Liaison: Andy Cherullo; Staff Support - Bucoda Warren		1st and 3rd Tuesday 10 a.m. Room 248	CBC Assignments: •Public Utility Board •Board of Ethics •Audit Advisory Board •Civil Service Board
August 21, 2018	Digital Equity	Daniel Key, Director, Information Technology	Update on current trends in digital equity and a discussion on desired outcomes for Tacoma's program
	Manitou Annexation	Lihuang Wung, Senior Planner, Planning and Development Services Department	Review the scope of the pre-annexation planning for the Manitou Potential Annexation Area located at the southwest corner of the City near Lakewood Drive and 66th St. W. The City Council is scheduled to consider a resolution in September to officially initiate the planning process and the negotiation of an interlocal agreement with County Council.
FUTURE:			
September 4, 2018	Cancelled		
September 18, 2018	Proposed Wastewater, Surface Water and Solid Waste Budget Rates	Michael P. Slevin, III, P.E., Director of Environmental Services Department	This is an informational presentation regarding wastewater, Surface Water and Solid Waste Budget Rates
	Responsive Bidding Process	Martha Lantz, Deputy City Attorney, Civil Division, City Attorney's Office	
	Minimum Wage for Disabled Persons	Debra Casparian, Attorney, City Attorney's Office	Follow up discussion of whether the City can require employers to pay disabled persons the standard minimum wage generally applicable to employees. State law, allows employers to pay "worker with a disability" less than standard minimum wage.

Infrastructure, Planning and Sustainability Committee			
Committee Members: Mello (Chair), Beale, Ibsen, McCarthy, Alternate-Hunter Executive Liaison: Kurtis Kingsolver; Staff Support - Rebecca Boydston		2nd and 4th Wednesdays 4:30 p.m. Room 16	CBC Assignments: •Sustainable Tacoma Commission •Planning Commission •Landmarks Preservation Commission •Board of Building Appeals •Transportation Commission
FUTURE:			
August 22, 2018	Air Monitoring [briefing]	Craig Kenworthy, Executive Director, Puget Sound Clean Air Agency	including what they do monitor
	Co-Mingled Recycling [request for recommendation]	Lewis Griffith, Solid Waste Division Manager, Environmental Services	Update on the impacts China's policies have had on Tacoma's commingled recycling program and the region. Presentation of options in taking action to address these impacts in the short term.
	All Things Sidewalk [briefing]	Public Works Engineering	The presentation will discuss the sidewalk assessment and needs, existing programs, prioritizing projects, and potential funding options.
FUTURE:			
September 12, 2018 CANCELLED			
September 26, 2018	Cross laminated timber [briefing]	James Duggan, Fire Chief; Sue Coffman, Building Official, Planning and Development Services	Briefing on cross laminated timber as a building material, including update on the status of state building code in adopting the use of this product.
	Green Building	Kristi Lynett, Office of Environmental Policy and Sustainability; Sue Coffman, Building Official	Sue Coffman and Kristin Lynett will give a brief overview of the work that the City's Green Building Team has developed over the past 10 months. Developing a green
	Healthy Homes Healthy Neighborhoods	Patrick Babbitt, Office of Environmental Policy and Sustainability	The Healthy Homes, Healthy Neighborhoods presentation will share implementation results from the 2017-2018