

# Chronic Nuisance Ordinance Discussion

**Goal 5: Promote & enhance the City's  
safe community and neighborhood  
programs and initiatives**

# Recent Nuisance Site: Cook House



N 169<sup>th</sup> Street in Meridian Park Neighborhood











# Code Enforcement Action Taken @ Meridian Park Neighborhood house on N 169<sup>th</sup> St

- Repeated Code Violations & action taken
- Limitation of code enforcement tools



# Past Examples: Richmond Highlands Neighborhood



# Richmond Highlands Neighborhood



# Ridgecrest Neighborhood



# Ridgecrest Neighborhood



# Components of a Chronic Nuisance Ordinance

- Definition
- Listing of Nuisances
- Enforcement and remedy

# Previous Council Direction

- On July 1, 2013, Council Provided Direction on Drafting a Chronic Nuisance Ordinance
- Initial Feedback provided on:
  - Defining a Chronic Nuisance
  - Scope of nuisances to be included
  - Staff Discretion in the Enforcement processes

# Staff's Analysis and Response to Feedback

In defining a "chronic nuisance property"

- Suggestion: increase the time period that nuisance activities occurred;
  - Suggestion: increase the number of nuisance activities over an extended period of time.
- ü Staff modified the number of nuisance activity occurrences to three or more nuisance activities during any 180 day period or five or more during any twelve-month period.
- ü Staff incorporated Council's suggestion regarding when two or more search warrants are executed. Changing the timeline to 24 months from 12 months.



# Staff's Analysis and Response to Feedback

In determining what constitutes a "nuisance activity"

- Some Council members commented that the list may be too broad.

In response, staff :

- ü Shortened list of violations from the State criminal code (RCW Title 9)
- ü Reduced the list of civil codes violations.
- ü Reduced which activities under the animal control code to two sections.
- ü Reduced the violations considered nuisance activities to three sections of the health code.





# Staff's Analysis and Response to Feedback

In determining what constitutes a "nuisance activity", continued

- ü Staff recommends continuing to include a mix of criminal and civil violations in the nuisance activity definition, as both types of activities can negatively impact the surrounding community.
- ü Staff added language to address concern that victims may hesitate to call for help if they fear their residences might be declared public nuisance properties.



# Staff's Analysis and Response to Feedback

- Concern that the process provided the Police Chief with too much discretion in determining chronic nuisance properties & criteria is necessary to make this determination.
- ü This is not a subjective decision, but rather a review of the facts & an objective conformance with the Code.
  1. Police staff will submit both police and code enforcement case files of suspected chronic nuisance properties.
  2. The Police Chief together with the Director of Planning & Community Development is tasked with ensuring that the property being referred meets the codified definition of chronic nuisance property.



# Chronic Nuisance Ordinance Discussion

On July 1, 2013 Staff presented samples of other jurisdictions Chronic Nuisance Ordinances. One of the presenters was from the Everett who talked about that City's chronic nuisance program. That model has the enforcement action going from police department to code enforcement to City law office.

Proposed Ordinance No. 675 is modeled on the Bremerton's chronic nuisance regulations. The major benefit of this model is streamlining the process. Under this model, if the person responsible for the nuisance property is uncooperative, then the matter will be referred to the City Attorney's Office for further enforcement action.



# Next Steps

- Council Discuss Proposed Ordinance No. 675
- Provide Feedback and Direction on:
  - Defining a Chronic Nuisance
  - Scope of nuisances to be included
  - Enforcement processes